

The current proposal is:
Citywide Resolution

Proposal to adopt a resolution authorizing the Landmarks Preservation Commission to allow commissioners to participate in public hearings and public meetings via videoconferencing, in conformance with amendments to the New York State Open Meetings Law (Part WW of chapter 56 of the Laws of 2022).

Note: this is a Public Meeting item. No public testimony will be received.

Resolution No. 1 of 2022

Whereas, Section 103-a of the Open Meetings Law (“OML”) authorizes a public body subject to the OML, such as the Landmarks Preservation Commission (“Commission”), to adopt a resolution, after a public hearing, authorizing the limited use of videoconferencing by members of the public body to conduct that public body’s meetings, subject to certain conditions; and

Whereas, during the suspension of the in-person meeting requirement of the OML due to the COVID-19 pandemic the Commission has held its public hearings and meetings remotely, and that Commissioners participated in hearings and meetings by videoconference and enabled the public, including applicants, to participate in hearings and meetings by videoconference or telephone, to observe Commission hearings and meetings by webcast over the internet, and to listen to Commission hearings and meetings by telephone; and

Whereas, the ability of the public to testify at, observe, and listen to hearings and meetings remotely has benefited the public by providing greater flexibility to the public, and increased public access to Commission hearings and meetings; and

Whereas, the ability of Commissioners to participate by videoconference in public hearings and meetings has enabled Commissioners to attend meetings, hear presentations and testimony, ask questions, and vote on occasions when a Commissioner might otherwise not have been able to attend such hearing or meeting in person; and

Whereas, the Commission held a public hearing on June 7, 2022 on adopting a resolution pursuant to Section 103-a of the OML to allow Commissioner participation by videoconference, and that 1 organization testified at that hearing, testifying in support of the Commission adopting a resolution.

Therefore it is Resolved, by the Landmarks Preservation Commission, that the use of limited videoconferencing to conduct Commission meetings is hereby authorized in conformance with the requirements of section 103-a of the New York State Open Meetings Law, including the following:

THAT a minimum number of Commissioners, sufficient to constitute a quorum of the Commission, shall be present in a physical location or locations where the public can attend in person;

THAT where a quorum of Commissioners is physically present at a Commission hearing or meeting where the public can attend in person, another Commissioner, or Commissioners, may attend and participate in such hearing or meeting by videoconference from any location, and without providing access to members of the public to such location, if the Commissioner is unable to physically attend the meeting due to extraordinary circumstances, which include but are not limited to, disability, illness, caregiving responsibilities, or any other significant or unexpected event;

THAT a Commissioner participating by videoconference shall be capable of being heard, seen, and identified, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon, except where the Commission is in executive session; and

THAT members of the public may view Commission hearings and meetings by video and may attend and, where public comment is authorized, participate in such hearings and meetings in person, by

videoconference, or by any other remote means established by the Commission, except where the Commission is in executive session;

THAT the procedures for remote participation and attendance by Commissioners and members of the public will be posted on the Commission's website; and

THAT the meeting minutes will identify the Commissioner or Commissioners participating by videoconference; and

THAT this Resolution shall take effect immediately.

Adopted by the Landmarks Preservation Commission on _____ 2022.

SARAH CARROLL

Chair

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