



NEW YORK STATE

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Procedural Rules for Remote Participation in Board Meetings Effective June 26, 2024

In compliance with Public Officers Law (POL) § 103-a (2) (a), following a public meeting the Olympic Regional Development Authority (“Olympic Authority”), by resolution on June 23, 2023, authorized the use of videoconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirement of POL § 103-a (2) (b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member attendance.

1. Olympic Authority Board Members shall be physically present at any meeting of the Olympic Authority unless such member is unable to be physically present at one of the designated public meeting locations due to an extraordinary circumstance.
2. For purposes of these procedures, the term “extraordinary circumstance” shall be defined to include a 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 is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify the Chair, or if the Chair is unavailable, the Vice-Chair, by no later than four (4) business days prior to the scheduled meeting, to enable the Olympic Authority to revise the public notice for the meeting to indicate that the meeting will be conducted by use of videoconferencing and include directions for public viewing of the meeting. If extraordinary circumstances present themselves on an emergent basis within four (4) days of the date a meeting, the Olympic Authority shall update its notice as soon as practicable to include such information. If it is not practicable for the Olympic Authority to update its notice, the Olympic Authority may, but is not required to, reschedule its meeting, or may move forward with the scheduled meeting and the member who is unable to be physically present shall not be allowed to participate or vote in the meeting.
4. If there is a quorum of members participating at a physical location(s) open to the public, the Olympic Authority may properly convene a 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 Olympic Authority, but may participate and vote if there is a quorum of members at a physical location(s) open to the public.

5. Except in the case of executive sessions conducted pursuant to POL § 105, and in accordance with its By-Laws, the Olympic Authority 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 minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL § 103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.
7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing may be used, (ii) 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.
8. The Olympic Authority shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the Olympic Authority website within five (5) business days following the meeting, and shall remain so available for a minimum of five (5) years thereafter. Such recordings shall be transcribed upon request.
9. If members of the Olympic Authority are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Olympic Authority shall provide the opportunity for members of the public to view such meeting by video.
10. Open meetings of the Olympic Authority conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL § 103-a shall be broadcast pursuant to the requirements of POL § 103(f) and shall 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. For the purposes of this guideline, the term “disability” shall have the meaning defined in Executive Law § 292.
11. The in-person participation requirements of POL § 103-a (2) (c) shall not apply during a State disaster emergency declared by the Governor pursuant to Executive Law § 28 or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to Executive Law § 24, if the Olympic

Authority Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Olympic Authority Board to hold an in-person meeting.

12. These procedures shall be conspicuously posted on the Olympic Authority website.