

12 September 2018

Borough information,
recording of meetings

Ramsey Governing Body

Dear Mayor and Council,

Some background first, for those on the council and others who have not followed the issues over the past four plus years. This briefly covers the flow of information, minutes, and recordings (both audio and video).

In September 2014, the Ramsey Suburban News published an article, ***Ramsey resident wants more 'openness and transparency'***, regarding video broadcasting of town meetings. In it, the view of the mayor (then council president) was mentioned, "Dillon said [audio] CD recordings of meetings can be obtained easily by request", in opposition to video broadcasts. But that is only part of the situation; the article had to quote a resident that the recordings **required** an OPRA (Open Public Records Act) request then. The article further quotes her, "[Braggin] wants it to be a transcript, but it is not a transcript," said Ramsey Borough Council President Deirdre Dillon." Now, I was there at the meetings, and Braggin never mentioned a transcript for the minutes -- she is simply trying to mislead folks, as her earlier quote in the article does.

The audio recordings are now posted on the new website. But my guess is that posting the audio is a standard feature of that vendor's website, and not due to any request by the governing body. However, I'm glad that audio (just for those meetings in the council chamber and meetings since the inauguration of the new website) no longer requires an OPRA request. The new website has been operating for over a year...in the past month or two, the borough has just started to post earlier M&C meeting audio recordings, but has made no mention of that change. It seems to be a continuation of their unpublished policy -- **keep the residents in the dark**.

Some years ago, one of the residents commented that no mayor and council work session (WS) minutes were prepared or posted. The resident persisted, and the municipality started to prepare and post the WS minutes (but only the immediately-past two years). it took a while, but as the minutes were nearly caught up, the effort then dragged on a bit, not completing until early 2015.

Then, as now, listening to the audio and reading the minutes show that the public comments only indicate in a very general way the area spoken of (and sometimes only one of several items described), never mentioning the point of view of the speaker or the dais.

Again, going back a few years, the mayor and council meetings (in the council chamber) were digitally recorded (as mp3). Other groups meeting in the same room had the secretary simply record meetings on the secretary's own analog recorder, erasing the tape after the minutes were prepared. A resident commented on the availability of the digital mp3 recorder, and that is

now used. More recently, I had to make the same request to ensure that another group used the mp3 recorder. However, only groups meeting in the council chamber are audio recorded, though the request has been made to the governing body.

A few years ago, a resident submitted an OPRA request for the pool commission (analog) audio recording that the secretary had made; the borough refused. But once the resident had an attorney write to the borough, the recording was made available. Later, the borough ordered all secretaries to not make their own recordings of meetings. The alternative - using a portable digital recorder, as is used for the mayor and council - evidently did not occur to the borough. Only meetings in the council chamber are audio-recorded.

Other towns (and I specifically note that Ramsey is not in the set of “other towns”) have been broadcasting and posting videos of their meetings for years, some for many years.

A few times this year, when I’ve commented about the approaches of other municipalities, I’ve simply received a response from the dais that the other body *isn’t the same* (or *isn’t the Ramsey mayor and council*).

About the “not the same” comment:

All NJ public bodies are subject to the NJ statutes and court rulings...there’s not one for Ramsey and another for the others.

But there is, however, a difference - a substantial difference - ***in how municipalities provide information and interact with their residents!*** Other municipalities have started video broadcasting of their meetings or been doing it for years. Many started at the request of their governing body.

One example is Mahwah, which installed three PTZ (pan tilt zoom) cameras this year and began live broadcasting. I expect that you know a few years ago, a Mahwah resident made an iPad video of the M&C that a clip of reached network television.

Another, which started just a few years ago, is Woodcliff Lake. It not only live broadcasts the mayor and council, but also the planning board and board of adjustment meetings. Note that Woodcliff Lake is a small municipality, with some 6,000 residents.

The Ramsey Board of Education (which I know, from serving on it three terms, is not the mayor and council) has its own much less restrictive policy...BoE policy, 0168, Recording Board Meetings.

One looks at the borough web site and the borough code (ordinances). Under the ‘New Laws’ folder (i.e., not yet placed within the code), ordinances from March 2016 onward are still listed. But this seems to be the manner in which the borough operates.

Now, my video recording...when I started videoing, I asked the mayor for permission to locate the camera so that the face of the person speaking (during public comment) could be seen. She agreed, but added that the person speaking had to consent to being videoed:

“Mayor Dillon asked everyone who was speaking if they consented to being videotaped”
(minutes, 27 November 2017).

I have not asked permission about locating the camera since, placing it in various reasonable locations; no meeting chair has commented or objected.

The mayor and council meetings, and some of the planning board, have been video recorded since November 2017. But the increasing number of people interested in the borough meetings and unable to attend in person have not received the benefit of watching the meetings from home or on their own schedule.

The mere videoing does not serve the purpose of distributing information. And the NJ Supreme Court ruling (Tarus), that was mentioned in my letter to the governing body last year, takes a more expansive view of public meeting video than the Ramsey governing body does.

Therefore, in keeping with the NJ SC and my first amendment and other rights,

No permission was requested for video of this meeting (Code 2-80.5)

Ramsey meeting videos are being posted on the Internet, without the disclaimer (2-80.9)

Kind regards,

George Bumiller

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