

Tompkins County

Industrial Development Agency

Administration provided by Ithaca Area Economic Development

Public Meeting Videoconference Policy

Adopted: November 9, 2022

The Tompkins County Industrial Development Agency (the "Agency") 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 the laws of 2022 of the State of New York within the Public Officers Law a.k.a. Open Meetings Law. <https://opengovernment.ny.gov/open-meetings-law>

This internal agency policy sets forth the options for attendance at public meetings of this public body 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 agency staff 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 via videoconference in a predetermined and noticed public location may count toward quorum.
2. Any member attending via videoconference in a non-public setting under "extraordinary circumstances" will not be counted toward a quorum, but may nevertheless participate and vote. Any member attending via videoconference in a public setting under "extraordinary circumstances" will be counted toward a quorum, and may participate and vote.
3. When participating under "extraordinary circumstances" by which a member of the public body may request participation via videoconferences, they must notify the agency staff by phone or email as soon as the circumstance is presented. The staff will present the information to the chair of the board and the administrative director for final determination.
4. Extraordinary circumstances allowed by this agency are:
 - a. Physical Disability whereby they are unable to meet in a physical location.
 - b. Communicable illness or an illness whereby they are under direct orders from a doctor not to attend in-person meetings.
 - 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. Written policy for the employer or place of business must be signed by the member and on file with the agency.
 - e. Other significant or unexpected, unforeseen factors or events which preclude attendance must be presented to the agency staff 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 in the agency's website and on the public bulletin boards at the physical location.

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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 where by 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," agency staff shall post a public notice on the website with a link to the same videoconference service by which the member will be participating 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 of 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 agency or committee that is conducted with members via videoconference will be recorded and saved for five (5) years.