

VILLAGE OF NORTHPORT
ELECTRONIC COMMUNICATIONS POLICY
For Village Council Members

1. Purpose

The Open Meetings Act (OMA) requires that all decisions of a public body shall be made at a meeting open to the public. In addition, all deliberations must be made at an open meeting unless otherwise permitted under the OMA. The Village of Northport desires to ensure all electronic communications comply with existing law.

2. Procedure

A. Members of the Village Council and other "public bodies" as defined by the OMA shall not discuss, deliberate towards, or render a decision on a public policy with quorum of the public body to which they are members by e-mail, text, chat rooms, or other electronic means including Skype and Facetime, or social media sites such as and including Twitter and Facebook.

B. Board members may use email and the like to contact other board members or a quorum of board members only if the subject is either 3rd party informational material (does not contain opinions of board members) or is regarding a topic that is not reasonably likely to be a subject of deliberation, debate or eventual vote in the foreseeable future (meeting times and places, etc.). Emails sent to a quorum of board members should contain "For Distribution Only" in the subject line, and other board members should take caution not to post or send replies that could violate the OMA.

C. Board members may use email to discuss or deliberate topics that may eventually come to a vote only when corresponding within a sub-quorum group. Extreme care should be taken not to copy such emails to other board members in such numbers that would constitute a quorum and thus violate the OMA.

D. Best practices when communicating with other board members may be use the Village Clerk or Village Liaison to distribute electronic communications. However, this should not be viewed as a "foolproof" method of compliance with the OMA.

E. Emails sent and received by public officials may be subject to the Freedom of Information Act. Upon such request by a member of the public, board members may be required to provide copies of emails or other electronic communications to the Village Clerk. With this in mind, good policy dictates that board members should not place information in electronic form that they would not include in other forms of written correspondence.

Policy Adopted: June 16, 2019


Joni L. Scott, Village Clerk