

Amending The Rules Of Order To Adopt Amendments To Public Officer's Law §103, Expanding The Use Of Videoconferencing At Public Meetings

Referred to: The Laws, Rules and Government Services Committee (Chairman Heppner and Legislators Gavaris, Levine, Roberts, and Ronk)

Chair of the Legislature, Tracey A. Bartels, offers the following:

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, in accordance with Public Officers Law §103, as amended, the Ulster County Legislature deems it necessary and appropriate to amend the Legislature's Rules of Order as they relate to the use of Videoconferencing at meetings to comply with the recent amendments to the Public Officers Law; now, therefore be it

RESOLVED, that Rule 10. Monthly And Special Meetings; Notice; Rules Of Order., Section CC. Videoconference., is hereby amended to read as follows:

CC. Videoconference. Regular and special meetings may be attended via videoconference, when the following process and criteria are met and implemented:

1. Any Legislator requesting to attend a meeting via videoconference pursuant to Section 103(e) of the Public Officers Law may file a written request with the Clerk of the Legislature as soon the Legislator becomes aware of the meeting and that he or she will not be able to personally attend the meeting in the Legislative Chambers.
2. The Clerk of the Legislature shall make arrangements for the videoconferencing.
3. The video conference shall be conducted in a manner compliant with State Law and shall ensure that all Legislators have the opportunity to see and hear any Legislator videoconferencing in the meeting and that such videoconferencing Legislator(s) can see and hear the other members of the Legislature.
4. Any Legislator attending via videoconference shall ensure that public accessibility is permitted at the location of such Legislator pursuant to Section 104 of the Public Officers Law.
5. Attendance via videoconference shall be limited to two (2) non-consecutive instances per calendar year.

Resolution No. 295 July 19, 2022

Amending The Rules Of Order To Adopt Amendments To Public Officer's Law §103, Expanding The Use Of Videoconferencing At Public Meetings

6. Conditions for extraordinary circumstance videoconferencing: Notwithstanding any other provision of these Rules of Order, members of the Legislature 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.

(i). 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.

(ii). Members shall provide notice of their inability to attend a meeting to the Clerk of the body at least 72 hours prior to the meeting, or as soon as practicable.

(iii). Legislative Session: The determination of whether circumstances are "extraordinary" as set forth in this Section shall be made by the Chair of the Legislature.

(iv). Legislative Committee, Sub-Committee, Special Committee and Advisory Committee Meetings: The determination of whether circumstances are "extraordinary" as set forth in this Section shall be made by the Chair of the given Committee, in consultation with the Chair of the Legislature.; and, be it further

RESOLVED, that pursuant to Rule 2, entitled "AMENDMENT OF RULES," of the Rules of Order of the Ulster County Legislature, this resolution and the amendment proposed herein shall be read at two consecutive meetings of the Ulster County Legislature; and, be it further

RESOLVED, that this rule change shall take effect upon an affirmative vote of this body subsequent to two consecutive readings,

and moves its adoption.

FIRST READING: June 21, 2022

SECOND READING: July 19, 2022

