

April 12, 2013

Trustee Lauer opened the planned and advertised Sewer Budget meeting at 6:30 pm.

Members present were: Trustees Busch, Ianni, and Lauer. Also present was a number of Village and Non-Village residents, a reporter and camera operator from WGRZ News and a reporter from the Batavian. Notably absent were Mayor Peterson (Court), and Trustee Bielec (Vac.). Also absent were Village Deputy Clerk Denise Beal and Village Clerk Sandra Thomas who were removed from their job on April 10<sup>th</sup> by Mayor Peterson without board notice.

Upon starting the meeting village resident Greg Lang informed the meeting assembly that it should begin meeting with the Pledge of Allegiance. The comment was accepted and the assembly stood and recited the Pledge of Allegiance.

Seeing that the mayor was absent from this planned and publicly advertised meeting on April 12th, 2013 Trustee Lauer read N.Y. Vil. Law 4-400: NY Code -Section 4-400:Mayor

2. If the mayor and the deputy mayor are both absent or unable to perform the duties of the office, the trustees shall appoint one of their number to act as deputy mayor during the absence or inability of the mayor and deputy mayor appointed by him.

Motion was made by Trustee Busch and seconded by Trustee Lauer to appoint Art Ianni.

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Ken Lauer	X			
Trustee Dave Bielec				X
Trustee Art Ianni	X			
VOTE TOTAL	3	0	0	2
RESULTS	PASSED			

The Trustee noted that the information for the sewer portion of the meeting was not available at this time.

Communications:

Trustee Lauer commented on the email message received April 12, 2013 at 3:16:04 PM EDT from Kevin Earl that he was declining the position of Corfu Village attorney (attached). Lauer commented that as a board they wanted to 'verify Mark Boylan is the village attorney until further notice'.

Trustee Lauer read a message he sent to the Village Mayor, Ralph Peterson on April 12, 2013 6:23:32 AM EDT and cc'ed all the Village Trustees (attached).

Motion was made by Trustee Lauer and seconded by Trustee Busch to "Demand Mayor Ralph Peterson resign from his elected position as Mayor of the Village of Corfu based upon no confidence in his leadership" as Mayor by the Village Trustees.

The motion was NOT passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Ken Lauer	X			
Trustee Dave Bielec				X
Trustee Art Ianni		X		

VOTE TOTAL	2	1	0	0
RESULTS	NOT - PASSED			

Motion was made by Trustee Lauer and seconded by Trustee Busch “that Mayor Ralph Peterson not direct, manage or interact with any village employee, contractor or service provider. Any contact maybe deemed as harassment at the discretion of the individual and the mayor will be personally liable and not represented by the village attorney.”

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Ken Lauer	X			
Trustee Dave Bielec				X
Trustee Art Ianni	X			
VOTE TOTAL	3	0	0	0
RESULTS	PASSED			

Motion was made by Trustee Lauer and seconded by Trustee Busch “to Appoint Sandy Thomas Village Clerk for the next two years" (term to expire midnight March 31, 2015)

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Ken Lauer	X			
Trustee Dave Bielec				X
Trustee Art Ianni	X			
VOTE TOTAL	3	0	0	0
RESULTS	PASSED			

Motion was made by Trustee Lauer and seconded by Trustee Ianni “to Appoint Denise Beal Assistant Village Clerk for the next two years" (term to expire midnight March 31, 2015)

The motion was passed on the following vote:

VOTE	YES	NO	ABSTAIN	ABSENT
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Ken Lauer	X			
Trustee Dave Bielec				X
Trustee Art Ianni	X			
VOTE TOTAL	3	0	0	0
RESULTS	PASSED			

The assembly was informed that the next Village meeting would be April 15<sup>th</sup>, 2013 at 6:30pm at the Pembroke Community Center.

Public Comments were then taken

One comment was made asking if the Village would pay the Village Clerk and Assistant Village Clerk for the time they were not at work since they believed they were fired. After brief discussion the Trustees agreed and made the following motion:

Motion by Trustee Ianni and seconded by Trustee Lauer “to pay all wages lost by the Village Clerk and Assistant Village Clerk if they should return to work”

The motion was passed on the following vote:

<b>VOTE</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Ken Lauer	X			
Trustee Dave Bielec				X
Trustee Art Ianni	X			
<b>VOTE TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>RESULTS</b>	<b>PASSED</b>			

Additional Public Comments were taken

Motion was made by Trustee Ianni and seconded by Trustee Lauer to adjourn the meeting at 7:47 pm.

