

**INCORPORATED VILLAGE OF SALTAIRE
RESOLUTION OF THE BOARD OF TRUSTEES
ESTABLISHING PROCEDURES FOR VIRTUAL
AND HYBRID MEETINGS PURSUANT TO
CHAPTER 34 OF THE SALTAIRE VILLAGE CODE**

WHEREAS, by adopting Local Law #6 of 2022 (Section 4 of Chapter 34), the Village of Saltaire authorized the members of the Board of Trustees and other village boards and committees of the Village of Saltaire to attend meetings by videoconferencing and other virtual means under certain and extraordinary circumstances; and

WHEREAS, Section 34-A(1) of the Saltaire Village Code provides that the Board of Trustees of the Village of Saltaire shall adopt procedures governing member and public attendance at virtual meetings conducted pursuant to Section 34-4 which Section authorizes the use of videoconferencing to conduct a virtual open public meeting under certain circumstances, and allows for virtual and 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 34-4 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, Section 34-4 provides that public must be permitted to attend the meeting and participate at a location where a member of a board or committee attends the meeting, if authorized, and in any meeting by videoconference when a member of the board or committee attends by videoconference and participates in the meeting and or is included in the number of members present for purposes of a quorum; **THEREFORE**

BE IT RESOLVED, that the Village of Saltaire authorizes the members of the Board of Trustees and the members of the other public boards and committees of the Village who experience an extraordinary circumstance, as described above, pursuant to the written procedures hereinafter adopted, to attend meetings by videoconference provided: (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 may be otherwise permitted under Section 34-4 of the Saltaire Code.

Procedures for Member Videoconferencing Pursuant to Section 34-4 of the Saltaire Code

1. The members of the Board of Trustees and the other public board or committees of the Village of Saltaire shall be physically present at any meeting unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.

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 of a board or committee is unable to be physically present at one of the designated public meeting locations and wishes to participate by in a hybrid or virtual meeting by videoconferencing from a private or other location due to extraordinary circumstances, the member must notify the Village Clerk by email no later than three business days prior to the scheduled meeting in order for proper notice to be given to the public. If the extraordinary circumstances present themselves on an emergent basis within three business days of a meeting, the Village Clerk shall update the meeting notice as soon as practicable to include that information. If it is not practicable for the Village Clerk to update the meeting notice, the board or commission may reschedule its meeting.

4. If there is a quorum of members participating at a physical location(s) open to the public, the board or committee may properly convene a virtual or hybrid 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 Board or Commission but may participate and vote if there is a quorum of members at a physical location(s) that are open for attendance by the public.

5. Except in the case of executive sessions conducted pursuant to the Open Meetings Law and any other relevant law, the board or committee 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 public notice for a virtual or hybrid public meeting held pursuant to Section 34-4 of the Saltaire Village Code shall inform the public: (i) that due to extraordinary circumstances videoconferencing will (or may) be used, (ii) the locations where the public can view and/or participate in such meeting, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for the meeting where the public can attend.

7. If one or more members of the board or commission are authorized to participate by videoconferencing from other locations due to extraordinary circumstances, the board or committee shall provide the opportunity for the public to view such meeting in person at the designated locations, and by video, and to participate in proceedings by videoconference in real time, during the portions of the meeting where public comment or participation is authorized.

8. These procedures shall be conspicuously posted on the Village of Saltaire website.