

August 26, 2013

Deputy Mayor Bielec opened the Committee meeting at 6:35 pm in the absence of Mayor Peterson. The meeting began with the Pledge of Allegiance.

Members present: Deputy Mayor Bielec, Trustees Busch, Ianni and Lauer, Attorney Mark Boylan and Joe Floss from Floss Insurance.

Joe Floss addressed the Board regarding Liability Insurance renewal effective as of August 26, 2013. He mentioned that Mayor Peterson had filled out the renewal on June 24, 2013 and had removed the 2009 Impala saying it will be replaced with a Crown Victoria. The Board informed Mr. Floss that the Police are still driving the '09 Impala and that the Board had not approved it's replacement, so the Impala should be added back on. Mr. Floss said he would take care of adding it back on and there would be no lapse in coverage.

Mr. Floss reviewed some of the coverage items listed in the summary he had put together including explanation of blanket coverage of tools and equipment not shown on the individual equipment listing. He gave a brief description of flood, earthquake, pollution coverage, cyber liability etc.

Mr. Floss also mentioned there are currently two open claims; one regarding employee theft and a second one filed by Mayor Peterson on April 17, 2013 regarding a potential lawsuit by Police officers regarding Civil service status and back pay. Mr. Floss was informed to include the Village office and Board on any potential claims or communications regarding any changes in the policy.

Clerk Thomas mentioned that when inquiring into the potential increase during budget time, she was given a potential increase figure and that the total being presented today is over \$1000 higher what had been budgeted per those figures. Mr. Floss said he will mail enough copies of the summary for all the Board members and if there are any changes that Board feels should be made to let him know and he will work with the Village. He did mention that part of the additional increase was due to an increase in management liability which was increased throughout New York State.

Mr. Floss left the meeting at 6:52 pm.

Communications:

- 1) Rec'd ck#443996392 in amt of \$20.00 from Lexis Nexis for accident report.
- 2) Rec'd letter from Corfu Concerned Citizens group to be read into public record. (See attached)
- 3) Rec'd July 2013 monthly Police summary from Officer Simon Biegaszewicz.
- 4) Rec'd copy of letter to Robert Alexander banning him from Village property from Attorney Boylan.
- 5) Rec'd ck#8190 in amt of \$799.36 from Denise Beal for Health Insurance payment.
- 6) Rec'd WW treatment plant operation report & DMR for July 2013 from Camden.
- 7) Rec'd copy of letter to Mayor Peterson regarding Village Board seeking his resignation from Attorney Boylan.
- 8) Rec'd ck#611865 in amt of \$4.24 from Granite Telecomm. for Utility Tax payment.
- 9) Rec'd FOIL request for information and letters regarding requests for Mayor Peterson's resignation from Luke Moretti of WIVB Channel 4.

Motion was made by Trustee Ianni and seconded by Trustee Busch to approve minutes of 7/22/13 Committee 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>PASSED</b>			

Motion was made by Trustee Lauer and seconded by Trustee Ianni to approve minutes of 8/12/13 Regular 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>PASSED</b>			

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve minutes of 8/15/13 Emergency 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>PASSED</b>			

The Board mentioned going into executive session to discuss the mayor not responding to the deadline set by the Board for his resignation and other mayoral issues. It was questioned by Howard Owens regarding discussion of elected officials not being required to be discussed in executive session. Attorney Boylan explained because a lot of the issues are so intertwined with other personnel it is almost impossible to separate the two, so executive session is recommended.

Motion was made by Trustee Ianni and seconded by Trustee Busch to go into executive session at 7:00 pm to discuss the mayor not responding to the deadline set by the Board for his resignation and other mayoral issues.

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>			

Motion was made by Trustee Ianni and seconded by Trustee Busch to go out of executive session at 7:24 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>4</b>			<b>1</b>
<b>RESULTS</b>	<b>PASSED</b>			

Deputy Mayor Bielec explained that it was the decision of the Board that no action would be taken against the Mayor until he is out of the hospital to find out for sure Mayor Peterson's intentions before filing with the Supreme Court.

