

RULES OF PROCEDURE OF THE BOARD OF TRUSTEES

1. **MEETINGS.** Regular meetings of the Board of Trustees of the Village of Rye Brook (hereinafter referred to as the "Village Board") shall be held on the second (2nd) and fourth (4th) Tuesday of each month, except that if the second (2nd) or fourth (4th) Tuesday is a holiday, the meeting shall be held on the next day. Meetings shall be called to order at 7:30 p.m.
2. **SPECIAL MEETINGS.** Special meetings may be called by the Mayor and shall be called by him at the request of any two Trustees by their giving the Mayor written notice thereof, which written notice shall contain a statement of the purpose for which the special meeting shall be called, and shall also state the date, time and place for the holding of such meeting.
3. **NOTICE OF SPECIAL MEETINGS.** The Mayor shall cause written notice of a special meeting to be left at the residence or place of business of each member of the Village Board, and also by e-mail, at least six hours before the time for which such special meeting is called. Such notice shall state the object for which such special meeting is called and shall also state the time and the place of the holding of such meeting. In lieu of the aforesaid method of service of notice of a special meeting, the Mayor may cause written notice of such special meeting to be sent to each member of the Village Board by special delivery mail, directed to the residence or place of business of the member, at least twenty-four hours before the time for which the meeting is called. Notice requirements may be waived by the written acknowledgment of a Trustee that he had actual notice of the Special Meeting.
4. **TRANSACTION OF BUSINESS AT SPECIAL MEETINGS.** At special meetings the business to be transacted thereat shall be only that stated in the notice of such meeting, except that any other business may be transacted at such special meeting by the unanimous consent of all the members of the Village Board.
5. **AGENDA:** The Clerk shall prepare an agenda for each meeting of the Village Board, which shall list the matters to be considered by the Village Board at such meeting, and which shall include a reference to all communications and other matters in writing, which have been received by the Clerk, not later than noon of the sixth day preceding the date of the meeting. The matters to be listed in the agenda shall be determined by the Mayor and the Village Administrator. Items may be added to the agenda by any board member delivering a written communication to the Clerk, not later than seventy-two business hours prior to the meeting. The agenda shall list the matters to be

considered by the Village Board insofar as is possible in the order set forth in paragraph 6 of these Rules.

The Clerk shall arrange for the delivery of a copy of the agenda of each meeting of the Village Board to each member of the Village Board not later than the morning of the third day preceding the date of the meeting. At any time, after 9 a.m. of the second day preceding the date of each board meeting, the Village Clerk shall during regular office hours furnish to any person appearing personally at the office of the Village Clerk, a copy of the agenda and a copy of any communication or any other written document which accompanies or is part of any item appearing on the agenda of a meeting of the Village Board. The person appearing and making such request shall pay to the Clerk the sum of 25¢ for each page or part thereof requested by said person. The Clerk shall not be required to reproduce any documents or pages, which are not readily reproduced by the average copying machine.

Items not listed on the agenda of a regular meeting may be considered by the Village Board as new matters only upon the unanimous consent of all members of the Village Board present at the regular meeting.

6. ORDER OF BUSINESS. The order of business at regular meetings of the Village Board shall be as follows:
 1. Roll Call.
 - 1a. Flag Salute.
 2. Public Hearings concerning Local Laws.
 - Introduction of the proposed law.
 - Statement by mayor and report of committees.
 - Discussion and action on proposed law.
 3. Public Hearings concerning other matters.
 - Introduction of proposed resolution or ordinance.
 - Statement by Mayor and report of committees.
 - Discussion and action on proposals.
 4. Resolutions.
 5. Administrator's Report
 6. Old Business.
 7. New Business.
 8. Action on non-agenda matters, subject to the unanimous consent of the Trustees present at the meeting.
7. SUSPENSION OF REGULAR ORDER OF BUSINESS. The regular order of business at a stated meeting may at any time be suspended by the affirmative vote of two-thirds of the members of the Village Board present at such meeting.

8. **ORDER OF BUSINESS AT SPECIAL MEETINGS.** The order of business at special meetings of the Village Board shall be as follows:
 1. Roll call.
 2. Salute to the Flag.
 3. Consideration of business specified in the notice of the special meeting.
 4. Consideration of other business, if unanimous consent given by all members of the Village Board.

9. **EVERY MEMBER PRESENT TO VOTE.** Every member of the Village Board present at any meeting thereof, when a vote is taken, shall vote for or against, unless excused from voting by the Village Board. In the event of a roll call vote, silence when a Trustee's name is called shall be deemed an affirmative vote by the Trustee. Roll call vote shall be called in alphabetical order of the last name of the Trustee. The Mayor shall be the last one to cast a vote.

10. **WITHDRAWAL OF MEMBER FROM MEETING.** No member shall withdraw from a meeting of the Village Board without the permission of the Mayor.

