



Town of West Seneca

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MEMO

To: The Honorable Town Board
Chairs of the Zoning Board of Appeals, Planning Board, Ethics Committee,
Environmental Commission, Industrial Planning Commission, and any
other groups of the Town subject to the New York State Open Meetings Law

From: Tina M. Hawthorne, Town Attorney

Date: March 17, 2021

Subject: In-Person Meetings

I received direction from New York State Committee on Open Government as to whether a board member may appear via Webex when the meeting is scheduled as an in-person meeting and count for the purposes of a quorum and voting. A board member is permitted to attend a meeting via videoconference, if the meeting notice states the location from which they will be attending and indicates that the public is welcome to attend from any location (i.e., primary location or video-conferenced location). Thus, a board member must be open to having the public attend from wherever they will be conducting the videoconferencing from. Compliance with these requirements means the video-conferenced board member may count toward a quorum and may vote at the meeting.

In summary: If we are not allowing the public to attend via Webex from any location, either the primary location or video-conferenced location, then we must revert back to the Open Meetings Law as it was prior to the Executive Order that allowed for the suspension of in person attendance.

This applies to all boards in the Town that are subject to the Open Meetings Law.