

Chapter 34

MEETINGS: BOARD OF TRUSTEES

- § 34-1. **Title, Enactment, Effective Date, Intent**
- § 34-2. **Findings.**
- § 34-3. **Designation of time and place of meetings.**
- § 34-4. **Virtual meetings.**
- § 34-5. **Severability.**

[HISTORY: Added 9-22-1973 as Local Law No. 1, 1973; Amended in its entirety on 3-11-2006 as Local Law No. 1, 2006; § 34-4. Virtual meetings added as Local Law No. 6, 2020]

§ 34-1. **Title, Enactment, Effective Date, Intent**

- A. This Local Law shall be entitled “Local Law 1 of 2006 Amending Chapter 34, Meetings: Board of Trustees.”
- B. Pursuant to Section 10 of the Municipal Home Rule Law, the Executive Law, the General Municipal Law and the Village Law of the State of New York, the Incorporated Village of Saltaire, County of Suffolk and State of New York, hereby enacts by this Local Law 1 of 2006, a Local Law of the Village of Saltaire to amend Chapter 34 of the Village Code of the Village of Saltaire.
- C. This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Saltaire.
- D. The purpose and intent of this Local Law is to amend Chapter 34 of the Saltaire Village Code which codifies the Board of Trustee’s authority to designate the time and location of public meetings.

§ 34-2. **Findings.**

The Board of Trustees of the Village of Saltaire has determined that, because the Village is located on a barrier island with limited or no ferry service during parts of the year, is geographically separated with no reasonable alternative access, and is primarily a seasonal community with a substantial number of residents having second homes widely dispersed throughout the region, it is in the best interests of the residents of the Village that the Board periodically hold public meetings outside of the boundaries of the Incorporated Village of Saltaire in order to facilitate and maximize the attendance and participation of as many residents as

possible at said meetings. In recognition of the foregoing there may be occasions when the convenience and needs of the residents of the Village are better served by scheduling a meeting of the Board at a location outside of the Village.

§ 34-3. Designation of time and place of meetings.

The Board of Trustees shall hold public meetings at such times and places in the Village and at places outside the Village as it shall, by resolution, provide. The Board of Trustees, at its discretion, may hold one or more of its meetings at a location outside of the Incorporated Village of Saltaire when the convenience and needs of the community indicate that such an alternative location would be necessary or desirable; provided that (a) any chosen location shall be open and accessible to the public, (b) such location shall be connected telephonically or by similar means to a meeting location designated within the Incorporated Village of Saltaire, unless same is not possible for uncontrollable reasons and (c) such location shall be located in the State of New York.

§ 34-4. Virtual meetings. [Added as Local Law No. 6, 5-30-2022]

- A. The Board of Trustees of the Village of Saltaire and any other board of committee of the Village of Saltaire, may, in its discretion, use videoconferencing to conduct its meetings pursuant to the requirements of this Chapter provided that a minimum number of members of the Board of Trustees or other board or committee are present to fulfill the public body's quorum requirement in the same physical location or locations where the public can attend and the criteria of Public Officers Law Section 103-A are met; and
 - 1. The Board of Trustees has established written procedures governing member and public attendance consistent with this Chapter, and such written procedures shall be conspicuously posted on the Village of Saltaire public website; and
 - 2. The members of the quorum of the Board of Trustees or the other 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, as set forth in the resolution and written procedures adopted pursuant to paragraphs (A) and (B) of this subdivision, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.
- B. Except in the case of executive sessions conducted pursuant to section one hundred five of the New York State Public Officers Law, the Board of Trustees or

other board or committee shall ensure that members of the public body can be heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon.

- C. The minutes of the meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public pursuant to Public Officers law section one hundred six.
- D. 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 or locations for the meeting where the public can attend;
- E. The Board of Trustees or other board or committee shall provide that each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. A recording of the meeting shall be available at the actual cost to the Village and the recordings shall be transcribed by the Village upon request with the cost of the transcription to be paid by the requesting party.
- F. If videoconferencing is used to conduct a meeting, the Board of Trustees or other board or committee shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in-person participation or testimony.
- G. As provided in Public Officers Law Section 103-A, the in-person participation requirements of this Chapter shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to section twenty-four of the executive law, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Board of Trustees to hold an in-person meeting.

§ 34-5. Severability.

If any section or provision of this local law shall be adjudged to be invalid by any Court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this Local Law or the remainder thereof, but shall be confined in its operation to the section or provision or part thereof in regard to which such judgment shall have been rendered.