



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

424 West 33 Street, Suite #580  
New York, NY 10001  
tel: 212-736-4536  
www.nyc.gov/mcb4

**JEFFREY LEFRANCOIS**  
Chair

**JESSE R. BODINE**  
District Manager

**Manhattan Community Board 4 Hybrid Meeting Policy**  
**June 2022 through July 2024**

At its regularly scheduled meeting on October 5<sup>th</sup>, 2023, Manhattan Community Board 4, after holding a public hearing, voted, with a vote of 0 in favor, 0 opposed, 0 abstaining, and 0 present not eligible, to approve the amended hybrid meeting policy provided by New York State Open Meeting Law Chapter 56 of Laws of 2022 relating to Hybrid Public Meeting Policy.

**Background:**

On April 9, 2022, Governor Kathy Hochul signed Chapter 56 of the Laws of 2022 relating to the New York State budget for the 2022-2023 state fiscal year. Included is an amendment to subdivision (c) of section 103 of the public officers law, Part WW, to make permanent (until July 1, 2024) the expanded use of videoconferencing by public bodies to conduct open meetings, in very limited circumstances.<sup>1</sup>

In the summer of 2023 New York State Open Meetings Law (OML)1 section 103-a(2)(c) was amended to address remote participation by members who have a qualifying disability. This amendment allows members who have a physical or mental impairment that prevents the member from attending meetings in person (Qualifying Disability) to attend public meetings remotely and still count towards quorum and otherwise participate in the meeting, including casting votes.

**Manhattan Community Board 4 Hybrid Meeting Policy for Board Members**

- MCB4, at its discretion, will use videoconferencing to conduct public meetings provided that a number, sufficient to full fill quorum (50% +1), of current members are physically present in the same location. And those locations are accessible to the public.
- Any member who has a disability as defined in section two hundred ninety-two of the executive law<sup>2</sup>, will be considered present for purposes of fulfilling the quorum requirements.

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<sup>1</sup> <https://opengovernment.ny.gov/system/files/documents/2023/05/oml-text-05052023.pdf>

<sup>2</sup> <https://www.nysenate.gov/legislation/laws/EXC/292>

Amended on October 4<sup>th</sup>, 2023

- MCB4 members shall be physically present at all committee and full board meetings unless they are unable to due to one of the following:
    - Disability
      - Members with a disability who would like to attend the meeting remotely will notify the district office and will complete and return a Self-Certification Qualifying Disability Form.
    - Extraordinary Circumstance
      - Members with an extraordinary circumstance will notify the district office and will complete and return an Extraordinary Circumstance Form for one of the following reasons:
        - Illness
        - Unplanned and or emergency caregiving responsibilities
        - Other significant or unexpected factor or event which precludes the member's physical attendance.
  - MCB4 boards members looking to participate remotely will contact the Board Chair, District Manager and/or office staff, and relevant Committee Co-Chairs with their request & explanation in advance of the committee as soon as humanly possible.
  - MCB4 Members attending the meeting virtually will be required to be heard, seen, and identified by both MCB4 members and the public.
  - The minutes of all public meetings involving videoconferencing shall include which, if any, members participated remotely and their extraordinary circumstance.
  - MCB4's meeting notices will inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available and identify the physical location for the meeting where the public can attend.
  - If videoconferencing is utilized, MCB4 will provide the opportunity for members of the public to view and participate in the proceedings via videoconference and in-person. Further, MCB4 will ensure that the public attending through videoconferencing will have the same quality of participation as the in-person participants do.
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- Currently, Community Boards have limited authority to require its board members or members of the public to be vaccinated or masked.<sup>3</sup> However MCB4 will send a “Good Neighbor” letter to board members and the public outlining guidance from CDC and state and local Departments of Health. In addition, MCB4 will follow Federal, State, and City Health Guidance regarding maximum social distancing when holding in door meetings with population whose vaccination status is unknown.
- The in-person participation requirements defined in Part WW of the Open Meeting Law and in this policy may be lifted if the State or City declare a Disaster Emergency.
- The following section of the MCB4 Bylaws will be amended 30 days after the June 1<sup>st</sup> Full Board, allowing members ample time to review.
- After a public hearing and Full Board approval this policy will be posted on the MCB4 website.
- MCB4 Office will work with Executive Committee to create any additional internal procedures needed.
- Said policy follows the recommendations and guidance from the Manhattan Borough President Mark Levine’s Office.<sup>4</sup>

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<sup>3</sup> [March 9, 2022 MBPO Memo to Community Boards re COVID Policy and Open Meeting Law](#)

<sup>4</sup> [April 29<sup>th</sup>, 2022 MBPO Memo to Community Boars re Open Law Provisions](#)