

Minutes for Buffalo Niagara Coalition for Open Government September 10, 2020

Meeting held via Zoom called to order at 6:35 p.m. Present: Paul Wolf, Sonia Dusza, Janet Vito, Richard Bertrand, Joseph Kissel, Gary Dickson, Michael Higgins and Alberta Roman.

Meeting Minutes: The meeting minutes from July 9, 2020, were unanimously approved on a motion made by Richard and seconded by Janet.

Treasurer's Report: Janet Vito provided a written report showing our account balance as \$1,147.92 as of August 31, 2020. We currently have nineteen paid members. Sonia made a motion to accept the report which was seconded by Richard and unanimously approved.

Report: Local Governments Struggle With Meeting Minutes: On July 10th we released our second statewide report. We reviewed 20 local governments ranging in population from 10,000 to 30,000 from across the state. The key finding was that 70% are not timely posting meeting minutes.

Niagara County Lawsuit: Earlier today Niagara County Supreme Court Justice Frank Caruso heard oral arguments regarding our lawsuit. The Judge ruled that we are entitled to receive the disclosure forms we requested and that Niagara County's local law keeping the forms secret was illegal and a violation of the Freedom of Information Law. The Judge reserved decision on whether the County should have to pay our attorney fees. Mike Higgins an attorney with the University at Buffalo Civil Rights and Transparency Clinic who argued the case for us spoke and answered questions.

Legislator Amy Paulin Amendments to the Open Meetings Law: Paul reported that he had a great telephone meeting with Assemblymember Paulin and her staff. Mrs. Paulin has passed hundreds of laws including the last changes to the Open Meetings Law in 2012. Mrs. Paulin will be introducing several bills to amend the Open Meetings Law to:

- Mandate that meeting documents must be filed online prior to a meeting by removing the as "best as practicable" language.
- Mandate that meeting minutes must be posted online with 14 days of a meeting.
- Mandate that the public must be given an opportunity to be heard at meetings
- Mandate that meetings be live streamed
- Mandate that a video recording of the meeting must be posted online afterwards.

Paul will keep us posted as things move forward.

September Speaker Event: Focusing on FOIL, featuring Kristin O'Neil from the New York State Committee on Open Government and reporter Steven Brown will be held 9/25 at 10:00 am via Zoom.

SUNY Board of Trustees Chancellor Appointment: The Coalition sent a letter on August 24th to the SUNY Board of Trustees documenting that they did not follow the Open Meetings Law when holding executive session meetings regarding their Chancellor appointment. Paul has

spoken with the Government Justice Center and they are interested in filing a lawsuit against the SUNY Board of Trustees. After some discussion Sonia made a motion that the New York Coalition For Open Government supports the filing of a lawsuit against the SUNY Board of Trustees regarding how they conducted the Chancellor appointment process. Joe seconded the motion which was approved unanimously.

North Tonawanda Niagara Reporter Contract: Paul discussed how it appears that proper procedures were not followed when the North Tonawanda City Council on August 4th approved a \$2,000 per month contract with the Niagara Reporter. Joe has filed a FOIL request seeking information. This may be a situation worth filing a lawsuit over.

National Freedom of Information Coalition: Every year this organization does a conference that brings together open government groups from across the United States. This year's conference will be done online and only costs \$23. Something that people may want to check out on their website www.nofic.org.

New Business: Sonia discussed the response she received to a FOIL request she made. A discussion occurred about whether the October meeting can be held in person. Perhaps we can hold in person and live stream?

Adjourn: Janet made a motion to adjourn seconded by Richard, meeting adjourned at 7:30 pm. Next meeting will be September 8^h at 6:30 pm, probably via Zoom.