



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD 3
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Tareake Dorill, Board Chair

Susan Stetzer, District Manager

May 2022 Full Board Minutes

VOTE: TITLE: CB 3 Procedures and Criteria for Hybrid Meetings under Modified Open Meeting Law

Whereas New York State Open Meeting Law Chapter 56 of the Laws of 2022 amended Section 103(c) and adds Section 103-a of Public Officers Law ("the Open Meetings Law", which will be effective June 9, 2022 and will sunset July, 2024) and

Whereas this amended law authorizes any public body to meet and take such action authorized by law without permitting in public-in-person access to meetings and authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed, and

Whereas CB 3 has voted on the following procedures to comply with the law.

1. Procedures will apply to committees and task forces as well as the full board
2. Meetings will be held with some members attending remotely, but a quorum of the board members will be present at one or more specific in-person locations. These locations will provide for attendance by the public.
3. The circumstances or specific circumstances or conditions under which members will be permitted to participate from remote locations are as follows:
 - 1) Circumstances should qualify as "extraordinary"
 - 2) Disability, illness, unexpected caregiving responsibilities, unexpected work travel will permit a member to attend remotely
 - 3) Medical condition creating vulnerability to COVID verified with a note from a doctor.
4. Meeting procedures for remote attendance requires the following criteria:
 - 1) When a member attends virtually, the name and specific reasons for virtual attendance be noted in the board minutes.
 - 2) Any members participating virtually cannot be counted toward quorum.
 - 3) Member appearing virtually must at all times be able to be "heard, seen and identified." In other words, they must be continually visible on video with identification.
 - 4) The public will be able to attend remotely and participate in the public session as those members of the public attending in person.
 - 5) Meetings where members are participating virtually will 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."
 - 6) Notices of meetings where there will be virtual participation by board members set forth that fact, and in addition to listing the physical location(s) where the public can attend, provide information as to how the public can participate virtually. The notice should also state where members of the public can locate documents relevant to the matters to considered at the meeting.

- 7) Minutes of meetings where there was virtual participation must be posted within the time set forth in Sec. 106 of the POL (two weeks), and that a transcript of the meeting be available on request. In addition to regular attendance information, the minutes must identify which members of the board participated virtually and set forth the reason justifying such attendance.

Whereas CB 3 has held a public hearing on May 24, 2022, regarding the amended Open Meeting procedures, so

Therefore be it resolved, that Community Board 3 M will institute Open Meeting amended procedures provided by New York State Open Meeting Law Chapter 56 of the Laws of 2022 as set forth in this resolution to permit modified hybrid meetings.

Therefore be it further resolved, that this board finds that where the State or local government issues a finding of state of emergency that such condition giving rise to that declaration would impair and affect the board from holding fully in-person meetings.