

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.

FILED
STATE RECORDS

AUG 24 2022

County City Town Village
(Select one.)

of

DEPARTMENT OF STATE

Local Law No. 6 of the year 2022

A local law A LOCAL LAW ADOPTING AMENDMENTS TO THE NEW YORK STATE PUBLIC

(Insert Title)

OFFICER'S LAW §103, EXPANDING THE USE OF VIDEOCONFERENCING AT

PUBLIC MEETINGS

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 NUMBER 6 OF 2022

TOWN OF MARBLETOWN

A LOCAL LAW ADOPTING AMENDMENTS TO THE NEW YORK STATE PUBLIC OFFICER'S LAW §103, EXPANDING THE USE OF VIDEOCONFERENCING AT PUBLIC MEETINGS

BE IT ENACTED, by the Town of Marbletown Town Board, as follows:

SECTION 1. LEGISLATIVE FINDINGS.

On April 9, 2022, Governor Hochul signed Legislation into law which amended New York State's Public Officers Law ("Public Officers Law") to expand the permitted use of videoconferencing at public meetings. (See Chapter 56 of the Laws of 2022 and Public Officer's Law §103, as amended.)

In accordance with Public Officers Law §103, as amended, the Town of Marbletown Town Board, as the appropriating and policy-determining body of the Town, hereby enacts this Local Law setting forth Marbletown's policy regarding the use of video conferencing at public meetings pursuant to the conditions set forth herein.

SECTION 2. CONDITIONS FOR EXTRAORDINARY CIRCUMSTANCE VIDEOCONFERENCE ATTENDANCE.

In accordance with Public Officers Law §103, Town of Marbletown adopts the expanded use of videoconferencing to conduct public meetings pursuant to the following conditions:

- A. Members of a given body shall be physically present at meetings, unless allowed remote attendance at locations that do not allow for in-person physical attendance by the public, under extraordinary circumstances.
- B. The list of extraordinary circumstances is non-exhaustive, but shall include disability, illness, caregiving responsibilities or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.
- C. Members shall provide notice of their inability to attend a meeting to the Town Supervisor at least 48 hours prior to the meeting, or as soon as practicable.
- D. Legislative Session: The determination of whether circumstances are "extraordinary" as set forth in this Section shall be made by the Town Supervisor. Proposed Local Law Number 6 Of 2022 Town of Marbletown, A Local Law Adopting Amendments to The New York State Public Officer's Law §103, Expanding the Use Of Videoconferencing At Public Meetings.
- E. Town Board and all other Committees, Commissions, and Boards: The determination of whether circumstances are "extraordinary" as set forth in this Section shall be made by the Town Supervisor.

F. Other Public Bodies: Public bodies meeting within Town of Marbletown subject to Public Officers Law §103, shall promulgate rules regarding the use of videoconferencing at public meetings in a manner not inconsistent with this Local Law and the Public Officers Law.

SECTION 3. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this Local Law, which shall remain in full force and effect

SECTION 4. EFFECTIVE DATE.

This Local Law shall become effective upon it being filed 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. 6 _____ of 20²² of the (County)(City)(Town)(Village) of MARBLETOWN was duly passed by the TOWN BOARD on JULY 19 20²², in accordance with the applicable provisions of law.

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 _____ 20²² in accordance with the applicable provisions of law.

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____.

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.

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

Date: *July 25, 2022*

(Seal)

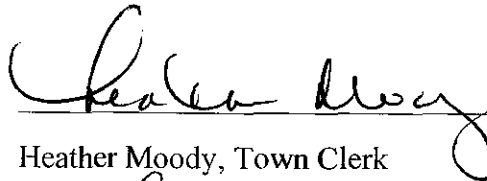
Effective Date of this Local Law

This Local Law shall be effective upon filing with the office of the Secretary of State, and the Town Clerk is directed to immediately file a copy of this Local Law with the New York State Secretary of State as required by law.

I hereby certify that the local law annexed hereto, designated as Local Law No. 6 of 2022 of the Town of Marbletown, was duly passed by the Town Board on July 19, 2022 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and 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 above.

(Seal)



Heather Moody, Town Clerk

Date: Aug 15, 2022

STATE OF NEW YORK

COUNTY OF ULSTER



TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown was convened in a public session of the Town Hall, 1925 Lucas Ave Cottekill, New York on June 21, 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, Tim Hunt, Daisy Foote, Don LaFera and Ken Davenport

ABSENT:

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

RESOLUTION #66-2022; SETTING PUBLIC HEARING ON PROPOSED LOCAL LAW NO. OF 2022, A LOCAL LAW ADOPTING AMENDMENTS TO THE NEW YORK STATE PUBLIC OFFICER'S LAW §103, EXPANDING THE USE OF VIDEOCONFRENCING AT PUBLIC MEETINGS

WHEREAS, a public hearing is required to be held regarding Proposed Local Law No. of 2022, (A Local Law Adopting Amendments To The New York State Public Officer's Law §103, Expanding The Use Of Videoconferencing At Public Meetings); a public hearing will be held on Tuesday, July 19, 2022 at 6:00 PM at Rondout Municipal Center, 1925 Lucas Ave. Cottekill, New York; now, therefore be it

NOW THEREFORE, BE IT RESOLVED as follows:

2. A public hearing will be held by the Town Board on July 19, 2022, at 6:05 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 "Local Law #, 2022 "A Local Law Adopting Amendments to The New York State Public Officer's Law §103, Expanding The Use Of Videoconferencing At Public Meetings
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 <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

Resolution #66-2022 was thereupon adopted.

Heather Moody, Town Clerk/Tax Collector

Dated: June 21, 2022



TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown was convened in a public session of the Town Hall, 1925 Lucas Ave Cottekill, New York on July 19, 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, Tim Hunt, Daisy Foote, Don LaFera (Via Zoom) and Ken Davenport

ABSENT:

The following Resolution was offered by Councilwoman Foote and seconded by Councilman Davenport

RESOLUTION#72-2022; LOCAL LAW # 6, ADOPTING AMENDMENTS TO THE NEW YORK STATE PUBLIC OFFICER'S LAW §103, EXPANDING THE USE OF VIDEOCONFRENCING AT PUBLIC MEETINGS

WHEREAS on April 9, 2022, Governor Hochul signed Legislation into law which amended New York State's Public Officers Law ("Public Officers Law") to expand the permitted use of video conferencing at public meetings. (See Chapter 56 of the Laws of 2022 and Public Officer's Law §103, as amended.), and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Marbletown on June 21, 2022, setting a public hearing to be held by said Town Board on July 19, 2022, at 6:00 p.m. at the Rondout Municipal Center, 1925 Lucas Ave. Cottekill NY 12419; and

WHEREAS, said public hearing was duly held on July 19, 2022, at the Rondout Municipal Center, 1925 Lucas Ave. Cottekill NY 12419, at said time, and all parties were permitted an opportunity to comment on behalf of or in opposition to said proposed Local Law, or any part thereof as set forth in the Notice of Public Hearing; and

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Marbletown (by the favorable vote of not less than a majority of all the members of the Board) as follows:

That the Town Board hereby adopts Local Law No. of 2022, now referred to as Local Law No. of 2022, entitled "**A LOCAL LAW ADOPTING AMENDMENTS TO THE NEW YORK STATE PUBLIC OFFICER'S LAW §103, EXPANDING THE USE OF VIDEOCONFRENCING AT PUBLIC MEETINGS**", a copy of which is attached hereto and made a part of this resolution.

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 <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

Resolution #72-2022 was thereupon adopted.

Heather Moody, Town Clerk/Tax Collector

Dated: July 19, 2022