ZARIN & STEINMETZ LLP

Brad K. Schwartz
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December 17, 2024

By email (cgleason@mountvernonny.gov; bjohnson@mountvernonny.gov)

Cathlin Gleason, City Council President
City of Mount Vernon City Council
1 Roosevelt Square - Room 101
Mount Vernon, NY 10550

Attn: Brian Johnson, Esq., Corporation Counsel

Re: Engagement Letter for Land Use Special Counsel – Mt. Vernon Planning Board

Dear Council President Gleason and City Council Members:

Zarin & Steinmetz is pleased to submit this Engagement Letter for Special Counsel in connection with the Planning Board's review of certain Land Use Applications as requested by the City Council on an as-needed basis. Based upon our discussions, we anticipate that the types of Land Use Applications for which our services would be requested would consist of: (i) Applications concerning development projects in the City that also require rezoning approval by the City Council, and (ii) other Applications that do not require a rezoning, but which involve complex land use and zoning considerations.

I will be responsible for conducting and/or supervising all aspects of this matter. I will be assisted by my associate Matthew Behrens. The firm will also assign additional personnel should further assistance be required at any point. You should feel free to contact any of us at any time to discuss the progress of your matter.

Our fees for this legal representation will be billed on an hourly basis. When the Planning Board is required to incur fees directly on a matter, our hourly rates shall reflect a municipal discount, as follows: $375.00 for my time (and other partners), $335.00 for our associate attorneys, and $150.00 for our paralegals. We ask that you endeavor to make timely payments.

If an escrow is funded by an applicant or other entity to reimburse the Planning Board with respect to a particular Land Use Application, then in such case we would charge our regular hourly rates. Current hourly rates are: $560.00 for my time, and $365.00 for Matt's time. Hourly rates for our associate attorneys range from $350.00 to $495.00, and $215.00 for our paralegals.

You will receive a monthly statement reflecting all services rendered. The monthly statement will also include charges for certain auxiliary services and disbursements. These include expedited or regular document delivery by overnight delivery, mail, or messenger service; computer research charges; travel expenses; photocopies; and any other disbursements made on your behalf.

We hope that you will understand that our efforts to provide you with the best possible service at reasonable professional rates requires the payment of any outstanding balances be made when billed. We cannot continue to provide services when any of your accounts are unpaid for more than thirty days and we reserve the right to suspend or terminate all services and to impose an interest charge of .75% per month (9% per annum) to such account until payment is received. We also reserve the right to increase our billing rates on an annual basis by no more than 10% per year. Any changes in rates would occur in the first billing cycle of any given year.

If a collection action is necessitated by delinquent accounts, you will be responsible for any costs of collection, including court costs and reasonable attorneys' fees. You may be entitled to seek resolution through Arbitration under NYCRR Part 137, Rules of the Chief Administrator of the Courts, Fee Dispute Resolution Program.

We trust that you will find these terms of representation to be acceptable and will acknowledge this by signing and returning the enclosed copy of this letter.

We look forward to working with you and the Planning Board on these matters. Should you wish any further information about our firm, our experience and/or our attorney profiles, please feel free to visit our website: www.zarin-steinmetz.com.

Very truly yours,

ZARIN & STEINMETZ LLP

By: Brad Schwartz
Brad K. Schwartz

I understand the nature and scope of the proposed representation and agree to be responsible for all fees and charges incurred.

CITY OF MOUNT VERNON CITY COUNCIL

_____ Dated: December __, 2024

By:
Title: