

Local Law No. 2 of the year 2023 Town of Machias, County of Cattaraugus

A Local Law to authorize members of the Town Board to participate in Town Board meetings videoconferencing from locations outside of the Town of Machias' geographical limits.

Section 1. Legislative Intent

It is the intent of this Local Law to give Town Board members the authority to participate in Town Board meetings via videoconference from locations that fall outside the Town's geographical boundaries. Videoconferencing has proven to be an effective and useful tool for Town Board meetings that allows members to participate despite issues such as inclement weather, illness, or travel plans. Videoconferencing also helps ameliorate potential quorum issues so that the Town can address business and matters in a timelier fashion.

Although Public Officers Law § 102 expressly allows members of a public body to attend and participate in meetings using videoconferencing, Town Law § 62 states that Town Board meetings must take place within the town thereby making it unclear if a Town Board member may participate via videoconference from a location outside the Town's boundaries. This Local Law is meant to expressly provide that authority to members of the Town Board.

Section 2. Authority

This Local Law is adopted pursuant to Municipal Home Rule Law § 10 which expressly authorizes the Town Board to adopt a Local Law superseding any provision of Town Law relating to the property, affairs, or government of the Town.

Section 3. Videoconferencing from Outside Town Limits.

The Town Board of the Town of Machias hereby supersedes Town Law § 62 to expressly allow Town Board members to participate in Town Board meetings using videoconferencing from locations that fall outside the geographical limitations of the Town.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudicated 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. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

DULY ADOPTED, this 20th day of March, 2023, by the following vote:

Supervisor Cornwall	Voted	Aye
Councilman Shenk	Voted	Aye
Councilman Reese	Voted	Aye
Councilman Green	Voted	Aye
Councilman Bork	Voted	Aye

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DULY ADOPTED, this _____ day of _____, 2023, by the following vote:

Supervisor Cornwall Voted _____

Councilman Shenk Voted _____

Councilman Reese Voted _____

Councilman Green Voted _____

Councilman Bork Voted _____