

New York Coalition for Open Government

Thursday August 8, 2024, 6:30 pm

Via Zoom

Email paulwolf2@gmail.com for the meeting link

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) Meeting Minutes from July 11, 2024 | PG 3-5 |
| 2) Treasurer's Report – 64 total paid members
Balance as of 7/31/24 \$5,714.86 | 6 |
| 3) Draft calendar for 2024 | 7-9 |
| 4) Equal Justice Fellowship Opportunity Update | |
| 5) Public Relations/Education Committee | 10-11 |
| A) Training Rules of Engagement | |
| B) 50 th Anniversary FOIL Event 9/26, 6:00 to 8:00 pm, Buffalo area | |
| C) Using Google for sharing and collaborating on documents | |
| D) Website updates | |
| E) Volunteer for Coalition Social 8/29, 6:30 pm | |
| 6) Open Meetings Law Committee | 12 |
| A) Reviewed training slides that have been created for future presentations | |
| B) Discussed 2025 project ideas | |

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7) Freedom of Information Law Committee

13-14

A) FOIL project regarding City Council public comment policies is wrapping up with all data being reviewed

B) Did a practice FOIL training session

8) New Business

9) Next Meetings

Open Meetings Law Committee August 15, at 6:30 pm

Freedom of Information Law Committee August 22, at 6:30 pm

Coalition Social August 29, 6:30 pm

Public Relations September 5, at 6:30 pm

Board Meeting September 12, at 6:30 pm

7-9-2024 NY COALITION FOR OPEN GOVERNMENT BOARD MEETING

PRESENT ON ZOOM: Alberta Roman, Ken Guarino, Annmarie Reeb, Janet Vito, Patricia Irving, Axel Ebermann, Stuart Allen, and Paul Wolf.

NY COALITION FOR OPEN GOVERNMENT BOARD MEETING: Called to order on zoom at 6:33 pm by President, Paul Wolf.

BOARD MEETING MINUTES FROM LAST MONTH:

Motion by Axel Ebermann to approve minutes from last month, June 13, 2024; second by Patricia Irving; no questions and none opposed; Motion carried.

TREASURER'S REPORT: Janet V. provided an update – 61 Total Paid Members. Available funds are \$5,114.86 with no activity in the month of June.

Motion by Alberta Roman to approve the Treasurer's report: Seconded by Axel Ebermann; None opposed; Motion carried.

CALENDAR 2024: This calendar is for information purposes.

EQUAL JUSTICE FELLOWSHIP OPPORTUNITY UPDATE: Paul W. provided an overview that this organization provides an attorney for two years. They would pay the salary but we would have to cover the fringe benefits. The University at Buffalo Law School was contacted to see if they would partner with us on this application. Paul W. spoke to Heather Abraham, head of the law clinic, they are discussing this but no update just yet about them partnering with us. The deadline to apply is September.

PUBLIC RELATIONS/EDUCATION COMMITTEE MEETING: Report by Axel E. re Press Award Event on 6-27-2024 – we handed out 8 awards to the press; 1 to a high school student and 1 to a college student. There was a lot of positive feedback and it was fun. They were all appreciative and we got press coverage from five. FOIL 50th Anniversary – events and history of FOIL were discussed. The best approach is that events can be all year instead of just September, including speaking and educational events depend on the number of volunteers. New Member Recruitment – Axel addressed some challenges with a recent OML training renewing the need to set certain guidelines for how we are treated. Axel is creating some common-sense guidelines to be sent to those organizations that we are training. Axel provided some of his suggestions which he will put in writing for a discussion later. Mock Training – Robyn (who did the heavy lifting on the OML presentation), Michelle who presented and others who contributed; they did a great job. Will do other rehearsals during the committee meetings. Stuart Allan met with his local assemblymember to address our legislative agenda. We should do this more when our officials are not in session.

Stuart A. informed that our local elected officials are easy to speak with. He encourages others to explore this possibility.

