AGENDA

BOARD OF TRUSTEES
REGULAR MEETING
Tuesday, December 28, 2021 - 2:00 p.m.

NOTE:
Join Zoom Meeting
https://us02web.zoom.us/j/89812282069?pwd=Z01nL2RaMTZWZlMVHFxVk1xWndOUT09

Meeting ID: 898 1228 2069
Password: 986582
Call In: +1 (646) 558-8656

OPEN SPECIAL MEETING

RESOLUTION:


   Motion to Approve or Deny

Motion to Adjourn
INCORPORATED VILLAGE OF OLD WESTBURY
BOARD OF TRUSTEES

RESOLUTION DENYING THE FREEDOM OF INFORMATION LAW APPEAL BY THE VILLAGE OF OLD WESTBURY CIVIC ASSOCIATION

WHEREAS, the Village of Old Westbury Civic Association (“VOWCA”) filed a Freedom of Information Law (“FOIL”) request with the Incorporated Village of Old Westbury (the “Village”) on August 20, 2021 (the “VOWCA FOIL”); and

WHEREAS, the Village’s Records Access Officer, Brian Ridgway, provided a memorandum responding to the VOWCA FOIL, on November 18, 2021, with responsive records; and

WHEREAS, on December 16, 2021, the VOWCA delivered a letter to the Village, to the attention of Brian Ridgway stating that the letter was a “formal appeal and complaint” regarding the document production that was made on November 18, 2021; and

WHEREAS, the VOWCA also described its letter as a “follow up request meant to be an additional request for documents”; and

WHEREAS, pursuant to Public Officers Law § 89(4), the Board of Trustees, as FOIL Appeals Officer for the Village, is required to respond and explain in writing the reasons for further denial;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees responds to each numbered item in the letter delivered on December 16, 2021 as follows.

We affirm the determination of Brian Ridgway, dated November 18, 2021, for the following reasons:

1. Items 1, 2, 4, 5, 7 and 11 constitute items that are an appeal of the Records Access Officer’s response, dated November 18, 2021. The Village does not maintain in its possession additional records that are responsive to these items.

2. Item 10 also constitutes an appeal of the Records Access Officer’s response, dated November 18, 2021, and is denied as such. To the extent that the Records Access Officer’s response contained redacted records, such records were redacted pursuant to the intra or inter-agency material exemption (Public Officers Law § 87(2)(g)) or the attorney-client privilege (Public Officers Law § 87(2)(a)).

3. Items 3, 6, 8 and 9 constitute new FOIL requests, as these items request records that were not requested in the VOWCA FOIL, and will be treated by the Records Access Officer and responded to as such.
On motion by Trustee ________, seconded by Trustee __________, the foregoing resolution was adopted by vote as follows:

- Edward Novick, Mayor
- Dr. Cory Baker, Deputy Mayor
- Marina Chimerine, Trustee
- Jeffrey Brown, Trustee
- Andrew Weinberg, Trustee

Dated: Old Westbury, New York
December __, 2021

Filed: Old Westbury, New York
December __, 2021