

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 Copake

Introductory Local Law No. 2 of the year 2022

**A LOCAL LAW TO AUTHORIZE MEMBERS OF PUBLIC BODIES OF THE TOWN
OF COPAKE TO PARTICIPATE IN MEETINGS VIA VIDEOCONFERENCE**

Be it enacted by the Town Board of the Town of Copake as follows:

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF COPAKE

INTRODUCTORY LOCAL LAW NO. 1 OF THE YEAR 2022

A LOCAL LAW TO AUTHORIZE MEMBERS OF PUBLIC BODIES OF THE TOWN OF COPAKE TO PARTICIPATE IN MEETINGS VIA VIDEOCONFERENCE

SECTION 1

This local law shall be referred to as “A Local Law to Authorize Members of Public Bodies of the Town of Copake to Participate in Meetings Via Videoconference”.

SECTION 2

The purpose of this local law is to authorize members of the Town’s public bodies to participate in meetings using videoconferencing technology in a manner consistent with N.Y. Public Officers Law § 103 -a.

SECTION 3

Chapter 12 of the Town Code of the Town of Copake, entitled “Boards, Commissions, and Committees” is hereby amended by adding a new Article IV, entitled “Attendance by Members of Town Boards, Commissions, Committees, and other Public Bodies at Meetings by Videoconference”, to immediately follow existing Article III, and to read in its entirety as follows:

Article IV Attendance by Members of Town Boards, Commissions, Committees, and other Public Bodies at Meetings by Videoconference

§ 12-9 Authority.

This Article is adopted pursuant to N.Y. Public Officers Law § 103-a.

§ 12-10 Applicability.

This Article shall apply to all public bodies of the Town of Copake, including the Town Board, the Planning Board, the Zoning Board of Appeals, and all other boards, committees, and commissions of the Town of Copake for which a quorum is required in order to conduct public business and which are subject to the New York State Open Meetings Law, N.Y. Public Officers Law Article 7, as may be amended from time to time.

§ 12-11 Adoption of Procedures.

The Town Board shall adopt written procedures governing attendance at meetings via videoconference by members of public bodies of the Town of Copake and by the public, which written procedures shall be posted conspicuously on the Town of Copake website. Such written procedures may be adopted, and may be amended from time to time, by resolution of the Town Board.

§ 12-12 Authorization to Use Videoconferencing for Attendance at Meetings.

- A. Subject to the requirements of N.Y. Public Officers Law § 103-a, and upon adoption of the written procedures required by Section 12-11 of this Article, the Town Board authorizes members of the Town's public bodies to participate in meetings using videoconferencing technology, when members are unable to be physically present at a meeting due to extraordinary circumstances, in a manner consistent with N.Y. Public Officers Law § 103 -a, as may be amended from time to time, and the written procedures adopted pursuant to Section 12-11, as may be amended from time to time.
- B. For purposes of this section, "extraordinary circumstances" shall mean and include disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting, including those other significant or

unexpected factors or events identified in the written procedures adopted pursuant to Section 12-11.

- C. This authorization shall remain in effect so long as New York State law provides authority therefor, unless earlier repealed by the Town Board.

SECTION 4

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 5

This Local Law is enacted pursuant to N.Y. Public Officers Law § 103 -a and the New York Municipal Home Rule Law.

SECTION 6

This Law shall become effective upon filing with the New York Secretary of State.

(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. ____ of 2022 of the (County)(City)(Town)(Village) of Copake was duly passed by the Town Board of the Town of Copake on _____, 2022 in accordance with the applicable provisions of law.

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) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____ in accordance with the applicable provisions of law.~~

~~(Name of Legislative body)~~

~~(Elective Chief Executive Officer*)~~

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) (repassed after disapproval) by the _____ on _____ 20____.~~

~~(Name of Legislative body)~~

~~(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) (repassed after disapproval) by the _____ on _____ 20____.~~

~~(Name of Legislative body)~~

~~(Elective Chief Executive Officer*)~~

~~Such local 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 _____ 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 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.

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

(Seal)

Date: _____