

**ADOPTION BY THE PLANNING BOARD  
OF THE TOWN OF BARRE OF A RESOLUTION ADOPTING A POLICY TO  
ALLOW FOR MEETINGS TO BE HELD VIA VIDEOCONFERENCING IN CERTAIN  
CIRCUMSTANCES**

**WHEREAS**, the Planning Board of the Town of Barre (“Planning Board”) recognizes extraordinary circumstances within the meaning of New York Open Meetings Law Section 103-a, and

**WHEREAS**, the Planning Board acknowledges that the people’s right to witness and observe the governmental decision-making process in action is basic to our society, and

**WHEREAS**, the Planning Board recognizes the need to create criteria for “extraordinary circumstances” to authorize the limited use of videoconferencing for Planning Board members to attend meetings in accordance with New York Open Meetings Law section 103-a(2), and

**WHEREAS**, the Planning Board will consider the following to be “extraordinary circumstances” allowing a planning board member to participate via videoconference within the meaning of New York Open Meetings Law section 103-a:

- A. Disability,
- B. Illness,
- C. Caregiving responsibilities,
- D. Inclement weather,
- E. Traveling out of the area which prevents in-person attendance, or
- F. Any other significant unexpected factor or event which precludes the member’s physical attendance at such meeting, and

**WHEREAS**, the Planning Board defines videoconference as a conference in which participants in different locations are able to communicate with each other in sound and vision, and

**WHEREAS**, the Planning Board recognizes the following criteria for the procedures for appearance via videoconference, and

1. As authorized by the newly enacted New York Public Officers Law § 103-a, meetings of the Planning Board may be conducted using videoconferencing to conduct meetings, provided that all requirements of Public Officers Law § 103-a are met.
2. A quorum of members of the Planning Board must be physically present at all meetings where videoconferencing will be used.
3. The Planning Board shall provide an opportunity for the public to view the meeting and participate both in person and via video conferencing in real time.

4. The Planning Board shall ensure its members can be heard, seen, and identified during the meeting, especially when any matter is being formally discussed and/or voted upon.
5. The meeting minutes shall identify the names of the members who participated remotely and the names of the members who participated physically in person.
6. The public notice of the meeting shall inform the public where to view and participate in the meeting virtually, where to participate and attend physically, and where records will be made available.
7. Transcriptions of a public meeting shall be made available only upon request.
8. All videoconferencing shall use technology consistent with the 1990 Americans with Disabilities Act.
9. Planning Board members intending to attend a meeting via videoconferencing shall, to the extent practicable, give notice to the Town Clerk advising of their intent to do so at least 24 hours in advance of the meeting.
10. Attendance via videoconference shall be allowed only under extraordinary circumstances as defined in this Resolution.
11. After August 8, 2022, virtual meetings without physical presence shall be held only during a State of Emergency declaration by a state, county, or local municipal governing authority, and only where the disaster circumstances would affect the ability to meet safely in person.

**NOW, THEREFORE**, it is resolved that the Planning Board hereby recognizes extraordinary circumstances within the meaning of New York Open Meetings Law Section 103-a.