



**Procedures Governing the Ability of Board Members to Attend Meetings  
by Videoconference from Private Locations Under Extraordinary Circumstances**

Pursuant to section 103-a(2)(a) of the Public Officers Law (“POL”), the State Board of Real Property Tax Services (“State Board”), following a public hearing, adopted Resolution # 22-34 on July 26, 2022 to permit its members to attend meetings by videoconference from private locations under extraordinary circumstances. POL § 103-a(2)(b) provides that any public body that adopts such a resolution must also establish written procedures governing member and public attendance under such circumstances. The following procedures are hereby established for that purpose:

1. At any meeting of the State Board, the members shall be physically present in one or more locations open to the public unless a member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event that precludes the member’s physical attendance at such meeting.
3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to attend by videoconference from a private location because of extraordinary circumstances, the member shall so notify the Secretary or Acting Secretary of the State Board, or the Assistant to the State Board, as soon as possible, so that the public notice of the meeting may include, or be updated to include, that information.
4. The public notice of the meeting shall state: (i) the physical meeting location or locations that are open to the public, (ii) that due to extraordinary circumstances, a member will (or may) be attending by videoconference from a private location, (iii) where the public can view and/or participate in such meeting, and (iv) where any required documents and records will be posted or available.
5. If the number of members physically present at one or more physical locations open to the public constitutes a quorum, the meeting may be convened. A member who is attending from a private location shall not count toward the quorum, but that member may participate and vote, provided that the number of members participating at one or more physical locations open to the public constitutes a quorum.
6. Except during executive session, the State Board shall ensure that members 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. For a member attending in-person, a placard with the member’s name shall be physically placed in front of the member. For a member attending by videoconference from a private location, the name of such member shall be displayed on the screen.

7. The minutes of any meetings involving videoconferencing from a private location shall indicate which members attended by videoconference from a private location.
8. The open portion of any meeting involving videoconferencing from a private location shall be recorded. Such recordings shall be posted or linked on the State Board website within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.
9. If a member of the State Board attends by videoconference from a private location, the public shall be given the opportunity to view the meeting by video. If public comment or participation is authorized at such a meeting, individuals viewing the meeting by video shall be given the same opportunity to participate or testify by videoconference in real time as individuals attending the meeting in person.
10. Open meetings of the State Board involving videoconferencing from private locations shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. The term "disability" as used herein shall have the meaning set forth in Executive Law § 292.
11. During a state disaster emergency declared by the Governor pursuant to Executive Law § 28, if the State Board determines that the circumstances that necessitated the emergency declaration would affect or impair the ability of the State Board to hold an in-person meeting, the meeting may be conducted without in-person participation to the extent permitted by law.
12. These procedures shall be conspicuously posted on the State Board webpage.

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