

## CHAPTER 12 BOARD PROCEDURES

### 12.01 MEETINGS.

- a. **Place of Meetings** : All meetings of the Town Board shall be held in the Town Office or Town Hall and open to the public unless otherwise provided by law.
- b. **Regular Meetings** : The regular meetings of the Town Board shall commence at 7:00 p.m. on the first and third Mondays of every month unless the Board shall establish a different date and/or time for a particular meeting.
- c. **Special Meetings** : The Chairperson or any two Supervisors may call a special meeting by notifying the Town Clerk. The Clerk shall post notice in compliance with law, and shall notify in writing each Town Board member of the date, time and purpose of the special meeting. The notice shall be delivered to the members personally or left at their usual abode at least 24 hours before the meeting, unless a member has elected in writing to receive notice by fax or electronic mail, in which case the designated method of communication shall be used. Special meetings shall be deemed regular meetings for the purpose of transacting any business that may be permitted by law.
- d. **Adjournment** : Any Board member may move to adjourn a meeting. If any agenda item has not been completed before a motion to adjourn is adopted, the Clerk shall place such item on the agenda for the Board's next meeting, unless the Board provides by motion to consider the item at a different date and time.

**12.02 QUORUM REQUIRED.** A quorum is necessary for the transaction of any Town Board business. A majority of the members elect shall constitute a quorum.

**12.03 ABSENCE OF MEMBERS.** If a Town Board member for any reason cannot attend a scheduled meeting, he or she shall notify the Town Clerk before the meeting in question of his or her anticipated absence.

**12.04 CALL TO ORDER BY PRESIDING OFFICER.** The Town Chairperson shall at the hour appointed call the Supervisors to order and shall preside at the meeting. If the Town Chairperson is absent from the meeting, the Clerk shall call the Board to order and preside until the Board selects another Supervisor to preside at that meeting.

### 12.05 AGENDAS AND ORDER OF BUSINESS.

- e. **Agenda Preparation:** The Clerk shall prepare the agendas for the Board meetings in consultation with the Chairperson. Any Board member may direct the Clerk to place any item on an agenda, provided that the request is made to the Clerk at least three (3) business days in advance of the meeting.
- f. **Order of Business:** The business of the Board at regular and special meetings shall be conducted in the following order, unless the prepared agenda state otherwise:
- g. **Call to Order.**
- h. **Determination of compliance with open meeting law.**
- i. **Pledge of Allegiance.**
- j. **Presentation and approval of the minutes of the preceding meeting, with corrections as necessary.**

- k. **Public Comment: Comments and suggestions from the public on agenda items, and on non-agenda items that relate to Town government. After the Public Comment session, the Board may permit citizen input during discussion on a topic below if the Board feels the input will help them make their decision.**
- l. **Public Hearings**
- m. **Appointments.**
- n. **Old Business.**
- o. **New Business.**
- p. **Treasurer's Report**
- q. **Correspondence and Clerk's Report.**
- r. **Comments and suggestions from the public regarding matters for future Board consideration.**
- s. **Discussion of agenda items for subsequent meetings.**
- t. **Adjourn.**

Each agenda shall include such additional language, as the Clerk may deem appropriate, including language to ensure compliance with the open meeting law.

**12.06 REINTRODUCTION OF DEFEATED PROPOSAL.** Unless otherwise provided by law, no proposed ordinance or resolution, having once been defeated, may again be introduced in the same or substantially similar form within ninety (90) days after the date when that ordinance or resolution was defeated.

**12.07 PRESIDING OFFICER; ORDER.** The presiding officer may speak on any question, make any motion, and vote on all matters submitted to the Board for its consideration. The presiding officer shall preserve order, conduct the proceedings of the Board, and be its parliamentarian. If a Supervisor or other person does not follow the Board's rules, the presiding officer may call the offending person to order. Any Supervisor may raise a question or point of order. The question of order must be raised at the time the alleged breach of order occurs. The presiding officer shall immediately rule on the question of order, subject to an appeal to the Board. The appeal may be sustained by a majority vote of the members present, exclusive of the presiding officer.

**12.08 VOTING.**

- a. **Mode of Voting:** Any Supervisor may demand a roll call vote on any matter, in which case the Clerk shall record the votes of each member. No Supervisor may explain his or her vote during the call of the vote.
- b. **Majority Vote Required:** A majority vote of all members of the Board in favor of any motion shall be necessary for passage or approval, unless a larger number is required by law. In all other cases, a majority of the votes cast shall be necessary for Board action, provided a quorum has voted.
- c. **Abstentions:**
  - 1. Board member shall not vote on any proposed ordinance, order, resolution or proposition in which he or she has a direct pecuniary or personal interest not common to other members of the Board.
  - 2. A Board member who is required by law to abstain from voting on any particular matter shall not be counted for determining (a) the number of "members present" if passage of that measure requires a favorable vote by a majority or other fractional vote (i.e., 2/3 or 3/4) of the Supervisors "present," or (b) the "presence" of a quorum for purpose of that particular vote.
- d. **Vote Change:** A Board member may change his or her vote on a matter up to the time the result of the vote is announced.

**RECONSIDERATION OF QUESTION.** Any member who voted with the prevailing side on any question may move for reconsideration of the vote immediately after the vote, or at the next succeeding regular meeting of the Board if the matter is on the agenda. If a motion to reconsider is defeated, it may not again be presented to the Board.

**12.10 SPECIAL COMMITTEES.** The Board may provide for special committees, as it may from time to time deem necessary. Nominations to special committees shall be made by the Chairperson, subject to approval by the Board.

**12.11 VISITORS RIGHT TO ADDRESS BOARD.**

- e. Right Declared: A citizen or other visitor may address the Board during a public hearing designated as such, during a period of public comment, and at such other times as the Chair may determine.
- f. Restrictions: If the presiding officer decides that the comments are not relevant or are abusive, the presiding officer may:
  - 1. Order the person to modify his or her comments;
  - 2. Order the person to refrain from speaking;
  - 3. Order the person to leave the Board chambers; or
  - 4. Take such other steps as may be necessary to ensure the efficient conduct of the Board's business

**12.12 MANNER OF DELIBERATION.**

- g. Method: No supervisor shall address the Board until recognized by the presiding officer. The Supervisor shall then address the presiding officer and limit all remarks to matters that are germane to the question under discussion. The Supervisor shall avoid rudeness, intemperate language, and personal confrontations at all times.
- h. Recognition of Supervisor: When two or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
- i. Motions: No motion shall be discussed or acted upon until it has been seconded, unless these rules specifically permit one Supervisor to initiate action. No motion shall be withdrawn without the consent of those Supervisors making and seconding the motion.

**12.13 ROBERT'S RULES OF ORDER TO GOVERN BOARD.** In the absence of a standing rule, the Board shall be governed by *Roberts Rules of Order Newly Revised* (1990), unless contrary to state law.

**12.14 SUSPENSION OF RULES.** These rules or any part of them may be suspended in connection with any matter under consideration by a recorded vote of two-thirds (2/3) of the members present, provided that such action is in full compliance with the open meeting law.

Effective date-The herein Ordinance shall take effect upon enactment.

Enacted this 2 nd day of June 2003.

Town of Wilson by Kenneth F. Sonntag, Chairman

This is to certify that the Town Board of the Town of Wilson duly enacted the foregoing Ordinance on the 2 nd day of June 2003.

Catherine Conrad, Clerk