

**BOARD OF SUPERVISORS
COUNTY OF SENECA**



**RULES OF
2022**

RULES OF ORDER

RULE 1. ORGANIZATION

The organization meeting of the Board of Supervisors shall be held on or before January 8 of each year. The Clerk of the Board of Supervisors shall serve upon each member a notice stating the date, time and place of such meeting to organize the Board. The notice shall be in writing and shall be served by mail addressed to each member at least 48 hours before the date of the meeting. The Clerk shall call the members to order and they, by a majority of their number, shall select the Temporary Chair who shall preside at such meeting until a majority of the Weighted Vote elects a Permanent Chair.

RULE 2. MEETINGS

The regular session of the Board of Supervisors shall be held on the 2nd Tuesday of each month. Nothing herein shall prohibit the Board from fixing a different meeting date. Upon petition of a majority of the members of the Board or on the direction of the Chair of the Board, the Clerk shall call a special session of the Board by giving the members not less than 48 hours' notice.

RULE 3. ABSENCE OF CHAIR

All meetings of the Board, unless otherwise provided for by call, shall be held in the Supervisors Chambers, Waterloo, NY and shall be called to order by the Chair upon the appearance of a quorum. In case of the absence of the Chair, the Majority Leader shall act as Chair, and in the absence of the Chair and Majority Leader, the Minority Leader shall act as Chair. In the absence of the Chair, the Majority Leader and Minority Leader, the Clerk shall call the session to order and a Chair Pro-tem shall be chosen.

Whereas, if Chair of the Board is physically absent from the County, or becomes temporarily physically incapacitated due to accident or sickness, and thus be unable to transact certain county business which only he / she can transact, the Majority Leader shall act for and in place of the duly appointed Chair of the Board; and in such case where the Majority Leader is also absent from the County or unable to perform the duties as described above, the Minority Leader shall act for and in the place of the duly appointed Chair, and further, the Clerk of the Board shall act in the place of the Chair in the absence of the Chair, Majority Leader and Minority Leader.

The Chair of the Board of the prior year shall act as the Chair of the Board, if necessary, prior to the reorganization meeting in January.

RULE 4. MATERIAL TO BE FURNISHED

The Clerk of the Board shall provide a copy of the minutes of the last meeting, a listing of communications and a printed agenda for the meeting for each member of the Board.

RULE 5. ORDER OF BUSINESS– REGULAR MEETINGS OF THE MONTH

1. Call to Order
2. Roll Call of members by Clerk
3. Pledge of Allegiance and Moment of Silence
4. Public Hearings
5. Petitioners / Presentations
6. Open Privilege of the Floor
7. Approval of Minutes
8. Reports of Standing Committees
9. Reports of Special Committees
10. Chairperson’s Remarks
11. County Attorney’s Remarks
12. County Manager’s Remarks
13. Communications
14. Resolutions and Motions
15. Unfinished Business
16. New Business
17. Special Order of the Day

No resolution shall be offered at a Board meeting unless it has first been filed with the Clerk of the Board of Supervisors by noon on the Wednesday before a Board meeting. The Clerk shall then transmit copies of all pre-filed resolutions to all Board members either by mail or electronically (by “e-mail”). Any resolution, which has been filed in accordance with this rule, may be offered at the next Board meeting.

No resolution may be so filed except following reference to and approval by the proper Committee except as follows:

- A. A proposed resolution may be filed with the clerk and placed upon the Board of Supervisors’ agenda pending committee action on the same night of but prior to the Board of Supervisors’ meeting
- B. Any proposed resolution so pre-filed shall be marked by the clerk “pending committee action”
- C. Any such pre-filed proposed resolution shall be deemed amended as amended in Committee and a copy of the amended proposed resolution shall be laid upon the desk of each member of the Board prior to or during the Board of Supervisor’s meeting and before action shall be taken upon such resolution by the Board.
- D. Any such pre-filed proposed resolution that fails to gain the approval of the appropriate committee shall be deemed struck from the agenda of the Board of Supervisor’s meeting.

In the case of an emergency, which necessitates that a resolution be introduced from the floor at the Board meeting, such authorization will only be granted by a simple majority vote of the Board of Supervisors.

All resolutions submitted to the Board of Supervisors for adoption that authorizes the expenditure of funds (i.e., purchase of equipment, reclassification of positions) must include the account from which the funds will be appropriated.

