

STATE OF NEW YORK

COUNTY OF WASHINGTON

FORT EDWARD VILLAGE BOARD OF TRUSTEES

IN THE MATTER OF A PROCEEDING UNDER NEW YORK  
VILLAGE LAW SECTION 8-804 AND CIVIL SERVICE LAW  
SECTION 75 FOR DISCIPLINE

OF

ROBERT N. PHILLIPS, JR.

RECEIVED

JUL 05 2005

VILLAGE OF FORT EDWARD

NOTICE OF  
HEARING

TO: ROBERT N. PHILLIPS, JR.  
2 Sunset Lane  
Fort Edward, New York 12828

PLEASE TAKE NOTICE:

You are hereby advised and given notice that on July 5, 2005, the above-named Board of Trustees filed with the Fort Edward Village Clerk, written, signed and verified charges against you, alleging one or more of the following:

1. Neglect or dereliction in the performance of your official duties as Chief of the Fort Edward Village Police Department and/or
2. Violation of Fort Edward Village Police Department rules, regulations and orders;  
and/or
3. Incompetency; and/or
4. Unprofessionalism; and/or
5. Commission of an act of delinquency seriously affecting your general character or fitness for office.

Attached hereto, made a part hereof by reference, and marked Exhibit "A" is a copy of the charges that have been filed against you.

PLEASE TAKE FURTHER NOTICE, that a hearing will be held on the annexed charges pursuant to the provisions of New York Village Law Section 8-804 and New York Civil Service Law Section 75. The hearing will be conducted before the Honorable Michael J. Muller, a hearing officer appointed by the Fort Edward Village Board of Trustees, at the Law Offices of Muller & Muller, 257 Bay Road, Glens Falls, New York 12801 on the 20th day of July, 2005 at 1:00 p.m., and at such other adjourned dates, times and places as the Hearing Officer may direct.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges which is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. You shall appear in person at the hearing and may be represented by counsel. You have the right to produce witnesses and evidence on your behalf, to have Subpoenas issued on your behalf in order to require the production of witnesses and documents, and you may cross-examine witnesses and examine evidence produced against you.

Pursuant to the provisions of Section 75 of the Civil Service Law of the State of New York, you may file an answer to the annexed Statement of Charges, including affirmative defenses, if any, which answer must be filed by you within eight (8) days of the service upon you of this Notice of Hearing and the annexed Statement of Charges. Such answer shall be forwarded to the Hearing Officer, Michael J. Muller, at 257 Bay Road, P.O. Box 143, Glens Falls, New York 12801, with a copy sent to Michael J. Catalfimo, Esq., attorney for the Village of Fort Edward, at 18 Hill Street, P.O. Box 184, Greenwich, New York 12834.

This notice is given to you pursuant to the provisions of New York Village Law Section 8-804 and Civil Service Law Section 75.

DATED: Fort Edward, New York  
July 5, 2005

FORT EDWARD VILLAGE BOARD OF TRUSTEES

BY: Matthew Traver, Mayor  
Matthew Traver, Mayor

BY: Richard Forte, Trustee  
Richard Forte, Trustee

BY: John Baker Jr., Trustee  
John Baker Jr., Trustee

BY: John W. Wilkey, Trustee  
John W. Wilkey, Trustee

BY: P. J. Williams, Trustee  
P. J. Williams, Trustee

BY: David Smith  
David Smith, Trustee

CLERK-TREASURER

Inquiries should be directed to:

Michael J. Catalfimo, Esq.  
Attorney for Village of Fort Edward  
18 Hill Street - P.O. Box 184  
Greenwich, New York 12834  
(518) 692-9645