

RULES OF THE TOWN BOARD OF THE TOWN OF RIVERHEAD

RULE I. REGULAR MEETINGS

The Town Board shall meet as established by resolution by the Town Board. Except as otherwise set forth in said resolution of the Town Board, the Town Board shall meet on the first and third Tuesdays of each month alternating between a start time of 2:00 PM and 6:00 PM; except that in January, when the first Town Board meeting will be either on the first Wednesday or Thursday at 2:00 PM immediately following the January 1st holiday. The second Town Board meeting in February and in May will be held on the third Wednesday in February and May. In the event a board meeting falls on a holiday then the meeting will be held at the same time on the business day following.

Work-session meetings will be held on Thursdays commencing at 10:00 AM. The Town Board may elect to move into an Executive Session as provided under Public Officers Law section 105. Subject matters that shall be considered confidential or privileged when discussed in an Executive Session are as follows:

- i. Matters which would imperil public safety if disclosed.
- ii. Any matter which may disclose the identity of a law enforcement agent or informer.
- iii. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed.
- iv. Proposed, pending or current litigation.
- v. The medical, financial, credit or employment history of any person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any person.
- vi. Collective Bargaining Negotiations.
- vii. 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.

RULE II. SPECIAL MEETINGS

Special meetings shall meet at the call of the Supervisor or any of the three members of the Town Board. At such special meeting, no business other than that named in the notice of the meeting shall be transacted. The Supervisor shall give written notice of the date, time and place for the Special Meeting as well as a list of the items to be discussed at such Special Meeting, no later than twenty-four (24) hours prior to such meeting by fax, email or personal delivery. A Special Meeting cannot be held until each Town Board Member has been duly served with a notice of such Special Meeting.

RULE III. QUORUM

The majority of the Town Board shall constitute a quorum

RULE IV. PRESIDING OFFICER

The Supervisor shall preside as Chairman at all meetings of the Town Board, but in his/her absence or inability to serve, the Deputy Supervisor shall act as presiding officer, and shall so serve until the return of the Supervisor.

RULE V. THE POWERS AND DUTIES OF THE PRESIDING OFFICER

The presiding officer shall possess the following power and perform the following duties:

- A. He/she shall preserve order and decorum.
- B. He/she shall set the agenda

RULE VI. ORDER OF BUSINESS

1. Roll Call
2. Invocation
3. Pledge of Allegiance to the Flag
4. Public Presentation/Agenda Items
5. Approval of the Minutes of the preceding meeting(s)
6. Miscellaneous Communications
7. Committee Reports
8. Public Hearings
9. Public comment on Resolutions
10. Introduction of an Action Upon Local Laws and Resolutions
11. Public Comment on matters of concern to the Town
12. Adjournment

RULE VII. PERMISSION FOR PUBLIC TO SPEAK BEFORE THE TOWN BOARD

Prior to the introduction Resolutions, the Supervisor may allow any member of the audience to speak for not more than 5 minutes upon terms and conditions that the Supervisor may, from time to time, prescribe in relation to Resolutions which are on the agenda, but not scheduled for Public Hearings. Any such person may also speak at Public Hearings and at meetings of duly constituted committees of the Council at the invitation of the Chairman and upon such terms and conditions as the Chairman may, from time to time, prescribe. Members of the audience may address the Town Board on any subject during the "public comment" time just before the adjournment. No member of the public shall engage in any disruptive demonstration or otherwise disrupt the formality of a Town Board meeting. There shall be no time limit for "public comment" at Public Hearings. Speakers will be required to address their remarks exclusively to the Town Board without engaging the general public in debate. Persons addressing the Town Board shall state their name and home address, and shall state their business or question.

RULE VIII. DEBATE

The rules governing debate shall be as follows:

- A. Debate shall not begin on a Local Law, Resolution or otherwise debatable motion until it has been moved by a Town Board member and seconded by another Town Board member.
- B. The Supervisor may offer or second a resolution or a motion and need not relinquish the chair for such purpose.
- C. No member shall speak more than once on any questions until every member choosing to speak shall have spoken, nor more than twice in any case without leave of the Board.

