

An emergency meeting of the City Council of the City of Newburgh was held on Thursday, July 28, 2016 at 6:00 P.M. in the Council Chambers at City Hall, 3rd Floor, 83 Broadway, Newburgh, New York 12550

The Prayer was led by Naomi Fay followed by the Pledge of Allegiance.

Mayor Kennedy noted before Roll Call that Councilwoman Rayford and Councilwoman Holmes are both attending a Funeral and might not make it for this meeting and Councilman Harvey is on his way to Spain.

Present: Mayor Kennedy presiding; Councilwoman Abrams, Councilwoman Angelo, Councilwoman Mejia, - 4

Absent: Councilman Harvey, Councilwoman Holmes, Councilwoman Rayford - 3

COMMENTS FROM THE AUDIENCE REGARDING THE AGENDA

There were no comments.

COMMENTS FROM THE COUNCIL REGARDING THE AGENDA

Councilwoman Angelo said that the Mayor spoke with her and asked her if she minded Councilwoman Mejia being appointed as President Pro-Tem while she is in the Hospital. The Mayor will be going in on Tuesday for an operation and she believes that she will be back on duty in September so we can go from there. Councilwoman Mejia will do a good job for the month of August.

Councilwoman Mejia said that it seems like she is always pointing out our inconsistencies in processes but it needs to be said. The last time we appointed a President Pro-Tem was when Councilman Brown was here and his appointment was very different from this one. It was not time-bound so she pointed out the discrepancy in how we change the processes depending on the person who it is being applied to. She is going to adhere to a book that the Mayor gave her called, "*The Four Agreements*". One is "*Be Impeccable with your Word*". The one that she is anchoring herself to tonight is, "*Don't Take Anything Personally*". Another one is "*Don't Make Assumptions*" and the last one is "*Always do your Best*". Out of respect for our Mayor, instead of arguing about who does what and when she feels that the most sensible approach is to follow a process and use a rotating list with all of the Council Members. She feels that the Deputy Mayor should be the person to start for the month of August and then continue in alphabetical order after that if we need to. That is her proposal

on the table to amend this resolution. This way we have a playbook in place on who is up next to bat and if you don't want to bat for whatever reason you can just say, "*Skip me*" and then the next person on the list can do it.

There being no further comments this portion of the meeting was closed.

RESOLUTION NO. 195 - 2016

OF

JULY 28, 2016

A RESOLUTION APPOINTING A
PRESIDENT PRO-TEM TO SERVE IN THE ABSENCE OF THE MAYOR
AS THE PRESIDING OFFICIAL AT CITY COUNCIL MEETINGS

WHEREAS, it is the official duty of the Mayor of the City of Newburgh to preside over the Council meetings to ensure that business of the city is performed according to the Rules of Order; and

WHEREAS, it is sometimes necessary for the Mayor to be absent either through illness or must attend another meetings that are essential to the betterment of the affairs of the City; and

WHEREAS, Section C4.11 of the City Charter states that "the Council may appoint one of its members as President Pro Tem, who, in the absence or disability of the Mayor, shall preside over the meetings of the Council and perform the duties, exercise all the functions and have the powers of the Mayor during the continuance of such absence or other disability";

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newburgh that beginning with the Deputy Mayor and rotating as needed in alphabetical order by last name thereafter each Council Member will serve as President Pro Tem in the absence of the Mayor.

Councilwoman Abrams moved and Councilwoman Mejia seconded to put the resolution on the table.

Mayor Kennedy noted that we have a suggestion made by Councilwoman Mejia. Instead of appointing herself as President Pro-Tem for the month of August we should put a process in place that would list all of the Council Members for rotating duty. The first person to serve would be our Deputy Mayor, Regina Angelo for our August meeting and if she does not return by September then they will go to the next person in alphabetical order.

