

VILLAGE OF WESLEY HILLS
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Board of Trustees of the Village of Wesley Hills, at a meeting to be held at the Village Hall, 432 Route 306, in the Village of Wesley Hills, on July 19, 2022, at 7:00 P.M., concerning a proposed Local Law entitled, "A Local Law pursuant to Public Officers Law §103-A authorizing the use of videoconferencing within the Village of Wesley Hills".

At such time and place, all persons interested in the subject matter thereof will be heard concerning same.

The full text of such proposed Local law is on file in the Village Clerk's Office and maybe reviewed by interested persons during regular business hours.

Dated: July 5, 2022
Wesley Hills, New York

Camille Guido-Downey
Village Clerk
Village of Wesley Hills

Videoconferencing Local Law

A local law adopted pursuant to Public Officers Law §103-A authorizing the use of videoconferencing within the Village of Wesley Hills.

Section 1. Legislative Intent

It is the intent of this local law to authorize the Village of Wesley Hills to conduct meetings consistent with the videoconferencing provisions of Public Officers Law §103-A and the videoconferencing policies adopted by the Village Board of Trustees.

Section 2. Authority

This local law is adopted pursuant to Public Officers Law §103-A, which expressly authorizes the Board of Trustees to adopt local legislation, authorizing the use of videoconferencing.

Section 3. Videoconferencing for Public Meetings

The Board of Trustees of the Village of Wesley Hills, County of Rockland, hereby authorizes the use of videoconferencing when conducting meetings of the Board of Trustees, Planning Board and Zoning Board of Appeals and other Boards subject to the following:

1. A quorum of the members of the Board of Trustees or other Boards of the Village of Wesley Hills are physically present at the meeting in one or more physical location (s) at which members of the public may attend the meeting.
2. Members of the Board of Trustees or other Boards of the Village of Wesley Hills requiring a quorum (herein after referred to as other boards) are physically present at a meeting location (s) at which the public can attend in person unless the member of the Board of Trustees or other Boards is unable to be physically present due to extraordinary circumstances:
 - a. Extraordinary circumstances is defined to include any disability or illness, caregiving responsibilities, or any significant or unexcepted factor or event that precludes the Board of Trustees or other Board member's physical attendance at such meeting.
 - b. Extraordinary circumstances must be certified by email or other written means to the Village Clerk or Deputy Village Clerk by the member of the Board of Trustees or other Boards in accordance with the Village's videoconferencing policies and procedures and not less than 72 hours prior to any meeting.
3. Except in the case of executive sessions conducted pursuant to Public Officers Law §105, members of the Board of Trustees or other boards must be able to 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.

4. The minutes of meetings involving videoconferencing must include which, if any, members of the Board of Trustees or other boards participated using videoconferencing technologies.
 - a. Such minutes must be made available to the public pursuant to Public Officers Law §106.
 - b. Any meeting that uses videoconferencing must be recorded and such recordings must be posted to or linked to the village website within five business days of the meeting. The recordings must remain available for a minimum of five years thereafter and recordings must be transcribed upon request.
5. The public notice for any meeting involving videoconferencing must:
 - a. Inform the public that:
 - i. Videoconferencing will be used;
 - ii. Where members of the public can view and/or participate in such meeting via videoconference, and
 - iii. Where required documents and records will be posted or available; and
 - b. Identify the physical location (s) where members of the Board of Trustees or other boards will be physically present at the meeting and where members of the public can attend the meeting in person.
6. Members of the public are able to view the video broadcast of any meeting using videoconferencing simultaneously when the meeting is conducted. Additionally, at meeting where public comment or participation is authorized by the Board of Trustees or other boards, members of the public are able to participate in the proceedings using videoconferencing technologies in real time and with the same opportunities for public participation or testimony as in-person participation or testimony.
7. The Board of Trustees or other Boards may conduct meetings entirely by videoconference, with no in-person requirement, provided that:
 - a. A state of emergency is declared by the Governor of the State of New York pursuant to Executive Law §28, or
 - b. A local state of emergency is declared by the Chief Executive Officer of the Village pursuant to Executive Law §24 and the Board of Trustees determines that the circumstances necessitating the emergency declaration would affect or impair ability of the public body to hold an in-person meeting.

8. Whenever the Board of Trustees invokes the emergency exception as defined in paragraph 7 and takes action at such meeting without allowing members of the public to be physically present, the Board of Trustees must acknowledge the previous meeting (s) and summarize any action (s) taken thereat at the next immediate meeting where the public is allowed to attend. The Board of Trustees must produce minutes of such emergency meetings pursuant to the requirements of Public Officials Law §106.

Section 4. Severability

If a court determines that any clauses, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgement shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation of 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 judgement or order shall be rendered.

Section 5. Effective Date

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