Trustee Ianni addressed the residents mentioning that \$10,628 is what the Village has been trying to recover from the Court since 2011, which is a small percentage of court money. He made a statement that two family's lives were being ruined over this and questioned whether it was worth it.

Trustee Ianni also mentioned that he has been in contact with the CSEA Union rep and they said they will now get hold of Officer Nati and then they will come and collectively bargain with the officers and the Board. He said the Union has sent a formal notice to the Batavia Daily News. He said it will probably be in September that the Union will meet with the officers and then later with the Board. He said it will probably not happen soon and that they "don't want much".

An update was given on the unapproved uniforms. One officer was reported to have paid United Uniform for his and the other was reported to have returned his. Clerk has not yet received any credits from the company. It was also mentioned that according to procurement policy it is standard to get Board approval for any purchases over \$100.00. The Board requested the clerk to send a notice to all the officers stating that fact, along with a reminder that their uniform budget is now \$150 per year for the 2013-14 fiscal year.

Clerk relayed request from Court Clerk Yasses for approval to order envelopes for the Court and the Prosecutor at a total cost of \$1,139.20. She said Judge O'Connor has approved the purchase.

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve Court Clerk Yasses to order envelopes for the Court and the Prosecutor at a total cost of \$1,139.20.

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>			

Clerk also mentioned that the office back up system is having problems again and that the backup tape will not eject. Permission was requested to contact Alternative Information Systems to come out and correct the problem.

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve Clerk to contact Alternative Information Systems to come out and correct the problem with the back up system.

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 Ianni read the Police report from Officer Biegaszewicz for the month of July.

Trustee Busch said they have gotten the handrail measured for the end of the new sidewalk on the west side of Allegheny. He said that regarding the rail on Depot Street, he and Trustee Ianni will work with Maintenance regarding the concrete work. Clerk will check on the possibility of using Chips funds for the two rail projects.

It was reported there have been problems with the computer at the sewer plant. It was suggested to check with Valerie at O'Connell's to see if we might be able to replace it on the grant. If it has crashed, they would need to see if they can get all the data off the old one.

Brief discussion took place regarding naming Al Graham as the point man with the sewer project. It was also mentioned that John Good is reviewing the building permit.

Motion was made by Trustee Ianni and seconded by Deputy Mayor Bielec to name Al Graham as the point man for the Sewer Project.

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>			

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve remitting \$4,000.00 initial 50% payment to J. O'Connell & Associates Grant Consultants for Administration services on the WQIP Sewer Project Contract number C304413.

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>			

Request from Norm Waff was presented to the Board for the purchase of 2013 Cost Data Estimating guides for Heavy Construction and Electrical, which his message explained is a nationally accepted standard for estimating hours required for specific jobs. In his request he said they will also be of significant value to the DPW in future budgets and project costs.

Motion was made by Trustee Ianni and seconded by Deputy Mayor Bielec to approve purchase of 2013 Cost Data Estimating guides for Heavy Construction and Electrical for a total cost of \$235.13 for the two books.

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>			

It was mentioned that the Village office had received a call from Dollar General expressing interest in locating in Corfu. Trustee Lauer said he would take care of a follow up call to them.

Trustee Ianni mentioned that the Go-Art Intent to Apply is due August 25<sup>th</sup> and that he still wants to include the ice rink.

Resident Pam Ware said the Corfu Concerned Citizens group (CCC) will be involved in the Winterfest and the upcoming milestones of the Presbyterian Church in 2017 and the 2018 Sesquicentennial of the Village. She said their next meeting would be Tuesday September 3<sup>rd</sup> at 7:00 in the Community Center.

Resident Doris Matteson questioned the Police lawsuit. She was given a brief update that there is nothing further to report at this time.

