

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

KATHY HOCHUL  
GOVERNOR  
ROBERT J. RODRIGUEZ  
SECRETARY OF STATE

August 17, 2022

Cindy Urtz  
Madison County Board of Supervisors  
138 N. Court Street, PO Box 635  
Wampsville NYT 13163

**RE: County of Madison, Local Law 4 2022, filed on August 12 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](http://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.

- X County
- ~~City~~ of Madison
- ~~Town~~
- ~~Village~~

Local Law No. 4 of the year 2022

A Local Law to Adopt Amendments to the New York State Open Meetings Law.  
*(Insert Title)*  
 for the Expanded use of Video Conferencing in the County of Madison.

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Be it enacted by the Board of Supervisors of the  
*(Name of Legislative Body)*

- X County
- ~~City~~ of Madison as follows:
- ~~Town~~
- ~~Village~~

See attached pages

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

(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. 4 of 20 22 of the (County)(City)(Town)(Village) of Madison was duly passed by the Board of Supervisors on August 9, 20 22 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) \_\_\_\_\_ (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 2 \_\_\_\_\_ in accordance with the applicable provisions of law.

**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) \_\_\_\_\_ (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 2 \_\_\_\_\_ (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) \_\_\_\_\_ (Name of Legislative Body) (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.

\* 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.)** \_\_\_\_\_ of 20 \_\_\_\_\_ of

I hereby certify that the local law annexed hereto, designated as local law No \_\_\_\_\_ 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 1, above.

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

Date: August 10, 2022

(Seal)

**LOCAL LAW FOR THE  
COUNTY OF MADISON**

**A LOCAL LAW TO ADOPT AMENDMENTS TO THE NEW YORK STATE OPEN  
MEETINGS LAW FOR THE EXPANDED USE OF VIDEOCONFERENCING IN THE  
COUNTY OF MADISON**

**BE IT ENACTED**, by the Board of Supervisors of the County of Madison, New York as follows:

**SECTION 1. TITLE.** This Local Law shall be titled “A Local Law to Adopt Amendments to the New York State Open Meetings Law for the Expanded Use of Videoconferencing in the County of Madison”.

**SECTION 2. PURPOSE AND INTENT.** The purpose of this law is to authorize Madison County to allow for expansion of the use of videoconferencing to conduct open meetings.

**SECTION 3. AUTHORITY.** This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law. On April 9, 2022 Governor Hochul signed an amendment to the Open Meetings Law to allow, until the expiration date of July 1, 2024, the expanded use of videoconferencing by public bodies in the conduct of open meetings, under extraordinary circumstance, regardless of a declaration of emergency. In order to continue meeting virtually, counties must adopt a local law to opt in.

**SECTION 4. CONDITIONS**

- a. Members of the Board shall be physically present at meetings, unless allowed remote attendance at locations that do not allow for in-person physical attendance by the public, under extraordinary circumstances.
- b. The list of extraordinary circumstances is non-exhaustive, but shall include illness, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. The following shall not be deemed as extraordinary circumstances: vacation or delayed travel.
- c. Members shall provide notice of their inability to attend a meeting to the Clerk of the Board of Supervisors at least 24 hours prior to the meeting or as soon as reasonably able.
- d. The Committee Chairs, when available, shall retain discretion over permitted extraordinary circumstances for their Committee, pursuant to Section 2(b) of this local law.
- e. The Chairperson of the Board shall retain discretion over permitted extraordinary circumstances for the Board and for Committee meetings when that Chair is unavailable, pursuant to Section 2(b) of this local law.
- f. Members allowed to appear remotely shall leave their video camera on at all times during the meeting unless excused by the Chairperson.
- g. Rules for executive session shall still apply, and members shall not permit any unauthorized persons to listen to or overhear any executive session discussion.

- h. It is understood that members permitted to attend at a location that does not allow for in-person physical attendance by the public will not count toward a quorum. Only members present at a physical location which allows for in-person attendance by the public will count toward a quorum.
- i. Any members of the public attending a meeting must be able to hear, see and identify any member of the public body who is attending remotely while the meeting is being conducted.
- j. If video conferencing is used to conduct a meeting, the public notice shall inform the public where they 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.
- k. Meetings conducted using videoconferencing shall be recorded and those recordings shall be posted or linked within five (5) business days of the meeting and maintained for five (5) years thereafter. Recordings shall be transcribed upon request.
- l. In those meetings where videoconferencing is used the public shall be able to view the meeting via video and participate in the proceedings via videoconference in real time where public participation is authorized.
- m. The Madison County Board of Supervisors may hold fully remote meetings, and in person participation requirements of the 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 chief executive of a county, city, village, or town pursuant to Section Twenty-four of the Executive Law, if the Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Board to hold an in person meeting.
- n. These written procedures shall be posted on the County's website.

**SECTION 5. SEVERABILITY.** If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a court of competent jurisdiction to be invalidated or unconstitutional, proved that such judgment does not invalidate this Local Law or prohibit its administration, such order or judgment shall not affect, impair or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect.

**SECTION 6. EFFECTIVE DATE.** This Local Law shall take effect immediately upon filing with the Secretary of State.

**SECTION 7. EXPIRATION.** This Local Law shall be effective until July 1, 2024 as set forth by New York State in Chapter 56 of the Laws of 2022.