

Title: Chemung County Legislature Policy for Livestreaming of Public Meetings

Purpose: Ensuring that all members of the public have access to the public meetings of the Legislature is essential to operating an open, transparent and accountable government. Public meetings are open to in-person public attendance per the Open Meetings Law.

It is the purpose of this policy to endeavor to further public access to public meetings of the Legislature by making meetings available to be viewed through the internet.

No Legal Affect: This policy outlines the Chemung County Legislature's processes and procedures concerning the livestream broadcast of the Legislature's public meetings, and the intended retention and public access of archived audio/video footage.

The minutes of all meetings as recorded by Clerk shall remain the official record of all meetings of the Legislature and its committees.

This policy is in no manner intended to supplant or amend the Open Meetings Law, Freedom of Information Law, Rules of Order for the Chemung County Legislature, or any other law concerning the rules for conducting business at and keeping official records of open meetings, nor the rules for retention of or public access to County records.

Should any meeting fail to be broadcast in full or in part, or fail to be recorded or retained for retrieval, whether due to technical failure or otherwise, such failure shall in no way affect the legality of the proceedings held at such meeting.

Policy:

I. Public Notice:

- a. The public shall be notified by conspicuously posted signage located at the entrance to the Chamber, and by an announcement of the Chairperson of each meeting, that the meeting is being livestreamed and recorded.
- b. The County's Website shall contain locations for the public to view livestream broadcast and archived meetings.

II. Livestream Broadcast of Public Meetings:

- a. There shall be one camera fixed in each of the two assembly rooms of the Chemung County Legislature, from which all 15 members of the Legislature should be observable, but it is not necessary that the camera be positioned to depict the front of each Legislator. The cameras will be stationary and will not be operated with a pan/tilt/zoom feature.

- b. There shall be microphones in each of the two assembly rooms, positioned in such locations as to pick up the audio from each Legislator, each presenter, and each member of the public who speaks during public comment.
- c. Presentations to the Legislature should be made in view of the camera whenever possible, and members of the public attending and providing public comment at meetings should be kept out of the view of the camera if possible.
- d. All public meetings will be livestreamed to be viewable at a designated location on the County's official website.
- e. Meetings or portions of meetings that are closed to the public shall not be broadcast or recorded, and the equipment will be turned off.
- f. The Clerk of the Legislature (or designee) will have control of the internet broadcast, to activate the A/V equipment, and to begin and end live broadcast of meetings from a laptop/desktop computer.
- g. There will be a "kill switch" in the area of the Clerk, which will provide visual verification whether the A/V equipment is active and will enable immediate termination of the feed from the audio and video equipment, if necessary.

III. Recording and Archive Access

- a. Meetings of the Legislature that are livestreamed will be processed by Chemung County's Information Technology ("IT") Department and made available for viewing on the County's website within 48 hours of the end of the meeting.
- b. Each meeting day will be kept in a single recording. The recorded videos can be "bookmarked", so users can jump to the bookmarks within the recording (i.e., the beginning of each standing committee meeting).
- c. Links to recorded meetings should be accessible on the County's website for 24 months, and the recordings should be kept for seven years.
- d. Requests for archived videos (no longer linked on the County's website) shall be directed to the Director of Public Information, who shall advise the Clerk of the Legislature of the request and response.

IV: Disclaimer: Meetings of the Legislature are held in a public forum and are open to the public, and attendees are advised that there is no expectation of privacy. Statements made during meetings of the Legislature are those of the individuals making them, and not those of the Legislature. Unless set out in a resolution of Legislature, the Legislature does not endorse or support the views, opinions, standards, or information that may be exposed by individuals at a meeting and which may be contained in a live stream or recording.

It is possible that statements could be made which may be regarded as offensive, defamatory, or contrary to the law. Chemung County assumes no liability for such statements, made by any person.

As live streaming of meetings and publishing of recordings of meetings increases the potential audience, potential risks of publication will increase. Chemung County does not accept liability for any inaccurate or defamatory statements or comments made at a meeting, and the Chairperson of the Legislature reserves the right to take appropriate steps to terminate broadcast, redact recordings, and not publish or archive any material.

Following any meeting, the Chairperson of the Legislature has the discretion and authority to direct the exclusion of all or part of any meeting recording that are considered inappropriate for publication. Material considered inappropriate may include, but is not limited to, statements that are defamatory, infringe copyright, breach the privacy of an individual or unauthorized disclosure of the personal information of an individual, are offensive, constitute discrimination, constitute racial hatred or vilification, if based on the race, color, national or ethnic origin of a person or group of people, and is likely to offend, insult, humiliate or intimidate, or disclose confidential or privileged information.

V. Website – Privacy Collection Statement

A Privacy Collection Statement will be included on Chemung County's website and published where live streams and recorded meetings are made available.

The Collection Statement reads as follows:

Collection Statement – Live Streaming and Recording of Legislature Meetings

The portions of the Chemung County Legislature's meetings that are open to the public, and public hearings, are recorded and live streamed on the internet via: chemungcountyny.gov/livestream

Any person who attends the meeting may be filmed and recorded.

The minutes of the meetings and hearings constitute the official record, not the recordings.

The sole purpose of broadcasting and recording meetings is to provide the public further access to open meetings of the Legislature by making meetings available to be viewed through the internet.

Recordings of meetings are typically published on County's website within 2 business days after the meeting date for the public's future reference, and are subject to redaction, deletion, and technical failure. The County will endeavor to retain the recordings on Chemung County's website for 2 years.

It is possible that statements could be made which may be regarded as offensive, defamatory, or contrary to the law. Chemung County assumes no liability for such statements, made by any person. The County assumes no liability for any damages caused by users viewing the meetings through the County's website or otherwise.

Should any meeting fail to be broadcast in full or in part, or fail to be recorded or retained for retrieval, whether due to technical failure or otherwise, such failure shall in no way affect the legality of the proceedings held at such meeting.