OPEN MEETING LAW COMMITTEE MEETING: Report by Michelle A. Chair re Open Meetings Law presentation that Robyn Grey created which was great. Legislation Mandating Local Governments have a Website - We need to focus on the mandated website of which Michelle provided an overview of this law.

FREEDOM OF INFORMATION LAW COMMITTEE: Report provided by Paul W. re City FOIL Project regarding Public Comment Policies – all responses are in and we will be working on writing up that report. We have also finished the update to the Public Comment report re: 177 Towns that had no public comments. This will be released first. FOIL Training Session – Annmarie R. and Patricia I. have been working on this and will present at the next FOIL Committee meeting as a mock training for feedback.

Annmarie R. informed that they are going to be verifying the City FOIL data and thanked Ken G. for his work on the Amended Public Comment report.

Paul addressed all those who have been pitching in, such as Ken G., Stuart A., Annmarie R., and Patricia I. Explained the increased in emails with questions to the Coalition. Axel has been forwarding the emails and is tracking all the media responses, which we are up to 69 media reports this year.

NEW BUSINESS:

Axel E. brought up our current use of MailChimp, which he has covered the cost on. If we would like to keep this, Axel E. is requesting that the Coalition pays the cost of \$20 which includes a non-profit discount. Paul W. thinks this is great but need to train others as Axel is currently doing the work using Mailchimp. Per Axel E. it is not that hard to master. We use this for zoom meetings and it saves time. Axel E. pays by credit card and maybe the organization should look at getting a credit card. Paul W. explained the benefits of Mailchimp, that our mail gets opened at a rate of 62-64% when the normal is 50%. Axel E. provided other benefits of MailChimp. Janet V. discussed the payment monthly vs. annual issue and asked Axel E. to check this out.

Motion by Michelle A. that the Coalition will pay for the cost of MailChimp and seconded by Annmarie R.; All in favor; None opposed; Motion carried.

Annmarie R. addressed the recent zoom OML training provided by Michelle A. and how the organization trained got a lot out of her presentation and how they were going to address difficult members going forward. Paul provided more details on this person, how it is occurring everywhere and why we need a code of conduct for future trainings.

Patricia I. addressed the change in our membership from 93 to 61 and lack of recruitment. Paul W. suggested how he could address the recruitment.

Axel E. informed about the evaluation survey he created for the trainings to get feedback that includes a link and QR code. Axel E. explained how this information will help us with getting grants.

Annmarie will provide a letter to Michelle A. regarding her recent OML training to send to the organization. Annmarie also informed that there may be interest in another FOIL training to a larger organization. She will keep the Coalition informed.

Paul W. is starting to think about some legislation ideas. He is asking the members to start thinking about legislation we should pursue. Our bills didn't pass last year so do we want to go with those, add new ones to the mix. Last year we focused more on FOIL because of the groups we worked with. Please send your ideas to Paul W. Janet V. addressed enforcement of the laws.

Annmarie R. and Stuart A. suggested a small project to look into whether the NYS Committee on Open Government are receiving FOIL Appeals as required by FOIL. Paul W. said he is interested in FOIL Appeals received by the NYSCOOG and explained further and this can be discussed later.

Axel E. felt that we may have overloaded the legislation and lost the officials attention span. May be just 4 or 5 (bills) that are bullet proof. Paul thinks this is a good idea.

Next Board meeting on Zoom, August 8, 2024 at 6:30 pm.

ADJOURN 7:18 PM on motion by Annmarie Reeb and seconded by Axel Ebermann;
All in favor; None opposed; Motion carried.



