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
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/