

# **TOWN OF VETERAN TOWN BOARD RULES OF PROCEDURE FOR MEETINGS**

The following are the specific rules of order and procedure for the Town of Veteran Town Board and where appropriate for the Town's committees and boards including the Town of Veteran Planning Board and the Town of Veteran Zoning Board of Appeals. Any rules not herein set forth may be adopted by the Town Board. In all instances where a rule is not established, or a point of order is not established, Robert's Rules of Order – Simplified (attached) shall be deemed to apply and shall be referred to for guidance by Supervisor or presiding officer. In instances where the meetings are of boards or committees, the Chairperson shall be deemed the presiding officer. In regard to board and committees other than the Town Board and where the context so requires the following terms shall mean: Board/Town Board - board or committee; Supervisor - Chairperson, Deputy Supervisor and Deputy Chairperson; Councilperson - board or committee member; and Member - member of the board or committee.

## ***Section 1 - REGULAR MEETINGS.***

The Town Board shall hold regular meetings on such days and at such times and place as are fixed by the Town Board. Any deviation of the foregoing shall be determined by the Town Board.

The Planning Board shall hold regular meetings on the 1<sup>st</sup> Monday of each month, such meetings shall commence at 7:00 pm and shall be conducted at the Town Hall. Any deviation of the foregoing shall be determined by the Planning Board.

The Zoning Board of Appeals and boards and committees, other than the Town Board or Planning Board, shall meet on a call or as needed basis.

Any meeting may be cancelled by the Supervisor or Chairperson for lack of agenda items or other cause.

## ***Section 2 - SPECIAL MEETINGS.***

Special meetings of the Town Board, Planning Board, of Zoning Board of Appeals are all those meetings other than regular meetings. A special meeting of the Town Board may be called by the Supervisor and shall be called by the Supervisor at the request of any two or more Members within ten (10) days. A special meeting of other boards or committees may be called by the Chairperson and shall be called by the Chairperson at the request of any two or more Members of a five (5) member board or three (3) or more Members of a seven (7) member board within ten (10) days. Notice shall be given at least 24 hours in advance, except in the case of emergency, by telephone, email, in person, or in writing, such notice shall state the date, time, place and purpose of the meeting. Only the business specified in the notice thereof shall be transacted at a special meeting.

### **Section 3 - NOTICE, POSTING OF MEETINGS.**

Regular and special meetings of the Board shall be called and noticed in accordance with Article 7 of the Public Officers Law. The notice and posting requirements shall be complied with by the Town Clerk for the Town Board, and in the case of other boards or committees the Chairperson thereof.

### **Section 4 - QUORUM.**

A quorum is required to conduct business. A quorum is a majority of the Board, of a five (5) member board it shall be three (3) and of a seven (7) member board it shall be four (4). In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

### **Section 5 - EXECUTIVE SESSIONS.**

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

### **Section 6 - AGENDAS.**

A well-prepared agenda is essential to the effective conduct of a meeting. Furthermore, a detailed agenda enhances the meeting preparation of Members and the general public.

An initial agenda shall be prepared by the Town Supervisor or Chairperson and distributed to the board six (6) days in advance of a regular meeting or included with the notice of a special meeting; the agenda shall also be posted on the town's website. The Supervisor, Chairperson or any Member may have an item placed on the agenda. Members shall provide agenda items to the Supervisor or Chairman eight (8) days in advance of a regular meeting or at the time of a request for a special meeting; emergent items arising after agenda deadlines shall be provided expeditiously for inclusion with justification of the emergent nature. Associated meeting materials for agenda items, including any proposed resolution, law, rule, regulation, policy, or other item that is scheduled for discussion shall be provided to the Supervisor or Chairperson before 12:00 PM two business days prior to the meeting. This timeline is necessary to comply with the posting requirements of the Open Meetings Law.

