

Supervisors table proposal on executive sessions

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Tom Peel / Indiana Gazette

White Township Supervisor Sandi Gillette has drafted a suggested format for future executive sessions by the township board.

As the board hasn't had time to review the proposal, township Manager Milt Lady said, it was tabled at Wednesday's board meeting, possibly until the supervisors gather again on Jan. 27.

He declined to give details until the board makes it public.

One group seeking a change in the executive session policy is Friends of White's Woods, whose members often are among the speakers during public comment segments of what continue to be virtual board meetings.

"FWW was very pleased to hear that the township supervisors and township manager recognize that, to guarantee the public's right to know, there is a need to keep the GoToMeeting (virtual access) active until the formal adjournment of the Board of Supervisors meetings," FWW President Sara King wrote in a letter to township officials that was released to news media Wednesday afternoon.

She wants executive sessions held earlier, with topics stated so there can be public comment, and the online link to the meetings maintained while the supervisors are in another room deliberating.

FWW has crossed swords three times in recent decades over township plans for the White's Woods Nature Center, suing the board of supervisors last year over how it reached agreement with Millstone Land Management LLC of Marion Center for "management of invasive plant species and timber on all White Township-owned properties," including White's Woods.

That court battle continues, following a ruling Nov. 4 by Indiana County Common Pleas President Judge William Martin. He sustained the township's objection to FWW's claim that the state's Open Meetings Law or Sunshine Act was violated in the township's handling of agreements with Millstone Land Management LLC of Marion Center.

The now-retired Martin noted that the township took action to cure a series of violations at a special public meeting July 20, where the purpose of a series of executive sessions was announced in open session.

"It has long been held by Pennsylvania courts that when official action is taken later at an open meeting, a prior violation of the Sunshine Act is cured," Martin wrote.

While executive sessions normally have been at the end of board meetings, King wrote that "placement of an executive session at the beginning or middle of a meeting, rather than at the end, will dramatically impact citizen opportunity for participation in township decision-making."

She wrote that "motions that emerge from these executive sessions are almost never related to items that are clearly identified on the meeting agenda."

King applauded supervisors Gail McCauley and Rich Gallo for pointing out that "the option to attend a meeting virtually (Zoom or GoToMeeting) is a tremendous benefit for many individuals, in a wide variety of circumstances. Thanks to modern-day technology, this option is low-cost, easy to operate, and a godsend"

She suggested that government agencies, as well as professional services and businesses, may elect to keep virtual communication options available, "even after our global pandemic finally subsides."