Resident Linda Tucker stated that she disagrees with Trustee Ianni regarding the \$10,000 missing funds affecting only two families. She reminded the Board that they okayed the attorney to pursue a civil suit for the money.

Local business owner Jim Rupracht said he wants the Village Board to think about the existing businesses in the Village before considering bringing in Dollar General.

Resident Al Graham said he would like to mention and commend Officer Mike Petritz for apprehending a driver that had his license suspended 21 times and was also in possession of a gun and drugs. Mr. Graham also mentioned Officer Delacy stopped a woman who had gotten plates switched and was cited for DWI at 1:00 in the afternoon.

Resident Nick Skeet said he hopes the Board follows through and has Attorney Boylan contact the Mayor and discuss his options as soon as he is out of the hospital.

Motion was made by Trustee Busch and seconded by Trustee Lauer 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 8:10 pm.

Sandra Thomas

Clerk Treasurer

**BOYLAN LAW OFFICE, LLP**

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LE ROY, NEW YORK 14482-0307  
(585) 768-8148 FAX (585) 768-7738

PAUL S. BOYLAN\*  
LAURENCE W. BOYLAN  
MARK S. BOYLAN  
\*ALSO ADMITTED IN FLORIDA

PAUL A. BOYLAN  
(1902-1997)  
GLENN R. MORTON  
RETIRED

August 16, 2013

Hon. Robert E. Alexander  
1660 Indian Falls Road  
Corfu, NY 14036

Re: Access to Village Buildings/Offices

Dear Judge Alexander:

At the direction of the Village Board of the Village of Corfu I am writing to you to inform you that the Village Board adopted a resolution at its emergency meeting last night banning you from all Village Buildings and Offices including the court facility until further notice.

This action is in direct response to the threats made by you to Town Councilman Peter Sformo at the Corfu Village Board meeting on Monday August 12, 2013.

Should you violate this prohibition you will be arrested for trespass.

If you have any questions, please feel free to contact me.

Very truly yours,

Mark S. Boylan

MSB:ds

BOYLAN LAW OFFICE, LLP

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August 16, 2013

Hon. Ralph T. Peterson  
113 Alleghany Road  
Corfu, NY 14036

Hon. Ralph T. Peterson  
Corfu Village Hall  
116 East Main Street  
Corfu, NY 14036

Re: Resignation

Dear Mayor Peterson,

I am writing to you today at the direction of the Village Board to seek your resignation as Mayor of the Village of Corfu. This written resignation is to be presented to the Village Clerk no later than 5:00 pm on Friday, August 23, 2013.

The Board's decision to seek your resignation is a direct result of numerous intentional acts by you in your capacity as mayor that are contrary to the best interests of the Village of Corfu and its residents. The motivation for these actions can only be construed as furthering your own interests and not those of the Village Board or the taxpayers you serve.

These actions include but are not limited to your general pattern of obstruction and interference with the Village Board's efforts to hold Judge Robert Alexander and his daughter, Brandi Watts, accountable for their actions during their tenure in the Corfu Justice Court and to recover the funds missing during that timeframe. It is clear that your relationship with the judge has influenced many of your decisions in this matter.

Further evidence of your obstruction and egregious interference with Village business is your intentional concealment of the existence of a letter to you from an attorney representing a number of Corfu Police officers dated May 3, 2013 offering to resolve their threatened lawsuit for \$15,000 plus \$1,500 in attorneys' fees. The existence of this letter was only discovered at the meeting held on Monday, August 12, 2013, despite numerous inquiries by Board members as to the status of the threatened action in the intervening months.

August 16, 2013

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During the meeting of August 12<sup>th</sup>, you were asked why neither the Board nor the attorney for the Village were made aware of the letter. You stated to the Board and to me that you intentionally concealed this letter from the Board hoping that the Police Officers would sue the Village. You also stated that it was your hope that the matter would then be referred to the Village's insurance company and that the claim for back wages would be paid.

