



NEW YORK STATE SENATOR

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14 State Senators Call Out MTA For Violating Open Meetings Law

ANDREW GOUNARDES August 21, 2019

| ISSUE: **MTA, TRANSPARENCY AND PUBLIC ACCOUNTABILITY, NYCT**

Albany – Today 14 State Senators, led by Senator Liz Krueger, released a letter to MTA Chairman and CEO Patrick Foye, chiding the MTA for failing to abide by the state Open Meetings Law (OML) during the creation of the 2015-2019 capital program, and pressing the Authority to comply with the law for the upcoming 2020-2024 Capital Plan process as well as the process to implement congestion pricing. The call from Senators followed a similar letter released earlier in the month by a group of good government and transit advocates. The Senators' letter can be viewed [here](#), and is also reprinted below.

"The MTA is not only a massive recipient of taxpayer dollars, it is also a vital lifeline that millions of New Yorkers rely on every day," said **Senator Krueger**. "That is why it is so important that when critical decisions are made by the MTA, they be made in public. New Yorkers must be able to not only monitor the process of these MTA boards, but also provide input to shape the final product. I hope the MTA will follow the letter and the spirit of the law going forward."

On August 8th, advocates including Common Cause, NYPIRG, League of Women Voters, Transportation Alternatives, Riders Alliance, and several others, wrote to state elected leaders pointing out that the MTA's Capital Program Review Board (CPRB) had failed to hold any public meetings during its consideration of the 2015-2019 Capital Plan, in violation of

Open Meetings Law. The advocates cited an advisory opinion issued by the state Committee on Open Government finding that the CPRB is a public body, and therefore required to comply with OML.

In response to the advocates' letter, 14 State Senators have written to MTA Chairman Foye, urging that the Authority comply with OML by holding public meetings of the CPRB during its review of the 2020-2024 Capital Plan. In addition, the lawmakers pressed the Authority to recognize that the Traffic Mobility Review Board (TMRB), the body tasked with implementing the recently-passed congestion pricing law, is also required to comply with OML. The Senators' letter states that "given the impact of Central Business District Tolling, its vast number of stakeholders, and its directive to consider such subjective factors as "public impact, public safety, and hardships," we believe it is of the utmost importance that the TMRB conduct a robust process of public engagement."

Senator Alessandra Biaggi said: "We do a disservice to our communities when we choose to violate the rules and procedures that are designed to strengthen the people's voice in our democracy. New Yorkers deserve full transparency in the decision making process of policies that affect them and how state funding is distributed. I stand in solidarity with my colleagues in calling on our state and city leadership to ensure the Capital Program Review Board (CPRB) operates in accordance with the Open Meetings Law (OML) as it considers the forthcoming 2020-2024 Metropolitan Transportation Authority (MTA) Capital Program."

Senator Andrew Gounardes said: "Meetings on the future of mass transit in New York City should be transparent and open to the public. We the people have a right to see how decisions get made on the issues that will affect our daily lives and commutes. I join my colleague Senator Krueger in demanding that the Capital Program Review Board and the Traffic Mobility Review Board comply with open meetings law."

"The MTA is the circulatory system of New York City and with so much critical work ahead, it is more important than ever that New Yorkers know that all of its operations are getting a regular checkup," said **Senator Brad Hoylman**. "We deserve an MTA that is transparent, open to the public, and responsive to New Yorkers' concerns. I am grateful to Senator Krueger for her leadership on behalf of New York taxpayers."