

INTRODUCTORY LOCAL LAW NO. "C" OF 2022
COUNTY OF WASHINGTON, NEW YORK

Introduced by Supervisors Campbell, O'Brien, Haff, Hicks, Fedler, Skellie, Hogan, Clary, Rozell, Wilson

A LOCAL LAW Authorizing the Use of Video Conferencing for Committee Meetings and Meetings of the Washington County Board of Supervisors

BE IT ENACTED by the Board of Supervisors of the County of Washington as follows:

SECTION 1: This local law is enacted pursuant to the authority provided in Chapter 56 of the Laws of 2022 (Senate Bill 8006-C/Assembly Bill 9006-C) which amended Subdivision (c) of section 103 of the Public Officers Law as added by chapter 289 of the laws of 2000.

SECTION 2: This law shall authorize the use of video conferencing and provide for the process and procedures for such by committees, subcommittees of the Board of Supervisors as well as by the Board of Supervisors itself.

SECTION 3: At any meeting of the Board of Supervisors or a committee thereof, use of video conferencing during a meeting may be used at the discretion of the committee or Board provided that a minimum number of members are present to fulfill the body's quorum requirement in the same physical location or locations where the public can attend and the following criteria are met:

1. The Board of Supervisors has adopted this local law following a public hearing, for meetings of both the Board itself as well as its committees and subcommittees.

2. The Rules of the Board of Supervisors are amended to establish written procedures governing member and public attendance consistent with this law and such written procedures are conspicuously posted on the County's website.

3. Members of the Board or Committee shall be physically present at any such meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances including, but not limited to, disability, illness, care giving responsibilities or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

4. Except in the case of executive sessions conducted pursuant to section one hundred five of the Public Officers Law, the Board or Committee shall ensure that members of the Board or committee can be heard, seen and identified, while the meeting is conducted, including but not limited to any motions, proposals, resolutions, or any other matter formally discussed or voted upon.

5. The minutes of the meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public pursuant to section one hundred six of the Public Officers Law.

6. If videoconferencing is used to conduct a meeting, the public notice for the meeting shall 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.

7. The Clerk of the Board of Supervisors shall provide that each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the Board of Supervisors within five (5) business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.

8. If videoconferencing is used to conduct a meeting, there shall be an opportunity for members of the public to view such meeting via video, and to participate in proceedings via video conference in real time where public comment or participation is authorized and those participating in videoconferencing shall have the same public participation or testimony as those participating in person.

9. The in person participation requirements of this law shall not apply during a state disaster emergency declared by the governor pursuant to section 28 of the executive law, or a local state of emergency proclaimed by the Chairman of the Board of Supervisors, if the Board of Supervisors determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Board to hold an in person meeting.

SECTION 4: This local law shall take effect upon filing with the Secretary of State of the State of New York.