

APPROVED MINUTES of the Special Meeting of the City Council of the City of Rye held in City Hall on October 13, 2012 at 9:00 A.M.

PRESENT:

DOUGLAS FRENCH Mayor
LAURA BRETT
JULIE KILLIAN
CATHERINE F. PARKER
JOSEPH A. SACK
Councilmembers

ABSENT: RICHARD FILIPPI
PETER JOVANOVIK
Councilmembers

1. Pledge of Allegiance

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

2. Roll Call

Mayor French asked that the roll be called; a quorum was present to conduct official city business.

3. Authorization for Harris Beach, PLLC to represent the Planning Commission in an appeal *Butler v. Mathisson, et al. Planning Commission* and *v. Planning Commission in the Appellate Division, Second Department*
Roll Call.

Prior to the vote, former Mayor John Carey spoke about the Council looking into using other firms when awarding outside counsel work.

Mayor French made a motion, seconded by Councilwoman Parker, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye hereby authorizes Harris Beach, PLLC, at the rate of \$215.00 per hour, to represent the Planning Commission in perfecting an appeal to the Appellate Division, Second Department in the matter *Butler v. City of Rye Planning Commission and Mathisson*.

ROLL CALL:

AYES: Mayor French, Councilmembers Brett, Killian, Parker and Sack
NAYS: None
ABSENT: Councilmembers Filippi and Jovanovich

The Resolution was adopted by a 5-0 vote

4. Investigation into Boat Basin

There was a discussion regarding whether the Council should oversee the investigation into issues at the Boat Basin, similar to the investigation of the Golf Club. City Manager Pickup said that Corporation Counsel and Labor Counsel advise that both investigations should be conducted similarly.

Mayor French made a motion, seconded by Councilwoman Parker, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye declare itself the lead investigative body of the recent events at Rye Boat Basin, and that the City Council will work in conjunction with Labor Counsel and law enforcement, as appropriate. Pursuant to that, the City Council will make its own determination as to any professional auditors or advisers that the City may retain.

ROLL CALL:

AYES: Mayor French, Councilmembers Parker and Sack
NAYS: Councilwoman Brett
ABSENT: Councilmembers Filippi and Jovanovich
ABSTAIN: Councilwoman Killian

The motion failed to pass

5. Motion to adjourn into Executive Session to discuss a personnel matter

Councilwoman Parker made a motion seconded by Councilwoman Brett and unanimously carried, to adjourn into executive session at 10:20 a.m.

The special meeting reconvened at 12:20 p.m.

6. Investigation into Boat Basin

The motion that failed to pass prior to the Council adjourning into executive session was again considered.

Mayor French made a motion, seconded by Councilwoman Parker, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye declare itself the lead investigative body of the recent events at Rye Boat Basin, and that the City Council will work in conjunction with Labor Counsel and law enforcement, as appropriate. Pursuant to that, the City Council will make its own determination as to any professional auditors or advisers that the City may retain.

ROLL CALL:

AYES: Mayor French, Councilmembers Killian, Parker and Sack
NAYS: Councilwoman Brett
ABSENT: Councilmembers Filippi and Jovanovich

The Resolution was adopted by a 4-1 vote.

7. Adjournment

There being no further business to discuss Councilwoman Parker made a motion, seconded by Mayor French and unanimously carried, to adjourn the meeting at 12:45 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk