

SPECIAL CITY COUNCIL MEETING

September 6, 2011

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Mayor Nelson called the meeting to order and asked the Clerk to call the roll:

PRESENT: Mayor Nelson, Councillors Cilley,
Morley, Sholette, Skamperle and Vaugh

ABSENT: Councillor Powers

Mayor Nelson stated we have one order of business tonight and that is basically to confer with our attorney regarding a personnel matter and the legal issues associated with 819 Knox Street. Mayor Nelson stated the review of 819 Knox Street will be done in open session and anything that can be publically disclosed will be, after the review of the 5,000 documents. Mayor Nelson added that there is a Xerox paper box full of documents that has been secured and turned over to the City Attorney for review. Mayor Nelson also said there will be information that is deemed confidential that Council won't be able to discuss publically. Mayor Nelson said we will be reviewing the process and procedures that are in place when we obtain tax-foreclosed properties; as this is one of the areas that needs attention. Mayor Nelson added we will conduct the review in a thorough, complete manner. Mayor Nelson stated compiling the data took over a week to assemble.

City Attorney, Andrew Silver stated the compilation of documents at this point has been in response to an Ogdensburg Journal Freedom of Information request. Mr. Silver explained that over the last couple of weeks, the City Clerk has been compiling a volume of material. Mr. Silver explained that his responsibility as the City Attorney is to review with the City Clerk which documents are subject to the FOIL request, and turn those documents over. Mr. Silver also stated that as to any other action, 819 Knox Street or any other property in the City of Ogdensburg, it is up the City Council to determine which documents are compiled and reviewed by the City Attorney or any other City employee. Mr. Silver said at this point, there has been no investigation conducted by the City Attorney because he has not been authorized by Council. Mr. Silver said that issue is a separate issue from the FOIL request. Mr. Silver explained that the FOIL request is something which is being worked on to find out exactly what is subject to FOIL and what is not. Mr. Silver said he thought it was an important distinction to raise because of the Council's prerogative to dictate what goes on from this point forward.

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Mayor Nelson stated this is one of the reasons Council is meeting tonight.

Mayor Nelson moved a motion to adjourn to Executive Session, and Councillor Sholette seconded the motion.

The vote was:

CARRIED, AYES ALL

Mayor Nelson stated we do not expect any action from this.