

Village of Quogue

Procedures Applicable to Meetings of the [Zoning Board of Appeals/ Planning Board] Held via Videoconferencing

1. At least three members of the [Zoning Board of Appeals/Planning Board] (“Board”) or, in the absence from the meeting of at least one regular member, an alternate member or alternate members appointed and approved pursuant to Section 12- [1 or 5] of the Quogue Village Code and designated by the Chair of the Board (or in the absence of the Chair, the member acting as Chair) at or before the meeting to substitute for a member who is unable to participate, must be present at Village Hall or by videoconference at a physical location or locations open to the general public in order to fulfill the Board’s quorum requirement. Each of such members (or alternate members) shall be considered physically present at the meeting. Members of the Board who are not physically present because of extraordinary circumstances (defined below) may participate via videoconference in discussions and vote on matters.
2. An alternate member of the Board who participates in particular matters before the Board may continue to participate and vote on such matters in the event that consideration of them continues in subsequent meetings or, in the discretion of the Chair of the Board, the regular member who was not present may resume consideration of any matter for which he or she is not conflicted so long as such regular member affirms that he or she is familiar with the presentation, materials and discussion at the meeting or meetings at which he or she was absent.
3. A member of the Board shall be physically present at any meeting held by videoconference unless such member is unable to be physically present due to extraordinary circumstances, which shall include disability, illness, caregiving responsibilities or any other significant or unexpected factor or event which precludes the member’s physical presence at the meeting. A significant factor precluding attendance at the meeting shall include, without limitation, absence of a member from the Village of Quogue without convenient, cost-free access to a place open to the general public that is of such a nature that it will assure that the meeting of the Board will not be disturbed.
4. Except in the case of executive sessions conducted pursuant to Public Officers Law §105, the method of videoconferencing shall ensure that members of the Board 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.
5. The minutes of the meeting shall include which, if any, members participated remotely and shall be available to the public pursuant to Public Officers Law §106.
6. The public notice for the meeting shall state:
 - a. that videoconferencing may or, if applicable, will be used;
 - b. if videoconferencing is used, how or where the public can obtain the information to view and/or participate in such meeting and that requests for videoconferencing access

information must be received by the Village Office at least one hour before the scheduled start of the meeting;

- c. where required documents and records will be posted or available; and
 - d. the physical location or locations for the meeting where the public can attend.
7. Each member of the Board shall advise the Chair of the Board whether he or she will be at Village Hall or desires to attend a meeting via videoconference (and, if applicable, the place open to the general public where such member will be located) at least five days before the meeting or, if the need to attend via videoconference arises thereafter, promptly after such need becomes apparent. In the event that no member of the Board has advised the Chair of the Board that he or she intends to participate via videoconference, the Chair shall make the decision whether to use videoconferencing technology at the meeting. The notice of the meeting shall be updated on the Board's page on the Village website to state whether videoconferencing technology will be utilized.
 8. When meetings are held via video conferencing, each meeting shall be recorded, and such recordings shall be posted or linked on the Board's page on the Village's website within five business days following the meeting, and shall remain available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.
 9. When meetings are held via video conferencing, members of the public shall have the opportunity to view the meeting via video and to participate in proceedings via videoconference in real time where public comment or participation is authorized. Such videoconferencing must allow for the same public participation or testimony as in person participation or testimony.
 10. When meetings are held via video conferencing, meetings shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act, as amended, and corresponding guidelines. For purposes of this provision, "disability" shall have the meaning defined in Executive Law §292.
 11. In the event a state of disaster emergency is declared by the Governor of the State of New York or a state of emergency is proclaimed by the Mayor pursuant to Executive Law §24, the in-person requirements of paragraphs 1 and 2 above shall not apply if the Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Board to hold an in-person meeting.
 12. These procedures may be amended or modified by the Board from time to time as it may deem necessary or desirable
 13. These procedures shall be conspicuously posted on the Board's page on the Village's website for as long as videoconferencing is utilized.