



TOWN OF DEERPARK

KARL A. BRABENEC, SUPERVISOR
DAVID M. HOOVLER, COUNCILMAN
GARY SPEARS, COUNCILMAN
ARTHUR T. TROVEI, COUNCILMAN

RESOLUTION #1 OF 2010 **PROCEDURE FOR TOWN BOARD MEETINGS**

WHEREAS the Deerpark Town Board wishes to establish a general set of procedures for the purpose of an organized and structured meeting, and

WHEREAS it is the wish of the Deerpark Town Board to hold all meetings in an open and fair manner which will expand communication with the public and create an educational environment for residents and visitors in regards to town business

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Deerpark in regular session duly convened establishes the following procedure for all Town Board meetings:

Section 1. Regular Meetings

The Town Board of the Town of Deerpark (the "Town") shall hold regular meetings on the first and third Mondays of each month, and work session meetings will be held upon reasonable notice governed by Town law. Such regular meetings shall commence at 7:30 PM and be conducted in the board room at the Town Hall. Any deviation of procedures of the foregoing paragraph shall be determined by the Town Board.

Section 2. Special Meetings

Special meetings of the Town Board are all those Town Board meetings other than regular meetings and work session meetings. A special meeting may be called by the Supervisor upon two days' written notice to the entire Town Board or if all five Town Board members are present. Additionally, the Supervisor must call a special meeting within ten days of a written request by any two councilpersons.

Section 3. Quorum

A quorum shall be required to conduct business. A quorum of the five-member Town Board shall be three. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

Section 4. Executive Sessions

Executive sessions shall be held in accordance with the N.Y. Public Officers Law § 105. All executive sessions shall be commenced in a public meeting. Attendance shall be permitted to any member of the Town Board and any other persons authorized to attend that executive session by the Town Board.

Section 5. Agendas

The agenda shall be prepared by the Supervisor, or in his absence the Deputy Supervisor. The Supervisor or any councilperson or any other Town official may have an item placed on the agenda. Items for the agenda shall be given to the Supervisor at least 24 hours before the meeting except that, in unusual circumstances, an item may be submitted before 12 noon the day of the meeting. However, the Supervisor, if time permits, may add an item to

the agenda later than 12 noon the day of the meeting. Items that cannot be placed on the agenda may be brought up during the meeting.

Section 6. Voting

Pursuant to Town Law, each member of the Town Board shall have one vote. A majority of the totally authorized voting power (i.e., three votes) is necessary to pass a matter unless otherwise specified by state law. An abstention, silence or absence shall not be considered either an affirmative or 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.

Section 7. Minutes

Minutes shall be taken by the Town 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 that is not required to be made public by the New York Freedom of Information Law. Minutes shall also include the following:

- Name of the Town Board;***
- Date, place and time of meeting;***
- Notation of presence or absence of Town Board members and time of arrival or departure if different from time of call to order and adjournment;***
- Name and title of other Town officials and employees present and approximate number of attended***
- Record of communications presented to the Town Board;***
- Record of reports made by Town Board or other Town personnel;***
- Time of adjournment;***
- Signature of Town Clerk or person who took the minutes if not the Town Clerk.***

Minutes shall not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Town Board shall resolve to have the Clerk do so.

Minutes shall be transcribed and distributed, if available, at least 14 days before the next regular meeting. Minutes shall be approved at the next Town Board meeting after they have become available. Amendments to the minutes shall require Town Board approval.

Section 8. Order of Business

A. The order of business for regular meetings shall be:

- Call to order***
- Pledge of Allegiance***
- Opening Board Comments***
- Presentations/Communications***
- Public hearings (if any)***
- Approval of minutes of previous meetings***
- Reports of Officers, Committees, and Department Heads***
- Public comment period (Agenda Items Only)***
- Opening of bids (if any)***
- Old business***
- New business***
- Appropriations, Budget, and Payment of Bills***
- Auditing***
- Closing Board Comments***
- Executive Session (if needed)***
- Adjournment***

B. The order of business for work session meetings shall be:

- Public hearings (if any)***
- Opening of bids (if any)***
- Work session items***

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

Section 9. General Rules of Procedure

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

Town Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking. Motions 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, is called to order, such member shall cease speaking until the question of order is 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 majority vote.

Section 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 times as a majority of the Town Board shall allow.

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

Speakers must be recognized by the presiding officer.

Town Board members may, with the permission of the Supervisor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

All remarks shall be addressed to the Town Board as a body and not to any member thereof.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity, good taste and shall additionally observe the Rules of Conduct and Decorum as passed by the Town Board.

Interested parties or their representatives may address the Town Board by written communications. Written communications shall be delivered to the Clerk or to his or her designee. Speakers should not read written communications verbatim but should summarize their contents.

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

Section 11. Use of Recording Equipment

All members of the public and all public officials are allowed to tape or videotape public meetings. Recording is not allowed during executive sessions. The recording should be done in a manner which does not interfere with the meeting.

Section 12. Adjournment

Meetings shall be adjourned by motion.

Section 13. Rules of Basic Parliamentary Procedure

Where applicable, and not in conflict with Town law or any other laws of the State of New York, the Rules of Order set forth in the most recent edition of Robert's Rules of Order will govern the introduction of business, debate and decorum of Town meetings.

Section 14. Amendments to the Rules of Procedure

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

Drafted for approval by Resolution by:

David M. Hoovler
Councilman
Town of Deerpark

VOTE RECORD:

Motion by _____;

Second _____

Roll Call vote:

Councilman Trovei _____

Councilman Spears _____

Councilman Hoovler _____

Supervisor Brabenec _____

This the 4th day of January, 2010.

Karl A. Brabenec, Town Supervisor

David M. Hoovler, Councilman

Gary Spears, Councilman

Arthur T. Trovei, Councilman

Recorded by,

**Florence T. Santini,
Town Clerk**