

Local Law 10-2023

A local law amending Chapter 57 (Videoconferencing by Public Bodies) of the Village of Ossining Code:

BE IT ENACTED by the Board of Trustees of the Village of Ossining as follows:

Section 1. Chapter 57, section 57-3 (Videoconferencing by Public Bodies, Use of videoconferencing) is amended with new language underlined and deleted language in **[brackets]**.

§ 57-3 Use of videoconferencing.

Videoconferencing is authorized for all public bodies within the Village of Ossining pursuant to the following requirements:

- A. **[A] Except as stated in paragraph C, a** minimum number of members of the public body are present to fulfill the public body's quorum requirement in the same physical location or locations where the public can attend.
- B. Written procedures governing member and public attendance shall be established by the public body, and such procedures shall be conspicuously posted on the public body's website.
- C. Members of the public body shall be physically present at such meetings unless the member is unable to be physically present due to extraordinary circumstances, which shall include disability, illness, caregiving responsibilities or any other significant or unexpected factor or event which precludes the member's attendance at such meeting. **Notwithstanding the in person quorum requirements set forth in this section, the public body may determine through its written procedures governing member and public attendance established pursuant to and consistent with this section, to allow for any member who has a disability as defined in section two hundred ninety-two of the New York Executive Law, where such disability renders such member unable to participate in-person at any such meeting location where the public can attend, to be considered present for the purposes of fulfilling the quorum requirements for such public body at any meetings conducted through videoconferencing pursuant to this section, provided, however, that the remaining criteria set forth in this section are otherwise met; and, provided further, that the public body maintains at least one physical location where the public can attend such meeting.**
- D. Except in the case of executive sessions conducted pursuant to § 105 of the Open Meetings Law, the public body shall ensure that members of the public body can be heard, seen and identified while the meeting is being conducted, including, but not limited to, any motions, proposals, resolutions and any other matters formally discussed or voted upon.
- E. Minutes of meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public within two weeks of the date of the meeting.
- F. Where videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available and identify the physical location for the meeting where the public can attend.

- G. Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.
- H. Where videoconferencing is used to conduct a meeting, the public body shall provide the opportunity for members of the public, including applicants before the public body, to view the meeting via video and to participate in proceedings via videoconferencing in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in-person participation or testimony.

Section 2. When effective

This chapter and any amendments shall take effect upon filing with the Secretary of State and shall expire and be deemed repealed July 1, 2024.