

# DRAFT #1

## VILLAGE OF SOUTHAMPTON, NEW YORK BOARD OF TRUSTEES

Local Law No. \_\_ of 2022

### A LOCAL LAW TO CREATE CHAPTER 23 OF THE VILLAGE CODE CONCERNING OPEN PUBLIC MEETINGS

**BE IT ENACTED**, by the Board of Trustees of the Village of Southampton, as follows:

The Code of the Incorporated Village of Southampton, County of Suffolk, New York, is amended by:

[New Language]

~~[Old Language]~~

**Section 1. Amendment.** Create Chapter 23 of the Village Code by adding the underlined words and deleting the strikethrough words as follows:

#### **Chapter 23 – OPEN PUBLIC MEETINGS**

##### **§ 23-1 Legislative Intent**

**The Village of Southampton desires to adopt a local law which authorizes the use of videoconferencing to conduct its Open Public Meetings and establishes written procedures to hold Open Public Meetings pursuant to the Open Public Meetings Law, Article 7 of the Public Officers Law (§100-111), specifically Section 103-a.**

##### **§ 23-2 Procedures**

**Village of Southampton (“Village”) hereby authorizes the use of videoconferencing to conduct its meetings pursuant to this Chapter provided that a minimum number of members are present to fulfill the public bodies**

quorum requirements in the same physical location or locations where the public can attend and the following criteria are met:

a.) The Village hereby authorizes the use of videoconferencing:

1.) For all Village Boards and any committees or subcommittees

b. This Chapter shall constitute the written procedures governing member and public attendance consistent with Public Officers Law §103-a; and these procedures shall be conspicuously posted on the Village's website.

c. Members of the Boards or committees must be physically present at one of the meeting locations at which the public can attend in person unless the member is unable to be physically present due to extraordinary circumstances, which include disability, illness, caregiving responsibilities, or unexpected factor or event which precludes the member's physical attendance at such meetings.

d. Except in the case of executive sessions conducted pursuant to Public Officers Law §105, the Village shall ensure that members of the Boards and committees can be heard, seen, and identified while the meeting(s) are formally being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon.

e. Minutes of meetings performed by videoconferencing must include which, if any, members participated remotely and must be made available to the public pursuant to Public Officers Law §106.

f. The public notice for the meeting must:

1. Inform the public,

a. that videoconferencing will be used,

b. where they can view and/or participate in such meetings,

c. where required documents and records will be posted or available, and

2. identify the physical location(s) where members of the Boards or committees will be participating in the meeting and where the public can attend the meeting in person.

g. The Village shall maintain an official website. Further, the Village shall record each meeting that uses videoconferencing and such recordings must be posted or linked to on the Village's website within five (5) days of the meeting. The recordings will remain on the Village's website for five (5) years, and the recordings will be transcribed upon request.

h. The Village must provide the public the opportunity for members of the public to view the meeting via video. At meetings where public comment or participation is authorized, members of the public must be able to participate in the proceedings via videoconference in real time.

### § 23-3 ADA Compliance

If the Village conducts meetings via videoconferencing, it must use technology that permits members of the public with disabilities to access the video in a manner consistent with the Americans with Disabilities Act (ADA).

**Section 2.** This local law is determined to be a TYPE II action under the NY State Environmental Quality Review Act ("SEQRA").

**Section 3.** This local law shall take effect immediately upon filing with the Office of the Secretary of State.