

Amendment To The Rules Of The Ulster County Legislature To Permit Videoconferencing

Referred to the Laws and Rules, Governmental Services Committee

Legislator Robert Parete offers the following:

WHEREAS, Section 103(c) of the Public Officers Law provides:

“(c) A public body that uses videoconferencing to conduct its meetings shall provide an opportunity for the public to attend, listen and observe at any site at which a member participates,” and

WHEREAS, a Legislator has requested that videoconferencing be permitted to be utilized, now, therefore, be it

RESOLVED, that Rule 10 of the Legislature is amended by adding a section labeled as “CC.” to read as follows:

“CC. 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(c) 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 or an employee of the Legislature otherwise designated by the Chairman shall make arrangements for the videoconferencing; provided, however, that if there is a cost to the County of Ulster chargeable to the Legislature, the Clerk shall first ascertain whether the Legislature has sufficient funds to pay the costs if chargeable to the Legislature, and shall, prior to agreeing to incur such costs, receive approval from the Chairman of the Legislature.
3. The Chairman of the Legislature shall permit such videoconferencing if it reasonably appears to him or her that sufficient funds are available and will not otherwise be necessary for the operation of the Legislature during the fiscal year. 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.

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4. Costs, if any, associated with the securing or equipment at the remote location, the renting of the remote location, any connection or communication fee charged by the remote location, shall be borne by that Legislator who is attending remotely, and shall not be the responsibility of the Ulster County Legislature or Ulster County.
5. 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,

and be it further

RESOLVED, that this Section CC of Rule 10 shall be deemed repealed effective April 21, 2012,

and moves its adoption, which, in order to pass, requires a simple majority of members of the entire Legislature to vote in favor (12 out of 23 members).

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 19 NOES: 2
(NOES: Legislators Bartels and Loughran)
(Absent: Legislators Harris and Robert Parete)

Legislator Ronk motioned, seconded by Legislator Donaldson to amend the resolution adding after subsection 5. of Section CC. "and be it further RESOLVED, that this Section CC of Rule 10 shall be deemed repealed effective April 21, 2012,"

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Absent: Legislators Harris and Robert Parete)

Passed Committee: Laws and Rules, Governmental Services on February 21, 2012

FINANCIAL IMPACT:

No new revenue or unbudgeted expenses are anticipated.

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 21st day of February, 2012, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 24th Day of February in the year Two Thousand and Twelve.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature