

RULES OF PROCEDURE
FOR MEETINGS OF
THE PITTSFORD TOWN BOARD

ARTICLE I: PREAMBLE

These Rules are intended for the orderly and civil conduct of public business at meetings of the Pittsford Town Board. They are to be construed by the Presiding Officer to promote this purpose.

ARTICLE II: MEETINGS OF THE TOWN BOARD

Section 1. Regular Meetings

The Town Board shall meet on the first and third Tuesday of each month at 6:00 p.m. The Town Board may reschedule or cancel a regular meeting (a) if such meeting conflicts with an important community or governmental event or a legal or religious holiday; or (b) if presence of a quorum appears in doubt; or (c) for other reason permitted by applicable law. For good cause shown, the Town Supervisor is authorized to reschedule Town Board meetings.

Section 2. Special Meetings

Special meetings may be called by the Town Supervisor by giving at least two days' written notice to all Members of the Board of the time and place for the meeting, and otherwise as permitted by applicable law. Notice shall state the proposed items for consideration at the special meeting.

Section 3. Quorum

A majority of the entire Town Board shall constitute a quorum, but a lesser number may adjourn a meeting.

ARTICLE III: CONDUCT OF MEETINGS

Section 1. Order of Business

The order in which matters shall be considered by the Town Board shall be pursuant to the Agenda for each meeting. The Supervisor shall determine the Agenda for each meeting of the Town Board, except as otherwise provided herein. The Presiding Officer at any meeting may take items out of order for the sake of convenience, or out of consideration to visitors, or otherwise in his or her discretion.

Section 2. Presiding Officer

Pursuant to the Town Law of the State of New York, the Town Supervisor shall preside at all meetings of the Town Board. In the Supervisor's absence, the Deputy Supervisor (if a member of the Town Board) shall preside. Should both the Supervisor and Deputy Supervisor be absent, or should the Deputy Supervisor not be a member of the Town Board, then the Town Board shall select a Temporary Presiding Officer. Such a Temporary Presiding Officer may be designated in advance. In presiding over meetings of the Town Board, the Temporary Presiding Officer shall have all of the authority of the Supervisor as Presiding Officer of the meeting.

The Presiding Officer shall have the authority and duty to:

- (a) Preserve orderly conduct of meetings of the Town Board and civility at such meetings.
- (b) Decide all questions of procedure, subject to appeal to the Town Board as described in Article III, Section 6(b) of these Rules.
- (c) Designate any Town Board member to act temporarily as Presiding Officer.
- (d) Recess any meeting for a period of time.

Section 3. Discussion and Debate

The rules governing discussion and debate shall be as follows, except as otherwise provided by these rules.

- (a) To be recognized, a Board Member shall seek recognition by the Presiding Officer or respond to the Presiding Officer's solicitation of comments from the Board. To the extent practicable, the Presiding Officer shall alternate in recognizing Members to speak between those in favor of a motion and those against.
- (b) Discussion or debate on a resolution or debatable motion shall begin only after it has been moved by a Board Member and seconded by another Board Member.
- (c) A Board Member may speak as often on a question as the Member is recognized by the Presiding Officer, provided that no Board Member shall speak for more than five (5) minutes in total on a matter before the Board, except as permitted by the Presiding Officer.
- (d) All discussion on a local law, resolution or motion must be germane to the subject matter of such law, resolution or motion. Non-germane discussion may be ruled out of order by the Presiding Officer.
- (e) No Board Member shall speak while another is speaking unless the latter yields to the former.
- (f) All debate and all questions, including questions for members of Town staff or for other Board members, shall be directed through the Presiding Officer.

Section 4. Debatable Motions

Debatable motions shall be as follows:

- (a) *Main Motion.* A main motion is a motion that brings business before the Town Board. It is a formal proposal for the Board to take action, including adopting a local law or other resolution. A

main motion may be made only when no other motion is pending. It may be amended and requires a majority vote except where otherwise required by law or by these Rules. A motion may be withdrawn by its proposer at any time before a vote is taken.

(b) *To Amend.* This amends either the main motion or an amendment to the main motion. An amendment is a motion to change or modify the main motion or an amendment of it. An amendment shall not be amended more than once. Amendments shall be disposed of in inverse order before voting on the main motion, and shall require a majority vote.

(c) *To Commit.* This motion is used to refer a matter to the Town administration and staff, or to a committee of the Town Board or to a Volunteer Board. The motion may be amended and requires a majority vote.

(d) *To Reconsider.* The purpose of this motion is to reconsider a motion previously carried or lost. It may be made only by a Member who voted with the prevailing side, but may be seconded by any other Board Member. No question may be reconsidered more than once. A motion to reconsider may not be amended and requires a majority vote. In order to reconsider, two separate votes are required: first, on whether the original question shall be reconsidered. If that motion passes, it shall be followed by a vote on the original motion.

(e) *To Sever.* This motion is used to divide a question into two or more logical parts. It may be amended. It requires a majority vote.

Section 5. Motions Without Debate

The following motions are not debatable:

(a) *To Lay on the Table.* This motion is used to postpone a subject under discussion. A motion to table is in order at any time subsequent to the moving and seconding of a main motion or an amendment. It is not amendable and requires a majority vote. To be taken up again at a subsequent

meeting of the Town Board, a motion, duly seconded and with affirmative majority vote, is required to remove the matter from the table.

(b) *To Adjourn.* This motion is always in order except when a speaker has the floor, during roll call, or immediately after it has been voted down. It requires a majority vote.

(c) *The Previous Question.* Moving the previous question is used to bring a motion duly made and seconded to a vote immediately. It may be made by any Board Member, by stating: "I move the previous question." A second shall not be necessary. When the previous question is moved, the Presiding Officer immediately shall ask the Board, "Shall the question now be put?" whereupon the Town Clerk shall call the roll. If sixty percent of Members present vote in the affirmative, the question then before the Town Board shall be put to a vote immediately in the usual manner without further debate.

Section 6. Point of Order.

(a) A Board Member may object to an aspect of procedure by raising a point of order. A point of order may be raised at any time, except during a roll call vote. It requires an immediate ruling by the Presiding Officer. Once the point is raised, the Presiding Officer shall ask the Member to explain the procedural objection. The Presiding Officer then shall either sustain or deny the point of order without delay.

(b) A Member who raises a point of order may appeal to the Town Board the Presiding officer's decision. Upon such request, the Presiding Officer shall put to the Board the question: "Shall the decision be sustained?" Discussion may follow and the Presiding Officer may discuss the issue. Following discussion the Presiding Officer shall ask the Town Clerk for a roll call vote. A majority or tie vote of Members present sustains the decision of the Presiding Officer. The Presiding Officer shall be entitled to vote on the appeal of the decision.

Section 7. Voting

All voting on local laws, resolutions and motions shall be by roll-call vote unless otherwise permitted by applicable law.

(a) The Town Clerk shall call the roll.

(b) No Board Member may decline to vote or abstain from voting on a local law, resolution or motion unless excused from voting pursuant to this rule. No Member shall speak during roll call except to request to be excused from voting.

(c) Any Member seeking to be excused from voting shall state briefly the reasons for such a request. The Presiding Officer shall excuse from voting any member who, in the opinion of the Presiding Officer, has a direct personal or pecuniary interest in the matter to be voted upon.

(d) A majority of the entire Town Board is required to pass any local law, resolution or motion, except where otherwise required by law or stated in these Rules. When the number of votes cast for and against any proposition is equally divided, the question shall be deemed to be lost, except in the case of an appeal of the decision of the Presiding Officer, as set forth in Section 6(b) of this Article.

ARTICLE IV: RESOLUTIONS

Section 1. Submission

(a) A Town Board member may offer a resolution for consideration by the Town Board. All resolutions offered for consideration shall be filed with the Office of the Supervisor by 12:00 noon on Friday before the next regular Town Board meeting. Should such Friday be a holiday, then resolutions shall be filed by 12:00 noon of the preceding day.

(b) A resolution timely filed may be augmented or revised by its submitter prior to commencement of the meeting for which it is submitted, provided that such augmentation or revision is strictly germane to the subject matter of the original form of resolution and has

been filed with the Office of the Supervisor no later than 5:00pm on the day of a regular meeting or no later than two hours prior to the time of any special meeting.

(c) The Presiding Officer shall have discretion to permit introduction and consideration of a resolution not timely filed in accordance with Section 1(a) of this Article.

(d) A resolution introduced at a meeting without prior notice as contemplated by Section 1(a) of this Article ordinarily should be tabled for consideration, unless permitted to be introduced by the Presiding Officer.

Section 2. Form and Contents

(a) Each resolution shall pertain to a single subject. No resolution may be considered if it is substantially the same as a resolution then pending before the Town Board, or previously submitted within the same two-year cycle, except for recurrent operational matters. For purposes of this section, “recurrent operational matters” shall include, for example and without limitation, approval of vouchers for payment, approval of an annual budget, of budget transfers, of approval of training and continuing education for employees, of acquisition of vehicles and equipment.

(b) No resolution or motion is in order for any matter not within the jurisdiction of the government of the Town of Pittsford, its legal authority or its powers under applicable law, or that is not susceptible to decision by the government of the Town of Pittsford.

Section 3. Two-Year Cycle

For purposes of considering matters introduced at previous meetings of the Town Board, all meetings held during each two-year period consisting of an even-numbered calendar year and the consecutive odd-numbered calendar year following each regular biennial Town general election, shall be deemed to be part of a single two-year cycle

Section 4. Referral by Presiding Officer

The Presiding Officer may refer any proposed resolution or local law to an appropriate Town department, or to a committee or to a Volunteer Board to consider and report thereon, prior to the Town Board considering the matter.

ARTICLE V: COMMITTEES

In addition to the powers and duties of the office of Supervisor set forth in applicable law of the State of New York and in the Code of the Town of Pittsford, the Supervisor shall have authority to establish committees of the Town Board and to appoint the members and chairpersons of all such committees of the Town Board, to serve at the Supervisor's pleasure, and to fill all vacancies occurring in such committees. For purposes of this section, the term "Committees" refers to committees consisting of Town Board members only, or of Town Board members and others, or of special purpose citizens' advisory committees. The term "Committees" as used in this section does not include the following: Planning Board, Zoning Board of Appeals, Parks and Recreation Board, Library Board of Trustees, Assessment Review Board, Design Review and Historic Preservation Board or the Environmental Board (the "Volunteer Boards").

ARTICLE VI: AUDIENCE AT BOARD MEETINGS

Section 1. Public Comment Session

(a) The Town Board may devote time at its meetings for Pittsford residents to comment.

This is done early in meetings to allow residents to speak on matters on the Agenda.

(b) The Presiding Officer shall recognize residents who wish to speak. Once recognized, the speaker shall state his or her name and address, and proceed to comment. In fairness to

all members of the public, speakers should focus on the facts of the matter at hand and confine comments to no more than two minutes.

- (c) The Public Comment session is not a debate, either with the Town Board or other members of the audience. When comment takes the form of a question, or includes a question, the Town Clerk shall note the question and the Presiding Officer shall call the next resident who wishes to speak.

Section 2. Visitor Conduct

- (a) A Town Board meeting is an important legislative session. It is expected that all members of the audience will conduct themselves in a professional and dignified manner. No person in the audience of a Town Board meeting shall engage in any demonstration, booing, hand clapping or other form of disruption of the formality of the meeting.
- (b) Any audience member may speak during a formal Public Hearing, when recognized by the Presiding Officer. Otherwise, the Public Comment portion of each meeting represents the opportunity for audience members to speak during a Town Board meeting, unless asked for comment during the meeting by the Presiding Officer.

ARTICLE VII: MISCELLANEOUS PROVISIONS

Section 1. Construction of Rules

These Rules are to be construed liberally to maintain orderly procedure and civil conduct of Town Board meetings. When these Rules are silent on a point of order, the Presiding Officer may have

recourse to the current edition of Robert's Rules of Order as a reference, but Roberts Rules of Order shall not be controlling.

Section 2. Amendments

Any rule may be adopted, amended or rescinded by a majority vote (sixty percent) of all Town Board members in accordance with the following procedure. Any proposed adoption, amendment or rescission of a rule shall be in writing, shall be communicated to all Board Members in writing, and thereafter shall be referred to the Town Supervisor for consideration before being brought before the Town Board for consideration. No proposed adoption, amendment or rescission of a rule shall be acted upon by the Town Board unless it shall have been reported to the Board by the Town Supervisor, who shall have had at least seven calendar days to consider such proposal. The Supervisor shall report the proposed adoption, amendment or rescission to all members of the Town Board, making a recommendation for it, against it, or without recommendation. The procedure for adopting, amending or rescinding a rule shall not be subject to a motion to suspend the rules under Section 3 of this Article.

Section 3. Suspension of Rules

Except as otherwise set forth herein, any rule may be suspended by a majority vote (sixty percent) of all members of the Town Board.

Section 4. Prior Rules Repealed

All previous acts, rules, resolutions or parts thereof, that are inconsistent with these Rules, are hereby rescinded and repealed.

Section 5. Severability

In the event one or more rules or subdivisions of these Rules are declared unlawful, such declaration shall not invalidate all of the Rules, but only those specifically declared unlawful.