

**RESOLUTION ADOPTING A LOCAL LAW CREATING VILLAGE CODE CHAPTER
55, VIDEOCONFERENCING FOR PUBLIC MEETINGS, TO ALLOW MEMBERS OF
PUBLIC BODIES OF THE VILLAGE TO PARTICIPATE IN MEETINGS VIA
VIDEOCONFERENCE**

WHEREAS, the Village Board of the Village of Sag Harbor is seeking to comply with the amendments made to New York State Public Officers Law §103-A to allow the Village of Sag Harbor to use videoconferencing to conduct its meetings; and

WHEREAS, in furtherance of this the Village Board is considering enacting a local law creating Village Code Chapter 55, Videoconferencing for Public Meetings, to allow members of public bodies of the Village to participate in meetings via videoconference; and

WHEREAS, a public hearing was held on June 14, 2022, at which time all persons either for or against the proposed local law were heard; and

WHEREAS, the Village of Sag Harbor Planning Consultant, Nelson Pope & Voorhis, determined that the proposed action is a Type II Action pursuant to the State Environmental Quality Review Act, (SEQRA), and no further environmental review is required; and now, therefore, be it

RESOLVED, that the following local law is hereby adopted:

LOCAL LAW NO. OF 2022

A LOCAL LAW creating Village Code Chapter 55, Videoconferencing for Public Meetings, to allow members of public bodies of the Village to participate in meetings via videoconference.

BE IT ENACTED by the Village Board of the Village of Sag Harbor as follows:

Section 1. Legislative Intent.

The New York State legislature amended Public Officer's Law by enacting §103-A which enables local governments to use videoconferencing to conduct their 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, and certain criteria are met.

Public Officers Law §103-A(2)(a) requires the Village to adopt a local law authorizing the use of videoconferencing. Thus, the purpose of this local law is to authorize members of the Village's public bodies to participate in meetings using videoconferencing technology in a manner consistent with Public Officer's Law §103-a. Public Officers Law §103-A(2)(b) also requires that the Village adopt videoconferencing procedures by resolution.

Section 2. Amendment.

Chapter 55 of the Sag Harbor Village Code is hereby created by adding the underlined words as follows:

Chapter 55, Videoconferencing for Public Meetings

§55-1. Videoconferencing for Public Meetings.

- A. The Village Board of the Village of Sag Harbor hereby authorizes members of the Village's public bodies to participate in meetings using videoconferencing technology in a manner consistent with Public Officers Law §103-a, and the Village's videoconferencing procedures adopted by the Village Board.
- B. Said videoconferencing procedures may be amended, and changed as needed, by Village Board resolution.

Section 3. Authority.

This local law is adopted pursuant to New York State Public Officers Law §103-A.

Section 4. Severability.

If any clause, sentence, paragraph, or part of this local law, or the application thereof to any person, firm, or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.