

# Legislation Meeting Agenda



Committee Chair: Colin Smith

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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**Wednesday, July 10, 2024**

**2:00 PM**

**Committee Room**

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## CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

Joint with Information Technology & Cybersecurity committee.

Legislator Emiljana Ulaj will be participating remotely from 520 White Plains Road, Tarrytown, NY 10591.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566.

## MINUTES APPROVAL

Monday, June 10, 2024 at 1:00 p.m.

## I. ITEMS FOR DISCUSSION

Guests: Law Dept.: Chief Deputy County Attorney Stacey Dolgin-Kmetz and Senior Assistant County Attorney Shawna MacLeod

[2024-350](#) PH - Extraordinary-Circumstances Videoconferencing

A RESOLUTION to set a Public Hearing on a "LOCAL LAW authorizing the continued use of extraordinary circumstances videoconferencing for members of the County Board, its committees, and its subcommittees, and for members of public bodies of the County's executive branch." [Public Hearing set for \_\_\_\_\_, 2024 at \_\_\_\_\_ .m.].  
LOCAL LAW INTRO: 2024-351.

**COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND INFORMATION  
TECHNOLOGY & CYBERSECURITY**

[2024-351](#) LL - Extraordinary-Circumstances Videoconferencing

A LOCAL LAW authorizing the continued use of extraordinary circumstances videoconferencing for members of the County Board, its committees, and its subcommittees, and for members of public bodies of the County's executive branch.

***COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND INFORMATION TECHNOLOGY & CYBERSECURITY***

## II. OTHER BUSINESS

## III. RECEIVE & FILE

## ADJOURNMENT



**George Latimer**  
County Executive

**John M. Nonna**  
County Attorney

June 5, 2024

Westchester County Board of Legislators  
800 Michaelian Office Building  
148 Martine Avenue, 8<sup>th</sup> Floor  
White Plains, New York 10601

Dear Honorable Members of the Board:

I respectfully request that your Honorable Board adopt the attached Local Law authorizing the continued use of extraordinary-circumstances videoconferencing for members of the County Board, its committees, and its subcommittees, and for members of public bodies of the County's executive branch.

As you recall on June 29, 2022, Westchester County Local Law Nos. 11-2022 and 12-2022 were enacted by this Honorable Board, consistent with New York State Open Meetings Law ("OML") Section 103-a and Chapter 56 of the Laws of 2022. The New York State law enabled public bodies to expand the use of videoconferencing to conduct open meetings, under extraordinary circumstances, regardless of a declaration of emergency.

Pursuant to Local Law Nos. 11-2022 and 12-2022, County public body members experiencing certain "extraordinary circumstances" have been allowed to participate in open meetings, through videoconferencing, from a remote location that is not open to the public, as long as a quorum of board members is present in the same physical location(s) where the public can attend.

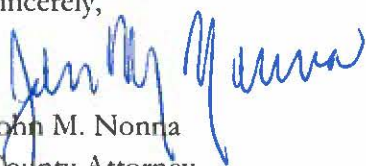
Consistent with Chapter 56 of the Laws of 2022, Section 2 of Local Law No. 11-2022, and Section 2 of Local Law No. 12-2022, the use of extraordinary circumstances videoconferencing is set to expire on July 1, 2024, unless extended.

On April 20, 2024, Governor Kathy Hochul signed into Law Chapter 58 of the Laws of 2024, Part KK of which provides for a two-year extension (without other modification) of the OML's extraordinary circumstances videoconferencing amendment, until July 1, 2026.

Accordingly, I believe that it is in the best interests of the County to pass a Local Law extending the use of extraordinary circumstances videoconferencing, consistent with OML § 103-a, Chapter 58 of the Laws of 2024, and the written procedures established by the County Board and the County Executive.

In light of the aforementioned, I respectfully urge that your Honorable Board adopt the attached Local Law authorizing the continued use of extraordinary-circumstances videoconferencing for members of the County Board, its committees, and its subcommittees, and for members of public bodies of the County's executive branch.

Sincerely,



John M. Nonna  
County Attorney

JMN/nn  
Enclosure

**RESOLUTION NO. \_\_\_\_ – 2024**

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. \_\_\_\_ - 2024, entitled “A Local Law authorizing the continued use of extraordinary-circumstances videoconferencing for members of the County Board, its committees, and its subcommittees, and for members of public bodies of the County’s executive branch.” The public hearing will be held at \_\_.m. on the \_\_\_\_ day of \_\_\_\_\_, 2024, in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

TO: BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER

Your Committee recommends passage of “A Local Law authorizing the continued use of extraordinary-circumstances videoconferencing for members of the County Board, its committees, and its subcommittees, and for members of public bodies of the County’s executive branch.”

Your Committee recalls that on June 29, 2022, Westchester County Local Law Nos. 11-2022 and 12-2022 were enacted, consistent with New York State Open Meetings Law (“OML”) Section 103-a and Chapter 56 of the Laws of 2022, enabling public bodies to expand the use of videoconferencing to conduct open meetings, under extraordinary circumstances, regardless of a declaration of emergency.

Your Committee is aware that pursuant to Local Law Nos. 11-2022 and 12-2022, County public body members experiencing certain “extraordinary circumstances” have been allowed to participate in open meetings, through videoconferencing, from a remote location that is not open to the public, as long as a quorum of board members is present in the same physical location(s) where the public can attend.

Your Committee acknowledges that, consistent with Chapter 56 of the Laws of 2022, Section 2 of Local Law No. 11-2022, and Section 2 of Local Law No. 12-2022, the use of extraordinary circumstances videoconferencing is set to expire on July 1, 2024, unless extended.

Your Committee has been advised that on April 20, 2024, Governor Kathy Hochul signed into Law Chapter 58 of the Laws of 2024, Part KK of which provides for a two-year extension

(without other modification) of the OML's extraordinary circumstances videoconferencing amendment, until July 1, 2026.

Your Committee believes that it is in the best interests of the County to pass a Local Law extending the use of extraordinary circumstances videoconferencing, consistent with OML § 103-a, Chapter 58 of the Laws of 2024, and the written procedures established by the County Board and the County Executive.

Finally, your Committee is informed that this Local Law does not meet the definition of an action under SEQRA and its implementing regulations, 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 8, 2024, which is on file with the Clerk of the Board of Legislators.

Your Committee recommends adoption of this Local Law.

Dated: \_\_\_\_\_, 2024  
White Plains, New York

COMMITTEE ON

SCM-06/5/2024

LOCAL LAW INTRO. NO. - 2024

A LOCAL LAW authorizing the continued use of extraordinary-circumstances videoconferencing for members of the County Board, its committees, and its subcommittees, and for members of public bodies of the County's executive branch.

BE IT ENACTED by the County Board of the County of Westchester as follows:

**Section 1.** Section 2 of Local Law No. 11-2022 is hereby amended to read as follows:

This Local Law shall take effect immediately and shall expire ~~and be deemed repealed July 1, 2024, unless extended~~ on the same date that Section 103-a of the New York State Public Officers Law, or any successor New York State law authorizing such extraordinary-circumstances videoconferencing, expires.

**Section 2.** Section 2 of Local Law No. 12-2022 is hereby amended to read as follows:

This Local Law shall take effect immediately and shall expire ~~and be deemed repealed July 1, 2024, unless extended~~ on the same date that Section 103-a of the New York State Public Officers Law, or any successor New York State law authorizing such extraordinary-circumstances videoconferencing, expires.