

COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY
(THE "AGENCY")

POLICY ON OPEN MEETINGS

SECTION 1. PURPOSE AND AUTHORITY. (A) General. County of Clinton Industrial Development Agency (the "Agency") was created pursuant to Section 895-f of Title 2 of Article 18-A of the General Municipal Law and Title 1 of Article 18-A the General Municipal Law (collectively, the "Act") for the purpose of promoting employment opportunities for, and the general prosperity and economic welfare of, residents of the County and the State of New York (the "State"). Under the Act, the Agency was created in order to advance the job opportunities, health, general prosperity and economic welfare of the residents of Clinton County, New York (the "County") and of the State.

(B) Background. Pursuant to Article 7 of the Public Officers Law of the State of New York (the "Open Meetings Law"), every meeting of a public body must be open to the general public, with certain limited exceptions.

(C) Purpose. The purpose of this Policy is to establish procedures for the implementation of the Open Meetings Law by the Agency.

SECTION 2. DEFINITIONS. Except as otherwise provided herein, the definitions contained in Section 102 of the Open Meetings Law apply to this Policy. As used in this Policy:

(A) "Meeting" means the official convening of the Agency or any committee or other body consisting of Agency members (or consisting of members of the general public if formally created by the Agency to advise the Agency or conduct business on behalf of the Agency) for the purpose of conducting public business.

(B) "Executive Session" means that portion of a meeting not open to the general public. Pursuant to Section 105 and Section 108 of the Open Meetings Law as in effect on the date of adoption of this policy, an executive session was permitted for the following purposes only:

- (1) matters which will imperil the public safety if disclosed;
- (2) any matter which may disclose the identity of a law enforcement agent or informer;
- (3) information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- (4) discussions regarding proposed, pending or current litigation;
- (5) collective negotiations pursuant to article fourteen of the civil service law;
- (6) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- (7) the preparation, grading or administration of examinations

(8) the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof; and

(9) any matter made confidential by federal or state law.

SECTION 3. CONDUCT OF MEETINGS. (A) Open Meetings. In compliance with the Open Meetings Law, every meeting shall be open to the general public, except that an executive session may be called and business conducted thereat in accordance with subsection (B) hereof.

(B) Location. All reasonable efforts shall be taken to ensure that meetings are held (1) in facilities that permit barrier-free physical access to the physically-handicapped and (2) in an appropriate facility which can adequately accommodate members of the public who wish to attend such meeting.

(C) Attendance by Videoconferencing. If a member of the Agency uses videoconferencing to attend a meeting, the Agency shall provide an opportunity for the public to attend, listen and observe at any site at which a member participates.

(D) Executive Sessions. Upon a majority vote of the Agency, or the members of the committee or other body thereof, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a meeting may be conducted as an executive session for the purposes specified in Section 105 of the Open Meetings Law, provided that no action by formal vote shall be taken to appropriate public moneys. The Agency or the members of the subcommittee or other body may permit any person to attend an executive session.

(E) Public Participation. The Agency member or other person presiding over a meeting may permit public participation upon such terms as he shall deem just and proper.

(F) Recording Devices. Any meeting of the Agency that is open to the public shall be open to being photographed, broadcast, webcast or otherwise recorded and/or transmitted by audio or video means. The Agency may adopt rules reasonably governing the location of equipment and personnel used to photograph, broadcast, webcast or otherwise record a meeting so as to conduct its proceedings in an orderly manner. Such rules shall be conspicuously posted during meetings and written copies shall be provided upon request to those in attendance.

SECTION 4. PUBLIC NOTICE. (A) Notice. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in the main office of the Agency at least seventy-two (72) hours before such meeting. Public notice of the time and place of every other meeting shall be given in the same manner as soon as possible prior thereto. The foregoing notice provisions shall not be construed to require publication of a legal notice or any other notice.

(B) Internet Posting of Public Notice. When the Agency has the ability to do so, notice of the time and place of a meeting shall also be conspicuously posted on the Agency's internet website.

(C) Notice of Meeting Attended by Videoconferencing. If videoconferencing will be used to conduct a meeting, the public notice for such meeting shall inform the that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

(D) Proof of Notice. On the date when the notice is given as aforesaid, the Chief Executive Officer of the Agency shall cause a certificate or affidavit regarding the giving of such notice to be prepared, and shall cause a copy of said certificate and of the notice of such meeting to be placed in the minute books of the Agency.

SECTION 5. WEB SITE. (A) Maintenance. The Agency shall maintain a web site.

(B) Materials to be Posted. The Agency shall post agendas, minutes, policies and other material required by applicable New York law on the web site of the Agency.

SECTION 6. MINUTES. (A) Open Meetings. Minutes shall be taken at all open meetings, which shall consist, at a minimum, of a record or summary of all motions, proposal, resolutions and any other matters formally voted upon, and the votes thereon.

(B) Executive Sessions. Minutes shall be taken at executive sessions of any action taken by formal vote, which shall consist, at a minimum, of a record summary of the final determination of such action, and the date and vote thereon. Such minutes need not include any matter not required to be made public by Article 6 of the Public Officers Law (the "Freedom of Information Law).

(C) Minute Books. A copy of the minutes for each meeting or executive session shall be kept by the Chief Executive Officer of the Agency in the minute books of the Agency in the principal office of the Agency.

(D) Date of Availability. (1) Minutes of a public meetings shall be available to the public within two weeks of the date of the meeting.

(2) Minutes described in subsection (B) of this Section taken at an executive session described in subsection (B) of this Section shall be available to the public within one week from the date of such executive session.

SECTION 7. EXEMPTIONS. No provision herein shall extend to any matter made confidential by federal or state law.

Re-Adopted: 8/12/13