The motion was passed on the following vote:

<b>VOTE</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mayor Ralph Peterson				X
Trustee Keith Busch	X			
Trustee Ken Lauer	X			
Trustee Dave Bielec				X
Trustee Art Ianni	X			
<b>VOTE TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>RESULTS</b>	<b>PASSED</b>			

Minutes recorded and typed by  
Ken Lauer  
Village of Corfu Trustee

## OSHLAG, SALEH & EARL

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SERVICE BY FAX NOT ACCEPTED

April 12, 2013

### BY EMAIL AND REGULAR MAIL

Ralph Peterson, Mayor  
Village of Corfu  
116 East Main Street  
Corfu, New York 14036

RE: Village Attorney Appointment

Dear Mayor Peterson:


It is my understanding that I was not properly appointed to the position of Village of Corfu Attorney. When I spoke to you and the other Village Board Members on April 8, 2013, during Executive Session concerning my appointment, it appeared that there was a consensus concerning the direction of providing legal services to the Village. From the events that have transpired since that time, this appears to not be the case.

Based upon the foregoing, I am hereby withdrawing my name for appointment as Village Attorney. I do appreciate being given consideration by you and the other Trustees.

I will not be submitting any bill or ask to be paid by the Village.

Sincerely,

OSHLAG, SALEH & EARL

By:   
Kevin D. Earl, Esq.

KDE/kv

Enc.

Cc: Village Board of Trustees (By Email)

**From:** Ken Lauer <ken@kesyoni.com>  
**Subject:** Re: Conversation with Sandy and Denise

**Date:** April 12, 2013 6:23:32 AM EDT

**To:** <ralph1355@rochester.rr.com>

**Cc:** Kevin Earl <kdelaw@gmail.com>, Art Ianni <bianni\_41@yahoo.com>, David Bielec <dbielec2@rochester.rr.com>, susbus5@aol.com, Mark Boylan <mboylan@boylanlawoffice.com>



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Dear Ralph,

At the meeting last night You, Art, Keith, and I discussed the situation with the village clerk and the assistant clerk. We determined a course of action and all agreed on it. Why are you not following what we agreed to and costing the tax payers of the village more money in legal fees?

As we as trustees have repeatedly told you..."you need to slow down". You created this mess with the village clerk and the assistant and your actions are only making it worse.

You are making it very difficult to work with you.

I also find your call to me at 4:40 pm on April 11th to cancel a public meeting scheduled for Thur. April 11 at 6:30 a bit deceitful. You never spoke to me nor left a message that the meeting was still going to go on as planned. In driving past the village office I found that there was a large amount of vehicles and I stopped to see what was going on. Greg Lang informed me the Board was in executive session. I entered that session just prior to 7:00pm. You did apologize but I must note that these mistakes are really hampering the functioning of the village.

Also note that Kevin Earl has not been appointed village attorney yet and that Mark Boylan still holds that title.

You might also want to know that residents of the village are very disgruntled with you and will be using their rights to ask the Supreme Court and Governor of the State to have you removed as Mayor. I would ask that you seriously consider resigning from your position as Mayor before more harm and legal costs are created and borne by the residents of the Village of Corfu.

Sincerely,  
Ken

On Apr 12, 2013, at 4:30 AM, <ralph1355@rochester.rr.com> wrote:

I receive this letter from the Wyoming District Attorney. I have done nothing to impede any investigation. I contacted Mr. O' Green by phone April 11, 2013 to discuss this matter and to assure him the Board and I will do what is required complete this investigation and ask what actions I have done to prompt this letter.

I am concerned the actions of the office personnel saying I fired them, the delay of allowing me access to the computers are related to this letter. I was not aware there was sensitive investigation information on the Village computers. If there was why didn't they remove it before I took office they had two weeks to do it! There seems to be a plot of some kind here.

The Board had a meeting April 10, and approved Sandy's position of the next two years I hand delivered Sandy's April 10, 2013 (attached). Inwas unable to find Denise's address. A trustee contacted Sandy and Denise his conversation is attached. Sandy did not return to work on April 11, 2013 and has not provided a return to work day.

I have a plan to present to the Board to have a contractor provide Village Clerk services April 14, 2013 or commitment to return April 14, 2013. It is critical we have someone for that meeting. Sandy walked off the job with the misunderstanding of being fired. She has been contacted several times informing her she has a job and return to work and she has not. What actions can be taken? How many days are required to have a job abandonment situation. We cannot have the office close Monday April 14, 2013 we have a grant that must be approved.

.<Conversation with Sandy and Denise.eml><DA letter295.pdf><st letter294.pdf>