

Local Law Number 4 Of 2022

County of Ulster

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 Legislature of the County of Ulster, 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 Ulster County Legislature, as the appropriating and policy-determining body of the County, hereby enacts this Local Law setting forth Ulster County'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, Ulster County 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 Clerk of the body at least 72 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 Chair of the Legislature.

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E. 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.

F. Other Public Bodies: Public bodies meeting within Ulster County 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.

Adopted by the County Legislature: August 16, 2022

Approved by the Acting County Executive: September 12, 2022