

Resolution No. 2023 - 1

RESOLUTION OF THE CITY OF PEEKSKILL INDUSTRIAL
DEVELOPMENT AGENCY (“AGENCY”) ADOPTING A
VIDEOCONFERENCE POLICY TO ALLOW THE USE OF VIDEO
CONFERENCE FOR PUBLIC MEETINGS UNDER EXTRAORDINARY
CIRCUMSTANCES PURSUANT TO SECTION 103-A OF THE NEW YORK
PUBLIC OFFICERS LAW

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 671 of the Laws of 1974 of the State of New York, as amended (collectively, the “Act”), the City of Peekskill Industrial Development Agency (the “Agency”) was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, Section 103-a of the New York Public Officers Law (“POL”), as enacted by Part WW of Chapter 56 of the Laws of 2022, permits public bodies such as the Agency to authorize their members to attend meetings by videoconference from locations that are not open to the public (“private locations”), when necessitated by “extraordinary circumstances,” provided that (i) the PIDA Final Minutes / 02282023 Meeting number of members of the public body who attend the meeting at location(s) where the public can attend is at least equal to the number required to satisfy the public body’s quorum requirement, (ii) the public body has established written procedures governing member and public attendance consistent with Section 103-a of the POL, (iii) such written procedures are conspicuously posted on the public website of the public body, and (iv) the other criteria specified in Section 103-a of the POL are satisfied; and

WHEREAS, Agency staff, in consultation with the Agency’s general counsel, have prepared a draft policy in compliance Section 103-a of the POL entitled **Public Meeting Videoconference Policy** (the “Videoconferencing Policy”) attached hereto as **Exhibit A**; and

WHEREAS, Section 103-a(2)(a) of the POL requires that the Agency must adopt a resolution after a public hearing (the “Public Hearing”) in order to authorize videoconferencing from a private location and as described within the Videoconferencing Policy; and

WHEREAS, the Agency duly scheduled, noticed and conducted the Public Hearing on February 28, 2023 and the Agency has taken into consideration all comments received; and

WHEREAS, the Agency deems it necessary and appropriate for the board and all committees or subcommittees of the Agency now existing or hereafter established be authorized to use videoconferencing to conduct meetings in the manner contemplated by Section 103-a of the POL.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PEEKSKILL
INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:**

Section 1. The Agency hereby approves and adopts the Videoconferencing Policy and

authorizes the Agency and any and all committees or subcommittees of the Agency now existing or hereafter established to use videoconferencing to conduct meetings in the manner authorized by Section 103-a of the POL, including meetings where a member who is unable to be physically present at any such meeting location due to extraordinary circumstances is permitted to attend and participate in the meeting by videoconferencing from a remote location that is not open to the public.

Section 2. The Agency directs that the Videoconferencing Policy be conspicuously posted on the public website of the Agency in compliance with Section 103-a of the POL.

Section 3. Any and all actions heretofore taken or authorized by the Agency and/or its members, officers, employees and agents with respect to this Resolution are hereby ratified, approved and confirmed in all aspects.

Section 4. This Resolution shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nea</i>	<i>Absent</i>	<i>Abstain</i>
Deborah Post	[X]	[]	[]	[]
Alan Kravitz	[X]	[]	[]	[]
Janice Thompson	[]	[]	[]	[]
Juliene Bell-Smith	[X]	[]	[]	[]
Rohan de Freitas	[X]	[]	[]	[]
Drew Claxton	[]	[]	[X]	[]

The Resolution was thereupon duly adopted

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:

I, the undersigned Secretary of the City of Peekskill Industrial Development Agency (PIDA), DO HEREBY CERTIFY:

That I have compared the foregoing extract of the minutes of the meeting of the PIDA (the "Agency") including the resolution contained therein, held on February 28, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Agency this __ day of February 28, 2023.

Alan Kravitz
Secretary