

At a regular meeting of the Town Board of the Town of Greenwich, County of Washington, State of New York, held on Tuesday, March 12, 2024 at the Town of Greenwich Municipal Center, 2 Academy Street, Greenwich, New York 12834, the following resolution was passed

Local Law No. 1 of 2024

Local Law of the Town of Greenwich authorizing the use of Video Conferencing for Meetings of the Greenwich Town Board in the event of “extraordinary circumstances.”

Section 1. Legislative Intent:

It is the intent of this local law to give Town Board members the authority to participate in Town Board meetings via videoconference in the event of “extraordinary circumstances” preventing the physical attendance of a Board Member.

Section 2. Authority:

This Local Law is authorized by Chapter 56 of the Laws of 2022 of New York, which amends the New York Open Meeting Law, Section 103-a, to allow for the expanded use of video-conferencing in circumstances where there are “extraordinary circumstances”

Section 3. Title and Body:

Local Law No. 1 of 2024 shall be known and cited as the “Videoconferencing for the Conduct of Town Board Meetings” and a new chapter, Chapter 47, shall be added to the Code of the Town of Greenwich, which shall read as follows:

Chapter 47, Article IV - 1. Authorization:

The Town Board of the Town of Greenwich is authorized to use videoconferencing technology to conduct their meetings in accordance with the provisions of Section 103-a of the New York Public Officers Law, subject to the following conditions set forth in Chapter 47, Article - 3 below.

Chapter 47, Article IV - 2. As used in this Chapter, the following terms shall have the meanings indicated:

MEETING: a gathering of the members of the Town Board of the Town of Greenwich for the transaction of official business, for which a quorum of its members must be present.

MEMBER: a duly elected member of the Greenwich Town Board.

PHYSICAL PRESENCE: where a member is physically present at the meeting location.

QUORUM: a majority of the members of the Town Board.

VIRTUAL PRESENCE: when a member or members participate in a public meeting virtually, using video conferencing.

Chapter 47, Article IV - 3. Requirements for the use of Video Conferencing:
Whenever video conferencing is utilized to conduct a public meeting of the Town Board, the following conditions must be met:

- A. A minimum number of the Members of the Town Board sufficient to fulfill the Town Board's quorum requirement must be present in the same physical location where the public can attend;
- B. Members of the Town Board shall be physically present at a Meeting of the Town Board unless such Member is unable to be physically present due to extraordinary circumstances including, but not limited to: disability, illness, care giving responsibilities, military service, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.
- C. A Member who wishes to participate in a meeting by videoconference must provide advance notice and justification for their absence to the extent possible to the Town Supervisor, or Deputy Supervisor in the absence of the Supervisor.
- D. The Supervisor, or Deputy Supervisor, if applicable, may require a Member requesting to participate by videoconference to provide documentation, to the extent possible, support such request and may publicly confirm that such documentation was received without publicly stating the contents of such documentation.
- E. Except in the case of executive session, the Town Board shall ensure that Members who are participating remotely can be heard, seen, and identified at all times which the meeting is being conducted.
- F. The minutes of the meetings involving participation by a Member by videoconferencing shall state which members participated by videoconference, and shall be available to the public.
- G. If videoconferencing is being 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 record will be posted or available, and identify the physical location for the meeting where the public can attend.

- H. If videoconferencing is being used to conduct a meeting, the public body shall provide the opportunity for members of the public to view such 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 as in-person participation.

- I. Any and all videoconferencing technology used for public meetings shall be made accessible to members of the Town Board and the public with disabilities in accordance with the Americans with Disabilities Act of 1990, as amended.

Section 4. Severability:

If any provision of this Local law is determined to be unconstitutional or invalid, the validity and enforceability of the remainder shall not be affected.

Section 5. Effective Date:

This Local law shall take effect immediately upon filing with the Secretary of State.

Roll call vote taken on the foregoing resulted as follows:

	YES	NO
James Nolan, Supervisor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patrick Donahue, Councilman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
James Mumby, Councilman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Graves, Councilman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reed Anderson, Councilman	<input checked="" type="checkbox"/>	<input type="checkbox"/>