

Chapter 87 Open Meeting Participation

§ 87-1 All public meetings convened in accordance with this Code shall comply with Article 7 of the Public Officers Law and all other State laws and regulations. All public bodies of the City of Kingston shall adopt rules and regulations consistent with this Chapter.

§ 87-2 The meeting Chair of any local public body may permit remote participation in a public meeting using videoconferencing, subject to the requirements of Public Officers Law § 103-a. A participant's disability, illness, caregiving obligations or factors and events of significant and unexpected nature, which preclude the member's in-person attendance, may constitute extraordinary circumstances justifying remote participation in a public meeting. Any persons participating remotely under this provision must receive approval from the meeting Chair before the start of the scheduled meeting and, as a precondition to said approval, shall identify the nature of the extraordinary circumstance.

§ 87-3 The quorum of a public body shall consist of members participating from physical locations that are both identified in the scheduled meeting's notice and open to members of the public. Additional members of the public body may participate remotely through videoconferencing, provided a quorum has been convened.

**LOCAL LAW __ OF 2022 OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE ADOPTION OF A NEW CHAPTER 87 OF THE CODE OF
THE CITY OF KINGSTON ENTITLED "OPEN MEETING PARTICIPATION"**

Sponsored By: Laws & Rules Committee: Alderpersons:
Worthington, Frankel, Hill, Olivieri,
Scott-Childress

WHEREAS, amendments to the Open Meetings Law (Ch. 56 of the Laws of 2022) went into effect on April 9, 2022; and

WHEREAS, the aforementioned amendments require each city that wishes to allow for remote attendance by its members of public bodies at locations that do not allow for in-person physical attendance by the public to adopt a local law authorizing such remote attendance and establishing written procedures therefore;

NOW THEREFORE, BE IT ENACTED AS FOLLOWS:

SECTION 1. That the Common Council authorizes the amendment of Chapter 87 of the Administrative Code of the City of Kingston as annexed hereto.

SECTION 2. If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

SECTION 3. This local law shall take effect upon filing with the Secretary of State.

Submitted to the Mayor this ____ day of _____, 2022

Approved by the Mayor this ____ day of _____, 2022

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2022

THE CITY OF KINGSTON COMMON COUNCIL

**LAWS & RULES
COMMITTEE REPORT**

DEPARTMENT: _____

DATE: __, 2022 _____

Description: In response to Open Meetings Law Changes (Ch. 56 of the Laws of 2022) signed by Gov. Hochul on April 9, 2022, the Common Council adopts a Local Law, as annexed hereto, to authorize and specify procedures for remote meeting attendance, via videoconference, under "extraordinary circumstances." Such circumstances shall include, but not be limited to, a participant's disability, illness, caregiving obligations, or any other significant or unexpected factor or event that precludes the member's in-person attendance at the scheduled meeting. Any persons seeking to participate remotely under this provision must receive approval from the meeting Chair before the start of the meeting and, as a precondition to that approval, shall identify the nature of the extraordinary circumstance. The Chair may not count any remote participants toward a quorum unless the participant's remote location has been identified in the public notice for the meeting and that location is open to members of the public. Other individuals participating remotely may attend and vote at meetings so long as a quorum has been convened in accordance with Public Officers Law § 103-a.

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Rita Worthington, Ward 4 Chairman		
Barbara Hill, Ward 1		
Carl Frankel, Ward 2		
Rennie Scott-Childress, Ward 3		
Michael Olivieri, Ward 7		