

BROOKLYN BRIDGE PARK CORPORATION
PROCEDURES FOR USE OF VIDEOCONFERENCING PURSUANT TO CHAPTER 56 OF THE LAWS OF 2022

Adopted December 14, 2022

The following procedures are hereby established to satisfy the requirements of New York State Public Officers Law (“POL”) § 103-a that any public body that permits its members (in extraordinary circumstances) and the public to attend and participate in meetings by videoconferencing establish written procedures governing the use of videoconferencing.

1. Directors shall be physically present at any meeting of the Corporation’s Board of Directors, unless a Director 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 which precludes the Director’s physical attendance at such meeting.

3. If a Director is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the Director must notify the President no later than four business days prior to the scheduled meeting in order for proper notice to the public to be given. If extraordinary circumstances present themselves on an emergent basis within four business days of the scheduled meeting, the Corporation shall update its notice as soon as practicable to include that information. If it is not practicable to update its notice, the Corporation may reschedule its meeting.

4. If there is a quorum of Directors participating at a physical location(s) open to the public, the Corporation may properly convene a meeting. A Director who is participating from a remote location that is not open to in-person physical attendance by the public *shall not* count toward a quorum of the Corporation but may participate and vote if there is a quorum at a physical location(s) open to the public.

5. Except in the case of executive sessions conducted pursuant to POL § 105, the Corporation shall ensure that the Directors 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. This shall include the use of first and last name placards physically placed in front of the Directors or, for Directors participating by videoconferencing from private locations due to extraordinary circumstances, such Directors must ensure that their full first and last name appears on their videoconferencing screen.

6. The minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL § 103-a shall include which, if any, Directors participated by videoconferencing from a private location due to such extraordinary circumstances.

7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used, (ii) where the public can view and/or participate in such meeting, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for

the meeting where the public can attend.

8. Each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the Corporation 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 Directors are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Corporation shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized. The Corporation shall ensure that where extraordinary circumstances videoconferencing is used, it authorizes the same public participation or testimony as in-person participation or testimony.

10. Open meetings of the Corporation conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL § 103-a shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act, as amended, and corresponding guidelines. For the purposes of this guideline, “disability” shall have the meaning defined in New York State Executive Law (“EL”) § 292.

11. The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a state disaster emergency declared by the governor pursuant to EL § 28 or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to EL § 24 if the Corporation determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Corporation to hold an in-person meeting.

These procedures shall be posted conspicuously on the Corporation’s website.