Your actions in this instance reveal your attempt to disparage the former police administrator and the prior Village administration. Your actions assisted the police officers in their efforts to recoup "lost wages" despite overwhelming evidence that they were not entitled to those wages. These actions are all contrary to the best interests of the Village and are in furtherance of your own personal agenda.

During your tenure as mayor you have made threats to the owner of the company under contract to operate and maintain the Village Sewer Plant (Camden Group). You threatened that if the owner did not remove his employee Al Graham from the position of manager of the Corfu sewer plant that you would see to it that their contract would be terminated. This is another example of furthering your own self interest at the expense of the Village because Al Graham is the former deputy mayor of the Village of Corfu with whom you have had long standing differences.

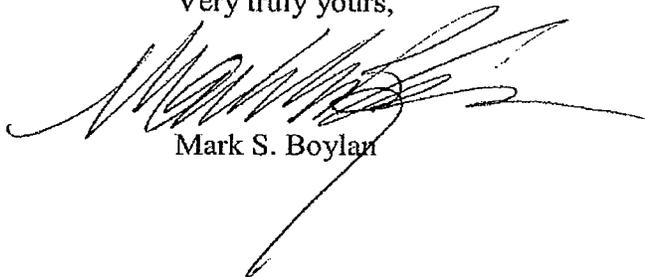
Furthermore, you have engaged in an ongoing pattern of threats, intimidation and harassment of the Village Clerk Sandra Thomas and the Deputy Clerk Denise Beal. Your misconduct was detailed in letters submitted to the Board by the Clerk and Deputy Clerk on July 22, 2013 alleging the harassment and claiming that your actions resulted in the creation of an unsafe workplace for them. Once again your individual actions have created the possibility that the Village will be engaged in litigation.

There are also numerous instances where you abused your authority by hiring police officers, acquiring uniforms and other equipment, and renewing Village insurance policies without prior Board authorization.

When you took office as mayor, you swore an oath to serve in the best interests of the Village residents and taxpayers. Your failure to do so and the actions set forth above give the Village Board of the Village of Corfu no alternative but to request your resignation as mayor before the Village is further damaged.

If you wish to discuss this matter in greater detail, please feel free to contact me.

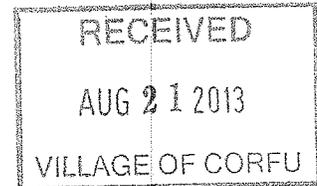
Very truly yours,



Mark S. Boylan

MSB:ds

Pamela J Ware  
52 Longs Lane  
Corfu, NY 14036



Board of Trustees  
Village of Corfu  
116 Main St.  
Corfu, NY 14036

August 21, 2013

Dear Village Board,

The ad hoc Corfu Concerned Citizens group has reviewed dozens of pages of documentation concerning the actions of Mayor Ralph Peterson and believe that these items indicate a clear pattern of what might be chargeable against the Mayor for malfeasance, misfeasance, and nonfeasance of an elected public official.

On behalf of the Village of Corfu residents and taxpayers, we are respectfully requesting that the Board authorize the Village attorney, Mark Boylan, to investigate these matters.

Respectfully,

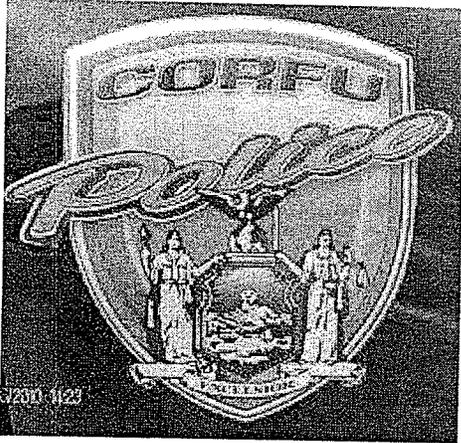
  
Pamela J Ware

Other members are:

