



CITY OF BEACON, NEW YORK
ONE MUNICIPAL PLAZA
BEACON, NEW YORK 12508

CITY OF BEACON
CITY COUNCIL
RULES OF PROCEDURE¹
FOR PUBLIC MEETINGS

1. ~~REGULAR MEETINGS:~~ The City Council shall hold its regular meetings on the first (1st) and third (3rd) Monday of each month. ~~If a regular meeting date falls on a holiday, the meeting is scheduled for the next work day.~~

- 2.1. ~~WORKSHOP MEETINGS:~~ Workshop meetings shall be held on the Monday before each regular meeting of the City Council, except that once a quarter, on 30-day notice, the Council may hold its workshop meeting on the Saturday before the Monday of a workshop meeting. ~~In months where there are four Mondays, workshop meetings shall be held on the second (2nd) and fourth (4th) Monday of the month; in months where there are five Mondays, workshop meetings shall be held on the second (2nd) and fifth (5th) Monday, except, on 30 day notice, the Council may hold the meeting on the 4th Monday. If any workshop meeting falls on a holiday weekend, the workshop shall be rescheduled for the next work day.~~

3. ~~SPECIAL MEETINGS:~~ Special meetings of the City Council shall consist of all meetings other than regular or workshop meetings at which four (4) or more members of the Council are present. A special meeting may be held on the call of the Mayor or by four or more members of the Council, upon no less than twenty-four (24) hours (except if less notice is required by an emergency situation, then notice shall be as practicable) written notice via e-mail and telephone call to all Council Members and the Mayor.

- 4.2. LOCATION OF MEETING AND CHANGES: Unless otherwise announced, all meetings of the City Council shall be held at 7 p.m. in the Court Room at the Municipal Center located at One Municipal Plaza, Beacon, New York. Any changes in the date, time or location of the Council's meetings shall be determined by the Mayor and Council ~~upon consideration of the attendant circumstances and noticed~~ in accordance with lawful requirements.

- 5.3. QUORUM REQUIRED TO ACT: A majority of the whole number of the City Council, including vacancies, abstentions and any members disqualified, shall constitute a quorum. Therefore, a quorum of the seven-member City Council is four

¹ These Rules of Procedure are in addition to any requirements imposed upon the City Council by relevant State or Local Laws.

(4) members. A quorum shall be necessary to take any formal action and to exercise any power, authority or duty of the City Council. No member shall withdraw from a meeting of the Council without the permission of the Mayor when required to maintain a quorum.

~~6.4.~~ EXECUTIVE SESSIONS: In accordance with Article 7 of the Public Officers Law, all meetings of the City Council shall be open to the public; provided that the Council may enter into an executive session, as defined by Article 7 of the Public Officers Law, to discuss those topics or items for which the Public Officers Law allows for a closed session.

The decision to enter into an executive session for the purposes and in the manner as set forth in Article 7 of the Public Officers Law must be submitted by a motion calling for an executive session setting forth the general subject matter to be considered. The motion to enter into an executive session, ~~the its general~~ subject matter thereof and the vote on the motion s approving or denying the sessions shall be recorded in the minutes of the open session. Attendance at an executive session shall be permitted to any member of the City Council public body and any other persons it authorizes authorized by a majority of the public body.

~~7.~~ ANNOUNCEMENT OF APPOINTMENTS: ~~After a discussion of an~~ For a “senior” personnel appointment” – i.e., ~~of a~~ City Administrator; b) a department head; c) new consultant for planning, engineering or city attorney; d) promotion to Police or Fire Lieutenant or Captain; and e) such other personnel as the Council may decide – following announcement of the Mayor’s appointment, the Council may defer a vote on such appointment for an additional period to allow time for public comment and/or Council discussion. ~~A, during Executive Session; if the City Council is in concurrence to proceed with the appointment/promotion at its next regularly scheduled meeting, that after coming out of the Executive Session, the Mayor shall identify the names and position of the person being considered for appointment/promotion at the next Council meeting.~~

~~5.~~ After such name has been announced by the Mayor at the conclusion of the Executive Session in the public session, any Council member is free to discuss the that said individual is being appointed/promoted; recognizing that certain matters discussed concerning the decision to hire the individual, including personnel files, may not be discussed in public and any Council member who wishes to discuss the particulars of a specific employee shall first confirm the discussion of same is appropriate with the City Administrator.

~~8.~~ VOTING: A quorum, as defined in section 5 of these Rules, shall be required to perform and exercise any power, authority or duty of the Council. ~~Every member of the Council present at any meeting thereof, when a vote is taken, shall vote for or against, unless excused from voting by the Mayor. Roll call vote shall be called in an~~

~~order at the discretion of the Mayor. The Mayor shall be the last one to cast a vote.~~

~~9.6.~~

- a. Abstentions and Absences: Abstentions and absences shall be considered a negative vote for the purposes of determining the final vote on a matter submitted to a vote.

