



Village of Menands
BOARD OF TRUSTEES
RULES OF PROCEDURE

SECTION 1 - Regular Meetings:

The Board of Trustees shall hold regular meetings on the 1st and 3rd Monday of each month. Such regular meetings shall commence at 6:00 p.m. and be conducted in the board Menands Village Hall. Any deviation of the foregoing paragraph shall be determined by the Board of Trustees. Meeting dates may be shifted to accommodate religious holidays or national election days.

- The Mayor presides over meetings of the Board of Trustees. If the Mayor is absent the Deputy Mayor presides over meetings of the Board of Trustees. If both the Mayor and Deputy Mayor are absent, then the trustees may appoint a Trustee to preside over meetings of the Board of Trustees.
- Board of Trustees of the Village of Menands, who also act as the Board of Fire Commissioners, and the Planning Board as needed during the regularly scheduled meetings; shall be on the first and third Monday of each month during the ensuing official year, and in the event that the date of the regular meeting shall be a holiday, such meeting shall be held on the following day, and such meeting may be adjourned from time to time in the manner prescribed by law and shall be held at the Municipal Building in said Village at 6:00 P.M. or at such other place, or such other time as may hereafter be designated by the Board of Trustees.
- Every meeting of the public body must be open to the general public.

SECTION 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 a majority of the Board of Trustees upon notice to the entire Board. Notice shall be given by telephone, by email, in person, or in writing.

- a) Special Meetings of the Board of Trustees are all those Board Meetings other than regular meetings.

- b) A special meeting may be called by the Mayor or any Trustee upon notice to the entire Board.
- c) Notice may be given to Board members by telephone, in person, email, or in writing at least 72 hours in advance unless an emergency exists.
- d) Notice to the public on the Village Website, posted in lobbies of Menands Police Department and Village Office.
- e) Workshops and Special Meetings the public may attend but cannot comment.
- f) Executive Session is not open to the General Public.
- g) Videoconferencing must provide an opportunity for the public to attend, listen, observe, and participate in the meeting.
- h) Notice of the meeting and agenda will be available on the Village Website and posted in lobbies of Menands Police Department and Village Office.

SECTION 3 – Public Hearings:

- a) Notice to the public on the Village Website, Times Union Legal Section, posted in lobbies of Menands Police Department and Village Office. At least 7 days prior to the meeting.
- b) The presiding officer must open the Public Hearing.
- c) The Clerk must read the Notice of the Public Hear.
- d) The public must be allowed to comment only on the topic of the Public Hearing.
- e) The presiding officer must Close the Public Hearing.
- f) No vote may be taken during the Public Hearing.

SECTION 3 - Quorum

A quorum shall be required to conduct business. A quorum of the five (5) member Board of Trustees shall be three (3). 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 New York State Public Officers Law Section 105. All executive sessions shall be commenced in a public meeting.

1. Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a public body may conduct an executive session for the below enumerated purposes only, provided, however, that no action by formal vote shall be taken to appropriate public moneys:

- a. matters which will imperil the public safety if disclosed;
- b. any matter which may disclose the identity of a law enforcement agent or informer;
- c. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- d. discussions regarding proposed, pending or current litigation;
- e. collective negotiations pursuant to article fourteen of the civil service law;

- f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
 - g. the preparation, grading or administration of examinations; and h. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.
2. Attendance at an executive session shall be permitted to any member of the public body and any other persons authorized by the public body.

SECTION 5 - Agendas

The agenda shall be prepared by the Village Clerk in consultation with the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Village Clerk the Wednesday before the meeting; however, items may be placed on the agenda at any time, including during the meeting, by consent of a majority of the Board. The agenda shall be prepared by Wednesday preceding the meeting. If necessary, a supplemental agenda shall be distributed at the beginning of the meeting.

SECTION 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 recorded as such, but shall be considered a negative vote for the purpose of determining the final vote on a matter.

A vote upon any question shall be taken by ayes and nays, 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 Village 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 New York State 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 in an official capacity and 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 Village 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.

SECTION 8 - Order of Business

The order of business shall be:

- Call to order
- Pledge of Allegiance
- Approval of Minutes of previous meeting
- Approval of Warrants and Transfers
- Resolutions
- Mayor's Report
- Trustee's Report
- Clerk's Report
- Announcements
- Public Comments
- Adjournment

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

SECTION 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. 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, they shall cease speaking until the question of order be determined, and, if in order, they shall be permitted to proceed.

There is no limit to the number of times a member may speak on a question.

Motion to close or limit debate may be entertained but shall require a two-thirds vote.

SECTION 10 - 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 the presiding officer shall allow. The presiding officer may modify these guidelines if warranted.

Speakers must step to the front of the room and speak into the microphone.

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

Speakers must be recognized by the presiding officer.

Speakers must limit their remarks to three (3) minutes on a given topic and may be recognized again by the presiding officer after other speakers have had an opportunity to speak.

Speakers may not yield any remaining time they may have to another speaker.

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.

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

Interested parties or their representatives may address the Board with written communications. Written communications shall be delivered to the Village Clerk. Speakers may not read written communications verbatim but should summarize their

contents.

SECTION 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. 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 Village Board, size of the equipment, and the ability of the public still to 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 12 - Adjournment

Meetings shall be adjourned by motion.

SECTION 13 - Amendments to the Rules of Procedure

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