

11 August 2008

As an elected trustee of the Village of North Hornell, in the performance of all of the duties and responsibilities thereof, I will no longer condone, accept, or acquiesce to any profligate spending policies or the misuse of any Village funds.

Therefore, I am submitting what I consider one (1) recent instance of the circumvention of the budget and procurement process and in accordance with Section 4-412-12, I expressly dissent to the attached debts that I consider inappropriately incurred and vote for a bringing of action to recover such monies. I also request that this vote of dissent be entered into the minutes of the 4/11/08 Village of North Hornell meeting.

*According to Section 4-412-12, "An officer or person who assumes to create a liability or appropriate money or property of the village without authority of law, or assents thereto, is personally liable for such debt or to the village for such money or property. Each member of a village board present at a meeting thereof when such unlawful action is taken is deemed to have assented thereto unless he expressly dissents and requests such dissent to be entered upon the minutes of the meeting. If ...such board fail for thirty days to bring an action against such person to recover such money or property, each member of the board having such knowledge shall be guilty of a misdemeanor and liable to removal from office unless within such period of thirty days he shall file with the village clerk a written request, signed by him, requesting the bringing of, such action or shall cause to be entered upon the minutes of the meeting of the board a motion made by him for the bringing of such action, or his vote in favor of such motion."*

According to Section 4-412-12, each member of a board that request the bringing of such action, or shall cause to be entered upon the minutes of a meeting of the board a motion made by him for the bringing of such action, or his vote in favor of such a motion, shall not be guilty of a misdemeanor nor liable for removal from office.



Frank A. Libordi  
Trustee  
Village of North Hornell