

Buffalo Niagara Coalition for Open Government
Thursday September 5, 2019, 6:30 PM

Public Comments Are Welcome At Any Time During Our Meetings. Don't Be Shy to Ask a Question or to Make a Point!

AGENDA

- 1) Open Meeting
 - 2) Meeting Minutes from July 11, 2019
 - 3) Treasurer's Report
 - 4) Niagara County Financial Disclosure Forms & Speaking at their Meetings
 - 5) Lockport Housing Authority
 - 6) Lockport School Board
 - 7) September Speaker Event
 - 8) FOIL Project Regarding Emails/Texts
 - 9) New Business
 - 10) Next Meeting October 3, 6:30 p.m.
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Minutes for Buffalo Niagara Coalition for Open Government July 11, 2019

Meeting called to order at 6:40 p.m. by Paul Wolf. Present: Paul Wolf, Janet Vito, Larry Vito, Thomas Frank, Stephen Lyle, Joe Kissel, Kate Lepold, Richard Bertrand, Ed McKee, Austin Lebers.

Meeting Minutes: The meeting minutes from June 6, 2019, were approved on a motion made by Ed McKee, seconded by Joe Kissel.

Treasurer's Report: Janet Vito reported our account balance as \$1,144.17. Twenty-one paid memberships have been received as of 7/10/19. Larry Vito made a motion to approve the Treasurer's Report which was seconded by Richard Bertrand. Motion was unanimously approved.

Ethics Board Report: On June 12, we held a press conference releasing our report regarding local government Ethics Boards. Our new simplified rating sheet seemed to work well. Allowing the Boards to respond to our initial rating, which six out of the ten did, was helpful to the process. Some Boards in response to our initial rating made immediate changes to their website. The report was covered by WBFO Radio, West Seneca Bee, Orchard Park Bee.

Niagara County Financial Disclosure Forms & Speaking at Their Meetings: Paul Wolf has been reaching out to different organizations in an effort to obtain assistance with suing Niagara County regarding their local law which keeps disclosure forms filed before 2019 secret from the public.

Legislator Virtuoso has filed a resolution seeking to change when citizens get to speak to Niagara County legislators at their meetings. If you want to speak on an item that is not on the meeting agenda you have to wait until the meeting is adjourned to speak. People speaking on an agenda item get to speak at the beginning of the meeting. Virtuoso is seeking to have all citizens who sign up to speak to be heard at the beginning of the meeting instead of making some wait hours until the end of the meeting.

The item is in the Administration Committee and their next meeting is August 6th.

Lockport Housing Authority: A letter written by Coalition Vice President Richard Bertrand published in the Lockport Sun Journal was discussed. In his letter Richard who serves on the Lockport Housing Authority Board pointed out that at a recent meeting four resolutions were voted on that did not appear on the Housing Authority's published meeting agenda. According to Richard in 2018, less than 50% of all resolutions appeared on a Lockport Housing Authority meeting agenda prior to the meeting. A motion was made at our June meeting that we should send a letter expressing our concern as to how Lockport Housing Authority meeting agendas are being handled. On July 8th, a letter was sent to the Lockport Housing Authority.

Lockport School Board Committee Meetings: An article that appeared in the Lockport Union Sun paper was discussed. School Board member Kyle Lambalzer proposed that all Lockport School Board committee meetings be open to the public. Some school board members expressed

concern about having all committee meetings being open to the public and based on that the resolution seeking open meetings was tabled. Joe Kissel made a motion that we send a letter expressing support for open committee meetings to the Lockport School Board. The motion was seconded by Ed McKee and unanimously approved.

UB Foundation Lawsuit: Paul Wolf discussed that support from our organization was sought by individuals who have filed a lawsuit seeking to make the operation of the University at Buffalo Foundation more transparent and open. The UB Foundation, has taken the position that they are not subject to FOIL or the Open Meetings Law. Our organization has agreed to sign on to a friend of the court legal brief in support of the lawsuit as it presents important issues regarding non-profit organizations being subject to FOIL and the Open Meetings Law.

