

APPROVED MINUTES of the Special Meeting of the City Council of the City of Rye held in City Hall on May 29, 2013 at 8:00 P.M.

PRESENT:

LAURA BRETT
PETER JOVANOVIK
JULIE KILLIAN
CATHERINE F. PARKER
Councilmembers

ABSENT: Mayor French, Councilman Filippi and Councilman Sack

1. Pledge of Allegiance

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

2. Roll Call

Deputy Mayor Jovanovich asked the City Manager to call the roll in the absence of the City Clerk; a quorum was present to conduct official city business.

3. Appeal of denial of FOIL requests by Timothy Chittenden

The Council considered appeals of the following FOIL requests:

Rye PD 1

Councilwoman Parker made a motion, seconded by Councilwoman Brett to adopt the following resolution:

RESOLVED that a diligent search has been conducted and no responsive documents were located; therefore, the appeal of FOIL Request RYE PD 1 is hereby denied.

ROLL CALL:

AYES: Deputy Mayor Jovanovich, Councilwoman Brett, Councilwoman Killian, Councilwoman Parker

NAYS: None

ABSENT: Mayor French, Councilman Filippi and Councilman Sack

The Resolution was adopted by a 4-0 vote.

Incalcaterra 2

Councilwoman Parker made a motion, seconded by Councilwoman Brett to adopt the following resolution:

RESOLVED that the appeal of FOIL request Incalcaterra 2 seeking a copy of Police Officer Incalcaterra's 2012 calendar is hereby granted with the understanding that the document being provided is the unsigned 2012 calendar.

ROLL CALL:

AYES: Deputy Mayor Jovanovich, Councilwoman Brett, Councilwoman Killian,
Councilwoman Parker
NAYS: None
ABSENT: Mayor French, Councilman Filippi and Councilman Sack

The Resolution was adopted by a 4-0 vote.

Incalcaterra 4

Councilwoman Parker made a motion, seconded by Councilwoman Killian to adopt the following resolution:

RESOLVED that a diligent search has been conducted and no additional documents were located; therefore the appeal of FOIL request Incalcaterra 4 for copies of requests for outside employment for the years 2011, 2010 and 2007 for Officer Incalcaterra is hereby denied.

ROLL CALL:

AYES: Deputy Mayor Jovanovich, Councilwoman Brett, Councilwoman Killian,
Councilwoman Parker
NAYS: None
ABSENT: Mayor French, Councilman Filippi and Councilman Sack

The Resolution was adopted by a 4-0 vote.

Incalcaterra 5

Councilwoman Parker made a motion, seconded by Councilwoman Brett to adopt the following resolution:

RESOLVED that the appeal of FOIL request Incalcaterra 5 seeking disciplinary records, civilian complaints; job performance communications and performance evaluations pertaining to Office Incalcaterra is hereby denied on the basis of POL 87(2)(a) and §50-a of the New York State Civil Rights Law.

ROLL CALL:

AYES: Deputy Mayor Jovanovich, Councilwoman Brett, Councilwoman Killian, Councilwoman Parker
NAYS: None
ABSENT: Mayor French, Councilman Filippi and Councilman Sack

The Resolution was adopted by a 4-0 vote.

Incalcaterra 6

Councilwoman Killian made a motion, seconded by Councilwoman Brett to adopt the following resolution:

RESOLVED that the appeal of FOIL request Incalcaterra 6 that copies of records for overtime claims for Police Officer Incalcaterra be provided to the requestor electronically is hereby approved.

ROLL CALL:

AYES: Deputy Mayor Jovanovich, Councilwoman Brett, Councilwoman Killian, Councilwoman Parker
NAYS: None
ABSENT: Mayor French, Councilman Filippi and Councilman Sack

The Resolution was adopted by a 4-0 vote.

Incalcaterra 7

Councilwoman Brett made a motion, seconded by Councilwoman Parker to adopt the following resolution:

RESOLVED that the appeal of the response to FOIL request Incalcaterra 7 seeking records relating to Supplementary Reports and Vehicle and Traffic Summonses which indicated that the one document located was exempt under POL 87(2)(g) is hereby denied.

ROLL CALL:

AYES: Deputy Mayor Jovanovich, Councilwoman Brett, Councilwoman Killian,
Councilwoman Parker

NAYS: None

ABSENT: Mayor French, Councilman Filippi and Councilman Sack

The Resolution was adopted by a 4-0 vote.

Incalcaterra 9

Councilwoman Brett made a motion, seconded by Councilwoman Killian to adopt the following resolution:

RESOLVED that the appeal of FOIL request Incalcaterra 9 seeking copies of all requests for time off submitted by Officer Incalcaterra is hereby denied because an additional search was performed and no documents other than those provided to the requestor have been located.

ROLL CALL:

AYES: Deputy Mayor Jovanovich, Councilwoman Brett, Councilwoman Killian,
Councilwoman Parker

NAYS: None

ABSENT: Mayor French, Councilman Filippi and Councilman Sack

The Resolution was adopted by a 4-0 vote.

4. Adjournment

There being no further business to discuss Councilwoman Brett made a motion, seconded by Councilwoman Killian and unanimously carried, to adjourn the meeting at 8:23 PM.

Respectfully submitted,

Dawn F. Nodarse
City Clerk