

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF SARATOGA SPRINGS, NY

WHEREAS, by passing Chapter 56 of the Laws of 2022, 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 local public bodies to authorize their members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires local public bodies 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 sessions, 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 City of Saratoga Springs’ 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 participate, if authorized, in any meeting by videoconference when a member attends by videoconference,

BE IT RESOLVED that the Saratoga Springs City Council authorizes its members, and any member of an agency, board, commission, or other entity subject to Section 13.4 of the Charter of Saratoga Springs, 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 by all members of the public and the public body; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and be it further

RESOLVED, that the Saratoga Springs City Council shall create written procedures further governing its use of videoconferencing by its members, and any member of an agency, board, commission, or other entity subject to Section 13.4 of the Charter of Saratoga Springs, in compliance with Chapter 56 of the Laws of 2022.

Approved: 7/5/2022
AYES: 4 NAYS: 0

CITY COUNCIL OF THE CITY OF
SARATOGA SPRINGS, NEW YORK

By: Dillon Moran, City Clerk