



OPEN MEETINGS POLICY

Adopted: 10/15/2024

PUBLIC MEETINGS

In accordance with Article 7 of New York State's Public Officers Law, as well as Education Law Title 1, Article 5, Section 260a, the Marion Public Library's Board of Trustee meetings shall be open to the general public.

Executive sessions may be called as a portion of the open meeting and appropriate business transacted in accordance with Article 7, Section 105 of Public Officers Law.

Minutes of an open meeting will consist of a record or summary of all motions, proposals, resolutions, remote attendance, and any matter formally voted upon and the vote thereon. Minutes of a public meeting will be posted to the Library's website and otherwise made available two weeks following the date of the meeting.

The calendar of regular Board of Trustees meetings is voted on by the Board of Trustees at their annual meeting in January. Regular meetings are scheduled for the third Tuesday of each month, and held at the Marion Library beginning at 7:00 pm. Notice of time and place each meeting is given to the public at least one week in advance of the meeting.

REMOTE ATTENDANCE OF TRUSTEES WHEN VIDEOCONFERENCING

On April 9, 2022, Governor Hochul signed Chapter 56 of the Laws of 2022 relating to the New York State budget for the 2022-2023 state fiscal year. Included in the bill is an amendment to the Open Meetings Law (OML) to make permanent (until July 1, 2026) the expanded use of videoconferencing by public bodies to conduct open meetings, under extraordinary circumstances, regardless of a declaration of emergency.¹

The following procedure will govern the use of videoconferencing and Library board meetings:

1. Members of the Board of Trustees are required to be physically present at any duly noticed meeting unless such member is unable to be physically present 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).

¹ New York State Committee On Open Government Questions And Answers Chapter 56 Of The Laws Of 2022, <https://opengovernment.ny.gov/system/files/documents/2022/05/chapter-56-of-the-laws-of-2022-guidance-document-05-20-22.pdf>

2. Except in the case of executive sessions conducted pursuant to section one hundred five of the Open Meetings Law, and consistent with the requirements of the Not-for-Profit Corporation law, the Trustees 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.
3. Minutes of the board meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public pursuant to section one hundred six of the Open Meetings Law.
4. If videoconferencing is used to conduct a Board of Trustees 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.
5. The Board of Trustees shall provide that each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the Library's website within five business days following the meeting, and shall remain so available for a minimum of five years thereafter, and such recordings shall be transcribed upon request.
6. If videoconferencing is used to conduct a meeting, the Library shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony.
7. For so long as the Board of Trustees elects to utilize videoconferencing to conduct its meetings, the Library will maintain an official website, which is www.marionlib.org.
8. Consistent with the Library's mission to serve its community, the Trustees' use of videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA).

PUBLIC COMMENT

The Marion Public Library Board of Trustees welcomes comment at meetings governed by Open Meetings Law. The purpose of this section is to ensure that interested parties representing various points of view are allowed time to present their views while permitting the Board to conduct their meeting in an efficient and effective manner.

Any person shall be permitted an opportunity to address the Marion Public Library Board under the following guidelines:

- Public comments are permitted during the time designated on the library board agenda, unless otherwise directed by the Board President.
- At the beginning of the Public Comments segments of the meeting, the Board President or designee will ask if anyone wishes to address the Board and will determine the order in which speakers will be recognized.
- Each speaker will be asked to provide their name and group affiliation (if any).

- Each speaker will be allowed a maximum of three minutes to address the Board; the Board President or presiding officer will monitor time limits for each speaker.
- Comments shall relate to legitimate Marion Public Library Board of Trustees business.
- All comments shall be made with civility and courtesy. The Board President or presiding officer may prohibit further comment if proper decorum is not displayed.
- The Board is not required to provide an immediate response or take action on any speaker comments.
- Minutes of public meetings are a summary of discussion on all matters proposed, deliberated or decided by the Board, thus, public comments and written materials submitted by the public may not be reflected in the minutes.

PUBLIC RECORDING, PHOTOGRAPHING, BROADCASTING, AND WEBCASTING

The Marion Public Library recognizes the requirement of the NY State Open Meetings Law to allow the public to photograph, broadcast, and webcast its open public meetings. Section 103(2) of the Open Meetings Law allows public bodies to adopt rules about the location of equipment and personnel used to photograph broadcast webcast or otherwise record a public meeting. The System adopts the rules outlined below.

Also, per Section 103(2) of the Open Meetings Law, these rules shall be posted at the location of each meeting. These rules will also be included in the public posting for each meeting so the public attending can have notice of and abide by such rules.

Adopted Rules for the Public Recording, Photographing, Broadcasting, or Webcasting of a Meeting:

1. No extension cords or other potential tripping hazards may be set up;
2. No flash photography or additional lighting may be used;
3. No recording instrument shall be closer than four feet of a meeting participant, without that person's express consent;
4. All equipment should be silent enough to not cause a disruption;
5. Equipment must not block aisles or exits and may not impede the view of other attendees;
6. Equipment must be maintained, monitored, and attended at all times by the owner of said equipment;
7. The Marion Public Library is not responsible for damaged, lost, or malfunctioning equipment; and
8. The "Guest" WiFi network may be used by the public attending meetings.

The privilege to record in this manner at the Library is limited to open meetings of the Board.

When enforcing this rule with regards to the manner of recording, the Marion Public Library Board of Trustees shall ensure that the First Amendment of the United States Constitution, and Article I, Section 8 of the New York constitution are honored.