



## Adirondack Park Agency

**LEILANI CRAFTS ULRICH**  
Chairwoman

**TERRY MARTINO**  
Executive Director

### ***DRAFT MINUTES***

Legal Affairs Committee  
February 11, 2016  
Agency Meeting  
KF:JTT:mp

### **Legal Affairs Committee February 11, 2016**

The Legal Affairs Committee convened at 3:00 pm.

#### **Legal Affairs Committee Members Present:**

Karen Feldman, Chair, Arthur Lussi, Sherman Craig, Richard Booth and Bradley Austin (DED)

#### **Other Members and Designees Present:**

William Thomas, Dan Wilt, Robert Stegemann (DEC) and Dierdre Scozzafava (DOS)

#### **Local Government Review Board:**

Frederick Monroe, Executive Director

#### **Agency Staff Present:**

Terry Martino, James Townsend, Paul Van Cott, Mary Palmer.

#### **Counsel Report**

Mr. Townsend noted the number of Jurisdictional Inquiries received, comparing the amount received this January to January 2015.

#### **Proposed Revisions to Agency Freedom of Information Law (FOIL) Regulations**

Paul Van Cott updated the Board on the status of the proposed FOIL Regulations since they were last presented in October 2015. He said that packets were sent out for public outreach as well as being posted to the Agency website.

Mr. Van Cott said there is consensus on the FOIL Regulations, noting that it puts the Agency on track to getting them adopted in early spring. He added that there was positive discussion among all the groups that staff has been talking to. He also asked the Board to advance the regulations for formal rulemaking as a Consensus Rule.

Mr. Van Cott noted that in December 2015 the agency received comments from some environmental groups with proposed revisions to the staff draft. He said that staff reviewed those revisions, found them to be acceptable, and incorporated them into the draft.

Sherman Craig asked if a FOIL Request was on the Agency's website. Mr. Van Cott said that it is on the website and there is good direction for people to file a FOIL request. Mr. Townsend added that as required by the Committee on Open Government, and direction from the Governor's office, access to the FOIL Regulations can be no more than two clicks away from the home page.

Karen Feldman asked where the Agency specific rules would be found. Mr. Townsend said those would be found the same two clicks away by putting in the agency specific rule number in the search bar.

Mr. Van Cott said that staff's recommendation to the Agency is approval of the resolution that would authorize proceeding with the consensus rule making. He added that upon approval of the resolution staff would file the proposed consensus rule. He stated there would be a minimum 45 day comment period, and then if there are no material objections, staff would hope to bring this back to the agency for adoption at its May 2016 meeting.

By motion of Mr. Booth, seconded by Mr. Craig the Board unanimously approved moving forward with the Consensus Rulemaking.

Mr. Van Cott gave a quick update on the SEQR regulations stating that staff also received a number of comments from environmental groups in December 2015. He added that staff discussed those comments with DEC in early February, and noted that there will be more internal staff discussion before going for public outreach or bringing it back to the Board for further discussion.

### **Old Business**

None

### **New Business**

None

Karen Feldman, Committee Chair adjourned the meeting at 3:15 pm.