~~Any member who abstains from a vote must express the reason for such abstention on the minutes after the conclusion of the vote.~~

- b. Silence: In any vote other than by roll call, silence by any member shall be understood as a positive vote on a matter submitted to a vote.
- c. Questions: The answer to a question submitted to the Council shall be made by counting the “ayes” and “nays” by roll call or in response to a question seeking all members in favor and all opposed.
- d. Roll Call Voting: Roll call voting shall be taken with respect to the following actions:
- 1) All matters involving expenditure of money or raising of taxes.
 - 2) All budget transfers of monies, except transfers within a City department.
 - 3) Adoption of all local laws and ordinances to be filed with the New York State Department of State.
 - 4) Any other actions specified by these Rules or in the City of Beacon City Charter or City of Beacon City Code, or any other applicable state or local law or when requested by a Member of the Council.

~~10.7.~~ ORDER OF BUSINESS – MEETING AGENDA: The following is the ~~formal~~ order of business at all regular and special meetings of the City Council and shall be followed to the greatest extent possible where applicable:

- a. Call to order
- b. Pledge of Allegiance
- ~~c. Moment of Silence~~
- ~~d.c.~~ Public Comment
- ~~e.d.~~ _____ Community Segment
- ~~f.e.~~ Public Hearings

~~g.f.~~ Reports

- ~~1)~~ _____ City Administrator
- ~~2)~~ _____ Mayor
_____ & Council Members

~~h.g.~~ _____ Appointments

~~i.h.~~ Local Laws & Ordinances

~~j.i.~~ Resolutions

~~k.j.~~ Budget Amendments

~~l.k.~~ Approval of Minutes

~~m.~~ Announcement of Next Workshop ~~Date~~

~~n.l.~~ Announcement of
~~Next and~~ Regular Meeting

~~o.m.~~ _____ Second Public Comment

~~p.n.~~ _____ Adjournment

The regular order of business at a meeting may at any time be suspended by ~~majority the affirmative vote of two-thirds of the members of the Council present at such meeting.~~

11.8. GENERAL RULES OF PROCEDURE & STANDARD OF CONDUCT

~~a.~~ PRESIDING OFFICER. The Mayor shall determine who presides at all meetings of the City Council.

~~b.~~ In the Mayor's absence, the Acting Mayor shall determine who presides at the meeting.

~~c.a.~~ In the event the Mayor has failed to appoint an Acting Mayor, or where such member is absent from the meeting, the Council shall determine who nominate and elect another Council member present at the meeting to preside at the ~~over that~~ meeting.

~~d.b.~~ GUIDELINES FOR COUNCIL MEMBERS:

~~a) All Council members shall be addressed and shall address each other by their elected title.~~

~~2) Taking the Floor: A Council member must be recognized by the presiding officer, before speaking and/or making a motion.~~

~~a) To obtain the floor, a member shall raise his/her hand, shall address the Chair, and shall wait to be recognized.~~

~~b) Once the floor is assigned to a speaker, no one may interrupt that person unless to call him/her to order. A member being called to order shall cease speaking immediately and until the question of order is determined.~~

~~If in order, the speaker shall be allowed to continue speaking.~~

~~c) Exceptions: A member who has properly been given the floor may be interrupted:~~

~~i. To enter onto the minutes a motion to reconsider;~~

~~ii. To allow a question of order;~~

~~iii. To allow an objection to the consideration of a question submitted to the Council; and~~

~~iv. To submit a question of privilege that requires immediate action.~~

3)1) Conflict of Interest. A member prevented from voting by a conflict of interest shall leave the city council table during the debate, shall not vote on the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest.

2) Non-Disclosure of Confidential Information. ~~No council member may disclose confidential information gained by reason of his or her official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another. No council member may disclose confidential information to any person not entitled or authorized to receive the information.~~ "Confidential information" for this rule means 1. specific information, rather than generalized knowledge, received by a council member as a result of his or her position that is not available to the general public on request; or 2. information furnished to a council member under circumstances as to suggest the information is confidential, including when the provider of the information identifies the information as confidential; or 3. information made confidential by law, including specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy; or 4. Discussions held in Executive Session. No council member may disclose confidential information or otherwise use such information for his or her personal gain or benefit or the gain or benefit of another. No council member may disclose confidential information to any person not entitled or authorized to receive the information

e.c. GUIDELINES FOR COMMUNITY SEGMENTS: Speakers are invited to speak by prior arrangement with the Mayor's office and are placed on the agenda at the Presiding Officer's ~~Mayor's~~ discretion.

f.d. GUIDELINES FOR PUBLIC COMMENT SEGMENTS:

- 1) There shall be two (2) segments during each regular meeting of the City Council dedicated to public comment, one at the beginning of the meeting and another at the end.
- 2) A speaker shall be allowed to speak at either the first public comment segment or the second, but not both, unless at the discretion of the Presiding Officer.
- 3) Those who would like to speak during either of the public comment segments should ~~must~~ sign up on the sheet provided at the meeting and shall be

allowed to speak on a first-come, first-serve basis.

