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September 17, 2019

BY ELECTRONIC MAIL

Kevin Bryant, Esq.
Corporation Counsel
City of Kingston
420 Broadway
Kingston, NY 12401

Re: KingstonCitizens.org

Dear Mr. Bryant:

I am in receipt of your letter of September 12 regarding the City's communication with members of KingstonCitizens.org.

KingstonCitizens.org has engaged in the City's review of the Kingstonian, and other development proposals, with the public interest in mind. Along with other citizens in the community, members have asked the City questions about the zoning rules applicable to the Kingstonian project and whether the City had expressed an opinion to the project sponsor, or others, about how those rules would be applied. In response to the citizens' attempts to gather information about existing zoning determinations, the City made the decision to initiate a formal zoning interpretation process, and the Kingstonian's attorney submitted a comment. KingstonCitizens.org felt compelled to ask an attorney to present a response so the record would be balanced.

My written comment on KingstonCitizens.org's behalf creates no rationale to limit contact between citizens and their elected and appointed officials. The Rules of Professional Conduct applicable to attorneys do not limit the rights of represented parties to communicate with one another. Particularly in the context of government, it is essential for citizens to be able to speak freely on matters of public interest pursuant to their rights under the First Amendment.

At this time, my representation is limited to commenting on the City's zoning interpretation for the Kingstonian project. Because I am not currently representing KingstonCitizens.org in any other component of the review process for the Kingstonian, or any other project, there is no reason at all to broadly curtail City officials' contact with members of the organization. If KingstonCitizens.org does choose to retain counsel for additional aspects of the public process, I sincerely hope that the City of Kingston will not choose to block communication between officials and the citizens they represent and serve.

In addition, please be aware that KingstonCitizens.org is a grassroots, volunteer organization and not a corporation. The individuals named in your letter are simply volunteers acting as organizers or advisors; they are not staff or officers. There is no justification for limiting their ability to communicate as individuals with their government.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Emily B. Svenson". The signature is written in black ink and is positioned below the word "Sincerely,".

Emily B. Svenson

cc (via email): Daniel Gartenstein, Esq., Assistant Corporation Counsel, City of Kingston
KingstonCitizens.org