

February 11, 2013

Deputy Mayor Graham opened Regular meeting at 6:40 pm.

Members present were Deputy Mayor Graham, Trustees Ianni, Peterson and Lauer.

Mayor Skeet arrived at 7:20 pm. Also present was Deputy Clerk Beal. (Trustee Peterson left the meeting at 6:40 approximately 10 minutes.)

Trustees reviewed bills.

It was mentioned that attendance at meeting by Accountant Laura Landers and Paul Chatfield from Chatfield Engineers was postponed.

Communications:

- 1) Rec'd notification from GoArt of award of \$1200.00 for 2013 GoArt grant for Winterfest.
- 2) Rec'd ck#1003 in amt of \$210.00 from Judge O'Connor for January 2013 fines.
- 3) Rec'd ck#710 in amt of \$21,211.50 from Judge Alexander for January 2013 fines.
- 4) Rec'd WW facility Operation report & DMR for Dec. 2012 from Camden Group.

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve January 28, 2013 Committee meeting and February 4, 2013 Budget meeting minutes.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Todd Skeet				X
Trustee Al Graham	X			
Trustee Ralph Peterson				X
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	3			2
RESULTS	PASSED			

Clerk presented Board with corrected Treasurer Report from the period 12/11/12 - 1/14/13 due to direct deposit of \$1,779.00 from State Comptroller for December 2012 fines recorded after Treasurer Report was presented at 1/14/13 meeting but prior to the end date of that report. Clerk mentioned there may be another amendment to Treasurer report due to direct deposit from State Comptroller that is being researched.

CORRECTED	Date	Gen. Fund Ckg	Sew.Fund Ckg	Cap. Proj Fund	True Gen Bal
Ckg Balance on hand	12/10/12	17,946.81	8,933.45	(23,124.83)	
Receipts to	01/14/13	49,089.88	1,581.92	0	
Dir Dep Comptroll Dec	01/09/13	1,779.00			
Transfer from savings	01/14/13	4,000.00			

Balance	01/14/13	72,815.69	10,515.37	(23,124.83)	
Disbursements to	01/14/13	(34,805.28)	(2,264.62)		
Direct Ded. Ct. cks	01/14/13	(95.21)			
Subtotal	01/14/13	37,915.20	8,250.75	(23,124.83)	
Payables	01/14/13	(12,221.69)	(5,604.20)		
Ckg Total	01/14/13	25,693.51	2,646.55	(23,124.83)	5,215.23
		General Fund	Capital Reserve	Sew. Repair Res	Total Savings
Savings Total	11/30/12	253,265.93	246,879.49	35,736.30	535,881.72
Trans to Gen	12/11/12	(70,000.00)			(70,000.00)
Interest Credit	12/31/12	24.48	32.98	4.77	62.23
Balance		183,290.41	246,912.47	35,741.07	
Trans to Gen	01/02/13	(4,000.00)			(4,000.00)
		179,290.41	246,912.47	35,741.07	461,943.95

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve corrected Treasurer Report.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Todd Skeet				X
Trustee Al Graham	X			
Trustee Ralph Peterson				X
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	3			2
RESULTS	PASSED			

Clerk informed Board of request by Court Clerk Pam Yasses to attend training seminar to be held on April 26, 2013. There is no charge for the seminar.

Motion was made by Trustee Ianni and seconded by Trustee Lauer to approve Court Clerk Pam Yasses to attend training seminar to be held on April 26, 2013.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Todd Skeet				X
Trustee Al Graham	X			
Trustee Ralph Peterson				X
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	3			2
RESULTS	PASSED			

Trustee Peterson returned to the meeting at 6:50 pm.

Clerk informed the Board of communication received from NYCOM regarding requirements and training time for any acting justice that will be appointed. Requirement includes a Bench Certification course being

offered in Albany April 8-13, 2013. If an attorney or current justice is appointed, the training is not necessary. If a non-attorney or justice is appointed, the cost of training would be incurred in this current budget year. Discussion took place regarding advertising for the position.

Deputy Mayor Graham gave a sewer project update, mentioning that there has been talk that GCDEC wants additional capacity reserved for their industrial parks and that the truck stop is also talking about wanting to be added back into the project.

Deputy Mayor Graham informed the Board that with the current planned plant restoration to 135,000 gallon capacity, there would not be enough capacity for those requests.

Trustee Ianni questioned why they can't come to one of our meetings to update the entire Board. Trustee Peterson questioned how we can have a project when the specs keep changing.

