

**Procedures for Member
Videoconferencing Pursuant
to Public Officers Law
Section 103-a.
Resolution # 74-2023**

The following resolution offered by Trustee Jaquay sec. Trustee Madore. Ayes all.

Procedures for member videoconferencing pursuant to Public Officers Law Section 103-a.

In compliance with Public Officers Law (POL) Section 103-a(2)(a), the Village of Dolgeville, following a public hearing, authorized by resolution of June 20, 2023, the use of videoconferencing as described in POL Section 103-a.

The following procedures are hereby established to satisfy the requirement of POL Section 103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations-under extraordinary circumstances-must establish written procedures governing member and public attendance.

1. Village of Dolgeville board members shall be physically present at any meeting of the village board unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances. For purposes of these procedures, the term “village board” shall mean the village Board of Trustees, Planning Board, Zoning Board of Appeals, Code of Ethics Board and any other public body of the village.
2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.
3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to participate via videoconferencing from a private location due to extraordinary circumstances, the member must notify the mayor or board chairperson no later than four business days prior to the scheduled meeting in order for proper notice to

the public to be given. If extraordinary circumstances present themselves on an emergent basis within four days of a meeting, the village board shall update its notice as soon as is practicable to include that information. If it is not practicable for the village board to update its notice, the village board may reschedule its meeting.

4. If there is a quorum of members participating at a physical location open to the public, the village board may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public shall not count toward a quorum of the village board but may participate and vote if there is a quorum of members at a physical location that is open to the public.
5. Except in the case of executive sessions conducted pursuant to POL Section 105, the village board shall ensure that its members can be heard, seen and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.
6. The minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL Section 103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.
7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used (ii) where the public can view and/or participate in such meeting, (iii) where required documents will be posted or available and (iv) the physical location for the meeting where the public can attend.
8. The village board shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on

the village website within five business days following the meeting and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.

9. If members of the village board are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the village board shall provide the opportunity for members of the public to view such meeting by video and to participate in the proceedings via videoconference in real time where public comment or participation is authorized. The village board shall ensure that where extraordinary circumstances videoconferencing is used, it authorizes the same public participation or testimony as in person participation or testimony.
10. Open meetings of the village board conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL Section 103-a shall be broadcast pursuant to the requirements of POL Section 103(f) and shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purpose of this guideline, “disability” shall have the meaning defined in Executive Law Section 292.
11. The in-person participation requirements of POL Section 103-a (2)(c) shall not apply during a state disaster emergency declared by the governor pursuant to Executive Law Section 28 or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to section 24 of the Executive Law if the village board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the village board to hold an in-person meeting.
12. These procedures shall be conspicuously posted on the village website.

AYES: Trustees Eggleston, Jaquay, Kraszewski, Madore

NAYS: None

ADOPTED – June 20, 2023