- 4) The total time for all speakers at any one public comment segment shall not exceed thirty (30) minutes unless approved by a majority vote of the Council.
- 5) The Presiding Officer ~~Mayor may shall~~ appoint a timekeeper for purposes of the public comments segments.
- 6) Conduct of Speakers: All persons speaking before the Council shall conform to the following standards of conduct:
 - a) Speakers must step to the podium to address the Council and complete the sign-in sheet placed at the podium, unless they have signed in at the sign-in sheet placed at the table.
 - b) Before addressing the Council, a speaker must give their name, address and organization (if any) for the record.
 - c) A speaker's individual time to speak during the public comment session may not exceed three (3) minutes unless, in the Presiding Officer's ~~Mayor's~~ sole discretion, additional time is granted.
 - d) Speakers shall address all members of the Council, and shall avoid speaking ~~to at~~ any one member directly or to the general public present at the meeting.
 - ~~e)~~ A speaker's individual time to speak at a public hearing may not exceed ~~three five (35) minutes. The Mayor may reduce such time to no less than three (3) minutes, if the Mayor or Council determine that an additional time limitation is appropriate due to the number of items on the agenda or the number of people present who wish to speak.~~
 - ~~f)~~ Speakers shall observe commonly accepted rules of courtesy, decorum, dignity and good taste.
 - ~~g)~~ A speaker may speak on any issue which is properly up for discussion on the agenda or which the City has the ability to act upon, provided that a speaker may not speak on any issue which has already been discussed at an earlier public hearing during the meeting or one that is to be discussed at a later public hearing during the meeting.
 - ~~h)~~ g) Any statements, comments or remarks made by a Speaker (1) shall not concern the motives of a member of the Council and (2) shall

not constitute a personal and/or political attack or criticism of any member of the Council, any officer of the City or any employee of the City or the public.

i)h) The audience shall be respectful of all speakers and shall refrain from comments and gestures, private discussions, cell phone use or otherwise interfere with the meeting.

j)i) Any speaker who fails to conform their conduct to a) through h) above shall be directed by the Presiding Officer ~~Chair~~ to cease speaking and yield the floor.

- 7) The Presiding Officer ~~Mayor shall~~ make all speakers aware of the guidelines for public comment.
- 8) Copies of the guidelines for public comment shall be made available to the audience along with a copy of the agenda.
- 9) Interested parties, or their representatives, not in attendance may address the Council by written submission.
- 10) Debate or discussion between audience members and the speaker having the floor shall not be permitted.
- 11) Debate or discussion with the speaker on the part of a member of the Council, the Mayor, the City Administrator, City Attorney, a guest at the Council table, or any other City employee in the audience, who has information pertinent to the discussion shall not be permitted, except in the Presiding Officer's ~~Mayor's~~ discretion.

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

13. COUNCIL COMMUNICATIONS. The City Administrator oversees the day-to-day operations of the City, including management of all city ~~Members of the Council shall communicate with the officers, the employees, the vendors, and the contractors of the City Council (the "City") solely through the Administrator.~~ Council members lack the authority to ~~No member of the Council shall give orders, directions or instructions, either publicly or privately, to any~~ City officer, employee, vendor or contractor of the City. Any

10. All ~~communications, whether written, electronic or verbal, with officers and employees of the City and members of the Council are to be expressed in a~~

respectful and courteous manner.

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

~~14. The members of the Council may use official City of Beacon stationery only to (a) express a policy or position of the Council 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 Council, and (c) offer congratulations, appreciation and other non-substantive communications.~~

~~15.~~11. RECORDING OF PROCEEDINGS OF MEETINGS. No person shall record the proceedings of the meetings of the City Council, or any part thereof, by electronic or any other type of recorder, nor with a “steno-type” or similar machine, nor by motion picture, television or any other type of camera or visual record, without having previously made application, in writing, to the City Council at least two (2) business days in advance of the meeting for which permission is requested and without having received written permission therefore. Permission shall be granted upon a finding that the recording and/or broadcasting will not be disruptive or obtrusive of the public meeting and reasonable conditions may be imposed upon the granting of the application. This rule shall not be construed to prohibit the use of a hand held audio recording device or video device which does not interfere with the meeting, or 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 City Clerk or to members of the City Council.

~~16.~~12. AMENDMENTS: The foregoing Rules of Procedure may be amended from time to time by a majority vote of the Council.

Dated: Beacon, New York
April 2, 2018