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Lloyd Harbor prevails over \$10M civil suit

March 24, 2011 by DEBORAH S. MORRIS / deborah.morris@newsday.com

A federal jury Thursday sided with Lloyd Harbor village officials in a \$10-million civil rights lawsuit filed by a resident who accused them of trying to suppress his freedom of speech.

Jeff Bartels, 53, was a frequent speaker at board meetings from 2005 through February 2008.

He said that after village officials ignored his repeated attempts to alert them of poorly managed roadway drains, sagging telephone and electric cables, and trees that were unnecessarily cut down, village officials and police tried to intimidate him.

The jury deliberated nearly three hours before reaching its verdict in the three-week trial.

"We are pleased the nine-person jury unanimously rejected Bartels' claims that the village retaliated against him based on his First Amendment free-speech rights," said Mike A. Miranda, the attorney representing the village. "The jury vindicated Mayor [Leland] Hairr's, Deputy Mayor [Jean] Thatcher's and its fine police department's efforts to maintain order at meetings and keep its roadways safe."

The complaint, filed in March 2008 with the U.S. District Court for the Eastern District, contended village officials had instructed police to attend meetings to "restrain him from peaceably and justifiably speaking out in favor of safety and against village inaction."

About 20 people testified in the case that began March 7 before Judge A. Kathleen Tomlinson in Central Islip.

Former Police Chief Bernie Welsh testified he had been asked by Hairr and Thatcher, also the village police liaison, to have officers attend meetings because of Bartels. Both Hairr and Thatcher testified that was not true.

Andrew Campanelli, the attorney representing Bartels, could not be reached for comment.

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