

**New York Coalition**



**For Open Government, Inc.**

**Naughty & Nice List 2023**

# New York Coalition For Open Government, Inc.

Non-Profit

Non-Partisan

*Advocating for timely access to information & meaningful  
citizen participation*

[www.nyopengov.org](http://www.nyopengov.org)

# Naughty List 2023

## City of Ithaca

Meeting minutes are a basic but important task that should not be pushed aside as a we will get to them when we can item.

In 2023, the City of Ithaca was several years behind in posting their meeting minutes. The city budget in 2022 was \$84 million. The Ithaca City Clerk's office has a staff of 5 people.

There is no acceptable excuse for not posting meeting minutes online.

Jimmy Jordan – Ithaca Voice

## Naughty List 2023

# Wayne County Board of Supervisors

The Wayne County Board of Supervisors holds secret club meetings.

The 15 member Wayne County Board of Supervisors are all members of the same political party.

"Before members gather in the Supervisors' Chambers on the second floor of the Wayne County Courthouse for the public meeting, the Republicans generally gather in a meeting room downstairs prior to the meeting — with the doors closed."

The Finger Lakes Times asked all members of the Wayne County Board of Supervisors whether their secret sessions should be scrapped. None replied.

Steve Buchiere – Finger Lakes Times

## Naughty List 2023

### **Bethel Planning Bd**

Residents of Bethel, obtained over 1,000 signatures on a petition calling for greater transparency. One of the items requested in the petition was that the Planning Board broadcast their meetings online for the public to see.

Bethel is the only one of Sullivan County's five most populous towns not to make its meetings available online.

Despite the petition the Planning Board has refused to broadcast their meetings.

LIAM MAYO, River Reporter

## Naughty List 2023

# Buffalo Sewer Authority

When Geoff Kelly a reporter with Investigative Post contacted the Buffalo Sewer Authority and asked if the Mayor's son was their new public information officer.

Kelly was advised that in order to find out who the public information officer is, he had to file a FOIL request.

You Can't Make This Stuff Up!

# Naughty List 2023

## **New York City Police Dept**

For encrypting police radio communications in some areas with a plan to encrypt all radio communications by the end of 2024, preventing the news media and the public from listening in real time, as they have been able to do for many years.

Todd Maisel, the founder of NY Media Consortium

# Naughty List 2023

## **Dan Barney**

New Haven Supervisor

In an angry tirade broke his gavel and interrupted a member of the public when she raised transparency concerns in her public comment to the board (Barney is a repeat offender from last year).

Ken Sturtz – Pallidum Times



## Naughty List 2023

### **Robert Restaino**

Niagara Falls Mayor (A repeat offender made last year's list)

Police Dept delay in releasing info to public regarding a police officer shooting

Abruptly ending interview with reporter by putting hand over camera

Making up new reasons as to why a survey distributed to residents by a City Hall employee should not be released to the public. Restaino claimed the survey results will not be released because he did not "authorize" them. There is no legal basis under the Freedom of Information Law for a Mayor to withhold public records because they were not "authorized".

Has continued his practice from last year of refusing to allow public to speak at special council meetings that he calls.

Buffalo News Editorial, Channel 2 News, Mark Scheer Niagara Gazette

## Naughty List 2023

# James Montagnino

Saratoga Springs Councilmember

For proposing a public comment rule of requiring people to show proof that they live or work in the city in order to speak at City Council meetings.

Shenandoah Briere, Daily Gazette

## Naughty List 2023

### **Mamaroneck village board**

In violation of the open meetings law approved a \$1 million contract extension for the village administrator in a closed door executive session. Somehow the village attorney who is a retired judge, stated this is ok

Town resident Suzanne McCorry filed a lawsuit regarding this issue. Suzanne has successfully challenged a previous Open Meetings Law violation.

David McKay Wilson, Rockland/Westchester Journal News

## Naughty List 2023

### **Dennis Palow**

Berne Town Supervisor

In March a resident of the town of Berne went to the microphone to speak at a public hearing and within seconds was interrupted by town supervisor Dennis Palow and verbally attacked.

Even worse the supervisor refused to allow the resident to speak and had him removed from the meeting by a police officer.

Outrageous conduct by an elected official

Youtube Video, Noah Zweifel – Altamont Enterprise

## Naughty List 2023

# Governor Kathy Hochul

Despite her promise of bringing a new era of transparency, NY State government is as secretive as ever.

NY State budget discussions still occur in secret

In her state of the speech not one word was said about government transparency

In her 277 page policy book of 2023 goals, nothing was said about open government

Just before the state legislature ended session we learned about a secret casino deal negotiated between the Governors office and the Seneca Nation. The public and legislators were kept in the dark due to a non-disclosure agreement signed by state officials

## Nice List 2023

# **Ronald O. Dievendorf**

New Mayor for the village of Canajoharie

Started his term with a good change. According to the Amsterdam Recorder:

"One campaign promise so far — moving public comment periods from the end to the beginning of village meetings — will be fulfilled at the Tuesday business session."

Tyler A. McNeil, Daily Gazette Recorder

## Nice List 2023

# **NY State Authorities Budget Office**

Acting Director, Jeffrey Pearlman

For conducting website transparency reviews as part of their compliance audits.

Diligent response to citizen complaints regarding website transparency issues.

## Nice List 2023

# **Tom DiNapoli NYS Comptroller**

Has conducted several recent audits focusing on transparency. Dept of Transportation regarding FOIL requests and a Long Island school district focusing on website transparency.



## Nice List 2023

# **Assemblymember Linda Rosenthal**

For introducing a bill to implement a hearing officer system to address  
Freedom of Information Law Appeals and Open Meetings Law  
Complaints

## Nice List 2023

### **Senator John Liu**

For introducing and passing a bill to make it easier for people to obtain attorney fees when they are successful in a Freedom of Information or Open Meetings lawsuit

## Nice List 2023

# **Assemblymember Phil Steck**

For introducing Attorney Fee reform bill  
and Constitutional Amendment bill

## Nice List 2023

# **Jonathan Michael Davis**

Mt. Vernon library bd. member

Who has twice called out improper executive sessions  
which is so rare to see.

**The New York Coalition For Open Government  
Is Here to Help**

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