Zoom Meeting August 8, 2024

NEW YORK COALITION FOR OPEN GOVERNMENT

Treasurer's Report July 31, 2024

Paid Members = 64 as of 7/31/2024

Bank Balance - as of June 30, 2024		\$5,474.86
Deposits - Direct Online Deposits - \$140.00 (7/12/2024 \$140 - 7/29/2024 - \$100.00 Includes Donations \$20 & \$70)		<u>240.00</u>
	Total	\$5,714.86
	(Restricted Donations)	<u>-360.00</u>
	<u>NYCOG Available Funds 7/31/2024</u>	<u>\$5,354.86</u>

Larry Vito Memorial Fund (Givebutter)

(2023 Restricted Donations)	\$360.00	<u>360.00</u>
	<u>Check Book/Bank Balance 7/31/2024</u>	<u>\$5,714.86</u>

Janet Vito
Treasurer

New York Coalition for Open Government 2024 Goals

Internal Goals

- Increase membership (93 as of 12/10/23)
- Start Sharing Our Stories Through Videos
- Increase Facebook followers (684 as of 12/10/23)
- Increase Twitter followers (421 as of 12/10/23)

Project Goals

- Increase training sessions on OML & FOIL
- FOIL report regarding public comment policies
- Sunshine Week Event Albany Day
- Annual Meeting
- In person Meetings/Events

January

Board Appointments

Membership Renewals

Op-Ed regarding open government resolutions for New Year

January 1, 1977, anniversary of Open Meetings Law

Plan Sunshine Week Event for March (Albany Day)

Contacting State Legislators

February

Plan Sunshine Week Event for March

Draft Op-ed for Sunshine Week

Plan May Annual Meeting

Contacting State Legislators

2/23 Student Press Freedom Day

March

1st Tuesday in March, National Town Meeting Day

Sunshine Week Op-ed

Sunshine Week Event (March 11 to 15 Sunshine Week)

Forum Re Hearing Officer bill 3/28, 5:30 pm

Handwritten initials and a number, possibly '7'.

Plan May Annual Meeting
OML Forum

April

Planning for Annual Meeting
Start gathering info for new FOIL report

May

Annual Meeting

June

July

Op-ed regarding anniversary of Freedom of Information Act
Continue gathering info for FOIL report
July 19-20, 1848 Anniversary of Seneca Falls Women's convention

August

Continue gathering info for FOIL report

September

FOIL report press conference
Sept 1, 1974, anniversary of FOIL
Sept 15th, Democracy Day
Sept 17th Constitution Day, 17-23 Constitution Week
Sept. 28th universal access to information day
Plan member in person meeting for November
Live Streaming Meeting Forum

October

October 17th, School Board Recognition Week
Plan Member in person meeting for November



November

In person member meeting in Albany

December

End of year review, 2025 goals
Plan Board and Officer elections for 2025

New York Coalition For Open Government
Public Relations and Education Group Committee Minutes
Thursday, August 1, 2024 via Zoom

Meeting called to order at 6:32 pm by the Chair: Ken

Members in attendance: Ken, Michelle, Janet, Justin, Stuart, Julie and Annmarie.