Deputy Mayor Graham said that GCEDC won't be able to market the industrial centers without sewer and if the Truck stop wants to come in they would have to put up the funds to expand the plant.

Village Attorney Mark Boylan arrived at the meeting at 7:05 pm. He was updated on the previous conversation and said that the two Engineers need to talk. He agreed that not a dime should come out of Village residents if plant needs to be upgraded for additional capacity. He mentioned a joint sewer project committee meeting is scheduled on Tuesday, February 19th at 6:30 at the Town of Pembroke and these items will be discussed. Clerk will call in advertisement of the meeting due to additional Trustees wishing to attend the meeting.

Attorney Boylan confirmed to the Board that he will be formulating a letter to Judge Alexander regarding the Comptroller audit results of missing funds. He said that according to NYS Village Law the Justice is accountable for his Court's accounts and liable for repayment of any missing funds based on the Comptroller's audit.

Attorney Boylan left the meeting at 7:15 pm.

Trustee Ianni questioned if Judge O'Connor is elected to the Justice position, couldn't Judge Alexander be appointed as acting justice? It was reiterated that an ad will be placed for the position. Clerk was requested to check the Civil Service job description for requirements and bring the ad copy to the meeting on February 18th prior to placing the ad in the paper.

Mayor Skeet arrived at meeting at 7:20 pm.

Trustee Peterson questioned if the letter received from Office of

Court Administration (OCA) regarding meeting that took place with them on November 29, 2012 could now be entered into public record.

Motion was made by Trustee Peterson and seconded by Trustee Ianni to approve entering into public record the letter received from Office of Court Administration (OCA) regarding meeting that took place with them on November 29, 2012. (See attached.)

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Todd Skeet			X	
Trustee Al Graham		X		
Trustee Ralph Peterson	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	3	1	1	
RESULTS	PASSED			

In brief Police report, it was mentioned that the new police car has a bad tire which needs to be replaced. It was suggested to have Sergeant Meier check on State bid.

Trustee Graham gave brief Maintenance report. Mike and Jesse have been preparing for budget and building new oil drum racks.

Clerk updated the Board on an email received from Code Enforcement officer John Good questioning if the Board has been working on an Unsafe Building Law. The Board agreed it would be John's responsibility to put together a rough draft. Trustees Ianni and Peterson agreed they would work with John on this and would also address Fire inspections Mr. Good had said he would perform some time ago. Clerk was requested to email Mr. Good to call Trustee Peterson.

	Date	Gen. Fund Ckg	Sew.Fund Ckg	Cap. Proj Fund	True Gen Bal
Ckg Balance on hand	01/14/13	25,693.51	2,646.55	(23,124.83)	
Receipts to	02/11/13	66,507.29	12,009.16	0	
Gen Jrl Correction	02/11/13	77.81			
Transfer from savings	02/11/13	10,000.00			
Balance	02/11/13	102,278.61	14,655.71	(23,124.83)	
Disbursements to	02/11/13	(32,353.43)	(3,400.68)		
Gen Jrl Correction	02/11/13		(77.81)		
Subtotal	02/11/13	69,925.18	11,177.22	(23,124.83)	
Payables	02/11/13	(9,128.78)	(7,885.56)	(74.50)	
Ckg Total	02/11/13	60,796.40	3,291.66	(23,199.33)	40,888.73
		General Fund	Capital Reserve	Sew. Repair Res	Total Savings
Savings Total	01/02/13	179,290.41	246,912.47	35,741.07	461,943.95
Trans to Gen Ckg	01/15/13	(10,000.00)			(10,000.00)
Interest Credit	12/31/12	21.79	31.78	4.60	58.17
Balance		169,312.20	246,944.25	35,745.67	452,002.12

Vouchers: #215972 thru 216014

General Fund	- Total Am't = \$41,482.21
Sewer Fund	- Total Am't = \$11,286.24
Capital Project Fund	- Total Am't = \$ 74.50

Motion made by Trustee Graham and seconded by Trustee Ianni to pay general and sewer bills.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Todd Skeet	X			
Trustee Al Graham	X			
Trustee Ralph Peterson	X			
Trustee Art Ianni	X			
Trustee Ken Lauer	X			
VOTE TOTAL	5			
RESULTS	PASS			

Motion made by Trustee Graham and seconded by Trustee Peterson to approve Treasurer's Report.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Todd Skeet	X			
Trustee Al Graham	X			
Trustee Ralph Peterson	X			
Trustee Ken Lauer	X			
Trustee Art Ianni	X			
VOTE TOTAL	5			
RESULTS	PASS			

Trustee Peterson questioned if Clerks got an estimate on server for office from Paul Marchese. It was confirmed that they had received just a bottom line figure but it was not itemized. Clerk was requested to email Mr. Marchese to request an itemized quote.

