

**VILLAGE OF CHATHAM
BOARD OF TRUSTEES MEETING
THURSDAY, JANUARY 2, 2014**

SPECIAL MEETING – 8:00 AM

Call to order.

Present: Mayor Tom Curran, Trustee Jay Rippel, Trustee Adrienne Morrell and Treasurer Barbara Henry.

Absent: Trustee Michael Wollowitz

This special meeting was called to determine whether the Village should request that the court award legal fees in response to the court's decision to the Genovese Article 78 lawsuit.

The total cost to the Village to defend against the lawsuit is approximately \$4,600.00, including \$300.00 to prepare the affidavit to the court requesting reimbursement of legal fees.

Trustee Rippel indicated that he has a friendship with Frank Genovese. He voiced concern that requesting reimbursement for legal fees will send a message to Village residents and business owners discouraging them from following their rights according to FOIL law. He recommended that the Village review FOIL policy.

Trustee Packet said that the Trustees should keep in mind that the judge opened the door to this by calling the suit a waste of time and stating in the decision that he would consider awarding legal fees. Mayor Curran said that when the suit was first brought, he asked the Village Attorney if the Village could recover legal fees and was told that that almost never happens.

Trustee Morrell said that FOIL procedures are defined by law, so the Village cannot change policy related to responding to FOIL requests. She also said that Trustees are charged with spending taxpayer money properly and should consider that in making their decisions.

Resolution #1 made to proceed with the recovery of legal fees in response to the Genovese Article 78 lawsuit.

Resolution made by Trustee Packet, seconded by Trustee Morrell. Motion approved with Trustees Packet and Morrell voting aye and Trustee Rippel voting nay.

There was brief discussion about future issues related to Village ownership of the Tracy building.

Motion to adjourn meeting at 9:00 am made by Trustee Packet, seconded by Trustee Morrell.

Next regular meeting will be held Thursday, January 9, 2014 at 7:00 pm.

Respectfully submitted,

Barbara A. Henry
Village Administrator/Treasurer