11. **ROBERT'S RULES OF ORDER REVISED FOR DELIBERATIVE ASSEMBLIES TO BE USED.** All questions of order or procedure of the Village Board not herein provided for shall be decided in accordance with Robert's Rules of Order Revised for Deliberative Assemblies.

12. **LOCAL LAWS.** In introducing, presenting and transmitting local laws, the following procedure shall be followed:
 - a) Every local law shall be introduced by a member or on the report of a committee
 - b) If a local law purports to change or supersede any provision of an act of the legislature or to amend an existing local law, it shall show all the new matter underscored and all the matter to be eliminated in brackets and when such local law is printed or reprinted all new matter must appear in italics and all matter to be eliminated, in brackets.
 - c) Every local law introduced shall be deposited with the Village Clerk and shall be read in its order of introduction when the order of business "Introduction of local laws" shall be reached.
 - d) The Clerk shall cause every local law immediately upon its introduction to be copied (or printed) and placed on the desks of the members; he (she) shall number them consecutively as received.

Such number shall be retained as an introductory number. Each local law shall also have a print (or draft) number, and if the same is printed (or redrafted), the original print (or draft) number shall be retained and there shall be added its new print (or draft) number.

13. COMMENTS BY MEMBERS OF THE PUBLIC. The Mayor shall entertain comments as to the merits of any item on the agenda from members of the public. Any statement not germane to the items on the agenda shall be out of order. The Mayor shall have the discretion to withhold recognition of members of the public until the agenda has been completed.
14. COMMUNICATIONS. Members of the Village Board shall communicate with the officers, the employees, the vendors, and the contractors of the Village of Rye Brook (the "Village") solely through the Village Administrator. No member of the Village Board shall give orders, directions or instructions, either publicly or privately, to any officer, employee, vendor or contractor of the Village.

All communications, whether written, electronic or verbal, with officers and employees of the Village and members of the Village Board are to be expressed in a respectful and courteous manner.

During a meeting of the Village Board, any statements, comments or remarks made by a member of the Village Board: (1) must be confined to the question before the Village Board; (2) shall not concern the motives of a member of the Village Board; (3) shall concern the nature or consequences of a proposed action; and (4) shall not constitute a personal attack or criticism of any member of the Village Board, any officer of the Village or any employee of the Village

The members of the Village Board may use official Village of Rye Brook stationery only to (a) express a policy or position of the Village Board as provided in its duly adopted resolutions, regulations, ordinances and local laws; (b) carry-out or communicate actions specifically authorized in duly adopted resolutions, regulations, ordinances, local laws, directives or other actions of the Village Board, and (c) offer congratulations, appreciation and other non-substantive communications.

No communications to the Village Board shall be read at a meeting unless so directed by the Village Board, which direction may be made by voice vote.

The Mayor shall entertain a single motion to file, spread and record separately on the minutes of the meeting, all communications presented to the Village Board.

15. **RECORDING OF PROCEEDINGS OF MEETINGS.** No person shall record the proceedings of the meetings of the Village Board, or any part thereof, by electronic or any other type of recorder, not with a "steno-type" or similar machine, nor by motion picture, television or any other type of camera or visual record, nor shall any person broadcast or transmit the proceedings, or any part thereof, by radio, television or any other means of broadcasting or transmission, without having previously made application, in writing, to the Village Board at least ten days in advance of the meeting for which permission is requested and without having received written permission therefore. This rule shall not be construed to prohibit the making of notes by any person or persons at such meetings, whether or not such notes shall constitute a complete transcript of the proceedings, nor shall this rule apply to the Village Clerk or to members of the Village Board.
16. **EXECUTIVE SESSIONS.** Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Village Board may conduct an executive session for the below enumerated purposes only, provided however, that no action by formal vote shall be taken to appropriate public monies:
- a) matters which will imperil the public safety if disclosed;
 - b) any matter which may disclose the identity of a law enforcement agent or informer;
 - c) information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
 - d) discussions regarding proposed, pending or current litigation;
 - e) collective negotiations pursuant to article fourteen of the civil service law;
 - f) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
 - g) the preparation, grading or administration of examinations;
 - h) 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;
 - i) review or consideration of communications between the Village Board and its Attorney;
 - j) deliberation or negotiations with respect to labor agreements or related matters;
 - k) consideration of matters which would be likely to affect the reputation of any private person;

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- l) any other matter which Federal or State law permits to be discussed in executive session.

Attendance at an executive session shall be permitted to any member of the public body and any other person authorized by the public body.

Nothing herein contained shall be deemed to preclude the Village Board from meeting in executive session to consider any other matter, which for reasons of the public interest requires such executive session.

- 17. The words he, him or his shall be deemed to refer to singular and plural and to persons of any gender.

Last Modified 04/11/06