RULE 6. AUDIT OF BILLS AND COMMUNICATIONS

Communications not requiring action by this Board shall be filed by the Clerk under proper subject titles. Other communications except when otherwise ordered by this Board, shall be referred to the proper committee for consideration.

Upon the receipt of any report recommending the audit of bills or claims at a Regular or Special session, any member may move a specific bill or claim shall lie over for further consideration, and if such motion be carried, such claim shall be withdrawn from the consideration of the Board and shall be considered as a claim to be presented at the next succeeding session thereof.

RULE 7. CONTENTS OF PROCEEDINGS

All resolutions, reports of committees of the Board, annual reports of County Officers, and notices and communications from State officers directing the levy of any tax shall be printed in full in the Proceedings of the Board.

The printed minutes of the Clerk shall record the reading of other communications with sufficient description to show their nature and purpose but they shall not be printed in full in the Proceedings except upon order of this Board.

RULE 8. AMENDMENT OF RULES

None of these rules shall be suspended except by a 2/3 vote of the members of the Board, nor shall any be amended except upon a majority vote of all members of the Board after one day's notice accompanied by a written copy of the proposed amendment.

RULE 9. PRESERVATION OF ORDER

The Chair shall preserve order and decorum, shall decide all questions of order, and which decision shall be final unless an appeal is taken to the Board. On appeal from the decision of the Chair, he shall have the right to assign his reason for his decision.

RULE 10. VOTE OF THE CHAIR

When the Board is equally divided, including the Chair's vote, the question shall be deemed to be lost.

RULE 11. CALL TO ORDER

If any member shall transgress the rules of the Board, the Chair may call him or her to order, in which case the member so called to order shall immediately be seated unless permitted to explain.

RULE 12. MOTION TO BE SECONDED

No motion shall be stated, debated or put unless it is seconded.

RULE 13. ENTRIES ON MINUTES

In all cases where a resolution or a motion shall be entered on the minutes the Clerk shall also enter the name of the moving and supporting members and the ayes and nays shall be taken on any question when required by statute or roll call vote demanded by any member of the Board.

RULE 14. TO LAY ON THE TABLE

A motion to lay a question on the table shall be decided without amendment or debate, and a motion to postpone the question indefinitely or to adjourn to a day certain, until it is decided, shall preclude all amendments to the main question. The motion must be seconded and voted upon.

RULE 15. LAID ON THE TABLE

All reports, resolutions and other matters laid on the table may be called therefrom under Subdivision 15 of Rule 5 upon motion made, seconded and passed.

RULE 16. DIVISIONS OF QUESTIONS

If the question in debate contains several distinct propositions, the same shall be divided by the Chair at the request of any member to the end that a vote may be taken on each proposition.

This rule shall not apply however to any vote on the annual County Budget, division of which shall require a majority vote in order to divide and vote on separate portions or items of the budget.

RULE 17. PRIORITY OF MOTIONS

When a question is under debate, no motion shall be entertained unless for an adjournment of the Board, for the previous question.

1. To postpone indefinitely
2. To postpone to a day certain
3. To lay on the table
4. To refer to a committee
5. To amend it

These several motions shall have precedence in the order in which they are stated and except Subdivision 4 and 5 shall be decided without debate.

RULE 18. PREVIOUS QUESTION

The “Previous Question” shall be as follows: “Shall the main question not be put?”, or similar language, and until it is decided shall preclude all amendment or debate. When on taking the previous question the Board shall decide that the question shall now be put, the question under consideration shall be immediately put without further amendment or debate.

RULE 19. WITHDRAWAL OF MOTION

Upon proper passage and reference from the proper committee, all motions shall be deemed to be in the possession of the Board and shall not be withdrawn, returned to committee or tabled, except by formal motion and resolution of the Board, in accordance with the Rules of the Board then existing.

RULE 20. MEMBER ENTITLED TO VOTE

Any member having an interest in the outcome of a vote other than as County Supervisor shall disclose such interest and be excused from voting or in the alternative; such vote shall be by roll call.

RULE 21. RESCINDING RESOLUTIONS

A motion to rescind any resolution or motion shall require for passage a majority vote of all members of the Board.

RULE 22. FINAL APPROVAL OF MINUTES

The minutes of the Board shall be available for inspection at all times and may be corrected at any time upon motion. Such minutes shall constitute and be certified by the Chair and the Clerk of the Board as the record of proceedings of the session without further reading.