- 1) Approval of Minutes July 10, 2024 with the correction under New Business – Motion by Annmarie, seconded by Justin; All in favor; None opposed; Motion carried.
- 2) Committee Meeting Videos on YouTube – Ken provided an overview on putting our committee meeting zoom videos on the private Facebook page. A discussion occurred and it was supported to be put on Facebook (private). Julie suggested another program because she doesn't use Facebook. This might be available through MailChimp. Ken will inform Axel.
- 3) 50th Anniversary of NY's Freedom of Information Law in September. September 26, 2024 from 6 pm – 8 pm with Gary Dickson, Republican Supervisor of the Town of West Seneca and Austin Tylec, Democratic Mayor of the City of North Tonawanda as sponsors. We are seeking permission from the Town of Amherst to use their Town Hall for the event.
 - a. Annmarie suggested events in Northern and Southern NY and not just large cities as Michelle originally suggested. She also suggested livestreaming. Reach out to Paul if you would like this event in your area.
 - b. Justin is interested in a central NY event that he is looking into and has informed Michelle. He provided additional details. Possibly a date next year.
- 4) Developing OML and FOIL Training – Ken informed that we did a mock training and we should use the same template for all of them and create one for our executive session training. We need to make sure all the content is correct and then what template to use.
 - a. Annmarie suggested red, white and blue, which is the colors of our logo.
 - b. Ken suggested we look at some of the templates.
- 5) Training Rules of Engagement from Axel – Ken reviewed the one for the training slide show and the one to be sent to the organizer. These are our expectations.
 - a. Annmarie offered corrections to item #1, #3, #4 and remove #5 & #6. She provided additional details. Our presentations should include slides on the Coalition.
 - b. Janet suggested that the top and bottom are the same. Annmarie explained the difference between the two. She agrees with removing some of them. Ken explained further. Others discussed this. Janet suggested to coordinate these. Janet wanted to know how much we run into this? Annmarie provided some tips on how to handle it.
 - c. Justin supported Janet that the slide information should match what goes to the moderator. Justin also stated that these are not all a rule of engagement and should be struck.
 - d. Annmarie to type up the changes and will send over with the minutes. Remove #1, #5 and #6 from the top. Leave #2 as is, #3 correct to read, Please be respectful to the trainer and other participants, #4 correct to read Please address your questions to the topic being presented. Agreed at the meeting to provide these three items both in the slide show and to an organization.
- 6) Government Transparency – Ratings for Municipalities – Ken informed that per Paul this had been done before, so Ken asked Justin to elaborate on this. Using a 4-to-5-point rating system for municipalities. This might upset towns with a low rating but they can make changes to increase their rating. Ken mentioned the updated public comment report and the nasty emails we received. Annmarie thinks this is a great idea to show who is doing it right and who is doing it wrong. She would like to see a plan, procedure, etc. Justin and Stuart might want to work on putting this together. Stuart thinks it is a great idea and he did it for his own county based on 5 criteria. He agrees in updating our data annually. This will keep the pressure on. Justin will put together a template of a plan. A further discussion on this topic occurred.
- 7) Webpage Update – Ken informed about the tremendous amount of work by Axel on our Webpage. Axel is trying to make our webpage dynamically updated and has completed the media and Q&A sections. He has setup a database to allow one change instead of 200 changes. Please take a look at this. This will keep the information current much quicker.
 - a. Annmarie is still having a problem in opening topics, as previously.
- 8) Fundraising Committee – Ken informed that the fundraising group is at a standstill. Annmarie informed that Darlene might be coming back to continue with the fundraising. Someone needs to reach out to her. Annmarie will reach out to her.
 - a. Michelle informed that we need money coming in to do what we are doing. We need membership.
 - b. Ken suggested that we separate fundraising and membership.
 - c. Annmarie believes the money is important for litigation but the organization should be about the mission.
- 9) Coalition Social – We are looking for someone to run our social in August. Michelle explained the reason for the Social.
- 10) New Business –None

Please provide feedback to each other, stated by Ken.

Motion to adjourn meeting at 7:40 pm by Michelle, seconded by Justin; All in favor; None opposed; Motion carried.

Next meeting is September 5, 2024 at 6:30 pm via Zoom. Minutes prepared by Annmarie Reeb.

DRAFT

Axel Update as per 8/5/24

This new draft takes into consideration the discussion at the PR Committee Meeting on 8/1/24

Rules of Engagement

- Please mute your phones or mute your Zoom mics when not speaking (adapt for live/online presentations).
- Please be respectful to the presenters and other participants.
- Please keep your questions and comments focused on the topic being presented.
- We are strictly non-partisan. Please refrain from political rants and partisan discussions.

Upfront to organizer:

- Event organizers are expected to enforce these rules to maintain order and respect.

NY Coalition for Open Government
Open Meetings Law Committee
Thursday, July 18, 2024, at 6:30 pm via Zoom

Meeting called to order by the Chair, **Axel** at 6:34 pm

Members present: Axel, Stuart, Janet, Justin, Pat and Annmarie.