Jenny McMartin  
Nicholas Skeet  
Al Graham  
Debbie Graham  
Ryan Graham  
Jean Marsick  
Todd Skeet  
Lois Ingalsbe  
Mary Ellen O'Connor  
Richard DeGrood  
Doris Matteson  
Sandra Szumigala  
Charles J. Lenhard  
James A. Ruprecht  
Lori L. Ruprecht  
Ryan J Ruprecht

Cc: Clerk, Village of Corfu  
File

**Village of Corfu Police Department**  
**July Monthly Summary**  
**As Prepared By Officer Simon Biegasiewicz**



**July 2013**

In the month of July the Village of Corfu Police Department issued 388 traffic citations for numerous offenses of the NYS Vehicle and Traffic Law.

In July the Village of Corfu Police Department generated/responded to a total of a 167 complaints for numerous issues including but not limited to traffic violations, criminal complaints, and citizen complaints.

Here is a list of some of the noteworthy events from the past month of July 2013.

13-612

Patrol responded to a Main Street address for a report of a stolen vehicle. Upon speaking with the complainant it was determined a family member had borrowed the vehicle and the complainant had forgotten.

13-610/611

Patrol investigated an accident by the railroad tracs just off Route 77. Upon investigating Village Patrol arrested the male operator for Felony DWI. The Felony charge was as a result of the man being convicted of DWI within the previous 10 years.

13-609

Patrol investigated suspicious males looking in businesses on Main St. in the Village. Upon speaking with the men it was determined that the males were just looking for the local liquor store.

13-1643

Patrol assisted NYSP on the Tonawanda Indian Reservation for a Baby locked in a vehicle on a 90-degree day with the vehicle no running. Upon arrival the Corfu Police Officer utilized the lockout equipment and gained entry to the vehicle.

13-680

Patrol assisted Genesee County Sheriff's Deputy's for an irate male at the Main Road Doctors office that was punching walls. Investigation handled by GCSO.

13-15867

Patrol investigated an unknown noise outside a residence on Thompson Street. Upon investigation it was determined to be unfounded.

13-652

Corfu Police assisted GCSO on a DWI Injury accident on Route 77 just outside the Village.

13-651

Village Officers responded along with fire for a fire alarm on Allegheny Road in the Village.

13-649

Patrol responded to Allegheny Road for a disorderly intoxicated person. Upon arrival the male was gone.

13-647

Patrol located a confused female attempting to walk to Erie County. Patrol picked up the female due to high traffic in the area and took her to her doctors office for an evaluation.

13-703

Patrol investigated an accident at the K&K mart of a female that had drove into the gas pump. An MV-104 was completed by patrol.

13-689

Patrol assisted NYSP with intoxicated male walking in and out of traffic on Route 77 at McVean Road in the Town of Darien.

13-681

Patrol took a report from a female that resides on W. Main for a possible identity theft scam. The female was advised to not have any contact with the attempted fraudulent party's any further.

13-754

Patrol assisted a Village Resident for a Vehicle Lockout. Patrol gained access to the vehicle with the Village PD'S lock out kit.

13-751

Patrol responded to a Main St address to assist a village resident who found a used syringe on his property. Patrol took a report and destroyed the syringe.

13-720

Patrol assisted GCSO with a call in Pembroke on Allegheny road for a intoxicated bipolar female off her meds.

13-755

Patrol investigated a accident with injuries on Route 77. A mv-104 was completed and the injured parties were taken to the hospital as a precaution.

13-0774

Patrol investigated and is being assisted by GCSO in the investigation into a serious physical injury ATV Accident on the Village of Corfu. The male was taken by Mercy Flight to ECMC and the investigation is ongoing by GCSO Crash Team.

13-777,776,771,767,761,707,691,673,669,666,661,655,645,605,606

In July above listed are of the complaints that were generated by arrests by Village officers for subjects driving on suspended licenses. In July officers arrested 15 people for this crime as well as numerous others for driving with suspended registrations.