



## Greater Tompkins County Municipal Health Insurance Consortium

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*"Individually and collectively we invest in realizing high quality, affordable, dependable health insurance."*

### **RESOLUTION NO. 005 – 2022 - ADOPTION OF OPEN MEETINGS LAW PROCEDURES FOR THE CONSORTIUM'S BOARD OF DIRECTORS AND COMMITTEES**

MOVED by Ms. Holmes, seconded by Mr. Salton, and unanimously adopted by voice by members present.

WHEREAS, Subdivision (c) of section 103 of the Public Officers Law, as added by Chapter 289 of the laws of 2000, is amended through July 1, 2024 to require that a public body shall provide an opportunity for the public to attend, listen, and observe meetings in at least one physical location at which a member participate, and

WHEREAS, January 1, 2024 the NYS Committee on Open Government will submit a report to the State concerning the application and implementation of this law and any further recommendations governing the use of videoconferencing by public bodies to conduct meetings, and

WHEREAS, said law allows a public body, in its discretion, to use videoconferencing to conduct its meetings pursuant to the requirements of the law provided 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 the following criteria are met:

- A public body has held a public hearing and adopted a resolution by June 8, 2022 authorizing the use of videoconferencing for itself and its committees or subcommittees and the public body has established written procedures governing member and public attendance consistent with the legislation, and such written procedures are conspicuously posted on the public website of the public body.
- The members of the public body shall 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, as set forth in the resolution and written procedures adopted, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. A request shall be submitted to the Clerk of the Board at least 48 hours in advance of the meeting.
- Except in the case of executive sessions conducted pursuant to law, the public body shall ensure that members of the public body 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.

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- The minutes of the meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public if videoconferencing is used to conduct a meeting; the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend.
- The public body shall provide that each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.
- Open meetings of any public body that are broadcast or that use videoconferencing 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.
- A member who is participating from a remote location that is not open to in-person physical attendance by the public may not count toward a quorum of the public body (but may participate and vote if there is a quorum of members at a physical location open to the public).
- “In person” participation requirements of the Law shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to section twenty-four of the executive law, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

now therefore be it

RESOLVED, That a public hearing was duly advertised and held on June 1, 2022,

RESOLVED, on recommendation of the Operations Committee, That the Executive Committee hereby adopts the use of videoconferencing for meetings of the Consortium’s Board of Directors and Standing Committees pursuant to the requirements set in Subdivision (c) of section 103 of the Public Officers Law and summarized above,

RESOLVED, further, That members shall be permitted to attend meetings remotely due to extraordinary circumstances, such as disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting,

RESOLVED, further, That the Consortium shall allow members to attend remotely via an established satellite location with participation counting quorum,

RESOLVED, further, that the Consortium hereby adopts the following procedures for members attending remote meetings:

