

Open Meetings

Objective:	To establish procedures for Tompkins County's compliance with the Open Meetings Law.	Policy/Procedure Number:	08-30
Reference: (All applicable federal, state, and local laws)	NY Department of State Public Officers Law, Article 7 (Open Meetings Law)	Effective Date:	March 1, 1983
Legislative Policy Statement:	It is essential to the maintenance of a democratic society that public business be performed in an open and public manner and that the citizens of this County be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and decisions that go into the making of public policy.	Responsible Department:	Clerk of the Legislature
General Information:		Modified Date (s):	July 2009; September 19, 2019
		Resolution No.:	09-152; 2019-194
		Next Scheduled Review:	September 2024

I. Definitions: **Meeting** - The official convening of a public body for the purpose of conducting public business.

Public Body - Any entity for which a quorum is required in order to conduct public business and that consists of two or more members, performing a governmental function for the County or for an agency or department thereof, or for a public corporation as defined in Section 66 of the General Construction Law, or a committee, subcommittee, or other similar body of such public body.

Executive Session - A portion of a meeting not open to the general public, as outlined in the provisions of Section 105, Article 7 of the Public Officers Law.

- II. Policy:**
- A.** All meetings of the Legislature, all committees, standing, ad hoc or special, of the Legislature, and all meetings of the Board of Health, Community Mental Health Services Board, and Workforce Development Board shall be subject to New York State Public Officers Law (Open Meetings Law) with the exception of Executive sessions in accordance with Public Officers Law, Article 7, Section 105.
 - B.** All meetings of advisory boards, committees, commissions and other groups whose members are appointed by the Legislature and who act in an advisory capacity to the Legislature shall be open to the public.

III. Procedure: **A. Open Meetings**

1. The County shall make all reasonable efforts to ensure that meetings are held in an appropriate facility which can adequately accommodate members of the public who wish to attend such meetings and held in facilities that permit barrier-free physical access to those with physical disabilities.

B. Executive sessions

1. May be voted by a majority of the total membership only after the body convenes in public.
2. While in executive session, no action by formal vote shall be taken to appropriate public moneys.
3. Executive sessions may only be voted when the subject matter to be discussed falls under the provisions of Article 7, Section 105 of the Public Officers Law.

C. Public Notice

1. For meetings of the Legislature, all committees, standing, ad hoc or special, of the Legislature, and all meetings of the Board of Health, Community Mental Health Services Board, and Workforce Development Board, the following shall apply:
 - a. Public notice of the time and place of a meeting scheduled at least one (1) week prior thereto shall be given or electronically transmitted to the news media and shall be conspicuously posted in one (1) or more designated public locations at least seventy-two (72) hours before such meeting.
 - b. Public notice of the time and place of meetings scheduled less than one (1) week prior shall be given or electronically transmitted, to the extent practicable, to the news media and shall be conspicuously posted in one (1) or more designated public locations at a reasonable time prior thereto.
 - c. When the County has the ability to do so, notice of the time and place of a meeting shall also be posted on the County website.
 - d. If a meeting will be streamed live over the internet, the public notice for the meeting shall inform the public of the internet address of the website streaming such meeting.
2. For meetings of advisory boards, committees, commissions and other groups whose members are appointed by the Legislature and who act in an advisory capacity to the Legislature, the following shall apply:
 - a. The department responsible for the respective advisory board, committee, commission or other group shall post a notice of the time and place of meetings on the departmental website.

D. Minutes

1. For meetings of the Legislature, all committees, standing, ad hoc or special, of the Legislature, and all meetings of the Board of Health, Community Mental Health Services Board, and Workforce Development board, the following shall apply:
 - a. Minutes shall be taken at all open meetings and shall consist of a record or summary of all motions, proposals, resolutions, and any other matter formally voted upon and the vote thereon.

- b. Minutes of executive session must consist of a record or summary of the final determination of action that was taken, and the date and vote thereon. However, such summary need not include any matter not required to be made public by the Freedom of Information Law (FOIL).
 - c. Minutes of meetings shall be available to the public in accordance with the provisions of the Open Meetings Law within at most two (2) weeks from the date of such meeting except that minutes of an executive session when action was taken shall be available to the public within one (1) week from the date of the executive session.
- 2. For meetings of advisory boards, committees, commissions and other groups whose members are appointed by the Legislature and who act in an advisory capacity to the Legislature, the following shall apply:
 - a. Minutes shall be made available to the public upon request if minutes are available.