

Minutes for Buffalo Niagara Coalition for Open Government November 7, 2019

Meeting called to order at 6:31 p.m. Present: Paul Wolf, Joe Kissel, Mike Kless, Sonia Dusza, Maria Tisby, Richard Bertrand, Ed McKee.

Meeting Minutes: The meeting minutes from October 3, 2019, were approved on a motion made by Mike Kless, seconded by Rich Bertrand.

Treasurer's Report: Due to Janet Vito being absent, Paul Wolf reported our account balance as \$1,081.78, as of 10/31/19. We now have Twenty-four paid memberships. Ed McKee made a motion to approve the Treasurer's Report which was seconded by Mike Kless. Motion was unanimously approved.

FOIL Project Regarding Emails & Texts: A discussion took place regarding our recent FOIL Report. We did not receive any coverage in the Buffalo News but did receive coverage on Channel 2 News, Spectrum Cable News, WBFO Radio, West Seneca Bee, West Seneca Sun and the Niagara Gazette.

Niagara County Financial Disclosure Forms & Speaking at Their Meetings: The Niagara County Board of Ethics provided copies of the Disclosure Forms filed in 2019, but did not provide forms filed from 2013 to 2018. We filed an appeal regarding the fact that we did not receive the 2013-2018 forms. The Clerk of the Niagara County Legislature responded to our appeal stating that because of the County's Local Law only the 2019 forms will be provided. Paul Wolf requested an opinion from the New York State Committee on Open Government. The Committee has issued an opinion stating that Niagara County is wrong in that they cannot trump state law by passing a local law to make records confidential. We have until mid February to file a lawsuit, which we will discuss at our January meeting.

Public Identification of Companies That Are Delinquent In Paying Their Industrial Development Agency Loans (IDA): A recent Buffalo News article highlighted the fact that County Executive Mark Poloncarz believes that companies who are delinquent in paying back their tax dollar loans should be identified and discussed in public and not in an executive session behind closed doors.

Paul Wolf forwarded a letter to the Erie County Industrial Development Agency board of directors in support of discussing delinquent loans in public and not in executive session.

Off Track Betting (OTB) Transparency: The effort to obtain the identification of individuals who have received free tickets to events from OTB has received a lot of media attention. A recent Buffalo News article highlighted that Erie County Legislators were pushing to obtain the information. At our October meeting we agreed to send a letter to OTB in support of releasing information to the public. Before the letter got sent, OTB due to a threatened lawsuit released the information to the public.

UB Foundation Lawsuit: We signed on as a supporter to a Court brief in support of a lawsuit filed against the UB foundation. Erie County Supreme Court issued an opinion that was not favorable and an appeal was filed. Unfortunately the appellate court did not agree to hear the case, so the lawsuit has ended.

NY State Bar Association Syracuse Event: In October Paul Wolf participated in a panel discussion at Syracuse Law School held by a Bar Association Task Force, which is looking into issues regarding FOIL and the Open Meetings Law. The discussion was videotaped and Paul was able to make some good contacts at the New York State Committee on Open Government and with journalists from Syracuse and Albany.

Expanding Our Efforts/Changing Our Name: At the Syracuse event journalists from Syracuse and Albany told Paul that they wished they had an organization like ours in their area. These comments got Paul thinking that perhaps we should expand our efforts into Rochester, Syracuse and Albany.

While our main focus will continue to be Erie & Niagara we could very easily add other cities and counties to our efforts to expand our reach and influence. Pros and cons to expanding our efforts were discussed and the general consensus was that we should do so but will discuss this more at our January meeting.

A discussion also took place regarding changing our name to the New York Coalition for Open Government. People were encouraged to suggest other possible names. Joe Kissel suggested Transparent New York. We will discuss this issue again at our January meeting.

March 2020 Sunshine Week Event (March 15-21): Paul suggested doing an event titled Understanding the Open Meetings Law & The Need for Reform. We would invite elected officials, journalists, community organizations, students to attend. We will try to get Kristin O'Neill from the New York State Committee on Open Government to speak at this event.

Board Member Seats Up January 2020: Hopefully those on the Board now are interested in serving another two year term. Board member terms expiring are: Jonathan Manes, Michael Kless, Janet Vito, Lawrence Vito, Sonia Dusza, Gary Dickson.

New Business: With Board member Gary Dickson winning election as the West Seneca Supervisor, we had a discussion as to whether elected officials should serve on our Board of Directors. Pros and cons were discussed, with the consensus at the end being that we should not have elected officials serve on our Board. Elected officials are welcome to be dues paying general members, welcome to attend our meetings and contribute to our discussions but not be voting Board members. We don't want to have our efforts attacked based on politics, which may become an issue by having elected officials serve on our Board.

Gary Dickson has been a valuable member of our Board and we wish him the best of luck in his new position.

Joe Kissel brought up our organization purchasing a video camera which can be used to record our events and meetings. Joe estimates a quality video camera can be obtained for around \$200. Paul suggested that Joe print out a camera that he recommends so that we can discuss this at our next meeting.

Joe Kissel also raised the issue of not meeting in the summer months at the Williamsville Library on Thursday nights, as parking is very difficult with events occurring on Main Street. Paul suggested that we discuss changing our meeting night at the January meeting.

Ed McKee brought up that in January a new state law goes into effect, which requires Industrial Development Agency boards to videotape and post online videos of their meetings. We should monitor and make sure that the new law is being complied with.

Next Meeting: A motion to adjourn was made by Rich Bertrand, seconded by Mike Kless and unanimously approved. Meeting adjourned at 7:45 pm. The next meeting will be January 9th, 6:30 pm at the Williamsville Library.