

Tug Hill Commission Video Conferencing Policy

Background:

The 2022-2023 New York State Budget added Public Officers Law §103-a, which allows members of public bodies to participate in meetings via video conference from a location that is not accessible to the public so long as certain conditions are met, including that a majority of the board meets from a publicly accessible location(s).

The addition to Public Officers Law outlines several requirements that public bodies need to meet to use the video conference provision, which this policy complies with. It also marks the end of continuing extensions by the NY Governor that suspended requirements of open meetings law due to the COVID-19 pandemic.

Policy:

A majority (quorum) of the Commission board members will meet from a publicly accessible location(s) and the public will be allowed to participate via video conference the same as they would be able to if attending in person.

When the Commission uses video conferencing to conduct a meeting, the public notice for the meeting will inform the public that video conferencing will be used and will include directions for how the public can view and/or participate in that meeting via video conference. The notice also must include the physical location(s) where the quorum of the Commission will be meeting.

The Commission will use video conferencing technology that allows members of the public with disabilities to participate in a manner consistent with the American with Disabilities Act.

Commissioners should be physically present unless “extraordinary circumstances” exist. “Extraordinary Circumstances” are defined as disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event that precludes physical attendance. Additionally, video conferencing is allowed if a state of emergency pursuant to Executive Law §24 is declared by the Governor, or one of the counties or towns within Tug Hill, in which case all members of the Commission can video conference into a meeting from locations that are not accessible to the public for the duration of the state of emergency.

A recording of the meeting will be posted or linked to the Commission website within five (5) business days and remain on the website for five (5) years. The meeting minutes must include who participated via video conference and be made available on the commission’s website. A transcript of the meeting will be generated upon request.

This video conferencing policy must be posted on the Commission’s website.

This policy was adopted per the following resolution (2022-01) at the May 16, 2022 Commission meeting in Turin, NY.

Whereas the 2022-2023 New York State Budget added Public Officers Law §103-a, which allows members of public bodies to participate in meetings via video conference from a location that is not accessible to the public so long as certain conditions are met, including that a majority of the board meets from a publicly accessible location(s); and

Whereas the Tug Hill Commission (“Commission”) is a “public body” within the meaning of Public Officers Law §103-a; and

Whereas the Commission desires that its commissioners be able to participate in meetings via video conference as allowed by the provisions of Public Officers Law §103-a.

Now therefore the Commission hereby:

authorizes its commissioners to participate in meetings using video conferencing technology in a manner consistent with Public Officers Law §103-a and the attached policy on video conferencing.