

GEDDES TOWN BOARD MEETING

Whereas, the New York State Open Meeting Law (Article 7, Public Officers Law) gives Members of the public the right to attend meetings of public bodies but does not give the public the right to speak or otherwise participate at those meetings, except at public hearings and under other limited circumstances, and

Whereas, New York State Town Law authorizes a town board to enact rules and regulations regarding the conduct of public meetings and public hearings conducted by the town board, and the New York State Committee on Open Government has agreed that a public body can adopt reasonable rules that treat Members of the public equally, and

Whereas, a town board has a responsibility to insure that everyone has the right to participate in a public hearing and therefore can reasonably limit the length and general nature of public comments to the subject of the public hearing so that a town board can consider various points of view, and

Whereas, a town board can limit other comments from the public at town board meetings to a specific time set in the agenda for public participation and comment.

Now, therefore, be it resolved by the Town Board of the Town of Geddes that the Town hereby adopts the following rules for the conduct of Town Board Meetings and for Public Participation at meetings and public hearings of the Town Board:

ARTICLE 1: MEETING RULES OF PROCEDURE

Section 1. Board Meetings:

Regular meetings of the Town of Geddes Town board will be held on the second Tuesday of the month, commencing at **6:00 PM**.

The Supervisor, Acting Supervisor, or his or her designee in the event of both of their absences, in that order, shall act as the chairperson or "Chair" at all Town Board Meetings and Public Hearings of the Town Board.

References herein to Board Member or Member shall include the Supervisor and Acting Supervisor.

Section 2. Public Hearing:

All public hearings will be held on the second Tuesday of the month, commencing at 6 pm, except as may be provided otherwise by a duly adopted resolution by Town Board.

Section 3. Agenda:

The agenda for each scheduled meeting will be prepared by the Supervisor's Office and **published on the Town Website** no later than **12:00 PM on the MONDAY** immediately prior to the scheduled meeting.

A copy of the agenda will be available upon request at the Town Clerk's Office and on the Town website.

The Supervisor may, on an as needed basis, amend or modify the agenda at any time up to the commencement of the Board Meeting. Any such amended or modified agenda will be made available to the public and published on the website as soon as is possible. Additional items may be placed on the agenda and considered by the board during a board meeting upon majority vote of the Town Board members.

Section 4. Board Member Rules of Conduct:

All Board Members will be recognized by the "Chair" prior to speaking.

Board Members will be courteous of the public and their fellow Members and will conduct themselves in a polite and professional manner.

A Board Member's speech upon any item under discussion at a Board Meeting may be terminated by a motion duly made, seconded and adopted by a majority of the Town Board to either "Call the Question" or to "End Discussion".

A motion to Call the Question is addressed to a resolution pending before the Town Board. Such a motion, once duly adopted, shall have the effect of immediately requiring a vote upon the pending resolution without any further discussion.

A motion to End Discussion is addressed to any topic being discussed by the Town Board which is not a subject of a pending resolution. Such a motion, once duly adopted, shall have the effect of immediately ending all discussion on that topic and the Town Board will then proceed to the next item of business on the agenda.

If a Member of the Board wishes to interrupt a speaker, he or she must request a "yield of the floor" from the speaker. If the "Yield Request" is granted, the privilege of the floor will be relinquished by the original speaker to the requesting Member.

Section 5. Proposed Motions:

As a General Rule, all items the Town Board is to vote on or take legislative action on should be presented to the Supervisor's Office by **3:00 PM on Wednesday preceding the meeting.**

Notwithstanding the foregoing, any Board Member may introduce an item for Town Board action at any meeting of the Board, which item shall thereupon be taken up by the Town Board as if it were a proposed resolution on the Agenda, subject to the Rule concerning Tabling

Section 6. Tabling of a Motion:

Motion to table will take precedence over any pending motion. Effect: The effect of a duly adopted motion to table a resolution will have the effect of preventing any further action upon that resolution item at the

Board Meeting where the tabling motion was adopted unless a subsequent motion is made and duly adopted to remove the resolution from the table and to place it before the Board again for consideration. Such a motion to remove a resolution from the table may only be made by a Member who voted in favor of the original tabling motion.

Section 7. Defeated Motions:

A defeated motion may only be resubmitted at the same meeting by a Board Member whose original vote on the motion was in the “negative”.

Section 8. Abstentions:

A Board Member will “abstain” from voting on a motion only if a conflict of interest exist, and *affirmative or negative* vote will be cast on each motion by each Board Member.

Section 9. Roll Call Votes:

A Roll Call Vote will be taken on all motions when required by law.

