

August 15, 2013

Mayor Peterson opened the emergency meeting at 6:40 pm. Mayor Peterson made a statement that he did not call this emergency meeting. Art Ianni began the meeting with the Pledge of Allegiance.

Members present were Mayor Peterson, Trustees Busch, Bielec, Ianni and Lauer. Also present was Village Attorney Mark Boylan, Howard Owens of the Batavian, news media representatives from YNN and Channel 4, and several Village residents.

Attorney Mark Boylan explained that the purpose of the meeting was to discuss ongoing issues with Judge Robert Alexander and Mayor Ralph Peterson. He said that some of the issues involve personnel and litigation which must be discussed in executive session. He continued that elected officials do not have the same privileges as employees regarding executive session so it was up to the Board on how they want to proceed.

Trustee Lauer questioned if it can all be discussed in one executive session rather than breaking the topics into separate sessions. Attorney Boylan suggested one session to take care of all the issues. It was also mentioned that Mayor Peterson would not be allowed to participate in the executive session. The four Trustees and Attorney Boylan would participate in the executive session.

Motion was made by Trustee Busch and seconded by Trustee Ianni to go into executive session at 6:43 pm to discuss police personnel issues, harassment charges against the Mayor, matters regarding the Mayor's conduct and recent threats by Judge Alexander.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson			X	
Trustee Keith Busch	X			
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
<b>VOTE TOTAL</b>	<b>4</b>		<b>1</b>	
<b>RESULTS</b>	<b>PASSED</b>			

Mayor Peterson left the building at 6:44 pm and returned at 7:18 pm.

Trustee Busch left the meeting from executive session at 7:12 pm.

Motion was made by Trustee Lauer and seconded by Trustee Ianni to go out of executive session at 7:18 pm.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson			X	
Trustee Keith Busch				X
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
<b>VOTE TOTAL</b>	<b>3</b>		<b>1</b>	<b>1</b>
<b>RESULTS</b>	<b>PASSED</b>			

Trustee Lauer informed the public that a decision was made to have Attorney Mark Boylan draft a letter to Judge Robert Alexander to ban him from all Village buildings and offices including the court facility.

Motion was made by Trustee Lauer and seconded by Trustee Ianni to move the following resolution:

RESOLVED; that the Village of Corfu Board of Trustees directs Village Attorney Mark Boylan to draft a letter to Judge Robert Alexander to ban him from all Village buildings and offices including the court facility until further notice, which is in direct response to threats made by Judge Robert Alexander to Town Councilman Peter Sformo at the Village of Corfu Board meeting on Monday August 12, 2013, and it is further

RESOLVED; that should Judge Robert Alexander violate this prohibition he will be arrested for trespass.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson	X			
Trustee Keith Busch				X
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
<b>VOTE TOTAL</b>	<b>4</b>			<b>1</b>
<b>RESULTS</b>	<b>PASSED</b>			

Trustee Lauer informed the public that a decision was also made in executive session to have Attorney Mark Boylan draft a letter to Mayor Ralph Peterson formally demanding his resignation by August 23, 2013 at 5:00 pm. Should he not resign by that date the Board will begin procedures for removal of Mayor Peterson pursuant to Section 36 of Public Officers Law by filing a petition to the appellate division of the supreme Court. Trustee Lauer continued that one of the complaints involves a police litigation letter dated May 3, 2013 that was withheld from the Trustees by the Mayor until the August 12, 2013 meeting in executive session. Attorney Boylan mentioned that in the August 12<sup>th</sup> session it was stated by Mayor Peterson it was his intent to withhold the letter to perpetuate the lawsuit.

Mayor Peterson denied having stated that, and Trustee Lauer asked the Mayor if he now had a different story to tell. Mayor Peterson then said he has been advised by counsel not to make any statements.

Motion was made by Trustee Lauer and seconded by Trustee Ianni to move the following resolution: RESOLVED; that the Village of Corfu Board of Trustees directs Village Attorney Mark Boylan to draft a letter to Mayor Ralph Peterson formally demanding his resignation by August 23, 2013 at 5:00 pm, and it is further

RESOLVED that should Mayor Peterson not resign by that date the Board will begin procedures for removal of Mayor Peterson pursuant to Section 36 of Public Officers Law by filing a petition to the appellate division of the Supreme Court.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson			X	
Trustee Keith Busch				X
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
<b>VOTE TOTAL</b>	<b>3</b>		<b>1</b>	<b>1</b>
<b>RESULTS</b>	<b>PASSED</b>			

Motion was made by Trustee Lauer and seconded by Trustee Ianni to move the following resolution: RESOLVED; that the Village of Corfu Board of Trustees directs Village Attorney Mark Boylan to draft a letter to Mayor Ralph Peterson barring him from contact with village office staff, due to his previous actions and concern that continued contact may lead to a harassment lawsuit.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson		X		
Trustee Keith Busch				X
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
<b>VOTE TOTAL</b>	<b>3</b>	<b>1</b>		<b>1</b>
<b>RESULTS</b>	<b>PASSED</b>			

Trustee Lauer informed the public that there has been a FOIL request received for the Mayor to provide all personal email and cell phone records. The Clerk was requested to email a copy of the FOIL request to both the Mayor's personal and business email addresses as well as placing a hard copy in the Mayor's mailbox.

Trustee Lauer also updated the public and Board about the uniforms that had been purchased for officers that the Mayor tried to hire without Board approval. Trustee Lauer contacted the uniform company and if they are returned unused, they will take them back and issue a credit for them.

Trustee Lauer confirmed to those present that the Police Officers have joined the CSEA union. Trustee Ianni has taken responsibility of working with the union.

The floor was opened for public comments.

Resident Al Graham questioned Mayor Peterson about willingly putting the Village in jeopardy. The Mayor had no comment.

Resident Charlie Lenhard told Mayor Peterson that it is time for him to resign.

Resident Drew Doll congratulated the Board for what they had done this evening and said he agreed with Mr. Lenhard that it was time for Mayor Peterson to resign. He continued by encouraging the Board to seriously look into the dissolution of the Village. He said he has become embarrassed by what the Village has become and that the Board is not working together to enhance the Village.

Motion was made by Trustee Lauer and seconded by Trustee Ianni to adjourn the meeting.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson	X			
Trustee Keith Busch				X
Trustee Dave Bielec	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
<b>VOTE TOTAL</b>	<b>4</b>			<b>1</b>
<b>RESULTS</b>	<b>PASS</b>			

Meeting was adjourned at 7:30 pm.

Sandra Thomas  
Clerk Treasurer