

Town of Minden

Local Law 1 of the year 2022

A Local Law Authorizing Videoconferencing by the Town Board and/or Supervisor

Be it enacted by the Town Board of the Town of Minden, Montgomery County, New York, as follows:

1. This Local Law shall be known as Authorizing Videoconferencing by the Town Board and/or Supervisor, and adopted as Local Law No. 1 of 2022.
2. **Enactment and Authority.** This Local Law is enacted pursuant to the authority and power granted by Section 103-a of the Public Officers Law and New York State Municipal Home Rule Law, to allow local governments to choose to meet by videoconferencing.
3. **Scope.** This Local Law shall govern videoconferences in the Town of Minden.
4. **Governing Language.**
 - a. Members of the Minden Town Board and/or Supervisor shall be physically present at any such meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting;
 - b. Except in the case of executive sessions the Minden Town Board and/or Supervisor shall ensure that its members 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;
 - c. The minutes of the meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public pursuant to Public Officers Law 106;
 - d. 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;
 - e. The Minden Town Board and/or Supervisor shall provide that each meeting conducted using videoconferencing shall be recorded and such recordings posted

or linked on the public website of the public body within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request;

- f. If videoconferencing is used to conduct a meeting, the Minden Town Board and/or Supervisor shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony; and
5. The in person participation requirements of Paragraph 4 (a) of this law shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the Montgomery County Executive pursuant to section twenty-four of the 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.
6. A copy of this local law shall be conspicuously posted on the Town of Minden website.
7. To the extent that this local law is inconsistent with other laws or resolutions it shall supersede those laws or resolutions.
8. If any clause, sentence or paragraph of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder of the local law, which shall as to such remainder remain in effect.

Final adoption by local legislative body only

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2022, of the Town of Minden was only passed by the Town Board on October 20, 2022, in accordance with the applicable provisions of law.

(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 above.

Date: 10/20/22


TOWN CLERK



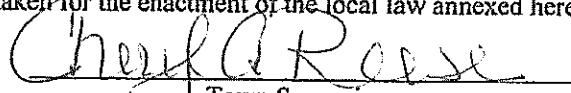
(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF MONTGOMERY

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Date:

10/20/2022


Town Supervisor