

Resolution by the Onondaga County Public Library Board of Trustees¹

WHEREAS, by passing Chapter 56 of the Laws of 2022 (“Chapter 56”), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the Onondaga County Public Library Board of Trustees to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the Onondaga County Public Library Board of Trustees to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend”; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting “unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting”; and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must, except during executive session, 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”; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the Onondaga County Public Library webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference.

BE IT RESOLVED, that the Onondaga County Public Library Board of Trustees authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and

BE IT FURTHER RESOLVED that for so long as the board of trustees elects to utilize videoconferencing to conduct its meetings. The library will maintain an official website; and

¹ Text from Committee on Open Government and Stephanie Cole Adams, J.D. Additional text has been included on when this law will sunset.

BE IT FURTHER RESOLVED that, consistent with the library's mission to serve its community, the trustees' use of videoconferencing shall utilize technology to permit access to members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA); and

BE IT FURTHER RESOLVED that the board of trustees will review the status of the amendment to Section 103 of the Open Meetings Law prior to its scheduled expiration July 1, 2024; and be it further

RESOLVED, that the Onondaga County Public Library Board of Trustees shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022.