

RULES OF PROCEDURE for the TOWN OF LAKE PLEASANT
as provided for in §63 of Town Law

Regular Meetings:

- The Town Board shall hold regular meetings on the 1st and 3rd Mondays of each month. Such regular meetings shall commence at 7 p.m. and be conducted in the meeting room at Town of Lake Pleasant Library. When such date falls on a legal holiday the Town Board may set an alternate date and time of said meeting, or may dispense with said meeting. For good cause shown, the Supervisor may postpone a Town Board meeting subject to rescheduling thereof.
- Any deviation of the foregoing paragraph shall be determined by the Town Board.
- The Town Supervisor shall preside at meetings. In the Supervisor's absence, the Deputy Supervisor shall preside, or if no Deputy Supervisor has been appointed, or in the event the Deputy Supervisor is absent, then the other members of the Town Board shall designate one of their members to act as temporary chairman.
- The supervisor shall cause to be generated a Year-To-Date Revenue/Expense Control Report to be distributed to councilpersons at the second meeting of each month or by e-mail, as required by NYS law.

Special Meetings:

- Special meetings of the Town Board are all meetings other than regular meetings.
- A special meeting may be called by the Town Supervisor upon notice to the entire Board. Notice shall be given by telephone, in person, or in writing (email included) at least 24 hours in advance unless an emergency exists.
- The Supervisor shall call a special meeting within 10 days if requested in writing to do so by no fewer than two (2) Town Board members. The time and date of the special meeting may be set at the discretion of the Supervisor provided that each Town Board member receives actual notice thereof not less than two (2) days prior thereto; said notice shall contain the

proposed agenda items to be contemplated at said special meeting, and be advertised as required by NYS Open Meeting Law.

Quorum:

➤ A quorum shall be required to conduct business. A quorum of the five-member (5) Town Board shall be three members (3).

Executive Sessions:

➤ Executive sessions shall be held in accordance with the NYS Public Officer Law Article 7 §105. All executive sessions shall be commenced in a public meeting.

Agendas:

➤ The agenda shall be prepared by the Town Supervisor and shall be available by 5 p.m. of the third day before each scheduled meeting. The Town Supervisor or any Council member may have an item placed on the agenda. When possible, items for the agenda shall be given to the Town Supervisor at least 24 hours before the meeting; however, items may be placed on the agenda at any time, including during the meeting.

➤ Said agenda shall be tentative only as to Town Board meetings, but shall be firm as to Public Hearings. Said agenda for Town Board meetings shall be tentative only, and items may be added, deleted or altered at the pleasure of the Town Board.

➤ As nearly as possible, said agenda shall follow the following Order of Business:

1. Call to Order, Pledge of Allegiance
2. Review of minutes of previous meeting
3. Public Comment
4. Communications and announcements from the supervisor
5. Reports of department heads
6. Reports of officers and committees and chamber of commerce

➤ Old Business

➤ New Business

- Public Comment period
- Appropriations / Auditing of bills / Motion to pay bills
- Roundtable
- Adjournment

Resolutions:

Resolutions should appear on the meeting's agenda.

The title of the resolution is announced and the text presented in full. The presiding official will ask for a motion and a second to consider the resolution.

Upon being properly moved and seconded, a person (usually the sponsor) will be recognized to explain and defend the resolution. The presentation should be to the point and as short as possible to convey the required information.

The resolution is then placed on the floor for debate and a vote.

All proposed resolutions tabled from prior meetings shall be carried under "Old Business."

Proposed resolutions not listed on the agenda may be considered as "New Business."

Motions:

- Board members must be recognized by the presiding officer before making motions.
- Motions must have a second to proceed with discussion / debate.
- A member, once recognized, shall not be interrupted when speaking.
- There is no limit to the number of times a member may speak on a question.
- Motions to close or limit debate may be entertained but shall require a majority vote.
- A vote on a motion is carried by a majority of the board.
- A motion may be "tabled" (postponing or suspending consideration) upon a motion, a second, and a vote by a majority of the board (3 members) to do so. To allow its consideration again requires a motion and a second to "take from the table." A motion can be taken from the table at the same

meeting or at the next meeting. Otherwise the motion dies.