Section 10. Legislation:

Where applicable, each resolution shall be sponsored by the Committee Chair, upon majority recommendation of the committee Members.

Section 11. Planning Board / Zoning Board of Appeals / Committee Meetings:

- a. When **any** public meetings are to be held, all administrators must be compliant with these Rules of Conduct, except to the extent that a duly constituted Board of the Town of Geddes has adopted its own procedural rules as provided by statute.

- b. When a meeting is to be scheduled, you need to:

- Contact Supervisor’s Secretary to check room availability

- Give notice as may be required by law to post a meeting

- Give the meeting AGENDA **no later than Noon the day before** the meeting is scheduled.

- Notify both Supervisor’s Secretary and Town Clerk so meetings are posted properly.

c. After the meeting has been held, the Chairperson needs to:

Send MEETING MINUTES to Supervisor's Secretary & Town Clerk within 7 days

Section 12. Publication of the Rules of Conduct:

The Town Clerk will have adequate copies of these Rules of Conduct in his office for Members of the public and they are also to be posted on the Town website.

Section 13. EXECUTIVE SESSION

An Executive Session is a part of a regular open meeting the purpose of which is to exclude the public because of the sensitivity of the matter to be discussed by the Board.

Matters, which can be discussed, are limited by law in accordance with the applicable provisions of the New York State Public Officers Law.

ARTICLE II: RULES OF DECORUM AND CONDUCT AT PUBLIC HEARINGS AND PUBLIC MEETINGS.

1. Except for public hearings duly designated as such by action of the Town Board, public participation at meetings of the Town Board shall be limited to the public participation segment of the agenda of Town Board meetings and not at Town Board Work Sessions.

2. Public comment, whether during the public participation segment of the Town Board meeting or during a duly designated public hearing, shall be limited to three minutes per person. An individual's time may not be given or traded to other speakers or reserved for other portions of the meeting.

3. Any person wishing to speak at a public meeting during the public participation segment or during a public hearing must sign in upon entering the room, when such sign-in sheet is available, indicating his or her intention to speak, which sheet will be used by the Supervisor or the presiding officer to recognize speakers.

4. Any individual wishing to speak during the public participation segment or during a public hearing when a sign-in sheet is not available shall raise his or her hand. When recognized by the Supervisor or the Chair, the individual must stand and state his or her name and, if appropriate, group affiliation, and address within Town of Geddes, and must state the subject he or she will address.

5. Comments must relate to the purpose of the public hearing or to legitimate town business.

6. The Supervisor or the Chair shall act as timekeeper or shall designate another elected official as timekeeper.

7. Members of the Town Board, speakers and audience members must observe proper decorum. Any statements made during the meeting or during a public hearing by the Supervisor, Members of the Town Board, town officials or employees, or members of the general public shall not involve personal, impertinent, or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a town official or employee, or a member of the general public.

8. The Supervisor or Chair shall control the meeting. The use of profane, vulgar, inflammatory, threatening, abusive, or disparaging language or racial or ethnic slurs directed at the Supervisor, Members of the Town Board, town officials or employees and Members of the general public, or statements by a person attending the meeting which are not made during the public participation segment of the agenda or during a public hearing, shall not be tolerated.

9. It is inappropriate to utilize a public meeting for the purpose of making political speeches, including threats of political action and the same will not be allowed.

10. Comments by speakers must be addressed to the Town Board. Attendees may not address the Town Board unless recognized by the Supervisor or the Chair.

11. Discussion between speakers and attendees of the public meeting or hearing are prohibited. A speaker may disagree with or support prior speakers in comments directed to the Town Board.

12. Banners, flyers or other signs are not permitted in the meeting room; distribution of flyers in the meeting room is also not permitted.

13. If the Supervisor or the Chair fails to enforce the rules set forth above, any Member of the Town Board may move to require him or her to do so, and an affirmative vote of a majority of the Town Board shall require him or her to do so. Any decision relating to enforcement of the rules set forth above may be appealed and overturned by a vote of a majority of the Town Board Members.

14. Any person who disregards the directives of the Supervisor or the Chair in enforcing the rules or who generally conducts himself or herself in a boisterous or inappropriate manner while addressing the Town Board disturbs the peace at a meeting and will be barred from further participation and forfeit any balance of time remaining for his or her comments.

15. If a speaker or member of the general public who has violated these rules refuses to step down or cease their conduct in violation of these rules, the Supervisor or the Chair may ask for the individual to be removed from the meeting room and charged with disorderly conduct as per the Penal Law.

16. The above rules shall take effect at the next meeting of the Town Board after the adoption of these rules.