Any proposed resolution, law, rule, regulation, policy, or other item that is scheduled to be discussed during an open meeting shall be made available, upon request therefor, to the extent practicable at least 24 hours prior to the meeting during which the records will be discussed. Copies of such records may be made available for a reasonable fee determined in the same manner as provided therefor in article six of the Public Officers Law. Further, such records shall be posted on the Town's website to the extent practicable at least 24 hours prior to the meeting.

## **Section 7 - VOTING.**

Pursuant to Town Law, each Member of the Board shall have one vote. The Supervisor may vote on any matter but must vote in case of a tie. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law.

An abstention, silence or absence shall be considered a negative vote for the purposes of determining the final vote on a matter.

A vote upon any questions shall be taken by roll call, by ayes and noes, and the names of the members present and their votes shall be entered in the minutes.

## **Section 8 - MINUTES.**

Minutes shall be taken by the Clerk, Deputy Clerk or Secretary of the Board, as the case may be, in person or by a recording device, and are to be signed by the Clerk, Deputy or Secretary. Minutes shall consist 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 an executive session of any action that is taken by formal vote which shall 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.

Minutes shall also include the following:

- Name of the Board
- Date, place and time of meeting.
- Notation of presence or absence of Board members.
- Name and title of other Town officials and employees present and approximate number of attendees.
- Record of communications presented to the Board.
- Records or reports made by Board or other Town personnel.
- Signature of Clerk.

Minutes need not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve to have the taker of the minutes do so. All resolutions or motions shall be recorded in their entirety in the minutes.

Minutes shall be approved at the next regular Board meeting. Amendments to the minutes shall require Board approval.

Unapproved minutes of regular and special meetings will be made available to the public within two weeks from the date of the meeting in draft form. Minutes of Executive Sessions, if any, will be made available within one week.

## **Section 9 - ORDER OF BUSINESS.**

The order of business of Town Board Meetings shall, in general, be:

- Pledge of allegiance.
- Call to order.
- Roll Call.
- Audit of Bills
- Approval of minutes of previous meeting, unless waived.
- Petitions and communications.
- Report of officers and committees (code enforcement officer, clerk, highway superintendent, Supervisor)
- Public comment period
- Motions and resolutions
- Old business
- New business
- Adjournment.

The order of business need not be followed if the presiding officer determines that it is necessary to deviate, such determination is subject to being overruled by a majority vote of the board.

The order of business of meetings of boards and committees other than the Town Board shall be as determined by the Chairperson, such determination is subject to being overruled by a majority vote of such board or committee.

## **Section 10 - GENERAL RULES OF PROCEDURE.**

The Supervisor or Chairperson shall preside at the meetings of the Board and shall preserve order and decorum in debate. In the Supervisor or Chairperson's absence, or at their direction, the Deputy shall preside. Provided that the presiding officer is a member of the Board, they may debate, move and take other action that may be taken by other members of the Board.

Board members need not be recognized by the presiding officer before making motions and speaking unless such officer so requires. Motions require a second. A member shall not be interrupted when speaking unless it is to call the member to order. If a member, while speaking, is called to order, the member shall cease speaking until the question of order is determined, and, if in order, the member shall be permitted to proceed.

There is no limit to the number of times a member may speak on a question, however each member shall be limited to a reasonable time period.

Motions to close or limit debate may be entertained but shall require a two-thirds vote of members present.

In the event the presiding officer, or the majority of the board in attendance, shall make a determination that a member, speaker or person in attendance at a meeting is acting in a manner so as to, or does interfere with the meeting, the presiding officer, or the majority of the board in attendance, may request an accommodation to avoid the interference and if not complied with, ask the individual to leave the meeting. If the individual refuses to leave, the

presiding officer may take such action as to effect departure.

