

As otherwise specifically provided in this chapter, the provisions of this chapter shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unity, entity, officer or employee of the village or any right to defense provided for any governmental officer or employee by, in accordance with or by reason of any other provision of state or federal statutory or common law.

§ 3-7. Applicability.

The provisions of this chapter shall apply to all actions and proceedings specified herein which have been commenced, instituted or brought on or after the effective date of this chapter.

§ 3-8. When effective.

This chapter shall take effect immediately.

Chapter 4

RULES OF PROCEDURE

- § 4-1. Regular Meetings.
- § 4-2. Special Meetings.
- § 4-3. Quorum.
- § 4-4. Executive Sessions.
- § 4-5. Agendas.
- § 4-6. Voting.
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- § 4-11. Use of Recording Equipment.
- § 4-12. Adjournment.
- § 4-13. Amendments to the Rules of Procedure.

[HISTORY: Adopted by the Board of Trustees of the Village of Port Dickinson October 14, 1997.]

§ 4-1. Regular Meetings.

The Board of Trustees shall hold regular meetings on the 2nd Tuesday of each month. Such regular meetings shall commence at 7:30 P.M. and be conducted in the library at the Port Dickinson Elementary School, 770 Chenango Street in the Village. Any deviation of the foregoing paragraph shall be determined by the Board of Trustees.

§ 4-2. Special Meetings.

Special meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by the Mayor or any Trustee upon notice to the entire board. Notice shall be given by telephone, in person, or in writing.

§ 4-3. Quorum.

A quorum shall be required to conduct business. A quorum of the (5) five member board of trustees shall be (3) three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

§ 4-4. 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.

§ 4-5. Agendas.

The agenda shall be prepared by the Mayor. Any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Mayor at least 24 hours before the meeting, however, items may be placed on the agenda at any time, including during the meeting.

The agenda shall be prepared by noon on the day of the meeting. If necessary a supplemental agenda shall be distributed at the beginning of the meeting.

§ 4-6. Voting.

Pursuant to Village Law each member of the Board shall have 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 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 question shall be taken by ayes and noes, and the names of the members present and their votes shall be entered in the minutes.

§ 4-7. Minutes.

Minutes shall be taken by the Clerk. 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 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 and time of arrival or departure if different from time of call to order and adjournment;
- Name and title of other village officials and employees present and well approximate number of attendees;
- Record of communications presented to the Board;
- Record of reports made by Board or other village personnel;
- Time of Adjournment;
- Signature of Clerk or person who took the minutes if not the 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 Clerk do so.

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

§ 4-8. Order of Business.

The order of business shall be:

- Call to Order - Welcome
- Pledge of Allegiance
- Approval of Minutes
- Treasurer's Report
- Reading of Bills Payable
- Approval of Bills Payable
- Invitation for Public Comments & Discussion
- Public Hearings (if any)
- Opening of Bids (if any)
- Commissioners' Reports:
 - Water and Sewers
 - Public Safety
 - Administration
 - Public Works, Parks & Recreation
- Planning Board Report
- Zoning Board Report
- Community Association Report
- Resolutions
- Discussion Items
- Questions & Answers
- Adjournment

The order of business need not be followed if the Mayor determines that it is necessary to deviate.

§ 4-9. General Rules of Procedure.

The Mayor shall preside at meetings. In the Mayor's absence the Deputy Mayor shall preside. The presiding officer may debate, move and take other action that may be taken by other members of the Board.

Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking. Motions do not require a second. A member, once recognized shall not be

interrupted when speaking unless it be to call the member to order. If a member, while speaking, be called to order, such member shall cease speaking until the question of order be determined, and, if in order, such member shall 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 but shall require a two-thirds vote.

§ 4-10. Guidelines for Public Comment.

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

Speakers must give their name, address and organization, if any.

Speakers must be recognized by the presiding officer.

Board members may, with the permission of the Mayor, 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.

Interested parties or their representatives may address the Board by written communications. Written communications shall be delivered to the Clerk or Mayor.

Handicapped citizens who require assistance in attending any meeting, or in furnishing comments and suggestions, should contact the Town Clerk to request such assistance.

§ 4-11. 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.

§ 4-12. Adjournment.

Meetings shall be adjourned by motion.

§ 4-13. Amendments to the Rules of Procedure.

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