

New York Coalition



For Open Government, Inc.

Advocating for timely access to information & meaningful citizen participation

www.nyopengov.org

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PRESS RELEASE

RE: The Mount Vernon City Council & City Clerk Are Violating The Open Meetings Law And Must Provide More Information To The Public

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The New York Coalition For Open Government, a non-profit, non-partisan organization dedicated to transparency in government calls upon the Mount Vernon City Council and the City Clerk to correct their violations of the New York State Open Meetings Law.

After reviewing the Mount Vernon website and in particular the information posted on the City Council and City Clerk pages, the New York Coalition For Open Government determined that:

Meeting Documents Are Not Being Posted Online As Required

The New York State Open Meetings Law requires municipalities that have a regularly updated website as best as practicable to post meeting documents online prior to a meeting occurring. The last meeting agendas and documents posted for the City Council are from April 2018, (see attached link).

Other City Boards have likewise not posted meeting agendas with documents for years:

Board of Estimates & Contracts – Last agenda posted October 2, 2018
Industrial Development Agency – No meeting agendas posted
Real Estate Committee – No meeting agendas posted
Urban Renewal Agency – Last agenda posted October 12, 2018

The Architectural Review Board, Planning Board and the Zoning Board of Appeals have posted recent meeting agendas but without posting copies of the meeting documents.

The public has a right to know what is being discussed and voted on by the City Boards. The documents City Councilmembers and Board members have before them during a meeting should be scanned and posted online for the public to see.

Meeting Minutes Are Not Being Posted Online

The Open Meetings Law does not require that meeting minutes be posted online but it is a good practice to do so and many local governments post their meeting minutes. Meeting minutes are an important source of information for the public.

Meeting minutes are not being posted for the City Council or any of the other Boards referenced above.

The City Clerk is responsible for meeting minutes and should immediately post minutes online for the City Council and all City Boards.

The Public Is Not Being Informed of Where to View Council Meetings Live

A copy of the meeting notice released by the City Clerk for the September 23rd, City Council meeting is attached. Nowhere on the notice is the public advised as to how they can watch the Council meeting via live stream. The meeting notice states that due to social distancing requirements, seating capacity in the meeting room will be limited. By an Executive Order issued by Governor Cuomo, meetings that cannot be held in person or where attendance is limited must also be live streamed for the public to see or hear.

It appears that City Council meetings are live streamed on the City's Facebook page. The public should be informed in the meeting notice and on the City website how and where they can watch meetings live.

The Architectural Review Board, Planning Board and the Zoning Board of Appeals properly notify the public as to how and where they can watch the meeting live.

All Meeting Videos Should Be Archived and Posted on the City's Website

All meeting videos should be posted or linked in some way on the City website. People are interested in what their government officials are doing and video recordings are a tremendous resource for concerned citizens. Meeting videos should be archived and posted on the City's website, so that there is a central place to find them.

Information Is Not Posted Regarding The Freedom of Information Law

The public has the right to obtain information from Mount Vernon government officials. Nothing is posted on the City website as to how or where to file a Freedom of Information Law request. An electronic form with an explanation as to how to make a request should be provided. The City Clerk as the official keeper of City records should immediately take action to address this lack of information.

Conclusion

The New York Coalition For Open Government has determined that the Mount Vernon City Council and the Mount Vernon City Clerk have not:

- Taken sufficient action to provide information to the public
- Established policies and procedures to ensure that information is provided to the public
- Complied with the requirements of the New York State Open Meetings Law

The residents of Mount Vernon have been subjected to a dysfunctional government which has resulted in criminal charges against city officials, government officials unable to work together, lawsuits, critical financial audits, all while being kept in the dark in many ways by the City Council and City Clerk.

Paul Wolf, Esq., President of the New York Coalition For Open Government stated, "The public has the right to be informed and Mount Vernon officials have failed to operate in an open and transparent way. The reforms we have outlined are not difficult to correct and should be immediately addressed by the City Council and the City Clerk."