

Statement to the Town Board
Open Meetings Law
March 3, 2009

My name is Susan Siegel and I'm speaking tonight on behalf of Citizens for an Informed Yorktown, or CIY for short.

Last night, the town board held a special meeting.

As the regular town board observer for CIY, I attended the meeting, not knowing why it was called, if it would be open or closed to the public, how long it would last, or if the board would take any action.

The entire meeting,, which lasted for two hours, was a closed session. During the meeting, four department heads were separately called into the room to meet with the board: The Director of Labor Operations, the Superintendent of Environmental Conservation, the Town Comptroller and the acting Town Engineer. The Director of Labor Operations met with the board twice, at the beginning and end of the meeting.

Based on last night's experience, I'd like to make the following comments.

First, I'd like to raise the issue of how the public was informed about the meeting. The Open Meetings Law requires the town to give both the public and the news media notice of a special meeting "to the extent practicable." In the year 2009, what does the board consider "to the extent practicable"? Why, for example, didn't the town use its very efficient – and I might add helpful – email lists to notify the public? And unless I missed it, I didn't see a notice of the special meeting on the town's web site. I learned about the meeting from a person outside of town government.

Second, I'd like to call the board's attention to Section 105 of the Open Meetings Law that states that before the board goes into a closed session, it must first vote on a motion, in an open session, to go into a closed session. And, the motion must identify the general subject or subjects to be considered in the closed session. The law very specifically identifies 8 subjects that may be discussed behind closed doors.

Last night, there was no such motion during an open session and no reference to the subject that was going to be discussed in the closed session.

The intent of the open meetings law is to make sure that in a democratic society, public business is performed in an open and public manner and that citizens be able to attend and listen to the deliberations and decisions that go into the making of public policy.

With that in mind, and on behalf of the residents of Yorktown, CIY requests that in the future the town board be guided by the provisions of the Open Meetings Law.

Thank you.