Councilwoman Mejia said that she likes to have a plan in place because she doesn't want to disturb the recovery process for Mayor Kennedy during the month of August. If she is still not feeling well, she would have to come back for another special meeting to discuss who will cover the September meetings.

Councilwoman Angelo asked if they all have to be sworn in.

Mayor Kennedy noted that they don't have to be sworn in they just need to do a resolution.

Corporation Counsel, Michelle Kelson said that the Charter provides that the Council may appoint one of its members as President Pro-Tem, who, in the absence or disability of the Mayor shall preside over the meetings of the Council and perform all the duties, exercise all the functions and have all the powers of the Mayor during the continuance of such absence or other disability. It doesn't give any particular method by which that can be facilitated only that the Council makes that decision. Once that decision is made, the person who becomes the President Pro-Tem essentially has all the powers and duties of the Mayor.

Mayor Kennedy said the amendment that is being proposed is that it be a rotating duty versus a specifically assigned duty to a particular person. The responsibility would fall first to our Deputy Mayor for the month of August and then if she is not ready to return by the first meeting in September it would begin in alphabetical order with Councilwoman Abrams, Councilman Harvey, Councilwoman Holmes, Councilwoman Mejia and Councilwoman Rayford.

Councilwoman Mejia added that if for any reason a Council Member does not want to do it for the month that they are up then they can decline and we will move to the next person on the list.

Mayor Kennedy said that this way we have a process in place going forward for anytime something like this should happen. This is a continuing process that can work and we don't have to keep coming back for special meetings.

Councilwoman Abrams said that her only problem with it is that if we are going to start in alphabetical order then it should be Abrams first then Angelo, Harvey, Holmes, Mejia and Rayford.

Mayor Kennedy is not saying that it has to be any particular way it's just that it would be a nice starting point with Councilwoman Angelo as the Deputy Mayor.

Councilwoman Abrams noted that there is no official title of Deputy Mayor in the City of Newburgh and it's not in the Charter so it doesn't make sense to her to start with the second person alphabetically.

Councilwoman Mejia said that there were a lot of questions asked about this Resolution so she has made an amendment and this is the Resolution that she is in support of. She would love to have the support of everyone on this and if Councilwoman Abrams is making a friendly amendment that we just do it in

alphabetical order that is fine but she is just trying to honor Councilwoman Angelo's request.

Councilwoman Abrams said that she does like the idea of a rotating list and it would be forever no matter who is the Mayor.

Corporation Counsel, Michelle Kelson said that it would continue to operate in that fashion until such time that a future Council passes a Resolution to do something different.

Mayor Kennedy said that by putting it in alphabetical order it takes all of the fuss out of it so she feels it is a sensible amendment to this Resolution. The Resolution now as amended is that the President Pro-Tem will be a rotating duty starting with our Deputy Mayor first and then moving in alphabetical order. If someone has a turn and they don't want to do it then we move on to the next person. This puts a process in place for whatever and whenever the reasons are. She asked Corporation Counsel, Michelle Kelson if she had the wording.

Corporation Counsel, Michelle Kelson said that she has the idea of it. They have an amendment on the floor and it needs a second. After it is voted on she will have something drafted for tomorrow morning.

Councilwoman Mejia moved and Councilwoman Abrams seconded that the resolution be amended.

Ayes - Councilwoman Abrams, Councilwoman Angelo, Councilwoman Mejia, Mayor Kennedy - 4

CARRIED

Councilwoman Abrams moved and Councilwoman Angelo seconded that the resolution be adopted as amended.

Ayes - Councilwoman Abrams, Councilwoman Angelo, Councilwoman Mejia, Mayor Kennedy - 4

ADOPTED

In closing Mayor Kennedy said thank you to everyone who has been very supportive in this journey that she is on. She is feeling strong and she knows that she will be back in full strength to carry on with business. She appreciates everybody's support and we will keep moving forward.

There being no further business to come before the Council the meeting adjourned at 6:20 P.M.

LORENE VITEK
CITY CLERK