

# 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.

County  City  Town  Village  
(Select one.)

of West Hampton Dunes

FILED  
STATE RECORDS  
JUN 29 2022

DEPARTMENT OF STATE

Local Law No. 1 of the year 2022

A local law No. 1 of 2022 of the Village of West Hampton Dunes Creating Chapter 110 Virtual  
(Insert Title)  
Meetings of the West Hampton Dunes Village Code to Provide for Virtual Meetings for  
the West Hampton Dunes Village Boards and Committees

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of West Hampton Dunes as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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. 1 of 2022 of the ~~(County)(City)(Town)~~(Village) of West Hampton Dunes was duly passed by the Board of Trustees on June 7 2022, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20    , 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) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

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) *(Name of Legislative Body)* (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 1 above.

*Claire Vegliante*  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body *DEPUTY*

(Seal)

Date: \_\_\_\_\_



A LOCAL LAW NO. 1 OF 2022 OF THE VILLAGE OF WEST HAMPTON DUNES CREATING CHAPTER 110 VIRTUAL MEETINGS OF THE WEST HAMPTON DUNES VILLAGE CODE TO PROVIDE FOR VIRTUAL MEETINGS FOR THE WEST HAMPTON DUNES VILLAGE BOARDS AND COMMITTEES

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF WEST HAMPTON DUNES AS FOLLOWS:

Section 1.0 Title, Enactment, Effective Date, Purpose.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions.

2.1 Creation of Chapter 110.

3.0 Severability and Validity.

Section 1.0 Title, Enactment, Effective Date and Purpose.

1.1 Title

This Local Law shall be entitled, "Local Law No. 1 of 2022: Creation of Chapter 110 Virtual Meetings, of the West Hampton Dunes Village Code."

1.2 Enactment.

Pursuant to Section 10 of the Home Rule Law, the Village Law and the Village Code of the Incorporated Village of West Hampton Dunes, the Incorporated Village of West Hampton Dunes, County of Suffolk and State of New York, hereby enacts by this Local Law No. 1 of 2022, a Local Law of the Incorporated Village of West Hampton Dunes.

1.3 Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of West Hampton Dunes.

1.0 Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to adopt the provisions of New York State Public Officers Law 103-a allowing and providing for virtual meetings of the Boards and Committees of the Village of West Hampton Dunes as provided in that Section.

2.0 General Provisions.

2.1 Creation of New Chapter 110; Virtual Meetings.

There shall be created a new Chapter 110; Virtual Meetings which shall read as follows:

“Chapter 110; Virtual Meetings;

110-1. The Board of Trustees of the Village of West Hampton Dunes and any other board or committee of the Village of West Hampton Dunes, may, in its discretion, use videoconferencing to conduct its meetings pursuant to the requirements of this Chapter provided that a minimum number of members of the Board of Trustees or other board or committee are present to fulfill the public body's quorum requirement in the same physical location or locations where the public can attend and the criteria of Public Officers Law Section 103-A are met; and

A. The Board of Trustees has established written procedures governing member and public attendance consistent with this Chapter, and such written procedures shall be conspicuously posted on the Village of West Hampton Dunes public website; and

B. The members of the quorum of the Board of Trustees or the other board or committee shall be physically present at any such meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, as set forth in the resolution and written procedures adopted pursuant to paragraphs (1) and (2) of this subdivision, including disability,

illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

110-2. Except in the case of executive sessions conducted pursuant to section one hundred five of the New York State Public Officers Law, the Board of Trustees or other board or committee 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 matter formally discussed or voted upon.

110-3. The minutes of the meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public pursuant to Public Officers law section one hundred six.

110-4. If 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 or locations for the meeting where the public can attend;

110-5. The Board of Trustees or other board or committee shall provide that 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. A recording of the meeting shall be available at the actual cost to the Village and the recordings shall be transcribed by the Village upon request with the cost of the transcription to be paid by the requesting party.

110-6. If videoconferencing is used to conduct a meeting, the Board of Trustees or other board or committee shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference 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.

110-7. As provided in Public Officers Law Section 103-A, the in-person participation requirements of this Chapter shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to section twenty-four of the executive law, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Board of Trustees to hold an in-person meeting.

3.0 Severability and Validity

3.1 Severability and Validity

In the event that any portion or portions of this Local Law of 2022 shall be determined to be invalid or unenforceable for any reason, the remainder of the Local Law, and its provisions shall remain in full force and effect.