RULE IX. DEBATABLE MOTIONS

Debatable motions shall be as follows:

- A. The Main Motion. The main motion is a motion by itself or one to adopt a Local Law or Resolution before the Town Board. It may be amended and requires a majority vote except where otherwise required by law or these rules. A motion may be withdrawn by its proposer at any time before a vote is taken.
- B. An Amendment to the Main Motion or an Amendment of Such Amendment. 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 requires a majority vote.
- C. To Commit. This motion is used to refer a matter to committee or back to committee. The motion may be amended and requires a majority vote.

RULE X. MOTIONS WITHOUT DEBATE

The following motions are not debatable.

- A. To Table. This motion is used to postpone a subject under discussion to some time in the near future. It is not amendable and requires a majority vote. When a subject is to be reconsidered, a motion is in order to remove the matter from the table.
- B. To Adjourn. The Chairman may adjourn the meeting when all agenda items are completed. A Board member may also move 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. This motion is used to closed debate and may be made by any Town Board member when debate has become long and drawn out. It is made in the following manner: "Mr. Supervisor, I move the previous question." Without a second, the presiding officer then asks the Town Board members, "Shall debate be closed and the question now be put?" The Clerk then calls the full roll, and if the majority of those present vote in the affirmative, the question under debate and then before the Town Board

members is immediately voted upon in the usual manner without further debate.

RULE XI. PROCEDURE ON LOCAL LAWS

The passage of a LOCAL LAW requires the affirmative vote of at least a majority of all the members of the Town Board. A LOCAL LAW amended after introduction does not become a new LOCAL LAW requiring another Public Hearing unless it is ruled a substantial change by the Chairman.

RULE XII. PROCEDURE ON RESOLUTIONS

Except as otherwise provided by law, the passage of a Resolution requires the affirmative vote of a majority of the members present at the meeting which action is taken.

Any resolution to be introduced by any Town Board member at a scheduled meeting of the Town Board shall be filed in the office of the Town Clerk by 4:00 PM on the business day prior to said Town Board meeting. Any resolutions legally submitted to the Town Clerk that were not presented at work-session and that will be presented at the Town Board meeting shall be delivered to each Board Member as soon as possible after being submitted to the Town Clerk.

Furthermore, where said Town Board meeting is to commence at a time other than 2:00 PM or 6:00 PM (alternating), the said Resolutions to be introduced at the meeting shall be filed at the Office of the Town Clerk at least 24 hours in advance of said meeting.

The Rules of Order set forth above may be waived only by the majority consent of all Town Board members present at any such meeting.

Upon the affirmative vote of the five (5) members (unanimous) of the Town Board, new items may be added to the Agenda during any Regular or Special Town Board Meeting. After the agenda has been prepared, new items may be added during any Regular or Special Town Board Meeting; such new items shall be designated as "Items Proposed for Consideration upon Special Consent."

RULE XIII. CONSTITUTION OF COMMITTEES

The following standing committees consisting of three members shall be appointed by the Supervisor at the Organizational Meeting of the Town Board or as soon thereafter as may be practical.

1. Community Development Agency Finance Committee; and
2. The Community Development Agency Audit Committee.

The first named member of each committee shall be Chairman. The Supervisor shall be a non-voting ex officio member of every committee.

RULE XIV. QUORUM AND REPORTS OF COMMITTEES

Two members shall constitute a quorum. Where practical, reports of committees should be in writing and signed by at least two members.

RULE XV. COMMITTEE MEETINGS

Standing Committees shall meet at the call of their Chairman or any of the three members.

The Chairman of each Standing Committee shall have delivered to Committee members a two day notice, in writing, stating the time, the place and the purpose of the Committee meeting. Every Town Board member has the right to attend any Standing Committee meeting called whether a designated member of that Standing Committee or not.

RULE XVI. SUSPENSION OF RULES

Any rule of the Town Board except as otherwise specifically provided in such rules may be temporarily suspended by a vote of the majority of all the members present unless such rule is prescribed in by State of Local Law.

RULE XVII. AMENDMENT, MODIFICATION OR REPEAL OF RULES

Permanent amendment, modification or repeal of the rules in whole or in part may be made at any time by a Resolution of the Town Board at a regular or special meeting.