Voting:

- Pursuant to Town Law each member of the Board shall have one vote. The Town Supervisor may vote on any matter, but *must* vote in case of a tie, but may not vote twice.
- A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law.
- A vote upon any question shall be taken by ayes and nays, and the names of the members present and their votes shall be entered into the minutes.
- It is the obligation of every member of the Board to vote on every issue, except where he/she has a potential or actual conflict of interest, in which case an abstain vote is in order and he/she should not participate in any discussion on the matter.
- Every motion or resolution shall require for its adoption the affirmative vote of a majority of all members of the Town Board.

Minutes:

- Minutes shall be taken by the Town Clerk, or, in his or her absence, the deputy town clerk. In the event there is no town clerk or deputy town clerk present and able to act, the town board may appoint as deputy town clerk any person other than a member of the town board; provided, however, that such person be qualified as provided in §3 of the Public Officers Law

(Qualifications for holding office) and subdivision (1) of §30 of the Town Law.

- Minutes shall be a complete and accurate record of the proceedings of each meeting, consisting at the minimum of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive sessions of any action that is taken by formal vote, and shall consist of a record or summary of the final determination of such action, and the date and vote thereon.

➤ Minutes shall also include the following:

1. Name of the Board;
2. Date, place and time of the meeting;
3. Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment;
4. Name and title of other Town officials and employees present and the approximate number of attendees;
5. Record of communications presented to the Board;
6. Record of reports made by Board or other town personnel;
7. Time of adjournment; and
8. Signature of Town Clerk, or person who took the minutes if not the Town Clerk.

➤ Minutes may contain a summary of the discussion leading to action taken or include verbatim comments.

➤ Minutes shall be reviewed at the next Town Board meeting. Amendments to the minutes, other than spelling corrections, shall require unanimous Board approval.

However, the Town Clerk is not required to make changes to his or her minutes as there is no such thing as “draft” or “unofficial” minutes in NYS statute. He or she may agree to and make the changes; and would be required to record any vote on “corrections” or “amendments” approved unanimously by the Town Board in the minutes of the meeting at which such a vote took place.

➤ Because the NYS Open Meetings Law requires minutes to be made available to the public within two weeks of a meeting, minutes which have not been reviewed by the Town Board may be marked “draft,” thereby indicating to the public that changes may be forthcoming.

Guidelines for Public Comment:

➤ To inform the citizens of the Town of Lake Pleasant of proposed resolutions the Town Clerk shall prepare, or cause to be prepared, copies of all proposed resolutions to be acted upon at a Town Board meeting. Such copies shall be available to the public in a convenient place within the meeting hall and on the town website.

➤ **The public shall be allowed to speak only during the Public Comment periods of the meeting or at such time as a majority of the Board shall allow.**

- Speakers must be recognized by the presiding officer.
- Speakers must rise when addressing the Board.
- Speakers must give their name, city / town / village of residence and organization, if speaking as a representative of an organization.
- Persons may speak on any subject and are not confined to items on the agenda.
- Speakers must limit their remarks to five (5) minutes on a given topic.
- Speakers may not yield any remaining time they may have to another speaker.
- No member of the public shall engage in any demonstration, cheering, booing, clapping or otherwise disrupt the formality of the Town Board meeting.
- A speaker may be recognized to speak a second time by the Chair only after everyone who wishes to speak a first time has spoken.
- The public may also submit statements in writing, but not anonymously.
- Board members may interrupt a speaker during their remarks, but only for the purpose of clarification or information.
- All remarks shall be addressed to the Board as a body and not to any member thereof.
- Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste. They shall not use colorful / vulgar language or swear words.

Adjournment:

- Meetings shall be adjourned by motion.

Amendments to the Rules of Procedure:

- The foregoing procedures may be amended from time to time by a majority vote of the Board.

RECORD OF REVISIONS

original policy adopted May 21, 2018