All questions of order shall be decided by the Supervisor or Chairperson subject to appeal by a Member to the parliamentarian, the Town Attorney. On any appeal of the Supervisor or Chairperson's decision on a matter of order, the Supervisor or Chairperson must first present the reason for that decision after which any Member may speak once thereon before the Supervisor or Chairperson puts the question "shall the Supervisor or Chairperson's ruling be sustained?". The question will then be decided without debate by an aye and no vote by a majority of the Members present including the Supervisor or Chairperson. At this point, should the Member request a parliamentarian ruling, the parliamentarian shall rule; if the parliamentarian is not present, the topic upon which the question of order was raised shall be tabled, the event transcribed and submitted to the parliamentarian, and the parliamentarian shall rule prior to the board's next scheduled meeting.

While a Member is addressing the Supervisor or Chairperson, no other Member will entertain any private discourse, walk about the room, or pass between the speaker and the Supervisor or Chairperson.

All questions regarding the priority of business, that is the priority of one question or subject matter over another under the same order of business, shall be decided by the Supervisor with advice from the parliamentarian, the Town Attorney, without debate.

Every motion shall be read to the Board before debate and before the question is taken. No motion shall be stated, debated or put unless it is seconded. After a motion is stated, it shall be in the possession of the Board but may be withdrawn by the introducer with consent of the seconder at any time before decision or amendment, if no objection is made. If objection is made then the same may be withdrawn by obtaining the consent of the majority of the Board present. If the motion or question in debate contains several distinct propositions, any Member may have the same divided. When a motion is under debate, no motion shall be entertained unless a) for adjournment; b) roll call; c) for the previous question; d) to lay a question on the table; e) to postpone indefinitely; f) to postpone to a certain date; g) to limit debate; or h) to amend it. Any motion to lay a question on the table shall be decided without amendment or debate, and a motion to postpone the question indefinitely or to a certain day, shall preclude any amendment to the main question.

When a Member wishes to limit debate, a motion can be made from the floor pursuant to Robert's Rules of Order which question shall be as follows: "Shall the main question be put now?" Said motion shall be seconded and carried by a two-thirds vote of members present. All debate instantly ceases and the Supervisor or Chairperson shall immediately put the question for a vote.

A motion for a meeting's adjournment shall always be in order, except when a vote is being taken, and such motion shall be decided without debate.

Once roll call has commenced, there shall be no further debate; nevertheless a Councilperson may explain the basis for such Member's vote prior to actually voting. Such explanations shall be brief, and in no case shall exceed one minute.

Any motion or question laid over by rule or by request of a Member shall be considered in order at the next session under the heading of motions and resolutions.

A motion to reconsider any resolution or motion can only be entertained by the Supervisor or Chairperson when moved by a Member who originally voted with the majority on such resolution or motion when the motion to reconsider is to be voted upon at a meeting of the same day on which such resolution or motion was considered. At the next regular meeting, a Member absent when a resolution or motion previously considered was approved shall have the right to make a motion to reconsider. Such motion to reconsider requires the affirmative vote of a majority of the Board.

If these rules of procedure are or become in conflict with the statutory law, the statutory law shall take precedence.

### **Section 11 - GUIDELINES FOR PUBLIC COMMENT.**

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

Public comments shall concern matters involving Board business. Further, the presiding officer or a majority of the Board may limit such comments to items which are on the agenda for the meeting or have been added to it.

Speakers must be recognized by the presiding officer, and shall give their organization, if any.

Speakers must limit their remarks to 5 minutes of Public Comment time, or such other time period as the presiding officer shall establish.

Speakers may not yield any remaining time they may have to another speaker and each speaker has only one opportunity per meeting to speak, unless the presiding officer elects to permit additional opportunities.

Members may, with the permission of the presiding officer, interrupt a speaker during their remarks, but only for the purpose of clarification or information. Further, response to, discussion of and action on any matter raised during the comment period is at the discretion of the presiding officer or a majority of the Board and shall be conducted outside of Public Comments.

