

POLICY AUTHORIZING THE USE OF VIDEOCONFERENCING, INCLUDING IN EXTRAORDINARY CIRCUMSTANCES BY THE ESSEX COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

The Essex County Industrial Development Agency (IDA) hereby establishes the following guidelines and procedures for the Board of Directors to utilize videoconferencing:

1. Essex County IDA members shall be physically present at all meetings unless a member is unable to be physically present due to extraordinary circumstances, as determined by the Chair of the Board, which shall include:
 - A. Disability
 - B. Illness
 - C. Caregiving responsibilities
 - D. Family death
 - E. Lack of transportation to/from the meeting
 - F. Weather
 - G. Other significant or unexpected factors or events which precludes an IDA member physical attending at a meeting.
2. Any IDA members who participate at a physical location that is open to in-person physical attendance by the public (and which location has been included in the meeting notice) may count toward a quorum and may fully participate and vote in the meeting. If there is a quorum of members at a physical location open to the public, the IDA may properly convene a meeting.
3. An IDA member who is participating from a remote location due to extraordinary circumstances that is not open to in-person physical attendance by the public may not be counted toward a quorum of the public body. Said IDA member may participate and note if there is a quorum of members at a physical location open to the public.
4. If the IDA uses videoconferencing to conduct a meeting, the public notice for the meeting must inform the public that videoconferencing will be used and that one or more members may be participating via videoconference due to extraordinary circumstances and must include directions for how the public can view and/or participate (if participation is permitted) in such meeting. The IDA shall provide the opportunity for members of the public to view the meeting, using remote technology or in person, in real time.
5. The minutes of all IDA meetings involving videoconferencing shall include which, if any, IDA members participated remotely.
6. Any IDA member appearing by videoconference shall be on video and remain on video for the duration of the meeting unless said member has a conflict of interest with an item in the Agenda and said member leaves the meeting while the topic is discussed.
7. All IDA meetings conducted using videoconferencing shall be recorded and such recordings posted or linked on the IDA's website within fourteen (14) business days following the meeting and shall remain so available for a minimum of two (2) years thereafter. Such recordings shall be transcribed upon request.

Additionally, in person participation requirements of Public Officers Law above 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 emergency proclaimed by the chief executive of a county, city or 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.

This authorization extends to all committees and subcommittees of the IDA.

DRAFT NEW POLICY for March 26, 2025