LEWIS COUNTY LAND BANK CORPORATION
OPEN MEETINGS LAW VIDEO CONFERENCING POLICY
Adopted: November 5, 2026
Resolution No. 2026-16

SECTION 1. PURPOSE

This Policy establishes procedures for open meetings and the use of videoconferencing by the Board of Directors and any committee or subcommittee of the Lewis County Land Bank Corporation (the "Land Bank"). It is intended to implement Article IV, Sections 5 and 6 of the Land Bank's Bylaws and to comply with New York Public Officers Law Article 7, including § 103-a, Public Authorities Law § 2829, and other applicable law.

The Land Bank's default expectation is that Directors attend meetings in person. Videoconferencing is permitted only as provided in this Policy. Nothing in this Policy limits videoconferencing from a location that is properly noticed and open and accessible to the public in accordance with the Open Meetings Law.

SECTION 2. DEFINITIONS

For purposes of this Policy:

A. "Extraordinary circumstances": A circumstance that prevents a Director's physical attendance, including disability, illness, caregiving responsibilities, or another significant or unexpected factor or event. Personal convenience, a preference to attend remotely, or routinely foreseeable travel does not, standing alone, constitute an extraordinary circumstance.

B. "In-person location": A physical meeting location identified in the public notice where one or more Directors participate and where the public may attend, listen, and observe.

C. "Remote location": A location from which a Director participates by videoconference that is not open to the public under the extraordinary-circumstances provisions of Public Officers Law § 103-a.

D. "Videoconferencing": Technology that permits participants to be heard, seen, and identified in real time, except while a properly convened executive session is in progress.

SECTION 3. GENERAL OPEN MEETING REQUIREMENTS

A. All meetings shall be open to the general public except for a properly convened executive session or a matter otherwise exempt by law.

B. A majority of the total number of Directors then in office constitutes a quorum, consistent with the Bylaws. Proxy voting is prohibited.

C. The Land Bank shall make reasonable efforts to use an appropriate location that accommodates the public and provides barrier-free access.

D. Meeting notices, agendas, proposed resolutions, policies, and other records scheduled for discussion shall be posted or made available within the time and manner required by law, to the extent practicable (currently 24 hours before the meeting, per the Public Officers Law).
E. Nothing in this Policy requires the Board to accept public comment when public comment is not otherwise authorized. When it is authorized, remote and in-person participants shall receive the same opportunity to participate.

SECTION 4. AUTHORIZATION AND IN-PERSON QUORUM

Following a public hearing, the Board authorizes itself and its committees and subcommittees to use videoconferencing in accordance with this Policy and Public Officers Law § 103-a.

Except as provided in Section 5 for a qualifying disability or in Section 10 during a declared emergency, the minimum number of Directors needed to satisfy the quorum requirement must be physically present at one or more in-person locations where the public may attend. Directors participating remotely because of extraordinary circumstances may be counted as present and may vote only after an in-person quorum has been established.

Directors participating by videoconference from an additional location that is identified in the notice and open and accessible to the public may be counted toward the in-person quorum to the extent permitted by law.

SECTION 5. DISABILITY-BASED QUORUM ACCOMMODATION

Pursuant to Public Officers Law § 103-a(2)(c), a Director who has a disability as defined in Executive Law § 292, and whose disability renders the Director unable to participate in person at a meeting location where the public can attend, may be deemed present for purposes of satisfying the quorum requirement. This accommodation applies only when all other requirements of § 103-a and this Policy are met and at least one physical location remains available for public attendance.

A request under this section shall be handled discreetly. The Land Bank may request only information reasonably necessary to determine eligibility and arrange the accommodation, consistent with applicable law.

SECTION 6. REQUEST AND APPROVAL FOR EXTRAORDINARY-CIRCUMSTANCES PARTICIPATION

A. A Director shall notify the Chairperson and Secretary as soon as practicable before the meeting, stating that an extraordinary circumstance prevents in-

person attendance and identifying the general category of the circumstance. Detailed medical or personal information need not be disclosed publicly.

B. The Chairperson shall determine whether the request satisfies this Policy. If the Chairperson requests remote participation, the Vice Chairperson shall make the determination. The determination may be made administratively and shall not require disclosure of confidential details in the minutes.
C. Approval is meeting-specific and does not create a continuing entitlement, except that an approved disability accommodation may remain effective for the period reasonably necessary.
D. If notice is too late to arrange legally compliant technology or public access, remote participation may be denied, although the Director may observe without being counted as present or voting if the technology permits.

SECTION 7. PUBLIC NOTICE AND ACCESS WHEN VIDEOCONFERENCING IS USED

The public notice shall comply with Public Officers Law §§ 103-a and 104 and shall:

- state that videoconferencing will be used;
- identify the date, time, and each physical location where the public may attend;
- state where the public may view the meeting remotely and, when public participation is authorized, how the public may participate in real time; and
- state where meeting documents and records will be posted or made available.

The Land Bank shall maintain an official website and conspicuously post this Policy on that website. Remote access is supplemental to the public's right to attend at the identified physical location or locations.

SECTION 8. RECORDING, STREAMING, RETENTION, AND ACCESSIBILITY

A. Each meeting conducted using videoconferencing shall be recorded. The recording shall be posted or linked on the Land Bank's website within five business days and remain available for at least five years. A recording shall be transcribed upon request as required by law.
B. As a local authority, the Land Bank shall, to the extent practicable, stream all open meetings and public hearings on its website in real time, post video recordings within five business days, and maintain the recordings for at least five years, consistent with Public Authorities Law § 2829.
C. Technology used to broadcast or conduct an open meeting shall permit access by persons with disabilities consistent with the Americans with Disabilities Act and applicable guidelines. The meeting notice shall provide a method to request reasonable accommodation.

SECTION 9. MINUTES

Minutes shall comply with Public Officers Law § 106 and the Bylaws. For a meeting involving videoconferencing, the minutes shall identify each Director who participated remotely, but need not state confidential medical or personal details. Votes shall be recorded as required by law, and any Director may request that a vote be recorded in the minutes as provided in the Bylaws.

SECTION 10. DECLARED EMERGENCIES

The in-person participation requirements of Public Officers Law § 103-a do not apply during a state disaster emergency declared by the Governor or a local state of emergency proclaimed by the chief executive of a county, city, village, or town when the Board determines that the circumstances necessitating the declaration would affect or impair its ability to hold an in-person meeting. All other applicable notice, access, recording, minutes, and accessibility requirements remain in effect.

SECTION 11. COMMITTEES AND SUBCOMMITTEES

This Policy applies to every committee and subcommittee of the Board that constitutes a public body under the Open Meetings Law. The Board's resolution authorizing videoconferencing is intended to authorize such bodies to use videoconferencing under this Policy; no committee or subcommittee may adopt a less restrictive procedure.

SECTION 12. ADMINISTRATION; CONFLICT WITH LAW

The Chairperson and Secretary, with assistance from Land Bank staff, shall administer this Policy. If this Policy conflicts with a later-enacted statute, regulation, or binding judicial determination, controlling law governs, and the remainder of the Policy remains effective. No provision shall be construed to expand the grounds for executive session or limit rights granted by the Open Meetings Law.

SECTION 13. REVIEW AND EFFECTIVE DATE

This Policy takes effect upon adoption by resolution of the Board following a public hearing. The Board shall review it when Public Officers Law § 103-a is amended, extended, replaced, or repealed, and in all events before July 15, 2028, the current statutory repeal date.