All remarks shall be addressed to the Board as a body and not to any members thereof nor to other members of the audience in the form of a debate or argument. No person has the right to demand an answer to a specific question from the Board or a member of the Board.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Interested parties or their representatives may address the Board by written communications. Written communications shall be delivered to the Clerk or designee and provided to all members.

## **Section 12 - PUBLIC HEARINGS.**

Public hearings shall be held as prescribed by law. Whenever possible, public hearings shall be held during or as a part of meetings of the Board. If more than one public hearing is to be held during a meeting, such hearings may be scheduled for the same time and be conducted consecutively.

The date, time and subject matter of the public hearing shall be determined and set by the Supervisor and shall be noticed in the official newspaper of the Town and posted as required by law. Compliance with these requirements shall be the responsibility of the Town Clerk, Deputy Clerk or Secretary, as the case may be.

A written record of the public hearing shall be taken by the Town Clerk, Deputy Clerk or Secretary. The record shall state the name of the body for which the public hearing is being conducted, the date, time and place of such hearing, the name and title of the hearing officer, Town officials and employees present, the approximate number of attendees, a record of communications presented to the hearing officer, approximate time of adjournment and signature of the party who compiled the record. The records shall not contain verbatim comments. The record shall be made available to the public within two weeks following the date of the public hearing.

The hearing officer shall be the Supervisor, Chairperson or Town Attorney unless otherwise designated by the Supervisor or the presiding officer of the Board. The hearing officer shall decide all questions of procedure arising during the hearing.

The public shall be allowed to speak during the public hearing. Members of the Board shall not participate in the public hearing. Speakers must give their name, and organization, if any, they are representing, may give their address, and must be recognized by the hearing officer before they speak. Speakers must limit their remarks to five minutes or such other time period established by the hearing officer, and all remarks are limited to the subject matter of the public hearing. Speakers may not yield any remaining time they may have to any other speaker, and each speaker has only one opportunity to speak per hearing before all speakers are provided an opportunity to speak, and no more than twice without permission of the hearing officer. Attendees may not interrupt a speaker during their remarks. All remarks shall be addressed to the hearing officer. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste. In the event the hearing officer shall make a determination that a speaker or person in attendance is acting in a manner so as to, or does interfere with the hearing, the hearing officer may request an accommodation to avoid the interference and if such request is not complied with, ask the individual to leave the meeting. If the individual refuses to leave, the hearing officer may take such action as is necessary to effectuate such individual's departure.

Interested parties or their representatives may address the hearing officer by written communications which shall be delivered to the Clerk, Secretary or designee. The hearing officer will not read written communications during the hearing.

The hearing officer shall adjourn the hearing when such officer determines that all interested parties have been afforded the opportunity to make their remarks regarding the subject matter of the hearing.

### **Section 13 - USE OF RECORDING EQUIPMENT.**

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. The recording should be done in a manner which does not interfere with the meeting. The presiding officer may make the determination that 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 Board, size of the equipment, and the ability of the public to still participate in the meeting. If the presiding officer makes the determination that the recording is intrusive and has the effect of interfering with the meeting, the presiding officer may request an accommodation to avoid the interference and if not complied with, ask the individual to leave the meeting room.

### **Section 14 - ADJOURNMENT.**

Meetings shall be adjourned by motion.

### **Section 15 - AMENDMENTS TO THE RULES OF PROCEDURE.**

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

### **Section 16 – INTRODUCTION OF LOCAL LAWS**

As permitted by Municipal Home Rule Law Section 20(4), a proposed local law may be introduced by a member of the Board at a meeting of such Board, or alternatively by the Town Attorney who may introduce the local law by delivery of a copy thereof to the members of the Board by mail, hand, personal delivery or by electronic means.

ADOPTED: February 27, 2025

LAST AMENDED: February 27, 2025

REFORMATTED (for consistency): January 7, 2026

## **Roberts Rules of Order – Simplified Town Board of the Town of Veteran**

### **Guiding Principle:**

Every board member has the right to participate in discussion if they wish, before anyone may speak a second time. Every board member has the right to know what is going on at all times. Only urgent matters may interrupt a speaker. Only one thing (motion) can be discussed at a time.

