

TOWN OF CANANDAIGUA
TOWN BOARD 2023 REMOTE PARTICIPATION POLICY

I. Purpose

The purpose of this Policy is to allow members of the Town Board of the Town of Canandaigua and the general public to attend and participate in meetings of the Town Board or any of its committees by videoconferencing as identified in New York State Open Meetings Law, and to ensure that the public has an adequate opportunity to participate in the Town Board process.

II. Definitions

- (a) “Member” means a member of the Town of Canandaigua Town Board, including the Town Supervisor.
- (b) “Meeting” means any meeting of the Town of Canandaigua Town or any of the Town Board’s committees that are subject to this Policy.
- (c) “Remote Means” means videoconferencing which includes audio and video.
- (d) “Secretary” means the Town Clerk of the Town of Canandaigua or the individual to whom the Town Clerk has designated responsibility for recording meeting minutes at Town Board meetings.

III. Remote Attendance Permitted

- (a) Subject to the limitations set forth in Section IV below, Town Board Members may attend any Meeting by Remote Means if the Member is prevented from physically attending the Meeting.
- (b) When a Board member must be necessarily absent or will be participating in a meeting by remote participation, that Board member must so inform the Chair and the Town Clerk as soon as reasonably possible.
- (c) Members of the public will be permitted to participate remotely in any Meeting by Remote Means, for those meetings where remote participation is offered, the same as if the member of the public was present for the meeting in person, once recognized by the Chair.

IV. Restrictions on Remote Attendance

- (a) No Member may attend any portion of a Meeting by Remote Means unless:
 - (i) The Remote Means being utilized is fully functional, and shall allow:

- (A) All Town Board Members to hear all communications taking place during the Meeting;
- (B) Any persons in attendance at the Meeting to hear all communications taking place during the Meeting;
- (C) All Town Board Members to see any documents displayed during the Meeting;
- (D) Any persons in attendance at the Meeting to see any documents displayed during the Meeting; and
- (E) The Secretary to hear all communications taking place during the Meeting.

V. Rules of Procedure When Remote Attendance Utilized

- (a) When a Town Board Member attends any portion of a Meeting by Remote Means as permitted by this Policy:
 - (i) The minutes of the Meeting shall include the following:
 - (A) A statement that the Member attended the Meeting by Remote Means;
 - (B) The location from which the Member attended the Meeting
 - (C) A statement that the Remote Means were fully functional;
 - (D) The times, if any, during which the Member attending the Meeting by Remote Means left the Meeting.
 - (ii) Every Member of the Town Board shall be identified during all Board discussions so that all participants are aware of which Member is speaking at all times.
- (b) A Town Board Member attending a Meeting by Remote Means shall:
 - (i) Be permitted to fully participate in the Meeting as if he or she were physically present, including the making or seconding of motions and voting on said motions, subject to the Town Board Rules of Procedure;
 - (ii) Advise the Secretary if he or she leaves or returns from the Meeting;
 - (iii) Advise the Secretary 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;

- (c) If the Town Supervisor attends a Meeting by Remote Means, the Deputy Supervisor shall serve as chair of the Meeting. If the Deputy Supervisor is not present at the Meeting then the Town Board shall designate a Temporary Chair from the Members who are physically present at the Meeting.

VI. Applicability

If any provision of this Policy conflicts with any provision of the Town Code of the Town of Canandaigua or New York State Law then the stricter provision shall prevail.

VII. Effective Date

- (a) This Policy was approved by the Canandaigua Town Board on February 27, 2023.
- (b) This Policy shall become effective immediately upon approval by the Canandaigua Town Board, and shall remain in effect until otherwise removed.

VIII. Availability of Policy

- (a) This Policy shall be filed in the Office of the Town Clerk of the Town of Canandaigua.
- (b) This Policy is hereby made a part of the Town of Canandaigua Town Board Rules of Procedure.

First Adopted	December 17, 2018	Resolution No. 2018-337
Subsequent amendments and adoptions:		
	July 19, 2021	Resolution No. 2021-176
	January 10, 2022	Resolution No. 2022-018
	January 31, 2022 (amended)	Resolution No. 2022-065
	February 27, 2023 (amended)	Resolution No. 2023-065