

LOCAL LAW NO. 3 OF 2022

A LOCAL LAW amending Chapter 5 of the Quogue Village Code (Administration of Government) to allow public bodies of the Village to hold meetings via videoconferencing.

Section 1. As part of its response to the COVID-19 pandemic, by emergency declarations New York State authorized local governments to utilize videoconferencing to conduct the business of the locality, including, but not limited to, meetings of the Board of Trustees of the Village of Quogue, as well as local land use boards such as the Zoning Board of Appeals and the Planning Board. As a result of this accommodation, public participation was maintained – and likely enhanced – throughout the pandemic by the public’s ability to access these local government boards through videoconferencing.

Given this realization, the New York State legislature has worked to amend New York State Public Officers Law to permanently allow remote public participation, while still ensuring the ability of the public and the media to directly access government officials, in person. The result is an amendment to New York State Public Officers Law through the enactment of §103-a, realized as Part WW of Chapter 56 of the Laws of 2022, which enables local governments, in their discretion, to use videoconferencing to conduct their meetings, provided that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend, and certain criteria are met.

The Board of Trustees of the Village of Quogue seeks to authorize the use of this option. Thus, the purpose of this local law is to authorize the Village’s public bodies, in their discretion, to hold meetings using videoconferencing technology in a manner consistent with Public Officers Law §103-a. A public body that wishes to do so will adopt videoconferencing procedures to further identify the manner in which videoconferencing will occur.

Section 2. Chapter 5 of the Quogue Village Code (Administration of Government) is hereby amended by adding a new Section 5-6 to read in its entirety as follows:

§ 5-6. Videoconferencing at Meetings of Public Bodies.

- A. Pursuant to Section 103-a of the New York State Public Officers Law, the Village’s public bodies (as such term is used in such Section) are authorized to hold meetings using videoconferencing technology in a manner consistent with Public Officers Law §103-a and written procedures governing member and public attendance to be established by such public body as provided in Section 103-a 2(b) of the Public Officers Law and conspicuously posted on such public body’s section of the Village of Quogue website.
- B. Such written procedures governing member and public attendance shall be consistent with the Public Officers Law §103-a and may be amended or modified from time to time by such public body as it may deem necessary or desirable.
- C. Nothing herein shall require any public body to utilize videoconferencing technology.

Rather, the decision to use videoconferencing technology at any meeting or meetings shall be discretionary on the part of such public body.

Section 3. This local law is enacted pursuant to the New York State Public Officers Law §103-a.

Section 4. If any clause, sentence, paragraph, or part of this local law, or the application thereof to any person, firm, or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to 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 judgment or order shall be rendered.

Section 5. This local law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.