RULE 23. PRESERVATION OF RECORDS

It shall be the duty of the Clerk of this Board to preserve all the records of this Board, including bills, statements, audits, petitions, resolution, etc. in properly indexed files.

RULE 24. ROBERTS RULES OF ORDER

All questions not covered by these rules shall be decided accordingly to the generally prevailing rules of parliamentary law and Roberts Rules of Order.

RULE 25. STANDING COMMITTEES

The Chair of the Board, for the purpose of aiding and assisting the Board in the transaction of its business, shall appoint the following Standing Committees that shall provide general supervision in conjunction with the County Manager, over the County Departments, Agencies and activities set opposite them: *(the following committee structure was adopted by Resolution No. 17-2020)*

COMMITTEE NO. 1 - FINANCE, ASSESSMENT & INSURANCE - Responsible for County budget, returned school taxes, sales tax, debt service, and County Treasurer, Finance

Department, County Insurance Programs, Risk Management, Workers' Compensation and Fixed Assets Program, Assessment rolls, Real Property Tax Office, tax maps, reappraisals tax sale property, tax petitions, and all real property tax matters

COMMITTEE NO. 2 - PERSONNEL - Responsible for Personnel Department, civil service, employee contracts, employee salaries and benefits, employee relations, County Policy development and maintenance, ethics and affirmative action program, vacancy committee reports and recommendations.

COMMITTEE NO. 3 - GOVERNMENT OPERATIONS - Responsible for County Clerk, Board of Elections, Courts, Central Services, Records Management, County rules and order of business, legislative proposals and reviews, County Historian, County Manager, Clerk of the Board, Supervisors' expenses, Purchasing, County Law Department, and Weights and Measures.

COMMITTEE NO. 4 - PUBLIC WORKS - Responsible for Public Works Division and its departments: Code Enforcement, Facilities, Highway, and operations thereunder to include County roads, rights of way, snow removal, highway materials and equipment, repairs, maintenance, construction and siting of all County buildings, utilities, matters related to Seneca County Sewer District #3, and Solid Waste management, recycling and composting.

COMMITTEE NO. 5 - PLANNING, DEVELOPMENT, AGRICULTURE & TOURISM - Responsible for Planning & Community Development, Planning Board, Industrial Development Agency, Tourism, Federal and State grants, Soil & Water Conservation District, Extension Service, Agriculture Districts, and Finger Lakes Regional Airport

COMMITTEE NO. 6 - MENTAL HEALTH SERVICES - Responsible for the Mental Health Department, Mental Health Programs, Community Services Board, Alcoholism and Substance Abuse programs, Youth at Risk Programs

COMMITTEE NO. 7 - PUBLIC HEALTH SERVICES - Responsible for the Public Health Department, home health agency, sanitation, Handicapped Children Pre-K (3-5), Early Intervention, animal disease control and Code Enforcement

COMMITTEE NO. 8 - HUMAN SERVICES - Responsible for the Division of Human Services, Social Services Department, Office for the Aging, Veterans Services, Weatherization Program, and Community Colleges

COMMITTEE NO. 9 - PUBLIC SAFETY - Responsible for Sheriff's Department and Jail, District Attorney, Public Defender, Coroners, Justices and Constables, Fire Mutual Aid, Office of Emergency Management, Probation Department, STOP-DWI Program, and E-911

COMMITTEE NO. 10 - INDIAN AFFAIRS - All issues relative to Indian Affairs

COMMITTEE NO. 11 - ENVIRONMENTAL AFFAIRS - Responsible for keeping the Board abreast of the various activities in the County, alternative energy issues, and their potential environmental impacts

COMMITTEE NO. 12 - TECHNOLOGY- Responsible for computers and computer related equipment, AS 400, electronic communications including telephones and cellular phones and the Information Technology Department

COMMITTEE NO. 13 – WATER AND SEWER TREATMENT MANAGEMENT AND OPERATIONS – Responsible for all matters related to Seneca County Sewer Districts 1 & 2, and Seneca County Water District 1.

RULE 26. MEMBERSHIP OF COMMITTEES

Membership of Committees of the Board of Supervisors shall be at the discretion of the Chair of the Board of Supervisors. The Chair shall be a member ex-officio of each of the committees of the Board. The Majority Leader and Minority Leader shall serve as members of the Finance Committee.

