

Remote Attendance Policy for Canandaigua Local Development Corporation (MAY, 2022 DRAFT)

Purpose

The purpose of this Policy is to allow members of the Canandaigua Local Development Corporation and its Board of Directors to attend and participate in meetings by videoconferencing as identified in New York State Open Meetings Law, and to ensure that the public has an adequate opportunity to participate as intended by the Corporation's Members.

Definitions

"Meeting" means any meeting of the Members or Board of Directors of the Canandaigua Local Development Corporation that is subject to the Policy.

"Qualifying Event" means: (i) personal illness or disability; (ii) employment purposes; (iii) a family or other emergency; or (iv) being located in a physical location greater than sixty miles outside of the corporate limits of the City and/or Town of Canandaigua, at the time of the Meeting.

"Remote Means" means videoconferencing which shall include audio and video.

"Secretary" means the secretary of the Canandaigua Local Development Corporation.

Remote Attendance Permitted

Subject to the limitations set forth in Section IV below, Members and Directors of the Local Development Corporation may attend any Meeting by Remote Means if they are prevented from physically attending the Meeting because of a Qualifying Event.

Restrictions on Remote Attendance

No Member may attend any portion of a Meeting by Remote Means unless:

- A quorum of is physically present at the location of the Meeting during the entire duration of said Meeting; and

- He or she provides written notice to the President of the Corporation specifying the Qualifying Event at least one week prior to the Meeting; and
- The Remote Means being utilized is fully functional, and shall allow:
 - All attendees to hear all communications taking place during the Meeting, and to see, by means of a live video feed, the individual participating by remote means;
 - All attendees to see any documents displayed during the Meeting;
 - All Members attending remotely shall be required to display their name as part of the video feed
- No Member or Director may attend a meeting by Remote Means for any reason other than a Qualifying Event.

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Rules of Procedure When Remote Attendance Utilized

When a Member or Director attends any portion of a Meeting by Remote Means as permitted by this Policy:

- ~~The Agenda shall reflect the physical location (address) of the origination of the Member or Director's videoconference broadcast, and the Member or Director shall provide for public access at this location.~~
- The minutes of the Meeting shall include the following:
 - A statement that the Member or Director attended the Meeting by Remote Means;
 - The location from which the Member or Director attended the Meeting;
 - A statement that the Remote Means were fully functional;
 - The times, if any, during which the Member or Director attending the Meeting by Remote Means left the Meeting.
- Every Member or Director shall be identified during all Board discussions so that all meeting participants are aware of who is speaking at all times.

- A Member or Director attending a Meeting by Remote Means shall:
 - Be permitted to fully participate in the Meeting as if he or she were physically present, subject to Corporation guidelines and procedures for conducting the Meeting
 - Advise the Secretary and Board if he or she leaves or returns from the Meeting; and
 - Advise the Secretary and Board of all other persons in the same room as such Member attending by Remote Means and whether and to what extent such other persons are able to hear the discussions at the Meeting.

Applicability

If any provision of this Policy conflicts with any provision of the Corporation Bylaws, or New York State Law, the stricter provision shall prevail.

Effective Date

This Policy shall become effective immediately upon approval of the Canandaigua Local Development Corporation Board of Directors, and shall remain effective unless otherwise rescinded.

Availability of Policy

This policy shall be retained with other Corporation policies, and be made available for inspection in accordance with New York State Open Records Law, and other applicable legal provisions.