

Richmond Memorial Library	Section: Open Meetings Policy
Manual Name: Library Policy Manual	Date Effective: 12/11/2024
Section: Board of Trustees	Date Created/Revised: 12/10/2024

In accordance with New York State’s Open Meetings Law, members of the public are welcome to attend Richmond Memorial Library’s Board of Trustees meetings. The only exception shall be those meetings or portions of meetings that are devoted to Executive Session. Library Board meetings are for the conduct of library business. The responsible expression of a resident’s viewpoint is considered essential to the Board’s deliberations and the efficient operation of the library. Recognizing the responsibility for proper governance, and the need to conduct the Board’s business in an orderly, efficient manner, the following procedure is established to receive input from district residents.

PUBLIC MEETINGS

In accordance with Article 7 of New York State’s Public Officer’s Law, as well as Education Law Title 1, Article 5, Section 260a, the Richmond Memorial 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 System’s website and otherwise made available two weeks following the date of the meeting.

Meetings shall be held each month for at least 10 months per year, the date and hour to be set by the Board. Regular board meetings are currently scheduled for the second Tuesday of each month at the Richmond Memorial Library in Batavia, NY beginning at 6:00 pm. Notice of the time, place, and the use of videoconferencing of each meeting is given to the public and news media 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 the expanded use of videoconferencing by public bodies to conduct open meetings, under extraordinary circumstances, regardless of a declaration of emergency.

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).
2. Except in the case of executive sessions conducted pursuant to section 105 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.

New York State Committee on Open Government Questions and Answers Chapter 56 Of the Laws Of 2022, <https://opengovernment.ny.gov/open-meetings-law>

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 106 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.batavialibrary.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).

REGULATIONS FOR PUBLIC COMMENTS AT LIBRARY BOARD MEETINGS

The Richmond Memorial Library Board of Trustees welcomes public 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 Richmond Memorial Library Board under the following guidelines:

- Members of the public wishing to address the Board of Trustees must sign in to the meeting with the Board Secretary.
- Audience participation is limited to the portion of the meeting designated for Public Comment.
- At the beginning of the Public Comment 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.
- When speaking before the Board, individuals are asked to state their name and address for the record.
- Each person may speak for a maximum of three minutes; the Board President or presiding officer will monitor time limits for each speaker. There will be no more than 15 minutes for public comment, except with the consent of the Board.
- Public input is limited to comments on matters involving Library business or operations.
- Personal complaints against Library staff or Board members shall not be received by the Board in an open meeting. Any such complaint shall be presented to the Library Director in writing for appropriate action.
- Individuals attending board meetings must conduct themselves with respect and civility towards others in accordance with the Library's Patron Code of Conduct. Language which the Board perceives to be reasonably offensive or threatens the orderly and fair progress of the discussion is prohibited.
- Board members are not obligated to respond to comments from the public, but the presiding officer may recognize a board member seeking clarification.

- Issues requiring possible action by the board may be added to a future meeting’s agenda.
- The Board may direct the Library Administration to investigate and report back at a future designated meeting.
- When the Board conducts Special Board Meetings there will be no Public Expression section.
- If the Board of Trustees is unable to meet in person due to an emergency, infectious disease outbreak and/or under direct edict of a state or county executive order, the Board will comply with such directives and meet virtually. This may preclude public comment from occurring during the virtual meeting. Notice of the regular meeting dates will be posted in the library, in the library’s newsletter and on the library’s website.
- 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 Richmond Memorial 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 always attended by the owner of said equipment.
7. The Richmond Memorial Library is not responsible for damaged, lost, or malfunctioning equipment.
8. The “Guest” Wi-Fi 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 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.

This policy is in effect until the current New York State end date of July 1, 2026 and will be updated at that time.

Approved by Board: 12/10/2024	
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