RULE 27. SPECIAL COMMITTEES

The Board may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members. The Chair shall appoint the members of all special committees.

RULE 28. GENERAL DUTIES OF COMMITTEES

Such Committees shall have general charge of all matters pertaining to the work of the Board of Supervisors as indicated by the titles in the report required to be made by the County Treasurer to the State Comptroller, and each committee shall have supervision and charge of expenditures from the appropriations indicated, and shall, during the session, report to the Finance Committee the amount which it is necessary to raise for payments required to be made by the County Treasurer for the proper maintenance of the department under its supervision during the fiscal year, which reports shall show in detail the purpose of each item of such estimate.

RULE 29. REFERENCE OF COMMITTEE

Except by a two-thirds majority vote of the members present, no matter, except the appointment of officers, shall be acted upon by this Board except after reference to the proper committee; and no such matter which has been defeated by a vote of the proper Committee or which remains pending before such Committee may be acted upon by the Board unless reviewed by the same Committee. It shall be the duty of the Chair to make such reference.

Upon a majority vote of all members of this Board, any matter entrusted by these rules or otherwise, to any committee, may be withdrawn from the consideration of such committee and referred to a special committee appointed in such manner as the resolution withdrawing such matter shall direct.

RULE 30. POWER TO ACT

All Committees of this Board shall have power to act until their successors are appointed.

RULE 31. SELECTION OF APPOINTED OFFICIALS

The selection of appointed officials shall be as follows. Nominations shall be made from the floor and a majority of members shall make selection.

RULE 32. PAYMENT OF SALARIES

All elected officers and all officers appointed by this Board at fixed salaries shall be paid by the County Treasurer in accordance with the status or resolution fixing their compensation. All other County Officials and employees authorized by this Board shall be paid in accordance with the resolution or appropriate employee contract fixing their compensation.

RULE 33. AUTHORITY TO SPEAK

In accordance with the Open Meetings Policy set forth in Resolution 130-03, persons appearing before the Board of Supervisors shall be delineated “Consultants” or “Petitioners.”

Petitioners: Any individual who is not employed by, paid or retained by the County and who wishes to speak on issues before or involving the Board of Supervisors, the County government or on matters of general county concern. The term “petitioner” is derived from the First Amendment of the United States Constitution, which recognizes the right of citizens “to petition the government for a redress of grievances.” Petitioners wishing to speak before the Board of Supervisors shall be allowed to do so, subject to the following terms and conditions.

Time of Request: Petitioners who request to address the board at least five days before a regularly scheduled meeting shall be allowed to address the Board of Supervisors, and shall be placed on the meeting agenda. Petitioners who request to address the board after posting of the agenda shall be placed on the agenda with permission of the Chair.

- Petitioners will be required to use the centrally located microphone;
- Prior to addressing the Board of Supervisors, Petitioners first will be required to state their name, address and organizational affiliation, if any; if a Petitioner is a candidate for elected office, he or she shall note this fact;
- Questions and comments shall be addressed to the entire Board of Supervisors and not to individual Board of Supervisor members, nor to the County Manager or staff;
- A limit of five (5) minutes will be allotted to each Petitioner on any given topic;
- Board of Supervisor members may, upon recognition of the Chair, interrupt a Petitioner during their remarks, but only for the purpose of clarification or information;
- A Petitioner who does not need a full five (5) minutes may not yield the unused portion of their time to another person;
- It is expected that Petitioners before the Board of Supervisors will observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Personal attacks upon individuals will be ruled “out of order”, as well as the use of intemperate, abusive and defamatory language.
- Written statements will be received by the Board of Supervisors in addition to, or in lieu of, oral presentations, and will be made part of the public records.

These rules shall be given broad and liberal construction so as to achieve the purpose of free and open communication between public and the County government.

Consultants: Parties employed by, paid or retained by the County. Consultants shall be invited to address the board, or placed upon the agenda, by advance permission of the Chair or, if said duty to give permission is so delegated, the Clerk to the Board or the County Manager/Deputy County Manager. Consultants may be taken out of order on the agenda at any meeting they attend if the Chair or the Chair's designee so authorizes.

RULE 34. ORDER OF ROLL CALL

The ayes and nays upon a question shall be taken and entered in the minutes when required by law, these rules, or if requested by any member. Roll call shall be as follows: Introducer, seconder, and remainder of the board in alphabetical order by Town.