

RESOLUTION NO. 466-22 11/22/22 COA LL ADOPT VIDEOCONFERENCING FOR PUBLIC MEETINGS

TO ADOPT LOCAL LAW NO. 4 for the year 2022, A LOCAL LAW to AUTHORIZE VIDEOCONFERENCING FOR PUBLIC MEETINGS

BY: Hon. Christopher Petrus, Chair of the Government Operations Committee
Hon. Hans Pecher, Chair of the Ways & Means Committee

WHEREAS, Local Law No. 4 for the year 2022 was presented to the Cayuga County Legislature on October 25, 2022; and

WHEREAS, pursuant to law and after proper notice being duly given, the County Legislature held a public hearing on said Local Law No. 4 for 2022 on November 22, 2022 at 6:00 P.M.; now, therefore be it

RESOLVED, that Local Law No. 4 of 2022, entitled “**AUTHORIZE VIDEOCONFERENCING FOR PUBLIC MEETINGS**” as so designated, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof.



*State of New York }
County of Cayuga }*

I do hereby certify, that I have compared the forgoing copy of a Resolution duly passed and adopted by the Cayuga County Legislature at a meeting held on the 22nd day of November 2022 with the original Resolution, and that the same is a true and correct copy and transcript thereof, and the whole thereof.

Given under my hand and official seal November 23, 2022

Sheila Smith

Clerk, Cayuga County Legislature

STATE OF NEW YORK

COUNTY OF CAYUGA

LOCAL LAW NO. 4 FOR THE YEAR 2022

A Local Law to **AUTHORIZE THE USE OF VIDEOCONFERENCING**
FOR PUBLIC MEETINGS

Be it enacted by the Cayuga County Legislature of the County of Cayuga, as follows:

SECTION 1: Purpose:

The Cayuga County Legislature intends this Local Law to authorize the use of videoconferencing under certain circumstances, to conduct public meetings pursuant to Section 103-a of the New York State Public Officers Law.

SECTION 2: Applicability:

- A. This Local Law and the procedures outlined herein shall apply to all meetings of the Cayuga County Legislature including all committees and sub-committees.
- B. All other boards or agencies of the County that are subject to the Open Meetings Law may determine for themselves the extent to which they wish to allow videoconferencing to conduct meetings and, if so, may adopt appropriate resolutions to that effect.

SECTION 3: Attendance Requirements:

- A. Members of the governing board shall be physically present at meetings, and committees unless unable to be physically present at the meeting due to “extraordinary circumstances” which are defined as follows:
 - 1. Disability,
 - 2. Illness,
 - 3. Caregiving responsibilities which may include caring for a child, spouse, parent, grandparent, grand-child, sibling, partner, or significant other, due to illness or disability;
 - 4. Temporary travel outside the County,
 - 5. Any other significant, unexpected event that prevents the member from attending the meeting in person.
- B. A member who is unable to be physically present at a meeting, shall provide notice to the Cayuga County Legislative Clerk’s Office at least 24 hours prior to the meeting or as soon as reasonably able.

- C. The Chair of the Cayuga County Legislature's determination on whether the extraordinary circumstances cited by a board member qualifies under this Local Law to permit that member to participate in a legislative meeting shall be final and binding.
- D. The Chair of a Standing Committee's determination on whether the extraordinary circumstances cited by a committee member qualifies under this Local Law to permit the committee member to participate in a committee meeting shall be final and binding.
- E. The Chair of the Legislature, or in the case of a Standing Committee, the Chair of the Committee, shall announce at the beginning of the meeting the names of the members who are participating remotely and identify them for the record.
- F. Only those members who are present at the meeting or have been permitted to attend remotely pursuant to the procedures of this Local Law shall count towards a quorum or be permitted to vote on any matter that comes before the board/committee.
- G. Except in the case of executive sessions, all members of the board/committee, including those who have been permitted to participate remotely, shall be capable of being seen, heard and identified throughout the meeting being conducted.

SECTION 4: Other Requirements:

- A. If video conferencing is used to conduct a meeting, the public notice shall inform the public where they 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.
- B. Minutes of any meeting involving videoconferencing shall include which, if any, members participated remotely.
- C. Meetings conducted using videoconferencing shall be recorded and those recordings shall be posted or linked within five (5) business days of the meeting and maintained for 5 years thereafter. Recordings shall be transcribed upon request.
- D. In those meetings where videoconferencing is used, the public must be able to view the meeting via video and participate in the proceedings via videoconference in real time and to testify or present in the same manner as they would be permitted to participate pursuant to the Cayuga County Legislature Rules of Order, or under State or local law.
- E. The in-person participation requirements of this Local Law shall not apply during a state disaster emergency declared by the governor or a local state of emergency as declared by the chief executive of the county if it is determined that the circumstances necessitating the emergency declaration would affect or impair the ability of the board/committee to hold an in-person meeting.
- F. These written procedures shall be conspicuously posted on the County's website.

SECTION 5: Effective Date:

This local law shall take effect immediately upon filing with the Secretary of State.

SECTION 6: Severability:

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 7: Expiration:

This Local Law shall be effective until July 1, 2024 as set forth by New York State in Chapter 56 of the Laws of 2022.