

LOCAL LAW NO. 3 - 2022

A LOCAL LAW REGARDING VIDEOCONFERENCING BY ONONDAGA COUNTY PUBLIC BODIES PURSUANT TO NEW YORK STATE OPEN MEETINGS LAW

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, AS FOLLOWS:

Section 1. Findings and Authorization. The New York State Open Meetings Law has been amended to authorize the expanded use of videoconferencing by public bodies to conduct meetings, under extraordinary circumstances, using remote access technology consistent with state law. A public hearing having been held, this Onondaga Legislature hereby authorizes all public bodies of the County of Onondaga, including the Onondaga County Legislature, its standing committee, special committee, sub-committee, organizational, regular session, and special session meetings, and County offices, agencies, departments and other units of County government, ("Onondaga County public body(ies)") the use of videoconferencing to conduct their meetings pursuant to the requirements of New York State Public Officers Law Section 103-a, also referred to herein as New York State Open Meetings Law.

Section 2. Quorum Requirements. The use of videoconferencing to conduct meetings of Onondaga County public bodies is authorized only where a minimum number of members are present to fulfill any applicable quorum requirement in the same physical location or locations where the public can attend.

Section 3. Procedures. The procedures governing member and public attendance shall be as provided for within this local law and New York State Public Officers Law Section 103-a. This local law, including such procedures, shall be conspicuously posted on the official website of this Onondaga County Legislature.

Members 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, as set forth in this local law. "Extraordinary Circumstances" shall include disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. "Extraordinary Circumstances" shall not include travel, for business or otherwise, unless such travel is due to disability, illness, caregiving responsibilities or similar significant or unexpected factor or event which precludes the member's physical attendance at such meeting. The chairperson or leadership of any Onondaga County public body shall retain discretion over permitted extraordinary circumstances for such public body. Members shall provide notice of their inability to be physically present at a meeting to the chairperson or leadership of the Onondaga County public body at least twenty-four (24) hours prior to the meeting or as soon as reasonably able.

Except in the case of executive sessions conducted pursuant to New York State Public Officers Law Section 105, all Onondaga County public bodies shall ensure that their members can be heard, seen and identified, while a meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. The minutes of meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public pursuant to New York State Public Officers Law Section 106.

Where 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. Each meeting conducted using videoconferencing

shall be recorded and such recordings posted or linked on the official public website of the Onondaga County public body within five (5) business days following the meeting, and shall remain so available for a minimum of five (5) years thereafter. Such recordings shall be transcribed upon request. Where videoconferencing is used to conduct a meeting, members of the public shall have the opportunity to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized, and videoconferencing shall ensure the same public participation or testimony as in-person participation or testimony.

As provided for within Open Meetings Law Section 103-a, the in-person participation requirements for members set forth in this local law shall not apply during a state disaster emergency declared by the governor or a local state of emergency proclaimed by the Onondaga County Executive where circumstances necessitating the emergency declaration would affect or impair the ability of an Onondaga County public body to hold an in-person meeting.

Open meetings that are broadcast or that use videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this section, “disability” shall have the meaning defined in New York State Executive Law Section 292.

Section 4. Effective Date and Expiration Date. As provided for within state law, this local law shall expire July 1, 2024. Provided, however, if state law is amended to extend the expiration date beyond July 1, 2024, then this local law is likewise similarly extended without further action of this Onondaga County Legislature. This local law shall be filed and take effect in accordance with provisions of the Municipal Home Rule Law.

PASSED 8/2/2022



I hereby certify that the foregoing is a true and exact copy of the legislation duly adopted by the County Legislature of Onondaga County on the 2nd day of August 2022.

A blue ink signature, likely of the Clerk, County Legislature.

Clerk, County Legislature

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL
GOVERNOR
ROBERT J. RODRIGUEZ
SECRETARY OF STATE

September 30, 2022

County Clerk
County of Onondaga

RE: County of Onondaga, Local Law 3 2022, filed on September 2 2022

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492



**Department
of State**

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 Onondaga

Local Law No. 3 of the year 20²²

A local law REGARDING VIDEOCONFERENCING BY ONONDAGA COUNTY PUBLIC BODIES
(Insert Title)
PURSUANT TO NEW YORK STATE OPEN MEETINGS LAW.

Be it enacted by the County Legislature of the
(Name of Legislative Body)

☒ County ☐ City ☐ Town ☐ Village
(Select one:)

of Onondaga as follows:

Section 1. Findings and Authorization. The New York State Open Meetings Law has been amended to authorize the expanded use of videoconferencing by public bodies to conduct meetings, under extraordinary circumstances, using remote access technology consistent with state law. A public hearing having been held, this Onondaga Legislature hereby authorizes all public bodies of the County of Onondaga, including the Onondaga County Legislature, its standing committee, special committee, sub-committee, organizational, regular session, and special session meetings, and County offices, agencies, departments and other units of County government, ("Onondaga County public body(ies)") the use of videoconferencing to conduct their meetings pursuant to the requirements of New York State Public Officers Law Section 103-a, also referred to herein as New York State Open Meetings Law.

