

Procedures for videoconferencing of public meetings

Section 103-a of the Open Meetings Law (Public Officers Law article 7) authorizes public bodies to use videoconferencing to conduct meetings, “provided that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location where the public can attend.” Authorization for videoconferencing requires that that village adopt a local law following a public hearing. The village also shall adopt written procedures governing member and public attendance which procedures are to be conspicuously posted on the village’s website.

It is important to note that section 103-a (chapter 57 of the Village of Ossining Code) authorizes videoconferencing for extraordinary circumstances as defined below. Regardless of whether videoconferencing is used, the village’s public bodies, including the Board of Trustees, Planning Board, Board of Architectural Review, Zoning Board of Appeals, and Historic Preservation Commission may continue to use platforms such as Zoom to provide for remote access to meetings whereby members of the public and those making presentations can watch listen and participate.

The following procedures will be followed for all Village of Ossining public bodies when videoconferencing is used to conduct meetings:

- The public notice for the public meeting will inform the public that videoconferencing will be used, where the public can view and/or participate in the meeting, the physical locations for the meeting where the public can attend and where required documents and records will be posted.
- Only those members of the public body who are in attendance at a location where the public also can attend the meeting shall be counted toward a quorum.
- A member may attend via videoconferencing only where one or more extraordinary circumstances are present. Examples of extraordinary circumstances include disability, illness, caregiving responsibilities or other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting. The Board of Trustees may expand or limit the extraordinary circumstances authorizing the use of videoconferencing by a member.
- Where the member believes that an extraordinary circumstance exists authorizing attendance via videoconferencing, the member shall notify in writing the mayor and Village Manager (for the Board of Trustees), the particular chairperson and Director of the Planning Department (for the Planning Board, Board of Architectural Review, Zoning Board of Appeals and Historic Preservation Commission) and the chairperson and the Village Manager (for other public bodies) the nature of the extraordinary circumstance.
- While it is recognized that some extraordinary circumstances may arise with little or no notice to the member, the member should make best efforts to provide timely written notification to allow for the public notice to reflect that a member intends to appear via videoconference.
- Only open public meetings are covered by these procedures.