

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, September 24, 2019 11:05 AM
To: 'Oneill, Kristin (DOS)'; 'coog@dos.ny.gov'
Cc: 'Cherise.Watson@dos.ny.gov'; 'jonathan.brown@dos.ny.gov'; 'HRM.Recruitment@dos.ny.gov'
Subject: Thank you -- & further FOIL REQUESTS: Committee on Open Government' rules & regulations, info about its members & chair -- & website

Dear Ms. O'Neill –

Thank you for your prompt response. Please deem the FOIL request of today's date to which you have responded, as a standing request to be furnished with the written notice of the scheduling of the Committee's next meeting – or, alternatively, identify where the notice will be posted, so that I can know to check on a regular basis.

Also, kindly advise where I might find rules and regulations promulgated by the Committee pertaining to its own operations, presumably including the designation of a chair from among its members and their appointment of an executive director. Surprisingly, no such rules and regulations appear to be posted on the Committee's website: <https://www.dos.ny.gov/coog/index.html>.

Surprising, too, the Committee's website has no information readily-accessible about its members. Public Officers Law §89.1(a) identifies the Committee as consisting of:

“the lieutenant governor or the delegate of such officer, the secretary of state or the delegate of such officer, whose office shall act as secretariat for the committee, the commissioner of the office of general services or the delegate of such officer, the director of the budget or the delegate of such officer, and seven other persons, none of whom shall hold any other state or local public office except the representative of local governments as set forth herein, to be appointed as follows: five by the governor, at least two of whom are or have been representatives of the news media, one of whom shall be a representative of local government who, at the time of appointment, is serving as a duly elected officer of a local government, one by the temporary president of the senate, and one by the speaker of the assembly. The persons appointed by the temporary president of the senate and the speaker of the assembly shall be appointed to serve, respectively, until the expiration of the terms of office of the temporary president and the speaker to which the temporary president and speaker were elected. The four persons presently serving by appointment of the governor for fixed terms shall continue to serve until the expiration of their respective terms. Thereafter, their respective successors shall be appointed for terms of four years. The member representing local government shall be appointed for a term of four years, so long as such member shall remain a duly elected officer of a local government. ...”

As I recollect, during our September 16th phone conversation, I asked you about the Committee's members – and you directed me to the Committee's December 2018 annual report, posted on the website:

<https://www.dos.ny.gov/coog/pdfs/2018%20Annual%20Report.pdf>. However, the annual report only lists, alphabetically, the members' names, as part of the Committee's letterhead, these being: RoAnn M. Destito, Peter D. Grimm, M. Jean Hill, Kathy Hochul, Hadley Horrigan, Robert Mujica, Jr., Rosanna Rosado, David A. Schulz, Stephen B. Waters, Meredith S. Weill – with Franklin H. Stone identified as “Chairperson”.

The annual report provides no biographical information – nor even an indication as to which Committee members are sitting *ex officio*, or by delegation, or by appointment and – if the latter – by which appointing authority and the expiration of their terms. Shouldn't such basic information be posted on the Committee's website?

Kindly respond to the foregoing – including, if necessary, for pertinent records pursuant to FOIL.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
914-421-1200
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From: Oneill, Kristin (DOS) <Kristin.ONEill@dos.ny.gov>
Sent: Tuesday, September 24, 2019 10:15 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: RE: FOIL REQUEST: Records reflecting the date, time, and place of the Committee on Open Government's next meeting and its agenda

Good Morning Ms. Sassower,

I have received your request for an advisory opinion dated September 16, 2019 but have not had an opportunity to review and prepare a response.

In response to your request for records "reflecting the date, time, and place of the Committee on Open Government's next meeting and its agenda," I certify that the Committee on Open Government does not possess any records which are responsive to your request. When the next meeting is scheduled, notice of the meeting will be provided consistent with the requirements of the Open Meetings Law.

Kristin O'Neill

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, September 24, 2019 9:19 AM
To: Oneill, Kristin (DOS) <Kristin.ONEill@dos.ny.gov>; dos.sm.Coog.InetCoog <dosCOOG@dos.ny.gov>
Cc: Brown, Jonathan (DOS) <Jonathan.Brown@dos.ny.gov>; dos.sm.HRM.Recruitment <HRM.Recruitment@dos.ny.gov>
Subject: FOIL REQUEST: Records reflecting the date, time, and place of the Committee on Open Government's next meeting and its agenda

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TO: New York State Committee on Open Government/Assistant Director Kristin O'Neill

Please advise as to the status of my below September 16, 2019 e-mail to you, to which I have received no response.

According to Public Officers Law §89.1(a), the Committee on Open Government "shall hold no less than two meetings annually, but may meet at any time."