



## RESOLUTION No. 31

### ADOPT UPDATED RULES OF PROCEDURE GOVERNING CONDUCT OF MEETINGS

TOWN SUPERVISOR  
742-5020

TOWN CLERK  
TAX RECEIVER  
742-5080

TOWN COURT  
924-5775  
924-5262

ASSESSMENT  
742-5010

ECONOMIC  
DEVELOPMENT  
742-5073

FINANCE  
742-5025

HIGHWAY  
924-3323

HISTORIAN  
742-5065

PARKS & RECREATION  
742-0140

PLANNING &  
BUILDING  
742-5035

PLANNING / ZONING  
742-5040

Motion by Councilman Guinan, seconded by Councilman Kahovec, the following resolution was adopted:

5 Ayes: Marren, Condon, Tantillo, Kahovec, Guinan  
*Unanimously Approved*

WHEREAS, the Town Board has found it necessary to update the Town of Victor's Rules of Procedure governing conduct of meetings; now, therefore, be it

RESOLVED, that pursuant to Town Law Section 63 the Town Board adopts the updated "Rules of Procedure" as follows:

#### Town of Victor Rules of Procedure

The Town Board hereby adopts the following Rules of Procedure. In the absence of the adoption of its own rules of order, these rules shall apply to all boards and committees of the Town of Victor. The Rules of Procedure will be posted in the Town Hall Meeting Rooms and on the Town of Victor website.

#### VICTOR TOWN BOARD RULES OF PROCEDURE

1. The organizational meeting of the Victor Town Board will be held during the month of January of each year, pursuant to the provisions of Town Law. The Town Board shall hold at least one (1) regular meetings each month of the calendar year, the date(s) and time(s) to be decided upon at the organizational meeting.
2. The Town Supervisor shall be the Chair of the Board. In the absence of the Supervisor, the Deputy Supervisor shall act as the Chair of the Board.
3. The majority of the Town Board (3 members) shall constitute a quorum.

#### COMMITTEES

4. The Town Board may from time to time create Committees of the Town Board as deemed necessary to assist the Board in the transaction of its business. The Town Board shall appoint one or more members of the Board to serve on such Committee on an annual basis for a one year term.
5. The Town Board may from time to time also create and abolish Advisory, Special Committees and/or Commissions. Any resolution creating an advisory Special Committee or Commission shall specify the powers and duties of the Special Committee or Commission.

## MEETINGS

6. At each meeting the order of business shall be:
  1. Public Hearings (if applicable)
  2. Call to order and Pledge of Allegiance
  3. Approval of the Minutes
  4. Payment of Bills
  5. Privilege of the Floor
  6. Public Comments and Concerns
  7. Reports of Town Officials, Department Heads, Boards & Committees
  8. Resolutions and Motions
  9. Public Comment
  10. Executive session as needed
  11. Adjournment
7. The Chair shall preserve order and decorum at all meetings of the Board.
8. Every Board member, previous to his/her speaking shall address himself or herself to the Chair. When two or more members of the Board address the Chair at once, the Chairperson shall name the Board member who is to speak first. No Board member shall speak more than once on any question, until every Board member choosing to speak shall have spoken.
9. A Board member called to order shall immediately come to order, except that he/she will be permitted to explain. If an appeal shall be taken from a decision of the Chair, the Board shall decide the case by majority vote without debate.

## PUBLIC HEARINGS

10. Public hearings shall begin promptly at the published time, or as soon thereafter as practicable in the Supervisor's / Chair's discretion and subject to the following rules:
  - a. Public hearings shall begin after a majority vote of the Board to begin the public hearing, and a reminder to the public of the application of these rules to the public hearing.
  - b. The topic and notice of the public hearing will be announced by the Town Clerk / Secretary and speakers are limited to address the topic announced. Multiple hearing topics shall be addressed separately and in succession. After each public hearing topic is addressed the public hearing shall be closed by a majority vote of the Board.
  - c. Speakers at a public hearing are encouraged to sign in to request an opportunity to speak prior to the start of the public hearing.
  - d. Each speaker will be limited to 5 minutes, except the Supervisor / Chair may permit additional time in his or her discretion after taking the total number of speakers and time available into account.
  - e. Each speaker will state his or her name and address.
  - f. Speakers may only address the Board.
  - g. Comments shall be presented in a courteous and respectful manner.
  - h. Video or audio records may not interfere with the orderly conduct of the meeting.
  - i. The Supervisor / Chair is authorized to enforce these rules, which shall be conspicuously posted in the meeting room at all times. Any person who has failed to comply with the Supervisor's or Chair's directives, after two (2) warnings, may be removed from the meeting.
  - j. Violations of these rules shall be punishable as Disorderly Conduct in violation of Penal Law section 240.20

