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MARTHA V. SMITH, RA

December 23, 2025

Via email: malexander@cityofpeakskill.com

Matthew C. Alexander
City Manager
City of Peekskill
840 Main Street
City Hall, Room 32
Peekskill, New York 10566

Dear Mr. Alexander,

This is written to confirm the terms and conditions upon which we would be pleased to continue to serve as counsel to the City of Peekskill and its officers, employees, departments, bureaus, boards and commissions, upon the unavailability of the City Attorney, or when otherwise requested to do so by the City Manager.

I will serve as lead counsel in this matter, assisted by one or both of my law partners, if necessary. We will bill monthly for our services at the rate of \$275.00/hour. If we incur costs or disbursements, they will be itemized on our monthly statements and payable together with our fees for legal services. The cost of our services will not exceed \$20,000.00, unless we receive the approval of the City Manager.

This term of this engagement shall be from January 1, 2026 through December 31, 2026. Either you or we may terminate this engagement at any time, in which case we will be entitled to payment of the fees that we earned, and reimbursement of the costs and expenses that we incurred prior to termination.

Please be advised that Rule 137 of the Rules of the Chief Administrator of the Courts provides a procedure for the arbitration (and in some cases mediation) of fee disputes between attorneys and clients in civil matters. We are prohibited from bringing an action in court to collect our legal fees unless we first provide you with written notice of your right to resolve the dispute by arbitration, and provide you with a form that you may use to request arbitration. If we have a dispute about our fees, and you elect to resolve the dispute by arbitration, you must file a request for arbitration within 30 days of receiving our written notice. In that case, we will be required to participate in the arbitration. The arbitration will be final and binding on both you

and us, unless you or we reject the arbitrator's decision and commence a court action within 30 days. A dispute involving less than \$1,000.00 or more than \$50,000.00 will not subject to arbitration, unless you and we both consent. More information about fee arbitration is available at: <http://www.nycourts.gov/admin/feedispute> or by calling (877) FEES 137.

We recognize our obligation to the ultimate client – the City of Peekskill taxpayers – to control the cost of legal services. We intend to discharge our duties responsibly. Thank you for this opportunity to represent the City of Peekskill.

Very truly yours,

Steven G. Leventhal

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