

Local Law No. ____ of 2022

Local Law of the Town of Greenwich authorizing members of the Town Board to Participate in emergency Town Board meeting by means of videoconference from locations outside of the geographical limits of the Town of Greenwich.

Section 1. Legislative Intent:

It is the intent of this local law to give Town Board members the authority to participate in emergency 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 from locations other than within the Town's geographical boundaries. Videoconferencing also helps ameliorate potential quorum issues that may arise at meetings that are scheduled on an emergency basis so that the Town is able to address the issues at those meeting in a timely 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 of the Town of Greenwich for meetings held on an emergency basis.

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

The term "emergency" as used in this local law shall be a meeting, other than a regularly scheduled monthly Town Board meeting, which is necessary to address an issue or situation which: 1) results from an accident or unanticipated occurrence, and 2) impacts public buildings, property, or the life, health, and safety of municipal residents, and 3) requires immediate action that cannot wait for the next regularly scheduled Town Board meeting.

Section 4. Severability:

If a court determines any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgement shall not affect, impair, or invalidate the remainder of this local law, 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,

form 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.