

*APPROVED MINUTES* of the  
Special Meeting of the City Council of the City of  
Rye held in City Hall on January 14, 2004 at 7:15  
P.M.

PRESENT:

STEVEN OTIS, Mayor  
FRANKLIN J. CHU  
ROBERT S. CYPHER  
MATTHEW FAHEY  
DUNCAN HENNES  
ROSAMOND LARR  
HOWARD G. SEITZ  
Councilmen

ABSENT: None

1. Pledge of Allegiance

Mayor Otis called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call

Mayor Otis asked the City Clerk to call the roll; a quorum was present to conduct official City business.

3. Consideration of Appeal of Freedom of Information Law request denial by Police Commissioner for copy of certain reports.

City Manager Paul Shew told the Council in the case of a denied F.O.I.L. the reviewing body must review the case within ten business days and transmit their decision to the State. He said a F.O.I.L. request from Timothy Chittenden, President of the Rye Police Association (copy attached) had been denied based on attorney-client privilege. He recommended the Council approve the denial.

Kevin Plunkett, Corporation Counsel, said he and Vincent Toomey, Labor Lawyer for the City, were in agreement that the attorney-client privilege as well, perhaps, as other factors such as the involvement of Intra-agency materials and Civil Rights issues justifies the denial. He said there was no need to enter into Executive Session.

Councilman Hennes made a motion, seconded by Councilman Seitz and unanimously carried, to uphold the denial of the F.O.I.L. request.

4. Other business

None.

5. Adjournment

As there was no further business to discuss, Councilman Hennes made a motion, seconded by Councilman Fahey and unanimously carried, to adjourn the meeting at 7:22 P.M.

Respectfully submitted,

Susan A. Morison  
City Clerk