Motion by Annmarie and seconded by Pat to approve the minutes of June 20, 2024; All in favor; None Opposed. Motion carried.

1. General Open Meetings Law Training – Axel provided an overview of Open Meetings Law and the benefits. Reviewed the first 10 slides of the new OML training presentation.
 - a. Axel and Annmarie suggested the add in of a slide regarding the Coalition, short and condensed but one slide.
 - b. Ken suggested a different background. (check view on phone as well) Other minor suggestions were made.
 - c. Annmarie - Do we need the icon as well as the web address for all presentations? Axel and Pat said yes.
 - d. Justin suggested a QR code be added. The presentation took about 20-25 minutes with examples.
 - e. Axel addressed the rules of engagement that should be added to set the tone. Other suggestions were made.
 - f. There was differing opinions of using animation for slides – ex. Sliding in one bullet point at a time.
 - g. Axel suggested possibly highlighting of key words/increasing fonts/removing excess blank space.
 - h. Including a reference to the law was discussed with possible suggestions.
 - i. Several people discussed the graphics and sizing with viewing on a cell phone.
 - j. Justin liked the content of a graphic but not the background of that graphic.
 - k. Smaller graphics and larger text/bullet point for what constitutes a meeting. Pat and Annmarie to work on.
 - l. Meeting Notice Requirements slide has too much text so add color per Axel to break it up. This was debated.
 - m. Ken pointed out about boards that are advisory and don't follow OML, like a library board. How will this be addressed as library boards can be different in each community? Justin and Ken will work on this slide: Documents Related to Meetings. Maybe what meetings are required and what are not.
 - n. Annmarie informed that agendas are not required per OML but must be posted if created.
 - o. Justin wanted a definition for documents. A discussion occurred.
2. 2025 Project Ideas – Axel provided an overview. Maybe livestreaming – brought up Stuart who is well versed in this area.
 - a. Stuart provided his thoughts on livestreaming in 2024. Stuart has a list of 27 reasons why we should be livestreaming and any subsequent cost. It is not as bad as we have been led to believe. It creates accountability and not everyone likes that. Annmarie and Justin provided additional information.
 - b. Annmarie suggested that we start another livestream project now. Details were provided. She also suggested that we do a project regarding online documents as per the 2012 law. Ken and Pat both support this project.
 - c. Stuart would like to see us updating our previous reports – a living document. We need to work more efficiently and our reports and lobbying are being recognized. Stuart informed that Warren County has been using livestream and they have thousands of views. YouTube is the largest platform. We should be aggressive on this bill next year.
3. New Business –
 - a. Annmarie thanked Ken, Robyn, MaryLou, Paul and Michelle for their work on the Amended Public Comment report and provided an update.
 - b. Axel requested people to come to the PR/Education Committee on August 1st regarding the 50th Anniversary FOIL events.

Axel requested that we provide constructive feedback.

Motion by Justin to adjourn the meeting at 8:06 pm and seconded by Annmarie. All in favor. None opposed. Motion Carried.

Next OML meeting is **August 15, 2024, at 6:30 pm, via Zoom.**

Minutes prepared by Annmarie Reeb.

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New York Coalition for Open Government
Freedom of Information Law Committee Meeting - Minutes
Thursday, July 25, 2024 6:30 PM via Zoom

Meeting was called to order by the Chair, Annmarie at 6:35 pm.

Attended by: Axel, Ken, Michelle, Janet, Andrea, Mike, Sue and Annmarie.

Motion by Ken to approve the minutes of the June 27, 2024 meeting and Seconded by Axel. All in favor; None opposed; Motion carried.

