

Can You Hear What the Town Board Is Saying?

By Susan Siegel and Paul Moskowitz

Question: When is an open Town Board work session meeting not really open?

Answer: When the public can't hear what the Board is discussing.

By conducting discussions that can't be heard by the people in the room — and who are prevented from unobtrusively standing on the sides of the dais so that they can hear the discussion — the Board is making a mockery out of the concept of open and transparent government.

If the public is prevented from hearing what's being said at a meeting, what's the purpose of their being allowed to attend the meeting?

Regrettably this practice of inaudible Board discussions, exacerbated by the Supervisor permitting private conversations in the audience, has become the norm at Town Board work sessions.

Ironically, after years of complaints from the public that they could not hear what was being said at the Board table, a public address system was installed in the Board meeting room in 2011. But alas, the system is only used for televised meetings; the microphones are locked away during non-televised work sessions.

Supervisor Grace is correct when he says that work session meetings are for the Board, not the public. And the people who choose to attend these meetings understand that; they know they can't address the Board unless a Board member invites them to the table to participate in a discussion.

But, if the concept of open and transparent government is to have any meaning, at a minimum, the public should at least be able to hear what's being said at these meetings. Why else are the meetings open to the public? Why else would the public want to attend the meetings?

If Supervisor Grace wants to discuss subjects out of the hearing of the public, he knows only too well how to have the discussion take place behind closed doors in executive sessions; for over a year, he has used the "advice from counsel" loophole in the Open Meetings Law to discuss issues without the public even being told what subjects were being discussed.

At last Tuesday's work session, Councilman Murphy joined the Supervisor in ushering members of the public away from the Board table. When four people stood in front of the table, trying to hear the discussion about the State Land rezoning, the Councilman told them to sit down because their standing was interfering with people in the room hearing what was being said.

Thanks to the state Open Meetings Law and the companion Freedom of Information Law, we have the tools to hold our elected officials accountable for operating in an open and transparent way. But it's up to us to use those tools. It's a simple case of: "Use it or lose it."

In the words of a former Supreme Court Justice, "Sunshine is the best disinfectant."