A **motion** is the topic under discussion (e.g., “I move that we add a coffee break to this meeting”). After being recognized by the presiding officer, any member can introduce a motion when no other motion is on the table. A motion requires a second to be considered. Each motion must be disposed of (passed, defeated, tabled, referred to committee, or postponed indefinitely).

### **How to do things:**

#### **You want to bring up a new idea before the group.**

After recognition by the presiding officer, present your motion. A second is required for the motion to go to the floor for discussion, or consideration.

#### **You want to change some of the wording in a motion under discussion.**

After recognition by the presiding officer, move to amend by

- adding words,
- striking words or
- striking and inserting words.

#### **You like the idea of a motion being discussed, but you need to reword it beyond simple word changes.**

Move to substitute your motion for the original motion. If it is seconded, discussion will continue on both motions and eventually the body will vote on which motion they prefer.

#### **You want more study and/or investigation given to the idea being discussed.**

Move to refer to a committee. Try to be specific as to the charge to the committee.

#### **You want more time personally to study the proposal being discussed.**

Move to postpone to a definite time or date.

#### **You are tired of the current discussion.**

Move to limit debate to a set period of time or to a set number of speakers. Requires a 2/3 vote of members present.

**You have heard enough discussion.**

Move to close the debate. Requires a 2/3 vote. Or move to previous question. This cuts off discussion and brings the assembly to a vote on the pending question only. Requires a 2/3 vote of members present.

**You want to postpone a motion until some later time.**

Move to table the motion. The motion may be taken from the table after 1 item of business has been conducted. If the motion is not taken from the table by the end of the next meeting, it is dead. To kill a motion at the time it is tabled requires a 2/3 vote. A majority is required to table a motion without killing it.

**You believe the discussion has drifted away from the agenda and want to bring it back.**

Call for orders of the day.

**You want to take a short break.**

Move to recess for a set period of time.

**You want to end the meeting.**

Move to adjourn.

**You are unsure that the presiding officer has announced the results of a vote correctly.**

Without being recognized, call for a "division of the house." At this point a roll call vote will be taken.

**You are confused about a procedure being used and want clarification.**

Without recognition, call for "Point of Information" or "Point of Parliamentary Inquiry." The presiding officer will ask you to state your question and will attempt to clarify the situation.

**You have changed your mind about something that was voted on earlier in the meeting for which you were on the winning side.**

Move to reconsider. If the majority agrees, the motion comes back on the floor as though the vote had not occurred.

**You want to change an action voted on at an earlier meeting.**

Move to rescind. If previous written notice is given, a simple majority is required. If no notice is given, a 2/3 vote is required.

**You may INTERRUPT a speaker for these reasons only:**

to get information about business – **point of information**

to get information about rules – **parliamentary inquiry**

if you can't hear, safety reasons, comfort, etc. – **question of privilege**

if you see a breach of the rules – **point of order**

if you disagree with the presiding officer's ruling – **appeal**

Quick Reference					
	Must Be Seconded	Open for Discussion	Can be Amended	Vote Count Required to Pass	May Be Reconsidered or Rescinded
Main Motion	✓	✓	✓	Majority	✓
Amend Motion	✓	✓		Majority	✓
Kill a Motion	✓			Majority	✓
Limit Debate	✓		✓	2/3 <sup>rds</sup>	✓
Close Discussion	✓			2/3 <sup>rds</sup>	✓
Recess	✓		✓	Majority	
Adjourn (End meeting)	✓			Majority	
Refer to Committee	✓	✓	✓	Majority	✓
Postpone to a later time	✓	✓	✓	Majority	✓
Table	✓			Majority	
Postpone Indefinitely	✓	✓	✓	Majority	✓