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OPEN MEETINGS POLICY

In accordance with New York State’s Open Meetings Law, as well as Education Law Title 1, Article 5, Section 260a, the Newark Public Library (“the Library”) opens its Board of Trustees (“the Board”) meetings to the general public. The Open Meetings Law clearly applies to the governing bodies of governmental entities, and in addition, the last clause in the definition indicates that committees, subcommittees, and similar bodies of a public body are themselves public bodies required to comply with the Open Meetings Law.

The Board of Trustees of the Library is a public body, committees and subcommittees consisting of two or more members of the Board would be required to comply with Open Meetings Law.

Closed, or executive, sessions may be called as a portion of the open meeting and appropriate business transacted therein.

The minutes of the open meeting and of the executive session are compiled on the Library’s website and are also available upon request. The minutes of the open meeting consists of a record or summary of all motions, proposals, resolutions and any matter formally voted upon and the resulting vote. The minutes of an executive session consist of a record or summary of the final determination of any action taken and the resulting vote.

The calendar of regular Board meetings is voted on by the Board at their annual meeting in July. The time and place of each meeting are published on the Library’s website.

1. Opportunity for Public Comment

Board meetings are for the conduct of Library business. They are not public hearings about Library affairs. Although the Open Meetings Law makes no provision for public participation, members of the public, regardless of residency, can speak at Board meetings during the Opportunity for Public Comment at the start of the meeting. Time to speak is limited to three minutes per member of the public and must pertain to issues related to the Library. It’s the Board President's responsibility to enforce public comment rules and this policy. Comments from the public will be taken under advisement and may be responded to at a later, reasonable time.

2. Committee Member Attendance

Committee members shall be physically present at any meeting. If there is a quorum of members participating at a physical location(s) open to the public, the Committee may properly convene a meeting.

3. Model Rules for Public Bodies

Section 1 Purpose and scope:

1. The people's right to witness and observe the governmental decision-making process in action is basic to our society. Access to public portions of meetings of public bodies must be protected and maintained.
2. We adopt these guidelines in order to provide direction concerning the procedures by which public meetings of this public body may be photographed, recorded and broadcast.

Section 2 Recording and Broadcasting Public Portions of Meetings:

1. The public portion of any meeting of a public body may be photographed, recorded and broadcast.
2. A public body may adopt reasonable rules governing the location of equipment and personnel used to photograph, record or broadcast the public portion of a meeting in order to ensure that the use of such equipment does not detract from or interfere with the deliberative process.
3. There is no privacy interest in statements made during public portions of meetings of public bodies. Distaste or embarrassment shall not constitute a basis for prohibiting or limiting the photographing, recording or broadcasting of those present at a meeting.

Section 3 Rules for Recording and Broadcasting Public Portions of Meetings:

1. Operation of equipment to photograph, record or broadcast a meeting is permitted unless it is obtrusive, disruptive, or interferes with the deliberative process or the right of persons in attendance to observe or listen to the proceedings.
2. Use of equipment necessary to photograph, record or broadcast is permitted without notice to or express permission from the public body or those in attendance at the meeting.
3. Use of equipment necessary to photograph, record or broadcast is permitted in a supervised or unsupervised manner.
4. Use of special lighting or large equipment necessary to photograph, record or broadcast a meeting is permitted unless it is obtrusive or disruptive.
5. Personnel who operate equipment necessary to photograph, record and/or broadcast a meeting shall be permitted to move about the room, as long as such movement does not disrupt or interfere with the deliberative process.
6. Use of equipment necessary to photograph, record and/or broadcast a meeting shall not be limited to a location from which such equipment is not reasonably capable of photographing, recording and/or broadcasting.

7. Persons operating equipment necessary to photograph, record and/or broadcast shall be given a reasonable opportunity to modify their actions in order to avoid interference with the deliberative process.

Section 4 Public notice:

These rules governing the operation of equipment necessary to photograph, record or broadcast a meeting shall be posted in a designated location. Written copies of such rules shall be provided upon request, free of charge, to those in attendance at or who seek to attend a meeting.

Section 5 Severability:

If any provision of these guidelines or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations or the application thereof to other persons and circumstances.

Adopted by the Newark Public Library Board of Trustees July 7, 2022

Amended: 3/10/23

Reviewed by Policy Committee: 2/28/2023