

COMMON COUNCIL PROCEEDINGS  
Monday, February 25, 2019 - 4:30 P.M.  
Special Meeting  
Common Council Chambers

Mayor Morse led in the Pledge of Allegiance at 4:30 PM

Roll call was taken

PRESENT:

Mayor Morse  
Council President Briggs  
Council Member Smith  
Council Member Russell  
Council Member McCarthy  
Council Member Napier  
Council Member Koniowka

ABSENT:

NONE

Mayor Morse, "The Special Meeting was called by Council President Briggs. The item on the Special Meeting is to adopt a Resolution to Appoint Commissioner of Deeds for the City of Cohoes. I would like to share my thoughts, first and foremost, I know that Mr. Briggs called this meeting and had a dialog with Corporation Counsel, who felt this meeting was inappropriate, that it did not have to happen in a Special Meeting. This is for a political reason to carry petitions. For that reason I feel this meeting is out of order. The second reason, the list provided, is somewhat confusing, we have a scheduled meeting tomorrow with a list of candidates that were added to a list that were put in well in advance. This is more of a political process."

Council President Briggs, "I respectfully requested this list be added to tomorrow's agenda at the regular meeting. When we further discussed that the Clerk did send out a request for names, I was told names were not being submitted. Let me talk to everyone and we will get it on the next meeting. This all started because the names were not discussed in the workshop and submitted too late to be on. We also previously discussed that an item does not need to be on the workshop to be put on the agenda. If indeed every time a legislative body wanted to pass a resolution, they would need the approval of the Mayor in order to pass the Resolution, because he feels that you can't bring a Resolution from the floor?"

Mayor Morse, "No, it is not what I feel, that is the rules."

Council President Briggs, "We have had many items on the Meeting Agenda that has not been on the Workshop Agenda."

Mayor Morse, "Because this is politics, this body should not be about politics."

Council Member Napier, "Is it not politics for you to block this?"

Mayor Morse, "I think you had plenty of time to submit the requested items. I am telling you now, I am not going to sign it, and I have ten days to veto it."

Council Member Napier, "Is it true the Mayor has power to veto it?"

Pat Jeffers, Corporation Counsel, "It's my position he does have the power to veto, but the Council does have the power to overrule the veto. Just like any other municipality, executive vetoes can always be overruled. "

Council President Briggs made a MOTION to amend Resolution No. 6 to reflect the following changes:

Remove Christopher Briggs from list;

Council Member Smith requested to remove Melissa A. Smith and Nicholas S. Smith;

Council Member Napier requested to add Michael Christian.

Council Member McCarthy seconded the motion to amend Resolution No. 6.

A roll call vote was taken to Amend Resolution No. 6 for 2019. Council President Briggs and Council Members Smith, Russell, McCarthy, and Napier voted "AYE". Council Member Koniowka voted "NAY". The motion passed.

Mayor Morse, "I rule it out of order, I am not going to sign it."

Council President Briggs, "Would anyone like to make a point of order? To Appeal?"

Council Member Napier, "I would like to Appeal."

Council President Briggs, "As the rules of this body are, the Mayor judges on a point of order, unless it is appealed. If appealed, it goes to the Council to make a decision on his ruling. If indeed, the Council decides to overrule his point of order, it goes to the Council for determination without debate."

Mayor Morse, "We pay for an attorney to represent the City. Mr. Briggs does not represent the City. He represents his ward, and he is the President of the Council. That Council is only legally allowed to make decisions based on the law."

Council Member Napier, "I have to say, after you fired Mr. Kremer as Corporation Counsel for disagreeing with you, I mean do disrespect to Mr. Jeffers, but I have to wonder if we are getting a fully impartial representation."

Pat Jeffers, "I have looked at this carefully, I feel that my opinion is correct. I also feel that everybody should consider what they are doing here, to their own benefit. You are doing a special meeting to appoint people for the point of petitions. My opinion that is not a legal reason to call a governmental meeting."

Mayor Morse, "We will ask the Ethics Board if this is a legal reason."

Gil Ethier requested to speak. Mayor Morse stated there would be no public comments.

Council President Briggs made a MOTION to overrule the Chair. Seconded by Council Member Napier. Council President Briggs, and Council Members Smith, Russell, McCarthy, Napier, and Koniowka voted "AYE". Chair was overruled and public comments would be made.

Public Comment:

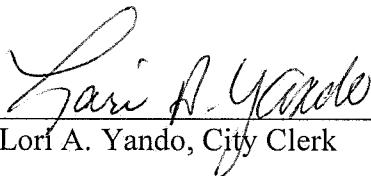
Gil Ethier, Middle St., "I find this very disturbing. Four years ago I stood here and stated what a great future Cohoes has. I find this heartbreaking today."

Council President Briggs, and Council Members Smith, Russell, McCarthy, Napier, and Koniowka presented Amended Resolution No. 6 for the year 2019

A RESOLUTION APPOINTING COMMISSIONERS OF DEEDS FOR THE CITY OF COHOES

Council President Briggs made a MOTION to approve Amended Resolution No. 6 seconded by Council Member Smith. Council President Briggs, and Council Members Smith, Russell, McCarthy, and Napier voted "AYE". Council Member Koniowka voted "NAY". Amended Resolution No. 6 for 2019 passed.

At 4:55 PM, the Council Meeting was adjourned.

  
\_\_\_\_\_  
Lori A. Yando, City Clerk