Trustee Ianni informed the Board he was questioned by former employee as to where he stands with the Village. He requested something in writing to inform him of his status.

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

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Todd Skeet	X			
Trustee Al Graham	X			
Trustee Ralph Peterson	X			
Trustee Art Ianni	X			

Trustee Ken Lauer	X			
VOTE TOTAL	5			
RESULTS	PASSED			

Meeting was adjourned at 7:44 pm.

Sandra Thomas
Clerk Treasurer



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UNIFIED COURT SYSTEM
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A. GAIL PRUDENTI
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Courts Outside New York City

PAULA L. FEROLETO
District Administrative Judge
Eighth Judicial District

ANDREW B. ISENBERG, ESQ.
District Executive

December 14, 2012

Hon. Robert Alexander
Village of Corfu Justice Court
116 East Main Street
Corfu, NY 14036

Trustee Ralph Peterson
Village of Corfu
116 East Main Street
Corfu, NY 14036

Mark S. Boylan, Esq.
Village of Corfu Attorney
P.O. Box 307, 45 West Main Street
LeRoy, NY 14482-0307

Trustee Al Graham
Village of Corfu
116 East Main Street
Corfu, NY 14036

Gentlemen:

This will confirm our meeting held on November 29, 2012. At the meeting we emphasized that the Eighth Judicial District is responsible for assuring the orderly administration of justice at the Village of Corfu Justice Court. We emphasized that the primary responsibility is on Justice Alexander to assure that between now and March, when his term in office is up, that the court needs to run smoothly without interference by the Village Board of Trustees. It was emphasized that all parties concerned should be focused on moving forward rather than focused on events of the past several months.

The Unified Court System acknowledged and the Village Board agreed that Justice Alexander has the authority to manage the day to day responsibilities of the clerk of the court. It was further agreed that the hours of the clerk of the court will be 8:00 a.m. - 4:00 p.m. While the court has the primary responsibility to manage the responsibilities of the clerk of the court, we concur that the Village has an obligation to undertake an appropriate investigation when its employee (the court clerk) has a complaint of harassment. While we recognize the right of Village of Corfu to respond appropriately to harassment complaints, the Village of Corfu has no authority to sanction or censure Justice Alexander or to remove him from public office. Jurisdiction and oversight of judicial conduct matters rests solely with the Judicial Conduct Commission.

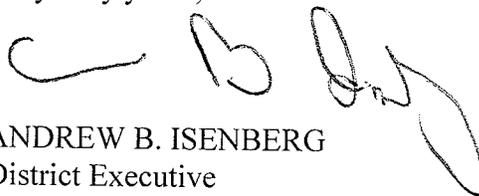
This will also confirm that at our meeting, we indicated that Justice Alexander has no right to terminate his court clerk without approval of the Village Board of Trustees. We further indicated that Justice Alexander cannot prohibit his court clerk from talking to the Village Board. At the same time, the court clerk may not reveal to the Village Board any confidential information relative to court cases. Furthermore, the court clerk may not comment on any decisions made by Justice Alexander relative to cases handled by the court.

With respect to complaints by Justice Alexander concerning the court clerks' handling of a particular traffic matter, we view it as a minor issue that requires no further action. We wish to emphasize the obligation of the court to maintain its regularly scheduled court calendar. In particular, last minute cancellations of court are not acceptable, especially when a large number of cases are scheduled.

The overriding discussion focused on the need of both the Village Board of Trustees and the Village Justice Court to move beyond the personnel disputes of the past several months to assure the smooth orderly operation of the court going forward.

While it was not discussed at our meeting, we recognize and acknowledge that the underlying issue of the audit findings remain unresolved. In particular, we urge the Village and the Justice Court to take appropriate steps to resolve the issue of missing funds. We do not dispute the findings of the State Comptroller and emphasize that under New York State law Village and Town Court Justices are liable for shortfalls in their revenue and bail accounts. Appropriate steps must also be taken to assure that adequate internal controls are in place at the Village of Corfu Justice Court. Given the prior findings in the audit, the Village should expend appropriate resources to perform an annual audit of the court as required under the Uniform Justice Court Act.

Very truly yours,



ANDREW B. ISENBERG
District Executive

cc: Hon. Paula L. Feroletto, Administrative Judge
Hon. M. William Boller, Supervising Judge
Hon. Douglas Marky
Hon. Nancy Sunukjian
Anthony Rossi, Esq.