

Resolution “Meeting Procedures”

RESOLUTION NO. 162020 2020

**RESOLUTION ADOPTING RULES OF PROCEDURE FOR THE BOARD
OF TRUSTEES OF THE VILLAGE OF WAPPINGERS FALLS**

The following Resolution was introduced by Trustee Huber and seconded by Trustee Whitten.

WHEREAS, Village Law § 4-412 provides that the Board of Trustees may determine its own rules of procedure; now, therefore

BE IT RESOLVED, the following rules of procedure are adopted pursuant to Village Law § 4-412:

- I. **REGULAR MEETINGS:** The Board of Trustees conducts a Regular Meeting on the 2nd Wednesday of each month at 7pm at Village Hall, 2582 South Avenue, Wappingers Falls, New York. Meeting dates that fall on holidays will be moved to the next day.
- II. **WORKSHOP MEETINGS:** The Board of Trustees conducts a Workshop on the last Wednesday of each month at 5:00pm at Village Hall, 2582 South Avenue, Wappingers Falls, New York. Workshops do not follow the same meeting procedures as Regular Meetings and are held for the purpose of discussion amongst the members of the Board. The presiding officer, at his or her discretion, may invite a member of the public in attendance to offer comment on an agenda topic, but is not compelled to do so.
- III. **SPECIAL MEETINGS:** Special Meetings of the Board of Trustees are all Board meetings other than Regular Meetings. The Mayor may call a Special Meeting upon notice to the entire Board. Special meetings must be for business of a truly emergent nature and shall be held at the call of the Village Clerk upon direction of the Mayor or upon filing with the Village Clerk a written request signed by any two members of the Village Board. Only business specified in the public notice thereof may be transacted at a special meeting. Notice shall be at least 72 (seventy-two) hours before the date fixed for holding the meeting.
- IV. **QUORUM:** A quorum of the Board must be physically present to conduct business. A quorum of the seven-member Board of Trustees is five, regardless of vacancies.
- V. **EXECUTIVE SESSIONS:** The Board must hold Executive sessions in

accordance with NYS Public Officers Law § 105. All executive sessions must be entered into by a motion made from a properly noticed and conducted open meeting.

- VI. AGENDAS: The Village Clerk and Mayor will prepare the agenda. The Village will publish Agendas for both Regular and Workshop Meetings as notice to the public the Monday before the meeting. However, the Mayor, or a majority of the Board of Trustees may add items at any time. If necessary, a supplemental agenda may be distributed at the beginning of the meeting.
 - a. Any two members of the Board of Trustees may, by motion at a regular meeting, place an item on the agenda for a subsequent meeting.

- VII. VOTING: Pursuant to the New York State Village Law and General Construction Law, each member of the Board has one vote. The Mayor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power (4 or more) is necessary to pass a matter unless otherwise specified by State law. For example, bond resolutions require a majority of five or more. A vote upon any question must be taken by ayes and noes, and the names of the members present and their votes must be entered in the minutes.

- VIII. GENERAL RULES OF PROCEDURE:
 - a. The Mayor presides at the meeting. In the Mayor's absence, the Deputy Mayor presides at meetings of the Board. The presiding officer may debate, move and take any action that may be taken by other members of the Board.
 - b. Each Board member must be given the opportunity to speak on every issue. Board members are not required to rise, but in the interests of orderly discussion must be recognized by the presiding officer before making motions and speaking.
 - c. Every motion must be seconded before being put to a vote; all motions must be recorded in their entirety in the Board's minutes.
 - d. Once recognized, a member may not be interrupted when speaking unless it is to call the member to order. If a member is called to order, the member must stop speaking until the question of order is determined, and, if in order, the member must be permitted to proceed. 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 and require a two-thirds vote to pass.

- IX. GUIDELINES FOR PUBLIC COMMENT:

- a. The public may speak only during the Public Comment periods of the meeting or at such other time as a majority of the Board allows.
- b. Speakers must step to the front of the room.
- c. Speakers must give their name, address and the identity of their organization, if applicable.
- d. Speakers must be recognized by the presiding officer.
- e. Speakers must limit their remarks to three minutes per public comment period. Depending on the number of people who wish to speak on a specific subject, at the discretion of the Mayor, time limits of two minutes per person, or other similar time frame, may be applied to each speaker.
- f. Speakers may not yield any remaining time they may have to another speaker.
- g. Board members may, with the permission of the Mayor, or presiding officer, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
- h. All remarks must be addressed to the Board as a body and not to specific members thereof or the audience.
- i. Speakers must observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
- j. Interested parties or their representatives may address the Board by written communications. For public hearings, written communications submitted in advance are considered at the hearings and provided as back up material.
- k. During the comment period, speakers may address the Board on issues affecting the Village, the Board will respond to specific questions if the information is immediately available during the Report section of the meeting, if not, as soon as it is practical.
- l. The aforementioned public comment guidelines apply to all regular meetings. However, during public hearings the Mayor or presiding officer may recognize questions from the floor.

X. MINUTES:

- a. The Village Clerk or Village Clerk's designated representative is responsible for taking the minutes of the Board. Minutes must consist of a

record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes must be taken at executive session of any action that is taken by formal vote. Executive session minutes must consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law (FOIL). Minutes are not recorded for work sessions unless an action is taken by the Board at that meeting.

b. Minutes must also include the following:

1. Name of the Board;
2. Date, place and time of meeting;
3. Notation of the 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 Village officials and employees participating in the meeting and the names of audience members that have signed a voluntary sign-in sheet.
5. A summary of communications presented to the Board;
6. Record of reports made by Board or other Village personnel; and
7. Time of adjournment; and signature of Village Clerk or person who took the minutes if not the Village Clerk.

c. The Village Clerk or Village Clerk's designated representative is responsible for creating a draft of the minutes within the timeframe provided for under the New York State Open Meetings Law. The Board of Trustees approves the minutes at the next board meeting. Amendments to the minutes require approval of the Board of Trustee by a majority vote.

XI. **GUIDELINES FOR USE OF RECORDING EQUIPMENT:** All regular and workshop meetings of the Board are webcast and televised to the extent possible. All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. Recording should be done in a manner that does not interfere with the meeting. The Mayor, or presiding officer, may determine whether the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Village Board, size of the equipment, and the ability of the public to participate in the meeting. If the recording is determined to be intrusive and interferes with the meeting, the Mayor, or presiding officer, may direct that the recording be stopped or undertaken in a different manner or location.

XII. **ADJOURNMENT:** Meetings shall be adjourned by motion.

XIII. AMENDMENTS TO THE RULES OF PROCEDURE: The Board of Trustees may amend the foregoing procedures by a majority vote.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

The foregoing was put to a vote which resulted as follows:

	Yea	Nay
Mayor Matthew Alexander	<u> X </u>	_____
Kevin Huber – Trustee	<u> X </u>	_____
Bill Marcojohn – Trustee	<u> Absent </u>	_____
Ronnie Komornik – Trustee	<u> X </u>	_____
Mary Paonessa – Trustee	<u> X </u>	_____
Scott Davis – Trustee	<u> X </u>	_____
Brian Whitten – Trustee	<u> X </u>	_____

Dated: Wappingers Falls, New York
April 29, 2020