

RULES OF PROCEDURE – VILLAGE OF BALLSTON SPA

Regular meetings are held the second and fourth Monday of the month at 7:00 PM in the Ballston Spa Library, 21 Milton Avenue. The schedule of meetings with any exceptions noted is approved annually at the Organizational meeting at the Library at 7:00 PM on the first Monday in January, unless that is January 1st, in which instance it shall be the first Tuesday. The official newspaper is notified of the schedule of meetings. The Clerk contacts Trustees and Department Heads if a meeting has to be cancelled due to lack of a quorum. The official newspaper is notified and said cancellation is posted in the Village Hall and on the Village website and social media pages.

The Mayor shall preside at meetings and in the Mayor's absence the Deputy Mayor shall preside.

A quorum shall be required to conduct business. A quorum of the five (5) member Board of Trustees shall be three (3). 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. An abstention or silence shall be considered a negative vote for the purpose of determining the final vote on a matter. Ayes or nays shall take a vote upon any question, and the names of the members present and their votes shall be entered in the minutes.

The presiding officer may debate, move, and take other action that may be taken by other members of the Board.

The following shall apply to all Village Board of Trustee meetings including special and emergency meetings:

The presiding officer must recognize board members before making motions and speaking. A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking, were called to order, the member should cease speaking until the question of order is determined, and, if in order, the member shall be permitted to proceed.

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

Motions and resolutions require a majority vote to be approved.

Special meetings are called by the Mayor or by any two (2) Board members. The Clerk contacts the members and if a quorum is available, notifies the official newspaper at least 24 hours in advance of the special meeting.

Emergency meetings are called by the Mayor or by any two (2) Board members. The Clerk contacts the members and if a quorum is available, notifies the official newspaper and posts a notice in the Village Hall.

Executive sessions shall be held in accordance with the NYS Public Officers Law 105. All executive sessions shall be commenced in a public meeting.

The agenda for Village Board meetings shall be set by noon on the Friday before the Monday meeting.

All members of the Board have the right to place items on the agenda provided same is presented to all board members by noon on the Thursday before the Monday meeting. All motions shall be reviewed for legality and legal necessity by the attorney for the Village.

Where appropriate, the use of a Consent Agenda will be made. A consent agenda groups routine meeting discussion points into a single agenda item. All documentation associated with consent agenda items must be provided prior to the meeting and Board members must be given an opportunity to ask associated questions and have them answered before the vote. Such questions and answers shall be shared with all Board members. Simple questions, clarifications, or short amounts of dialogue relative to a consent item may be discussed after the motion, but before approval. At the meeting, the presiding officer shall ask Board members if any item shall be removed from the agenda for separate discussion and action and if so, it will be removed from the consent agenda.

The Clerk or the Clerk's designee transcribes minutes of regular, special, emergency and executive meetings from audiotapes. The minutes shall consist of: 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 or adjournment, name and title of other Village officials and employees present, brief summary of public comments, questions & concerns, record or summary of all motions, proposals, resolutions and other matters formally voted upon and the vote thereon, record of communications presented to the Board, record of reports made by Board or other village personnel, time of adjournment, and signature of Clerk or designee. Draft Minutes are placed in Board member mail slots or sent via official Village member email within ten business days with the exception of executive minutes, which are available within five days. The draft minutes shall also be placed on the Village website and shall be labeled "DRAFT." The minutes with any amendments are approved at the next Board meeting.

The Public shall be allowed to speak during any public comment period of the meeting or in the event a motion is made and up for discussion that has not been listed on the agenda. There shall be no public comment allowed for proposed amendments to motions that are listed on the agenda. Speakers shall be limited to a specific period of time as prescribed below—Speakers are requested but not required to give their name, address and organization, if any. The only time in which additional public comment may be permitted is in the event a new motion in the opinion of the Presiding Officer is made that is not identified on the agenda. In those cases, Public Comment on only that motion may be permitted, limited to 90 seconds per speaker after which the Board may vote on the motion. Where there is a public hearing, speakers are limited to five (5) minutes, and the minutes cannot be ceded to another speaker. The Board recognizes the need for a non-threatening atmosphere in which legitimate discussion of issues may be pursued in a collegial manner. Inappropriate or offensive behavior by Board members, staff members or anyone in attendance at a meeting of the Ballston Spa Board of Trustees is strictly prohibited.

The following rules apply to all Village Board meetings:

1. All comments and questions from the public shall be directed to the Board only, not specific department heads, consultants or other members of the public,
2. No one shall make statements during the meeting that involve personal, impertinent, or slanderous attacks on any group, organization or individual, a member of the Board, an employee of the Village, a member of the audience or a member of the public regardless of whether the individual sought to be named is present. The use of profane, vulgar, threatening or racial or ethnic slurs is prohibited.
3. No one will disrupt the meeting with loud outbursts or other disruptive conduct or behavior including, but is not limited to, obscenity, heckling, taunting/cheering, physical threats, abusive language, etc. at any time during the meeting.
4. Failure to comply with the foregoing rules may result in early termination of allotted commenting time for a member of the public, a denial of future requests to speak, removal

from the meeting, and any other actions deemed necessary by the presiding officer or by majority vote of the board.

The agenda is the order of business for Village Board meeting and shall include:

- 1) Call to Order
- 2) Pledge to the Flag (Led by a Rotation of Board Members and/or Community Members)
- 3) Approval of Prior Meeting Minutes
- 4) Public Hearing (if any)
- 5) Presentation (if any)
- 6) Public Comment on Agenda Items Only (3 minutes per speaker)
- 7) Consent Agenda
- 8) Motions/Resolutions for Consideration/Vote
- 9) Mayor Announcements
- 10) Treasurer Reports
- 11) Liaison Reports
- 12) Old Business
- 13) New Business
- 14) Public Comment on Any Issue (3 minutes per speaker)
- 15) Other Business, including but not limited to Board Response to Public Comment
- 16) Executive Session, if necessary
- 17) Adjournment/Voucher Audit

Meetings shall be limited to a maximum of two (2) hours exclusive of public hearings, presentations, and executive session, if any. In the event the two-hour limit has expired prior to the second public comment, the presiding officer shall, in their discretion, extend the time limit to accommodate up to thirty additional minutes to allow for the second public comment section and up to fifteen minutes for Board response.

All members of the public and all public officials are allowed to record public meetings with the exception of executive sessions. The recording shall be done in a manner which does not interfere with the meeting. The presiding officer may make a determination that the recording is being done in an intrusive matter and request an accommodation to avoid the interference and if not complied with the individual will be asked to leave the meeting room.

The above Rules of Procedures shall be the rules for the meetings of the Village Board of Trustees.

The foregoing procedures may be amended from time to time by resolution of the Village Board.

Adopted:

January 2, 2024