

A LOCAL LAW NO. OF 2022 OF THE VILLAGE OF SALTAIRE AMENDING CHAPTER 34 MEETINGS OF THE SALTAIRE VILLAGE CODE TO PROVIDE FOR VIRTUAL MEETINGS FOR THE SALTAIRE VILLAGE BOARDS AND COMMITTEES

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF SALTAIRE AS FOLLOWS:

Section 1.0 Title, Enactment, Effective Date, Purpose.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.2 Amendment by renumbering Section 34.4 to Section 34-5

2.3 Creation of New Section 34.4

3.0 Severability and Validity

Section 1.0 Title, Enactment, Effective Date and Purpose.

1.1. Title

This Local Law shall be entitled, "Local Law No. of 2022: Amendment of Chapter 34 Meetings of the Saltaire Village Code."

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law, the Village Law and the Village Code of the Incorporated Village of Saltaire, the Incorporated Village of Saltaire, County of Suffolk and State of New York, hereby enacts by this Local Law No. of 2022, a Local Law of the Incorporated Village of Saltaire.

1.3. Effective Date.

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.

## 1.0 Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to adopt the provisions of New York State Public Officers Law 103-a allowing and providing for virtual meetings of the Boards and Committees of the Village of Saltaire as provided in that Section.

## 2.0 General Provisions.

### 2.1 Amendment of the current Section 34-4.

Section 34-4 Severability is renumbered to be Section 34-5 Severability.

### 2.2 Creation of New Section 34.4

There shall be created a new Section 34-4 which shall read as follows:

“Section 34-4 Virtual Meetings;

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.

3.0 Severability and Validity

3.1 Severability and Validity

In the event that any portion or portions of this Local Law of 2022 shall be determined to be invalid or unenforceable for any reason, the remainder of the Local Law, and its provisions shall remain in full force and effect.