

MINUTES

The Board of Trustees met in a Special Meeting on October 18, 2011 at 6:00PM at Village Hall to discuss the Village's health insurance plan for elected officials. Present were Mayor McNulty, Trustees Cox, R. Fischer, Village Attorney Finnerty and Village Justice Pittman. Numerous citizens attended. Trustees Belford and C. Fischer had been advised of the Special Meeting but could not attend. Notices concerning the Special Meeting were posted throughout the Village and the news media was notified.

The Mayor opened the Special Meeting at 6:05 PM with the Pledge of Allegiance. Justice Pittman addressed the Board and the public, setting forth the legal position that the law does not allow a Board of Trustees to reduce or eliminate a sitting Judge's paid health benefits during his term. Village Attorney Finnerty then advised the Board that he researched the matter and that Justice Pittman was correct. An attempt by the Board of Trustees in the Village of Bellport to do the exact same thing was overturned by the Appellate Division. Village Attorney Finnerty went on to explain that the above legal position is based on the Separation of Powers between the Judicial and Legislative Branches, and thus is inapplicable to the Board benefits, as no other branch of government is involved in that issue.

A discussion followed amongst the Board members present and then the public was allowed to ask questions and make statements. The Mayor announced that this was an informational meeting and that a formal vote on the matter at hand will be taken at the regular Board meeting in November. There being no legislative action taken, and all having been heard, a motion was made by Trustee Cox to adjourn, seconded by Trustee R. Fischer, which was unanimously approved, whereupon the Board adjourned the Special Meeting at 7:50PM.

Respectfully submitted

John P. Finnerty Esq.
Village Attorney