

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of MARBLETOWN

FILED
STATE RECORDS
FEB 23 2022

DEPARTMENT OF STATE

Local Law No. 3 of the year 2022

A local law TO AUTHORIZE MEMBERS OF THE TOWN BOARD TO PARTICIPATE IN TOWN
(Insert Title)
BOARD MEETINGS VIDEOCONFERENCING FROM LOCATION OUTSIDE THE TOWN
OF MARBLETOWN'S GEOGRAPHICAL LIMITS

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of MARBLETOWN

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)



Local Law No. 3 of the year 2022 Town of Marbletown, County of Ulster

A local law to authorize members of the Town Board to participate in town board meetings videoconferencing from locations outside the town of Marbletown's geographical limits.

Section 1. Legislative Intent

It is the intent of this local law to give town board members the authority to participate in town board meetings via videoconference from locations that fall outside the town's geographical boundaries. Videoconferencing has proven to be an effective and useful tool for town board meetings that allows members to participate despite issues such as inclement weather, illness, or travel plans. Videoconferencing also helps ameliorate potential quorum issues so that the town can address business and matters in a timelier fashion.

Although Public Officers Law § 102 expressly allows members of a public body to attend and participate in meetings using videoconferencing, Town Law § 62 states that town board meetings must take place within the town thereby making it unclear if a town board member may participate via videoconference from a location outside the town's boundaries. This local law is meant to expressly provide that authority to members of the town board.

Section 2.

Authority This local law is adopted pursuant to Municipal Home Rule Law § 10 which expressly authorizes the town board to adopt a local law superseding any provision of Town Law relating to the property, affairs, or government of the town.

Section 3.

Videoconferencing from Outside Town Limits the Town Board of the Town of Marbletown hereby supersedes Town Law § 62 to expressly allow town board members to participate in town board meetings using videoconferencing from locations that fall outside the geographical limitations of the town.

Section 4.

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

Section 5.

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2022 of the ~~(County)(City)(Town)(Village)~~ of MARBLETOWN was duly passed by the TOWN BOARD on FEBRUARY 15 2022, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the ~~(County)(City)(Town)(Village)~~ of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

(Seal)

Rebecca Moody

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: *5/18/2022*



TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown operating under New York State Executive Order 202.1 was convened Via the phone and internet, New York on January 18, 2022, at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

PRESENT: Rich Parete, Daisy Foote, Tim Hunt, Don LaFera and Ken Davenport

ABSENT:

The following Resolution was offered by Councilman Hunt and seconded by Councilwoman Foote.

RESOLUTION #23-2022; SETTING THE PUBLIC HEARING DATE FOR THE PROPOSED LOCAL LAW NUMBER ____ OF 2022, A LOCAL LAW KNOWN AS ALLOWING MEMBERS OF THE TOWN BOARD TO PARTICIPATE IN TOWN BOARD MEETINGS VIA VIDEOCONFERENCE FROM LOCATIONS OUTSIDE TOWN OF MARBLETOWN BOUNDARY LINES

WHEREAS, the Town Board finds it to be in the best interests of the residents of the Town of Marbletown to adopt Local Law ____ of 2022, known as **A local law to authorize members of the Town Board to participate in town board meetings videoconferencing from locations outside the town of Marbletown's geographical limits, in order to achieve the purposes and objectives set forth in the Local law.**

NOW THEREFORE, BE IT RESOLVED as follows

1. Schedule a Meeting of the Town Board, Town of Marbletown on February 15, 2022, for the purpose of holding a Public Hearing.

2. A public hearing will be held by the Town Board on February 15, 2022, at 6:00 PM local time at the Rondout Municipal Center, 1915-1925 Lucas Avenue, Cottekill, NY, to hear all interested parties on the proposed Local Law # __ of 2022 entitled "**A Local Law # __, 2022 A local law to authorize members of the Town Board to participate in town board meetings videoconferencing from locations outside the town of Marbletown's geographical limits, in order to achieve the purposes and objectives set forth in the Local law.**

3. The Town Clerk is directed to advertise such public hearing in the official newspaper of said Town, on the website of said Town and is directed to refer the proposed local law to all municipalities adjacent to the Town and any other applicable entities as required.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Aye</u>

Councilman Foote

Voting Aye

Councilman Hunt

Voting Aye

Supervisor Parete

Voting Aye

Resolution #23-2022 was thereupon adopted.

Heather Moody, Town Clerk/Tax Collector

Dated: January 18, 2022



TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown operating under New York State Executive Order 202.1 was convened Via the phone and internet, New York on February 15, 2022, at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

PRESENT: Rich Parete, Daisy Foote, Tim Hunt, Don LaFera and Ken Davenport

ABSENT:

The following Resolution was offered by Councilman LaFera and seconded by Councilwoman Foote.

RESOLUTION #33-2022; LOCAL LAW# 3 KNOWN AS ALLOWING MEMBERS OF THE TOWN BOARD TO PARTICIPATE IN TOWN BOARD MEETINGS VIA VIDEOCONFERENCE FROM LOCATIONS OUTSIDE TOWN OF MARBLETOWN BOUNDARY LINES

WHEREAS, the Town Board of the Town of Marbletown held a public hearing on February 15, 2022 on Local Law Number 3 of 2022, known as “**Allowing members of the Town Board to participate in Town Board Meetings Via Videoconference from locations outside the Town of Marbletown,**” and

WHEREAS, a resolution was adopted by the Town Board of the Town of Marbletown on January 18, 2022, setting a public hearing to be held by said Town Board on February 15, 2022 at 6:00 p.m. on Zoom, to hear all interested parties on the proposed local law; and

WHEREAS, said public hearing was duly held on February 15, 2022, at said time and place and all parties were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

RESOLVED, said Local Law is hereby adopted as attached

NOW, THEREFORE BE IT RESOLVED, that by the actions of the Town Board of the Town of Marbletown this Local Law shall take effect upon the filing with the Secretary of State pursuant to Municipal Home Rule Law. The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Councilman Davenport Voting Aye

Councilman Lafera Voting Aye

Councilman Foote Voting Aye

Councilman Hunt Voting Aye

Supervisor Parete Voting Aye

Resolution #30-2022 was thereupon adopted.

Heather Moody, Town Clerk/Tax Collector

Dated: February 15, 2022