

**PUBLIC HEARING PURSUANT TO
SECTION 103-a OF
THE PUBLIC OFFICERS LAW**

Agency	City of Rensselaer Industrial Development Agency (the “Agency”)
Hearing Purpose:	Proposed Remote Access Policy
Hearing Date:	August 22, 2022
Hearing Time:	4:00 o’clock p.m.
Hearing Location:	At the offices of the Agency located at 62 Washington Street in the City of Rensselaer, Rensselaer County, New York

BOARD MEMBERS PRESENT: STAMMEL, DEFRANCESCO, KRETZSCHMAR, BULNES, STEVENS

AGENCY STAFF: RIZZO, SCOTT AND WAGNER

PUBLIC: NONE

Opening Remarks: CEO Bonesteel

Good afternoon.

My name is John Bonesteel, and I am the Chief Executive Officer of the City of Rensselaer Industrial Development Agency (the “Agency”) in connection with the policy which is the subject of this public hearing.

Today I am holding this Public Hearing to allow citizens to make a statement, for the record, relating to the adoption by the Agency of a policy (the “Remote Access Policy”) pursuant to Section 103-a of the Public Officers Law of the State of New York (the “Videoconferencing Law”).

On April 9, 2022, the New York State legislature passed the New York State 2022-2023 Budget Bill which contained provisions (1) amending Section 103 of the Public Officer’s Law of the State of New York (the “Open Meetings Law”); and (2) adding the Videoconferencing Law to the Open Meetings Law. Pursuant to Section 103-a(2) of the Videoconferencing Law, the Agency, as a “public body” under and as defined in the Videoconferencing Law, may, in its discretion, conduct Remote Access Meetings (as defined herein), provided that the Agency must first (A) conduct a public hearing regarding the proposed authorization of Remote Access Meetings; (B) adopt a resolution authorizing the Agency and each of its committees and subcommittees to conduct Remote Access Meetings; and (C) establish written procedures governing Remote Access Meetings (such written procedures of the Agency being referred to hereinafter as the “Remote Access Policy”). Copies of the Remote Access Policy are here for any members of the Public who wish to review them. Additionally, copies of the Remote Access Policy can be obtained from the Agency upon request.

I intend to provide general information on the Agency’s general authority and public purpose to adopt the Remote Access Policy. I will then open the comment period to receive comments from all present who wish to comment on either the Remote Access Policy contemplated by the Agency.

Legal Authorization and Powers of the Agency

The provisions of Chapter 1030 of Laws of 1969 of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York as amended, and Chapter

235 of the 1974 Laws of the State of New York, as amended, codified as Section 903-c of said General Municipal Law (collectively, the “Act”), created the Agency as a public benefit corporation which is considered a “public benefit corporation” under the General Construction Law of the State of New York. Therefore, the Agency is a “public body” and is subject to the provisions of the Open Meetings Law and the Videoconferencing Law.

Purpose of this Public Hearing

Generally, the Open Meetings Law requires that (1) the Agency give notice to the public and the news media of all meetings of the Agency; (2) all meetings of the Agency and its various committees be open to the public; and (3) the Agency or any of its committees can vote in an open meeting to go into an executive session to discuss certain limited items. Pursuant to the Videoconferencing Law, the Agency may, in its discretion authorize itself and all of its various committees to hold “Remote Access Meetings,” wherein, in certain extraordinary circumstances, a member of the Agency (or committee) can participate in an Open Meeting using videoconferencing from a location that is not open to the public. Pursuant to Section 103-a(2)(a) of the Videoconferencing Law, prior to the Agency adopting the Remote Access Policy authorizing Remote Access Meetings, the Agency, among other things, must hold a public hearing pursuant to 103-a(2)(a) of the Videoconferencing Law with respect to the Remote Access Policy.

After consideration of the Videoconferencing Law and the proposed Remote Access Policy received from Agency Counsel, the members of the Agency adopted a resolution on July 25, 2022 (the “Public Hearing Resolution”) authorizing the Chief Executive Officer of the Agency to conduct this Public Hearing with respect to the Remote Access Policy pursuant to Section 103-a(2)(a) of the Videoconferencing Law.

The Chief Executive Officer of the Agency caused notice of this Public Hearing to be (A) posted on August 9, 2022, on a public bulletin board at the offices of the Agency located at 62 Washington Street in the City of Rensselaer, Rensselaer County, New York, and on the Agency’s website; and (B) published on August 12, 2022 in the Times Union, a newspaper of general circulation available to the residents of the City of Rensselaer, New York.

Copies of the notice of this Public Hearing are available on the table.

Now, unless there is any objection, I am going to suggest waiving the full reading of the notice of this Public Hearing, and instead request that the full text of the notice of this Public Hearing be inserted into the record of this Public Hearing.

Written Comments

The notice of this Public Hearing indicated that written comments could be addressed to: John J. Bonesteel, the Chief Executive Officer of the Agency. No written comments have been received by the Agency prior to this Public Hearing.

Open Public Hearing to the Floor for Comments

I will now open this Public Hearing for public comment at 4:05, p.m.

By way of operating rules, if you wish to make a public comment, please raise your hand, and I will call on you. Please wait to be recognized, once recognized, please stand and state your name and address for the record.

When everyone has had the opportunity to speak, I will conclude this Public Hearing. A record of this Public Hearing will be prepared and reviewed by the members of the Agency in connection with the Agency's consideration of the Remote Access Policy.

Again, the purpose of this Public Hearing is to solicit public comment. We are not here to answer questions. However, we will in the course of this Public Hearing consider questions if we have the information to answer the questions and there is sufficient time to consider such questions.

I will now ask if there is anyone in attendance who wishes to comment on either on the Remote Access Policy being contemplated by the Agency with respect to meetings of the Agency.

For the record, please state your name and indicate your comments on the Remote Access Policy.

No comments from the Public were made.

After ascertaining that there is no one else present who wishes to comment and ascertaining that at least 15 minutes has passed after the scheduled time for the hearing.

So, if there are no further comments, I will now close this Public Hearing at 4:15, p.m.

Thank you for attending.