1. Update on City FOIL Project re: Public Comment Policy – Annmarie provided an update on the City FOIL project. All requests have been responded to and the data should be ready for verification shortly by Ken, Stuart and Pat via Google Sheets.
2. FOIL Mock Training Presentation – Annmarie presented the mock training to the membership and then opened it up for questions and feedback/ways to improve it.
 - a. Michelle – Do we have the QR code set up? Yes, per Annmarie. Michelle stated that we are the go-to people but NYCOOG is the legal advisory body. Michelle also questioned a copying cost associated with redaction and that we need clarification on that. Also confirmed that you can get FOILs filled without providing your personal information. Annmarie agreed with Michelle in getting a legal clarification on the copying costs due to redaction. Michelle was also lost on slides 16 and 17 (FOIL Request and FOIL Appeal Samples). They were confusing based on the presentation. Annmarie said these can be changed and explained the reasons for using this.
 - b. Janet wanted to know when the Coalition became the go to people? Annmarie and Michelle clarified this further. Janet asked a FOIL question about why she has to FOIL for draft or approved board minutes that are posted on a bulletin board, from an organization if she wants a copy? Annmarie asked questions and provided the answer that she must FOIL for the record because there is no active website. Michelle and Mike added additional information.
 - c. Mike thinks neither is a go-to but are just a source re: NYCOG and NYCOOG. Additional Information was provided as explained by Mike. Is the presentation on the website? Axel stated, no it is not on the website because we are still working on it. There is a shared folder where the presentations are being collected. Axel will be happy to share it. Mike suggests that we site the law as part of the presentation. Annmarie suggested that maybe we can do it as a footnote w/reference. Mike suggested not including links to the law because of broken or changed links. Mike explained why these laws are good for FOIL Appeals. Mike also suggested that you request a certification. Annmarie explained a certification.
 - d. Stuart thought it was informative and helpful. Stuart agrees that the law must be cited as this is not our opinion. Stuart's observations – Slide # 1 is missing spacing around the word FOIL. Slide #6 is missing the word email under "Record". Slide #9 Invasion of Personal Privacy – Stuart has two municipalities that do not agree on this exemption. One will provide a completed application and the other one will deny it based on this exemption. Are completed job applications an Invasion of Personal Privacy. Michelle answered that they can redact personal information without denying the entire record. Other details were addressed and answered. Annmarie addressed State and Federal statutes that may apply. In regards to emails, it was going to cost over \$100,000 to redact emails. What fees are allowed regarding searching, etc. Annmarie stated there is no cost for search and review but they can charge to scan them to you if it takes over 2 hours to scan. Mike suggested some outside remedies like **chatgpt** or get an account with West Law and you can type in the verbiage to get legal answers. Also email the NYCOOG. Stuart said Slide 11, Item #4 is missing an apostrophe after municipality and it should be plural. Slide 15 #4 is unclear if this is a requirement. It should not be phrased as a question. Slide #16 should be simplified. It is not the citizens responsibility to educate them. Annmarie explained this template and the purpose of the last paragraph. There is no FOIL requirement to post the FOIL Appeals online. Explained how difficult it is to get FOIL Appeal information and how uneducated the FOIL officers are.

Annmarie stated that having a partner is very helpful with the training and this was difficult without Pat. Michelle thanked everyone who gives time to making this better and explained in detail.

Annmarie and Mike addressed issues with NYCOOG both positive and negative. Mike explained that we need legislation requiring the videotaping or recording of these courts and their proceedings. Mike provided detailed information on this. Please contact us if you would like to review the presentation and provide more feedback.

Annmarie provided additional information on how she addresses FOIL Appeals which allows her to bring people back to the organization and our legislative initiatives.

3. New Business –

Mike will be happy to help you do a Pro Se Article 78 and take you through it step by step. This is a great legal experience. Annmarie has sent people to Mike for help with Pro Se cases.

Motion to adjourn meeting at approx. 8:05 pm was made by Michelle and seconded by Annmarie. All were in favor, none opposed, Motion carried. The next meeting is August 22, 2024 at 6:30 pm via Zoom. Minutes prepared by Annmarie Reeb.