

Top Ten Changes to Watch for in the New Open Meeting Law

1. New requirements for certifications and other documentation to keep on file – may fall to City/Town Clerks to maintain!
2. 48 hour notice – still required, but now cannot count Saturdays, Sundays or holidays. Example: Monday night meeting must be posted before Thursday night.
3. Notices must (1) include list of topics chair reasonably anticipates will be discussed [i.e., agenda], and (2) be posted in or on municipal building to be visible to public *at all hours*.
4. Emails are expressly (included) in definition of “deliberation” [must be in open session], but distribution of agendas, scheduling information or reports to be discussed at next meeting is permitted.
5. Attendance by a quorum at a location not a “meeting” if not intended to conduct business and no deliberation occurs – for example, attending a conference, social event, or a meeting of another municipal board.
6. Minutes must contain more detailed information; in addition to “date, place, time and matters discussed,” shall include summaries of matters discussed, list of documents used, all decisions made/votes taken.
7. “Minutes” shall also include “documents and other exhibits, such as photographs, recordings or maps, used by the body at an open or executive session shall, along with the minutes, be part of the official record of the session.”
8. Remote participation (conference call, audio or video conferencing) will likely be allowed by regulation or letter ruling of the Attorney General.
9. All persons serving on public body must receive copy of OML and related regulations, and must submit certification to City/Town Clerks.
10. Citizens making complaints of OML violations must file written complaint with the *governmental body* first; body submits reply to complainant and Attorney General’s office.

Brian W. Riley, Esq.
Kopelman and Paige, P.C.
www.k-plaw.com