Section 2. Quorum Requirements. The use of videoconferencing to conduct meetings of Onondaga County public bodies is authorized only where a minimum number of members are present to fulfill any applicable quorum requirement in the same physical location or locations where the public can attend.

See additional pages for Sections 3 and 4

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

Additional Pages for NYS Local Law Application

LOCAL LAW NO. 3 - 2022

A LOCAL LAW REGARDING VIDEOCONFERENCING BY ONONDAGA COUNTY
PUBLIC BODIES PURSUANT TO NEW YORK STATE OPEN MEETINGS LAW

Continued from Page 1

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Except in the case of executive sessions conducted pursuant to New York State Public Officers Law Section 105, all Onondaga County public bodies shall ensure that their members can be heard, seen and identified, while a meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. The minutes of meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public pursuant to New York State Public Officers Law Section 106.

Where 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. Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the official public website of the Onondaga County public body within five (5) business days following the meeting, and shall remain so available for a minimum of five (5) years thereafter. Such recordings shall be transcribed upon request. Where videoconferencing is used to conduct a meeting, members of the public shall have the opportunity to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized, and videoconferencing shall ensure the same public participation or testimony as in-person participation or testimony.

As provided for within Open Meetings Law Section 103-a, the in-person participation requirements for members set forth in this local law shall not apply during a state disaster emergency declared by the governor or a local state of emergency proclaimed by the Onondaga County Executive where circumstances necessitating the emergency declaration would affect or impair the ability of an Onondaga County public body to hold an in-person meeting.

Open meetings that are broadcast or that use videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this section, “disability” shall have the meaning defined in New York State Executive Law Section 292.

Section 4. Effective Date and Expiration Date. As provided for within state law, this local law shall expire July 1, 2024. Provided, however, if state law is amended to extend the expiration date beyond July 1, 2024, then this local law is likewise similarly extended without further action of this Onondaga County Legislature. This local law shall be filed and take effect in accordance with provisions of the Municipal Home Rule Law.

PASSED 8/2/2022

(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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.

(Name of Legislative Body)

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. ³ _____ of 20²² of the (County)(City)(Town)(Village) of Onondaga was duly passed by the County Legislature on August 2, 20²², and was (approved)(not approved) (repassed after disapproval) by the County Executive and was deemed duly adopted on August 15, 2022, 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. ² _____ 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____. 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.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

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____. 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.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

* 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 November _____ 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 cities of said county as a unit and 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 2 above.

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

Date: _____

8/19/22

(Seal)



County of Onondaga
Office of the County Executive

John H. Mulroy Civic Center, 14th Floor
421 Montgomery Street, Syracuse, New York 13202

Phone: 315.435.3516 Fax: 315.435.8582

www.ongov.net

J. Ryan McMahon II
County Executive

Ann Rooney
Deputy County Executive, Human Services

Brian J. Donnelly
Deputy County Executive

Mary Beth Primo
Deputy County Executive, Physical Services

PUBLIC HEARING

IN CONNECTION WITH A LOCAL LAW REGARDING VIDEOCONFERENCING BY ONONDAGA COUNTY
PUBLIC BODIES PURSUANT TO NEW YORK STATE OPEN MEETINGS LAW

August 15, 2022, at 11:00 a.m.
County Executive's Conference Room

The meeting was called to order. The Deputy County Attorney confirmed that the Notice of Public Hearing and Certification of Posting are on file. All persons present had an opportunity to speak and be heard.

- ☒ After hearing no speakers, the public hearing was adjourned at 11:01 AM.
- ☐ After hearing the speakers listed on the attached sheet, the public hearing was adjourned at _____.

Respectfully submitted,

COUNTY OF ONONDAGA

By:

Katherine B. Felice
Katherine B. Felice
Deputy County Attorney



County of Onondaga
Office of the County Executive

John H. Mulroy Civic Center, 14th Floor
421 Montgomery Street, Syracuse, New York 13202

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J. Ryan McMahon II
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Deputy County Executive, Human Services

Brian J. Donnelly
Deputy County Executive

Mary Beth Primo
Deputy County Executive, Physical Services

August 15, 2022

REPORT OF THE COUNTY EXECUTIVE

Pursuant to Article 3, Section 20, of the Municipal Home Rule Law, a public hearing was held on August 15, 2022, at 11:00 a.m. in the Offices of the Onondaga County Executive, Syracuse, New York, to consider the local law adopted August 2, 2022, entitled "A LOCAL LAW REGARDING VIDEOCONFERENCING BY ONONDAGA COUNTY PUBLIC BODIES PURSUANT TO NEW YORK STATE OPEN MEETINGS LAW".

This Local Law was duly presented and the publication and posting of notice of public hearing were duly made according to law. Proof of such posting and publication is on file in the Office of the County Attorney.

I hereby approve the adoption of the aforesaid local law.

Respectfully submitted,

COUNTY OF ONONDAGA

By:



J. Ryan McMahon II
County Executive

JRMcm/kmt