



P.O. Box 7073
Amagansett, NY 11930

Trustees
of the Freeholders and Commonalty of the
Town of East Hampton

631-267-8688
trustees@ehamptonny.gov
www.ehtrustees.com

Notice of Public Hearing – Trustee Resolution to Adopt Written Procedures for the Use of Video Conferencing for the Conduct of Public Meetings

WHEREAS, effective April 8, 2022, as part of the 2022/2023 State budget, New York State has enacted permanent amendments to the Open Meetings Law for a governing body's use of videoconferencing to conduct public meetings designed to insure public and media direct in-person access to government officials with the goal to balance both interests by enhancing the ability for governing bodies to operate remotely, while simultaneously protecting the public's right to in person access; and

WHEREAS, the Trustees of the Freeholders and Commonalty of the Town of East Hampton wish to consider the adoption of a Resolution providing for written procedures for the use of video conferencing to conduct its public meetings consistent with amended New York State Open Meetings Law; and

NOW THEREFORE BE IT RESOLVED, the Trustees shall hold a public hearing on the 9th day of May, 2022 to consider the proposed Resolution to Adopt Written Procedures for the Use of Video Conferencing for the Conduct of Public Meetings, such Resolution to read as follows:

The Trustees of the Freeholders and Commonalty of the Town of East Hampton hereby adopt the following as written procedures to be utilized for video conferencing for the conduct of its public meetings in accordance with the Open Meetings Law of New York State as set forth in the amended Public Officer's Law Article 7.

The Trustees of the Free Holders and Commonalty of the Town of East Hampton shall, in their discretion, use video conferencing to conduct public meetings as follows:

1. DEFINITIONS:

Hybrid Meeting: A meeting as defined above, to which there is a mix of physically present and virtually present members participating.

Meeting: a gathering of the members of the Trustees of the Freeholders and Commonalty of the Town of East Hampton for the transaction of official business, for which a quorum of its members must be present.

Physical Presence: when the minimum number for a quorum of members are physically present to conduct the meeting

Quorum: a majority of the members of the Board.



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Virtual Presence: when a member or members participate in a public meeting virtually, using video conferencing.

2. Requirements Where Video Conferencing is Utilized to Conduct Public Meetings of the Trustees of the Freeholders and Commonalty of the Town of East Hampton:
 - A. Quorum Must be Physically Present:

At least a quorum of the body must be physically present at all “hybrid” meetings.

 - a. For this 9-person board there must be a minimum of five (5) members of the Board physically present.
 - B. Virtually Presence:
 - a. A member of the Board may attend virtually, via video conferencing only under “extraordinary circumstances” such: disability, illness, caregiving responsibilities, other unexpected factor precluding attendance.
 - C. Video Conferencing – Where video conferencing is being utilized to conduct a public meeting of the Trustees:
 - a. The Trustees shall provide an opportunity for the public to view the meeting and participate both in person and via video conferencing in real time.
 - b. The Trustees shall ensure its members can be heard, seen, and identified during the meeting, especially when any matter is being formally discussed and/or voted upon.
 - c. The Meeting Minutes shall identify the names of the members who participated remotely and the names of the members who participated physically in person.
 - d. Public Notice: the public notice of the meeting shall inform the public where to view and participate in the meeting virtually, where to participate and attend physically, and where records will be made available.
 - e. The Trustees shall maintain their official website at <https://ehtrustees.com> and recordings of each public meeting shall be posted to the website within five (5) business days following the meeting and shall be available on the website for a minimum of five (5) years following the meeting.
 - f. Transcriptions of a public meeting shall be made available only upon request.
 - g. All video conferencing shall use technology consistent with the 1990 Americans with Disabilities Act (ADA).
 - D. Virtual Meetings. After June 8, 2022, virtual meetings without physical presence shall be held only during a State of Emergency declaration by a state, county, or local municipal governing authority, and only where the disaster circumstances would affect the ability to meet safely in person.

Dated: May 26, 2022

BY ORDER OF THE TRUSTEES OF THE FREEHOLDERS AND COMMONALTY OF THE TOWN OF EAST HAMPTON. FRANCIS J. BOCK, CLERK OF THE TRUSTEES