## PERMISSION FOR THE PUBLIC TO SPEAK BEFORE THE TOWN BOARD

11. Anyone from the public shall have the right to address the Board during the Privilege of the Floor portion of any Town Board meeting. Upon request a member of the audience may address the Town Board on a matter of public concern. The time allotted for addressing the Board shall be limited to three minutes unless the Supervisor has granted prior approval for additional time.
12. Each speaker will have three minutes to speak. Time may not be transferred from one speaker to another or reserved for a later time in the same meeting.
13. Speakers must direct their comments to the Town Board.
14. The use of racial, ethnic, or homophobic slurs; lewd, obscene, threatening, abusive, or profane language will not be tolerated. Speakers who violate this rule, will have their time immediately revoked and will be asked to leave the meeting.
15. Written materials must be provided to the Clerk to be incorporated into the official record.
16. No persons have a right to demand an answer to specific questions from a member of the board.

## **MOTIONS AND RESOLUTIONS**

17. General deadline for preparation and submission of formal Resolutions to the Town Clerk for consideration and/or action by the Town Board is at the Town Supervisors discretion. The Town Board hereby acknowledges, in its sole discretion, may continue to consider and/or act upon any and all business that may properly come before the Town Board at any duly convened meeting of the Town Board by request of a waiver of the rule and the approval of a majority of the board.
18. No motion shall be stated, debated, or put, unless it is seconded. When a motion is seconded, the Chair, before debate, shall state it. Any motion shall be reduced to writing if the Chair or any Board member requires it.
19. After a motion is stated, it shall be before the Board, any such motion may be withdrawn by the Councilperson offering the motion at any time prior to decision or amendment.
20. If any question in debate contains several distinct propositions, any Board member may have the same divided.
21. When a question is under debate, no motion may be received, except a motion to amend the question, to put the question, to postpone it indefinitely, to adjourn it to a specific day, to lay it on the table, to commit it to a committee, or a motion to adjourn the Board.
22. Votes, when recorded: The name of the Board member offering a motion or resolution, and the name of the Board members seconding the motion or resolution shall be entered into the minutes. The ayes and nays and abstentions upon any question shall be taken and entered in the minutes. Any such motion must be made by a Board member, be duly seconded and then be approved by an affirmative vote of a majority of the board.
23. Any member of the board may request a roll call vote.
24. No standing rule of order shall be rescinded, suspended or changed, or any additional rule of order be adopted thereto, except by unanimous vote of the members present and voting at a regular or special meeting.
25. Every Resolution and Local Law, as amended before the Board, shall be laid over until the next regular session of the Board if so demanded by any member of the Board. No further action may be taken on the Resolution or Local Law or its amendments, but limited discussion may occur at the discretion of the Supervisor. No member shall be required to tell his/her reason for the lay-over of the Resolution or Local Law. Any action on a laid-over Resolution or Local Law must take place at the next scheduled meeting. No Resolution or Local Law may be laid over a second time.
26. All questions of order not addressed specifically by these Rules of Procedure shall be decided by legal counsel for the Town based on the provisions of Robert's Rules of Order and applicable law.
27. A motion to adjourn, duly seconded, shall always be in order and shall be decided without debate by an affirmative vote of a majority of the Board.

## EXECUTIVE SESSIONS

28. Any Board Member may call for executive session on a specified topic, which must be approved by a majority vote. In addition, the Board shall announce who, in addition to the Board, shall be present for the executive session.

## AGENDA

29. The Supervisor will set the agenda. The Town Clerk will post the agenda on the official bulletin board. The Town Clerk or designee will post the agenda and resolutions on the website by 4:00 p.m. the Friday prior to a Town Board meeting.

## MEETING PACKET

30. The Town Clerk and/or the Supervisor will gather all information relevant to the Town Board meeting, including the agenda, and place it in the Town Board mailboxes and/or send via email by 4:00 p.m. the Friday prior to a meeting. Also, on the Friday prior to a meeting the agenda and supporting documents will be posted on the Town's website.

And further

RESOLVED that the Rules of Procedure be posted in the Main Meeting Room of Town Hall and on the Victor web site

*State of New York)  
County of Ontario)*

*I do hereby certify that I have compared the preceding with the original thereof, on file in the Office of the Clerk of the Town of Victor, New York, and that the same is a correct transcript there from and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board of the Town of Victor, New York on January 7, 2019.*

*Given under my hand and official seal*

*Karen C. Bodine Town Clerk  
of the Town of Victor, New York*