September Speaker Event: Mark Scheer from the Niagara Gazette & Lockport Sun, Deidre Williams, Buffalo News and Steven Brown, WGRZ Channel 2 News are confirmed to participate in our forum on September 25th, titled "Your Right to Know: The News Media and the Freedom of Information Law. The event will be held at the Theodore Roosevelt Inaugural Site, 641 Delaware Ave. Buffalo from 6:00 to 8:00 pm.

FOIL Project Regarding Emails & Texts: Paul Wolf will be sending a FOIL request to local government officials seeking copies of email and text messages exchanged between elected officials. We will track whether FOIL is being complied with as far as properly acknowledging our request and providing the requested information.

New Business: No new business was discussed.

Adjourn: Motion to adjourn made by Larry Vito and seconded by Ed McKee. Next meeting will be September 5, 6:30 pm at the Williamsville Library.

BRANDT, ROBERSON & BRANDT, P.C.

Attorneys at Law

Albert R. Brandt, Jr.
Robert S. Roberson
Thomas H. Brandt

929 Lincoln Avenue
Lockport, New York 14094
Tel: (716) 433-5941
Fax: (716) 434-3362
tombrandtlkpt@yahoo.com

July 9, 2019

Paul W. Wolf
392 Evans St.
Williamsville, NY 14221

RE: Your letter of July 8, 2019 to Lockport Housing Authority

Dear Mr. Wolf:

In connection with the above referenced matter, Mr. Bancroft has asked me to respond. There are no existing resolutions that regulate placing resolutions before the Board for consideration at the monthly Board meetings. Pursuant to New York law, all resolutions receive the required four votes for passage.

The Housing Authority is responsible for over 500 tenants, has a budget of over \$2,000,000, and is responsible by law to provide safe, sanitary and affordable housing. In a business of that size, with those responsibilities, last-minute items on the agenda are a necessity. Just as an example, in April 2019, the Executive Director received the proposed Junior Police Academy 2019 budget and activities a couple of days before the monthly meeting. The 2019 proposed budget and activities were consistent with the budget and activities of previous years. None of the Commissioners, including former Commissioner Bertrand, had any questions. The resolution was passed so that the logistics for the Junior Police Academy could be put in place in time for the program.

Property repairs need to be done on an expedited basis. When contractor's estimates and proposals are not received in time to make the published agenda, the proposals are considered and approved at the meeting, not a month later. Safe, sanitary and affordable housing is the litmus test for passing resolutions, not whether the resolutions were on the published agenda.

Very truly yours,

BRANDT, ROBERSON & BRANDT, P. C.

By: *Thomas H. Brandt*

THB/md

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Buffalo Niagara Coalition



for Open Government, Inc.

Advocating for timely access to information & meaningful citizen participation

www.nyopengov.org

September 6, 2019

Lockport City School District
130 Beattie Ave
Lockport, New York 14094
Attn: School Board Members

Via email only

Re: Opening Committee Meetings to the Public

Dear School Board Members:

According to an article in the Lockport Union Sun & Journal, at your June board meeting a discussion occurred over a proposed policy that would open up all school board committee meetings to the public.

We attempted to review the June meeting agenda and minutes and could not find either on your website. As an organization devoted to open and transparent government, we strongly support having all school board committee meetings open to the public.

While there is some question as to whether the Open Meetings Law mandates that committee meetings must be open to the public, you have the ability as elected leaders to set policies that go beyond the minimal standards required by law.

The operation of the Lockport City School District is of critical concern to the community and the decisions you make as board members involve the expenditure of millions of tax dollars, as such we hope that your board will adopt a policy that requires all committee meetings to be open to the public.

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Your Right to Know:
The News Media & the Freedom of Information Law
September 25, 2019
6:00 pm to 8:00 pm

Theodore Roosevelt Inaugural Site
641 Delaware Ave.

Refreshments Will Be Served!

Mark Scheer – Niagara Gazette & Lockport Union Sun
Deidre Williams – Buffalo News
Steven Brown – WGRZ Channel 2 News

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Next Meeting October 3, 2019
6:30 pm, 5571 Main Street, Williamsville Library

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