

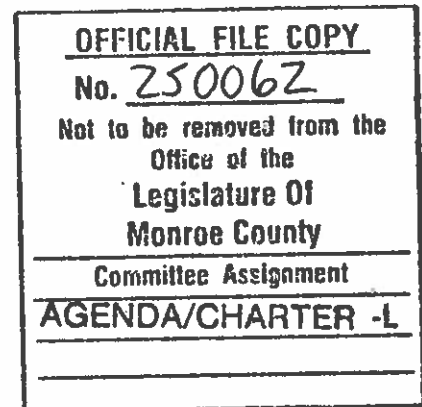


RACHEL BARNHART
LEGISLATOR - DISTRICT 17
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Monroe County Legislature

RACHEL BARNHART
LEGISLATOR - DISTRICT 17

Substitution



March 11, 2025

To the Honorable
Monroe County Legislature
39 W. Main St.
Rochester, NY 14614

Re: Amending the Rules of the Legislature to Ensure Pending Legislation is Debated in Open Sessions of the Legislature

Honorable Legislators:

New York State law mandates that meetings of governmental bodies be open to the public, a requirement affirmed in Monroe County Charter §545-6. Conducting the public's business in an open forum is foundational to democracy and reflects our commitment to transparency and accountability.

However, recent practices in this Legislature have raised concerns about adherence to these principles. The use of secret caucus meetings to discuss and decide matters of public importance undermines the intent of open government laws. These meetings exclude the public, evade scrutiny, and diminish trust in our institution.

Within the past year, the County Executive's office has set up separate "briefings" with each caucus to discuss pending legislation involving American Rescue Plan Act spending, the Seneca Park Zoo expansion, and the appointment of a commissioner of public health. This practice effectively sidelines the public from critical discussions about the use of taxpayer funds, major capital projects, and key appointments. By the time these issues reach the public forum, the most meaningful discussion has already occurred behind closed doors, depriving our constituents of their right to observe and participate in their government.

In addition, the administration has abused caucus "briefings" by demanding that certain legislators be excluded. This further demeans the legislative process and democratic norms.

While state law exempts caucus meetings from open meetings requirements, there is nothing preventing Monroe County from strengthening its own transparency measures. We should follow the lead of other municipalities in New York, including Ithaca, and restrict conducting the public's business in caucus meetings.

This proposed amendment would forbid legislative caucuses from meeting with the County Administration to discuss legislation coming before the Legislature for a vote within 30 days, with the exception of legal settlements. Caucuses would remain free to meet to discuss any matter in private, including pending legislation. Leaders of caucuses could still meet with the administration to discuss pending legislation. Should legislators have questions of the administration that legally cannot be discussed in open meetings, state law provides for executive sessions.

The proposed amendment reflects a straightforward premise: the public has a right to witness the deliberations and decisions that shape our community. By closing loopholes that allow for secrecy, this measure seeks to strengthen accountability and restore public confidence in our processes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rachel Sawhart". The signature is written in a cursive, flowing style.

Resolution No. ____ of 2025

AMENDING ARTICLE II OF THE RULES OF THE LEGISLATURE OF THE COUNTY OF MONROE TO ENSURE PENDING LEGISLATION IS DEBATED IN OPEN SESSIONS OF THE LEGISLATURE

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

1. Section 1. Article II, Section 545-6 of the Rules of the Monroe County Legislature, entitled "Meetings to be Public" is hereby amended to read as follows:

545-6 Meetings to be public.

- A. In accordance with the State Open Meetings Law, all meetings of the Legislature and its committees shall be open to the public, except when the Legislature or its committees shall meet in executive session, at which time all persons not authorized to attend such executive session shall be excluded. Adequate accommodations shall be made for the County Executive and other county officials and for representation of the news media.

B. Exemptions.

Nothing contained in this section shall be construed as extending the provisions hereof to:

- (1) Meetings of caucuses, with caucuses as defined by 545-36. This exemption shall not apply to meetings of caucuses at which the County Executive, County agency heads or representatives of the County Administration are present to discuss legislation that will come before a vote of a County Legislature Committee or the full Legislature within 30 days, with the exception of legislation pertaining to legal settlements.
- (2) Any matter made confidential by federal or state law.

2. Section 2. This resolution shall take effect immediately in accordance with Section C2-7 of the Monroe County Charter.

File No. 25-____

Added language is underlined.

Deleted language is ~~stricken~~.

ADOPTION: Date: _____ Vote: _____



Monroe County Legislature

RACHEL BARNHART

Legislator – District 17

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No. 250062

Not to be removed from the
Office of the
Legislature Of
Monroe County

Committee Assignment

AGENDA/CHARTER -L

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Respectfully submitted,

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Rachel Barnhart
Legislator – District 17

By Legislator Barnhart and _____

Intro. No. _____

Motion No. ____ of 2025

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File No. 25-_____

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Deleted language is ~~stricken~~.

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____