

## Follow Up on Open Meetings Law

The Community Advisory Committee (“CAC”), established under the New York State Urban Development Corporation Act (the “UDC Act,” Unconsolidated Laws § 6251 *et seq.*), is not subject to the Open Meetings Law (Public Officers Law §§ 100–111).

Relevant portions of the Open Meetings Law and the Urban Development Corporation Act are as follows:

- The Open Meetings Law:
  - The Law generally requires that “[e]very meeting of a public body shall be open to the general public...” except for matters that may be conducted in an executive session. (Pub. Off. Law § 103[a].)
  - “Meeting” is defined as “*the official convening of a public body for the purpose of conducting public business....*” Pub. Off. Law § 102[1]
  - “Public Body” is defined as “*any entity, for which a **quorum is required in order to conduct public business and which consists of two or more members, performing a governmental function for the state or for an agency or department thereof, or for a public corporation as defined in section 66 of the general construction law, or committee or subcommittee or other similar body of such public body.***”
  
- The UDC Act (in Unconsol. Law § 6254[7]) defines a CAC as follows:

*The corporation shall establish one or more community advisory committees to **consider and advise the corporation** upon matters submitted to them by the corporation concerning the development of any area or any project, and may establish rules and regulations with respect to such committees. The members of such community advisory committees shall serve, at the pleasure of the corporation, without salary, but shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their duties. Notwithstanding any inconsistent provision of law, general, special or local, no officer or employee of the state or of any civil division thereof, shall be deemed to have forfeited or shall forfeit his office or employment by reason of his acceptance of membership on such community advisory committee. (Emphasis added.)*