

ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

RESOLUTION

A regular meeting of the Oneida County Industrial Development Agency was convened in public session at the offices of the Agency located at 584 Phoenix Drive, City of Rome, Oneida County, New York, on June 17, 2022 and via video-conferencing at approximately 8:00 o'clock a.m., local time.

The meeting was called to order by the Chairman and, upon the roll being duly called, the following members were:

PRESENT: _____

ABSENT: _____

The following were **ALSO PRESENT:** _____

The following resolution was offered by _____ and seconded by _____, and was duly discussed and adopted with the following members voting:

Voting Aye

Voting Nay

Resolution Authorizing the Expanded Use of Videoconferencing for Meetings of the Board

WHEREAS, by passing Chapter 56 of the Laws of 2022 (“Chapter 56”), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the Oneida County Industrial Development Agency (OCIDA) to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the OCIDA to adopt a resolution following a public hearing authorizing the use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring “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

WHEREAS, Section 103-a(2)(c) requires that members 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 . . . including disability, illness, caregiving responsibilities, or any other significant or

unexpected factor or event which precludes the member's physical attendance at such meeting" with the OCIDA defining "extraordinary circumstances" in their written policies and procedures; and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must, except during executive session, 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"; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the OCIDA webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference.

NOW, THEREFORE, BE IT RESOLVED, that the OCIDA authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and be it further

RESOLVED, that the OCIDA shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022 within sixty (60) days of this resolution.

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ONEIDA)

I, the undersigned Secretary of Oneida County Industrial Development Agency (the “Agency”), do hereby certify that I have compared the foregoing extract of the minutes of the meetings of the members of the Agency held on June 17, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this ____ day of _____, 2022.

Shawna Papale, Secretary