

VILLAGE OF ATHENS
#2
LOCAL LAW #1 OF 2024
HYBRID PUBLIC MEETINGS

BE IT ENACTED BY THE VILLAGE BOARD OF THE VILLAGE OF ATHENS

SECTION 1: A local law: Authorizing the Village of Athens to hold hybrid public meetings and hearings

On April 9, 2022 Governor Hochul signed an amendment to the Open Meetings Law to allow (until July 1, 2024) the expanded use of videoconferencing by public bodies in the conduct of open meetings, under extraordinary circumstances, regardless of a declaration of emergency. In order to continue meeting virtually, a Village must pass a local law to opt in.

Pursuant to the amendment to the Open Meetings Law, beginning on July 17, 2022, the Village of Athens may continue holding Hybrid Public Meetings, permitting members of the Village Board, Planning Board, Zoning Board of Appeals and Advisory Committees to appear virtually, under the following circumstances:

- A. The Village Board(s) of the Village of Athens must meet in person at a physical location open to the public with a minimum number of members present to fulfill the Board's quorum requirement. Advisory Committee meetings may be held virtually, hybrid, or in person (with the requirement that virtual access be provided at such in person meetings unless circumstances do not allow (ie site visits)). This will be at the consensus of each Committee.
- B. Members of the Village Board(s) may attend meetings virtually due to extraordinary circumstances; however, those members attending virtually may not count towards a quorum but may participate and vote. A quorum shall only be met by in-person member attendance.
- C. Extraordinary Circumstances shall be defined as: disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

- D. The Village Supervisor shall retain discretion over permitted extraordinary circumstances for meetings of the Village Board(s).
- E. The meeting minutes must identify which, if any, Board members are participating remotely.
- F. Members of the public will be allowed to attend, observe and participate where public comment or participation is authorized at the available location and virtually.
- G. All meetings conducted by videoconferencing will be done in such a manner that members of the Board can be heard, seen, and identified.
- H. Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the Board within five (5) business days following the meeting and shall remain so available for a minimum of five (5) years thereafter.
- I. The in person participation requirements of the law shall not apply during a state disaster emergency declared by the Governor or when a local state of emergency is declared by the Board of Supervisors Chairman if it is determined that the circumstances necessitate the emergency declaration would affect or impair the ability for the public body to hold an in person meeting.
- J. Village Board will broadcast all meetings using the Google Meet platform or equivalent pursuant to meeting notice.
- K. This law shall be posted upon the Village's website.

Section 2: This local law shall take effect immediately upon filing in the office of the Secretary of State.