New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

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 Carthage

Local Law No. 3 **of the year 20** 22

A local law authorizing use of videoconferencing to conduct public meetings
(Insert Title)

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

☐ County ☐ City ☐ Town ☒ Village
(Select one:)

of West Carthage **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. 3 of 2022 of the (County)(City)(Town)(Village) of West Carthage was duly passed by the Village Board of Trustees on December 5th 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 w ith 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
(Elective Chief Executive Officer)*
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.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 12-5-22

(Seal)

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF WEST CARTHAGE

Local Law Authorizing Use of Videoconferencing to Conduct Public Meetings

WHEREAS, pursuant to Municipal Home Rule Law Section 20(4), Trustee Scott Burto has introduced for consideration Local Law No. 3 of 2022 entitled "A Local Law Authorizing the Use of Videoconferencing to Conduct Public Meetings" (the "Proposed Local Law"); and

WHEREAS, the purpose of the Proposed Local Law is to authorize the Board of Trustees of the Village of West Carthage (the "Village Board"), its committees and subcommittees, the Village Planning Board, the West Carthage/Carthage Joint Utility Board, and any other public body of the Village of West Carthage (the "Village") to use videoconferencing to conduct its meetings pursuant to Section 103-a of the New York Public Officers Law; and

WHEREAS, the Village Board desires to comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617 (the "Regulations"), with respect to adoption of the Proposed Local Law; and

WHEREAS, the Village Board has classified the Proposed Local Law as a Type II Action under SEQRA involving the "adoption of regulations, policies, procedures and local legislative decisions" as set forth in Section 617.5(c)(33) of the Regulations; and

WHEREAS, following publication of notice in accordance with all legal requirements, the Village held a public hearing concerning the Proposed Local Law on December 5th, 2022, in satisfaction of the requirements of the New York Village Law and the New York Public Officers Law.

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts the Proposed Local Law, and that henceforth it will be designated as Local Law No. 3 of 2022; and

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to file the Local Law with the Secretary of State pursuant to Municipal Home Rule Law Section 27; and

BE IT FURTHER RESOLVED that the Local Law shall take effect immediately upon filing with the Secretary of State; and

BE IT FURTHER RESOLVED that the Village Board hereby adopts the annexed videoconference policy pursuant to Public Officers Law Section 103-a(2)(b); and

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to publish the videoconference policy in a conspicuous location on the Village website.

The adoption of the foregoing Resolution was moved by Michael Bigness, seconded by Scott Sullivan, and duly put to vote, which resulted as follows:

Scott M. Burto	Voting	Aye
Scott Sullivan	Voting	Aye
Robert Peluso	Voting	Aye
Michael Bigness	Voting	Aye
James Smith	Absent	

The resolution was thereupon declared duly adopted.

Dated: 12.5.2022

Public Meeting Videoconference Policy

This policy applies to all meetings of the Board of Trustees of the Village of West Carthage and all "Public Bodies" of the Village of West Carthage as defined in Public Officers Law §103-a(1). For purposes of this policy, a "meeting" is a gathering of the members of a Public Body for the transaction of official business on behalf of the Village, for which a quorum of members must be present. For purposes of this policy, a "meeting conducted by videoconference" means any meeting in which one or more members of the Public Body participates via videoconference.

Member Remote Attendance. A Public Body may, in its discretion, use videoconferencing to conduct its meetings, provided that a minimum number of members are present to fulfill the Public Body's quorum requirement in the same physical location or locations where the public can attend. Members of a Public Body are required to be physically present at any meeting of such Public Body unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances arising out of one or more of the following:

a. Disability;
b. Illness;
c. Caregiving responsibilities;
d. Any other significant or unexpected factor or event which precludes a member's physical attendance at such meeting.

Such member must submit a notification in writing to the chairperson of the Public Body explaining the extraordinary circumstances which preclude their in-person attendance at least forty-eight (48) hours in advance of the meeting, or as soon as practicable.

Public Notice. 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 for the meeting where the public can attend.

Public Attendance. Except for such meetings or portions of meetings that are permitted to be closed to the public pursuant to the Public Officers Law, Article 7, the public shall be permitted to attend any meeting at the publicly noticed physical location for such meeting. At any meeting being conducted via videoconferencing at which the public is permitted to participate, the public may also attend and participate via videoconferencing in real time. Public Bodies conducting meetings via videoconferencing shall ensure that, where the public is permitted to participate, the 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.

Record of Remote Attendance. During the public meeting, the chair shall announce the name or names of those members participating remotely. The written explanation submitted by the member shall be made part of the record for such meeting, and posted on the Public Body's webpage for such meeting, provided that it may be redacted or summarized to protect any persons' medical information, personal information related to minors, and to protect any person's safety. Where a vote is taken, it shall be clearly recorded as to which members, if any, voted remotely.

Meeting Recordings. Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the Village's website within five (5) business days following the meeting, and shall remain so available for a minimum of five (5) years thereafter. Such recordings shall be transcribed upon written request. All transcription requests must be submitted to the Village Clerk's Office.

Disaster Emergency Exception. A Public Body may elect to waive in-person participation by its members during a state disaster emergency declared by the governor pursuant to section twenty-eight of the New York State Executive Law, or a local state of emergency proclaimed by the Mayor pursuant to section twenty-four of the New York State Executive Law, if the Public Body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Public Body to hold an in-person meeting.

Village of West Carthage
Local Law 3 of the Year 2022
Authorizing the Use of Videoconferencing to Conduct Public Meetings

Be it enacted by the Board of Trustees of the Village of West Carthage, County of Jefferson as follows:

Section 1. Legislative Intent

It is the intent of this Local Law to authorize the Village Board of Trustees (the "Village Board"), Village Planning Board, the West Carthage/Carthage Joint Utility Board, and any other public body of the Village of West Carthage, as such term is defined in Public Officers Law § 102, to use videoconferencing to conduct its meetings in a manner consistent with the Village's videoconferencing policy and the authority granted in Public Officers Law § 103-a.

Section 2. Authority

This Local Law is adopted pursuant to the provisions of the New York Municipal Home Rule Law and Public Officers Law § 103-a.

Section 3. Videoconferencing for Public Meetings

The Village Board hereby authorizes public bodies of the Village of West Carthage to use videoconferencing technology to conduct public meetings in a manner consistent with Public Officers Law § 103-a and the Village's videoconferencing policy.

Section 4. State Environmental Quality Review Act (SEQRA)

The Village Board has considered the provisions of Article 8 of the Environmental Conservation Law ("SEQRA") and the regulations adopted thereunder at 6 NYCRR Part 617 and finds this Local Law to be a Type II Action as defined therein. Therefore, no further review is required under SEQRA.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective date

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