

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, January 29, 2025 10:54 AM
To: 'foil@nysenate.gov'
Cc: 'coog@dos.ny.gov'

Subject: **FOIL APPEAL -- CJA's Jan 21, 2025 FOIL Request: "The Salary Plans of SUNY, CUNY, & the Board of Regents Pursuant to Executive Law §169.3"**

Attachments: [1-21-25-foil-suny-cuny-sed.pdf](#)

TO: Senate FOIL Appeals Officer/Senate Majority Counsel

Pursuant to §9 of the Senate's "[Rules and Regulations Relating to the Public Inspection and Copying of Records](#)", I hereby appeal from the below January 28, 2025 e-mail of Senate FOIL Officer/Secretary of the Senate Alejandra Paulino, ESQ., denying my [January 21, 2025 FOIL request](#) for "The Salary Plans of SUNY, CUNY, & the Board of Regents Pursuant to Executive Law §169.3" by purporting that the requested records "if the records even exist, are not subject to disclosure pursuant to Senate Rules".

The basis of the appeal is that if the Senate "does not have possession of such record(s) or that such record(s) cannot be found after diligent search" – neither of which Secretary of the Senate Paulino states – I am entitled to a certification thereof (Public Officers Law §89.3(a) – and, additionally, to specification as to which Senate Rule would exempt the requested records from disclosure (Public Officers Law §87.2).

Tellingly, Secretary of the Senate Paulino's e-mail does not inform me of my right of appeal, as is required by §7 of the Senate's "Rules and Regulations Relating to the Public Inspection and Copying of Records".

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200
elena@judgewatch.org

From: Senate Foil <foil@nysenate.gov>
Sent: Tuesday, January 28, 2025 9:00 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: Re: FOIL Request: The Salary Plans of SUNY, CUNY, & the Board of Regents Pursuant to Executive Law §169.3

Dear Ms. Sassower,

This is to acknowledge your request dated January 21, 2025, pursuant to the Freedom of Information Law. You are requesting"(1) records as to the number of salary plans

SUNY, CUNY, and the Board of Regents respectively filed pursuant to Executive Law §169; (2) the first two salary plans of each; (3) the two most recent salary plans of each; (4) the salary plan, for each, that is chronologically between the first and most recent ".

Please be advised the records you request, if the records even exist, are not subject to disclosure pursuant to Senate Rules.

I have attached a copy of the Senate's Rules and Regulations Relating to the Public Inspection and Copying of Legislative Records for your information.

Sincerely,

Alejandra N. Paulino
Secretary of the Senate

Senate Foil-BSR

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Tuesday, January 21, 2025 9:18 AM

To: Senate Foil <foil@nysenate.gov>; 'Fern Whyland' <whylandfm@nyassembly.gov>

Subject: FOIL Request: The Salary Plans of SUNY, CUNY, & the Board of Regents Pursuant to Executive Law §169.3

**TO: Senate Records Access Officer/Secretary of the Senate Alejandra Paulino, Esq.
Assembly Records Access Officer Fern Whyland**

Above-attached is CJA's above-entitled FOIL request of today's date, already sent to the Division of the Budget, *via* its electronic portal and assigned number R000004-012125.

Thank you.

Elena Sassower, Director
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