

RESOLUTION ADOPTING VIDEOCONFERENCING POLICY

BE IT RESOLVED by the Town Board of the Town of Shandaken that the following Videoconferencing Policy is hereby adopted:

AND MOVE ITS ADOPTION

Town of Shandaken Public Meeting Videoconference Policy

The town of Shandaken hereby establishes this policy to allow for attendance by members of the board and members of the public via videoconference at any open meeting of the board of directors or any committee or subcommittee meeting and is established in accordance with Public Officers Law ("Open Meetings Law"). <https://opengovernment.ny.gov/open-meetings-law>

This policy sets forth the options for attendance at public meetings either in person, via videoconference at a public location, or via videoconference at a non-public location due to "extraordinary circumstances" being experienced by a member who still wishes to attend.

This policy defines these "extraordinary circumstances" by which a member may participate in a meeting of the board or committee via videoconferencing in a non-public venue and establishes the procedures for notifying the town in order to verify the extraordinary circumstance and sets forth a method for updating the public on opportunities to attend via videoconference.

1. Open Meeting Law states that a quorum of the board must be present in-person at a predetermined time and public location wherein the meeting will be conducted. Any member attending in-person at the predetermined and noticed public location may count toward quorum.
2. Any member attending via videoconference under "extraordinary circumstances" will not be counted toward a quorum, but may vote on motions and resolutions.
3. When participating under "extraordinary circumstances" by which a member of the public body may request participation via videoconferences, they must notify the Town Supervisor/acting Supervisor AND the Town Clerk by phone or email as soon as the circumstance is presented.
4. Extraordinary circumstances allowed by this policy are:
 - a. Physical Disability whereby they are unable to meet in a physical location.
 - b. Illness whereby they are under direct orders from a doctor not to attend in-person meetings, or whereby their illness presents a risk of spreading to others attending the meeting.
 - c. Caregiver responsibilities whereby they are the only option for attending to the

physical care of a minor or other dependent or family member.

- d. Work-related restrictions whereby their place of business does not allow for participation at in-person meetings outside the parameters of their business location, or whereby their presence at the business location is critical during the date and time of the town meeting.

- e. Travel commitments whereby they are at a location too distant to attend the meeting in-person.
 - f. Other significant or unexpected, unforeseen factors or events which preclude attendance must be presented within a reasonable amount of time before the meeting in order to approve a videoconference option and to give notice to the public for a videoconference option.
5. Public Notice of an Open Meeting will be posted online on the Town's Agenda.
 6. Pre-established meetings will provide for meeting notice at least 72 hours prior to meeting to announce the time and physical or virtual locations whereby the public can attend and it must account for ADA accommodations or compliance for public attendance.
 7. In the event a member is allowed to participate via videoconference under "extraordinary circumstances," the town shall include a link to the same videoconference service by which the member will be participating on the agenda and within the public notice as soon as reasonably possible.
 8. Any member of board or committee participating via videoconferencing must be able to be seen, heard and identified, as well as all members attending in person. Members of the public attending in person or via videoconference will also be asked to identify themselves for the purpose of notation the minutes.
 9. Minutes of the meeting will delineate the attendance of each member and by what means they are attending, either in-person or via videoconference and under which "extraordinary circumstance."
 10. Any meeting of the town or committee that is conducted with members via videoconference will be recorded and saved for five (5) years.