

Fire District Minutes

Association of Fire Districts of the State of New York





Presenter

❖ **Amy Speach**

- ❖ District Secretary, Belgium Cold Springs Fire District
- ❖ Vice President, Central Region Fire District Association
- ❖ AFDSNY Training Presenter



Meetings

Subject to Public Officers Law, Article 7

Public Officers Law §102(1) defines a meeting as:

“the official convening of a public body for the purpose of conducting public business, including the use of videoconferencing for attendance and participation by the members of a public body”.

Every meeting of a public body shall be open to the general public, except executive session.

Whether or not there is an intent to take action, and regardless of the manner in which a gathering may be characterized, it is still a MEETING and open to the general public.



Open Meetings Law

- ❖ **Broadcasting of the Meeting** (Public Officers Law § 103)
 - ❖ Public has right to photograph, take video and/or audio
 - ❖ Adopt rules!
- ❖ **Notice Requirements** (Public Officers Law § 104)
 - ❖ Public Notice vs. Legal Notice
 - ❖ Post conspicuously (and on website if you have one!)
- ❖ **Videoconferencing** (Public Officers Law § 104)
 - ❖ Notice of meeting must indicate use
 - ❖ Locations
 - ❖ Public's right to attend



Meeting Agenda

- ❖ Every meeting needs an agenda
- ❖ Preparation of Resolutions
- ❖ Topics of Discussion
- ❖ Timing of Input from Others
- ❖ Posting/Amendments to Agenda
- ❖ Planning for next meeting



Minutes – When Taken

NY Public Officers Law § 106

- ❖ Shall be taken at all open meetings of a public body
- ❖ Shall consist of:
 - ❖ a record or summary of all motions;
 - ❖ proposals;
 - ❖ resolutions; and
 - ❖ any other matter formally voted upon,
 - ❖ as well as the outcome of the vote.

Minutes should be a true representation of meeting!



Open Meetings Law Executive Session

❖ (Public Officers Law Article 7 Section § 105)

- ❖ May do so by a majority vote of the Board taken in an open meeting
- ❖ 8 Criterion
 - ❖ “Personnel Matter” **NOT** in criteria!



Minutes of Executive Session

NY Public Officers Law § 106

- ❖ Any action that is taken by formal vote while in executive session
 - ❖ A record or summary of the final determination of such action, and the date and outcome of vote
 - ❖ Minutes of Executive Session do not include any matter not required to be made public by FOIL.

Consider taking action in public session



Recording of Actions Taken

- ❖ What was voted on
- ❖ How each board member voted
 - ❖ In favor
 - ❖ Against
 - ❖ Abstained
 - ❖ Recused
- ❖ Outcome of Vote



Sample Motion

Motion by *Commissioner A* with a second by *Commissioner B* to approve Secretary's attendance at AFDSNY annual meeting. Following a brief discussion, *Commissioners A, B, C, and D* voted in favor; *Commissioner E* voted against. *Motion Passed.*

Motion vs. Resolution?



Minutes When Available to Public

NY Public Officers Law § 106

- ❖ Minutes of meetings of all public bodies shall be available to the public within **two weeks** from the date of the meeting
- ❖ Minutes of executive session within **one week** from the date of the executive session.



Approval of Minutes

- ❖ Provide draft of minutes to Board prior to next meeting (where vote on previous minutes will occur)
- ❖ Method for corrections to minutes
- ❖ Distribution of approved minutes



QUESTIONS



Thank you for joining us!

Feel free to contact me:

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FAQs, resources and training opportunities:

Association of Fire Districts of the State of New York

<https://afdsny.org/>