

Adirondack Park Agency Policy, Procedures & Guidance System	AGENCY - 3
Topic: Agency Minutes Policy	
_____	Date: 3/16/2001 Amended: 11/5/2004
Ross S. Whaley, Chairman	

I. Purpose

It is the policy of the Adirondack Park Agency that minutes be taken at all open meetings of the Agency or any Committee thereof. This policy is intended to set forth a consistent process for developing Agency and Committee Minutes.

II. Background

The Open Meetings Law (Public Officers Law, Article 7) and the Agency's implementing regulations at 9 NYCRR Part 587 require that minutes be taken at all open meetings of a public body, including open meetings of the Adirondack Park Agency and its various committees. Minutes often prove useful in tracing institutional history on a particular topic as well, and should therefore be developed via a standardized process and be readily available from a single repository.

III. Agency Minutes Policy

Minutes shall be taken of all open meetings of the Agency or any Committee thereof. The content of minutes shall consist of a general record of the discussions and actions of the Agency or any Committee thereof. Those elements of the Agency or Committee discussions which concern the central elements of the project or case, general discussions, or other matters of substance before the Agency or Committee should be reflected in the minutes. All matters formally voted upon shall be recorded in the minutes, including the votes taken and the identity of the Member or Designee who moved a certain matter, as well as the second. All matters requested for inclusion by any Agency Member or Designee shall also be recorded in the minutes.

Minor or non-substantive comments, in-service training, or discussion of topics which are not central to the issues before the Agency or Committee need not be reflected in the minutes. Repetitive Agency actions which are passive in nature and do not involve formal Agency or Committee action (i.e., Pledge of Allegiance) also do not need to be reflected in the minutes.

Those preparing minutes should attempt to be as brief as possible while still capturing the essence of the discussion or action. In certain instances involving projects or cases which are anticipated to result in a public hearing or litigation, a more detailed set of minutes will be required, and Agency Counsel will apprise those preparing minutes of that fact in such cases. A tape recording of all Agency meetings will continue to be utilized to support the written minutes. The Executive Director shall maintain a chronological file containing all Agency or Committee Minutes.

IV. Committee Minutes

Minutes from the Agency's monthly Committee meetings shall be provided in draft form to all Agency Members as soon as they are prepared. A copy of the minutes to be submitted for approval at the following monthly meeting shall be available to the public upon request within two weeks of the date of the Committee meeting to which the minutes apply. A review and approval of the Committee minutes from the previous Committee meeting shall be an initial order of business at the beginning of each Committee meeting. Once the draft minutes from the previous month's Agency meeting have been approved by the Committee, the "draft" notation shall be removed and the minutes shall be considered final.

V. Agency Minutes

Draft minutes from all "Full Agency" sessions of the Agency's monthly meeting shall be provided to all Agency Members as soon as they are prepared. A copy of the minutes to be submitted for approval at the following monthly meeting shall be available to the public upon request within two weeks of the date of the Agency meeting to which the minutes apply. A review and approval of the minutes from the previous month's Agency meeting shall be an initial order of business at the beginning of each Agency meeting. Once the draft minutes from the previous month's Agency meeting have been approved by the Agency, the "draft" notation shall be removed and the minutes should be submitted to the Chairman for his signature. Once signed by the Chairman the minutes shall be considered final.

VI. Format

All minutes shall be entitled "Agency Minutes" or "_____ Committee Minutes," followed by the date of the subject Agency or Committee meeting. The term "Report" will no longer be used to identify Agency or Committee minutes. Agency minutes will contain all attachments referred to in the text of the minutes.

VII. Executive Sessions

Minutes shall also be taken at the Executive Sessions of the Agency or any Committee thereof. Minutes shall reflect any action taken by formal vote and shall consist, at a minimum, of a record or summary of the final determination of such action, and the date and vote thereon. Minutes of an Executive Session do not need to reflect any matter exempted by the Freedom of Information Law or Subsection 587.1(i) of the Agency's regulations. In the event that no final determination or action is taken, that fact should also be reflected in the Executive Session minutes. Other matters may be included in the minutes of an Executive Session, but only at the express direction of the Agency or Committee which is meeting in Executive Session. Minutes from Executive Sessions shall be available to the public upon request within one week of the date of the Executive Session.

VIII. Legal Effect

This policy is not intended to set forth a fixed, general principle to be rigidly applied. Rather, its tenets are to be utilized solely as guidance and should be applied only after taking into account the specific facts and circumstances of each particular instance where Agency minutes are recorded.

The Agency has reviewed and adopted this Agency Minutes Policy, effective March 16, 2001, as amended November 5, 2004.

ADIRONDACK PARK AGENCY

By: _____
Ross S. Whaley, Chairman