

New York Coalition for Open Government Meeting Minutes July 8, 2021

Meeting held via Zoom called to order at 6:34 p.m. Present: Paul Wolf, Maria Tisby, Alberta Roman, Sonia Dusza, Joseph Kissell, Stephen Lyle, Patricia Irving, Casey Jones, Janet Vito, Larry Vito, Mary Cebula, Gary Dickson, Jennifer Borg, Tim Henderson, Robert Godlewski, Teri Waivada.

After calling the meeting to Order Paul Wolf asked Jennifer Borg to introduce herself as this was her first meeting. Ms. Borg stated that she is an attorney and is an instructor at Yale Law School. Ms. Borg has litigated First Amendment and Freedom of Information Lawsuits.

Tim Henderson introduced himself as well. Mr. Henderson is involved with the New York Foundation for Fair Contracting, a watchdog non-profit working to level the playing field in public works construction for the benefit of taxpayers, responsible contractors, and workers.

Meeting Minutes: The meeting minutes from July 8, 2021, were approved on a motion made by Maria Tisby and seconded by Janet Vito.

Treasurer's Report: Janet Vito provided a written report showing our account balance as of June 30 2021 being \$2,958.12. We now have 48 paid members. Larry Vito made a motion to approve the Treasurer's Report seconded by Sonia Dusza, motion approved.

Albany Legislation

A1108/S04704 – requires posting meeting minutes/transcripts, or meeting video within two weeks of a meeting.

The Open Meetings Law does not currently mandate that meeting minutes be posted. A discussion took place regarding the importance of written minutes that are accurate. That many communities do not fully record the public comments made at meetings in their minutes.

A.1228/S04704 - requires meeting documents to be posted online at least 24 hours prior to the public body meeting.

The law currently states:

- 1) That meeting documents should be posted online prior to a meeting to the extent practicable
- 2) As determined by the agency or department

The legislation that has been passed deletes the as determined by the agency/dept but still continues the to the extent practicable language. The current law does not specify a time period for posting documents. The 24 hour language is a good addition.

A 72 hour or 48 hour requirement would be better but 24 hours is better than current law.

Both bills passed the Assembly on May 4th and on June 8/9, both bills passed the Senate and will be sent to the Governor to approve or not before the end of the year.

Onondaga County Leg Use of Private Emails: Paul Wolf discussed the FOIL request and news report done by Syracuse Journalism students. On June 17th, the Coalition sent a letter to the Chair of the Onondaga County Legislature requesting that he address the use of private email accounts by legislators to conduct public business. Using private email accounts is a bad practice as it makes processing FOIL requests difficult in that messages may not be preserved. A response to our letter has not been received. Paul Wolf will follow up.

Next Report on County Board of Elections: We are in the process of gathering information from 20 Board of Elections across the state to determine whether public notice is being provided when election commissioners meet, are agendas and minutes posted.

Filling Secretary Position: Joe Kissel moved from his Secretary position to become Vice President at the June meeting. Janet Vito made a motion to nominate Alberta Roman for the Secretary position, Maria Tisby seconded the motion, which was unanimously approved. Alberta will fill the balance of Joe's term, which expires in January 2023.

Filling Vacant Board Seat: Due to the resignation of Board Member Ed McKee in May, we have a vacant Board seat. Maria Tisby nominated Mary Cebula, which was seconded by Joe Kissel. Mary resides in Mechanicsville, in Schenectady County. Mary's nomination was unanimously approved and she becomes our first Board Member from outside of Erie and Niagara County. Mary will serve the balance of Ed McKee's term, which expires in January of 2023.

Foundation Grant Request for New Website: Paul submitted a grant request to the Knight Foundation for \$2,700 for purposes of creating a new website. A response regarding our request has not been received yet.

Guest Speaker Assembly Member Karen McMahon: Ms. McMahon discussed her background as an attorney and law clerk in the Court system for 30 years. Karen was elected to the NY State Assembly in 2018. A bill that she has introduced was discussed.

A08071/S06958- Allows public bodies to conduct meetings via video as long as the public is given opportunities to view such video live. A video recording of the meeting must be posted on the public bodies website within 5 business days. The public body must also make available a specific location for the public to view and listen to the meeting if requested at least 48 hours prior to the meeting.

This bill has the support of the NY State Conference of Mayors.

The following points were made during the discussion:

- Being able to watch meetings livestream and video recordings posted after a meeting has been beneficial for the public

- It is important that public comments be taken live during meetings via telephone or video
- Meetings that are held in person should still be livestreamed with recordings posted online afterwards and with public comments taken by phone or video
- Doing an in person meeting, that is live streamed and where public comments are done by phone or video presents some logistical and technical issues
- Assembly Member McMahon is open to suggestions and ideas regarding her bill

New Business: It was suggested that it would be helpful to send out a list of member's names and email addresses to everyone.

Maria Tisby brought up an issue she has been having with the NY State Thruway Authority in regard to toll billing.

Paul Wolf mentioned that every January we establish a calendar for the year of projects and events which he will send out to everyone.

Typically every September we do an event with a speaker. Paul suggested that instead of a September event that we do an Annual Report and Annual Meeting in March. The March event would be an overview of our prior year accomplishments. It would coincide with membership dues renewal. We could also recognize activists, reporters, elected officials who have done good open government work.

Adjourn: Next meeting will be August 12th at 6:30 pm, via Zoom. Motion to adjourn by Sonia Dusza, seconded by Maria Tisby. Meeting adjourned at 7:53 pm.