

# Warren County Board of Supervisors

## RESOLUTION NO. 1 OF 2024

### RESOLUTION INTRODUCED BY CHAIR

### ADOPTING THE RULES OF THE BOARD OF SUPERVISORS

RESOLVED, that the Rules of the Board of Supervisors providing for the conduct of its meetings, committees of the Board of Supervisors and the exercise of its governmental functions are hereby adopted as set forth in Schedule “A”, attached hereto, and be it further

RESOLVED, that said Rules as adopted shall be effective immediately and all Rules adopted in preceding years are hereby repealed.

**SCHEDULE "A"**

**RULES OF THE BOARD OF SUPERVISORS**

**A. Organization Meeting of Board of Supervisors**

1. At the Regular Meeting of the Board of Supervisors held in December of each year the Board shall by resolution fix the date for the organizational meeting of the Board for the ensuing year, which date shall not be later than the seventh day of the year, and the place and hour of such organization meeting. A total of 502 weighted votes, as allocated among the elected Supervisors pursuant to Local Law No. 2 of 2023 (*enacted by Resolution No. 50 of 2023*), shall constitute a quorum for the transaction of business. A quorum being present, the Clerk of the last Board shall call the meeting to order and the members present shall by roll call vote, by a majority of the total weighted voting power of the members of the Board, select one of their number Chair, who shall preside at such meeting and at all meetings during the year. As provided by Local Law No. 1 of 1968, the Chair shall appoint the Finance Chair who, in case of the absence, incapacity or inability of the Chair to act during the term, shall perform the functions, powers, and duties of the Chair, within the limits of statute.
2. In addition to the foregoing, the Board at the annual organization meeting may transact the following business: the appointment of any officers required by law or desired by the Board; adopt the Rules of Procedure by majority vote for the current year; other matters that the Chair wishes to bring before the meeting; and any such other and further business as may properly come before such meeting.

**B. Regular Meetings of the Board of Supervisors**

1. The Board shall convene in Regular Meeting at 10:00 o'clock in the forenoon on the third Friday of each month for the public meeting of the Board, unless a different time was scheduled during a previous meeting. The Regular Meetings for the year 2024 are scheduled as follows:
  - i) January 19, 2024
  - ii) February 16, 2024
  - iii) March 15, 2024
  - iv) April 19, 2024
  - v) May 17, 2024
  - vi) June 21, 2024
  - vii) July 19, 2024
  - viii) August 16, 2024
  - ix) September 20, 2024
  - x) October 18, 2024
  - xi) November 15, 2024
  - xii) December 20, 2024

The Board may also gather for bi-monthly workshop sessions to be called at the discretion of the Chair for the purpose of receiving presentations and/or training at which no action of the Board will be taken. Such workshop sessions will be subject to the requirements of the

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Open Meetings Law and shall be open to the public.

Regular Meetings shall be called to order as soon thereafter as a quorum is present. Regular Meetings of the Board may be adjourned by motion, without discussion, which is adopted by a majority vote of the membership present.

The Board shall convene in special meeting upon call of the Chair (or, if appropriate, the Finance Chair) or upon written request for a special meeting signed by a majority of the total membership of the Board. At the direction of the Chair (or Finance Chair) or upon receiving such a written request, notice in writing stating the time, place and purpose of the special meeting shall be served personally or by mail upon each member by the Clerk of the Board at least forty-eight hours before the date fixed for holding the meeting or a member may waive the service of the notice for such meeting by a writing signed by them.

2. Business conducted at Regular Meetings of the Board shall be transacted in the following order:

10:00 A.M.	Call to Order Salute to Flag Roll Call Motion to approve the Minutes of previous meeting, subject to correction by the Clerk of the Board Introduction and welcome to guests Privilege of the floor and public comment Report by Chair of the Board Reports by Committee Chairs Report of County Administrator Report of County Attorney Call for reading of communications Call for reading of resolutions Call for Recusals on resolutions Discussion/public comment on resolutions Requests for roll call votes Vote on resolutions Privilege of the floor and public comment Announcements Adjournment
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3. All resolutions shall be in writing and filed with the Clerk before close of business on the Tuesday preceding the Regular Meeting on Friday of each month and at least three days prior to any adjourned or special meeting of the Board. The Clerk shall distribute all resolutions to the members of the Board of Supervisors and post same to the Warren County website on each Tuesday prior to a Regular Meeting and for any adjourned Regular Meeting or special meeting of the Board, 72 hours prior to the noticed time for such adjourned or special meeting when practicable, but no less than the time period proscribed by Public Officers Law Sec. 103(3).

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4. All resolutions timely filed with the Clerk shall be considered by the Board at the next Regular Meeting, as set forth above. Any resolution timely filed with the Clerk, but not approved through the established Committee structure in advance of a Board meeting, shall require a majority vote of the Board to be considered during the Regular Meeting, aside from those resolutions which are considered to be administrative or procedural, or of an emergency nature and are authorized by the Board Chair, Standing Committee Chair, County Administrator, County Attorney and Clerk of the Board.
5. Any member of the Board may make a motion to Lay on the Table any resolution to enable the Board to lay the pending question aside temporarily when something else of immediate of emergency has arisen or when something else needs to be addressed before consideration of the pending question is resumed (*in accordance with Robert Rules of Order*). A majority vote of the Board shall be necessary to take item off the table.

**C. Conduct of All Meetings of Board of Supervisors and Committees**

1. All questions relating to the priority of business shall be decided without debate.
2. The Chair shall preserve order and shall decide all questions of order, subject to the appeal of the Board.
3. The Chair in all cases shall have the right to vote, and when their vote makes an equal division the question shall be lost.
4. Any member desiring to speak or present any subject matter shall address the Chair and shall not proceed until recognized by the Chair and granted the floor.
5. No debate shall be in order until the pending question shall be stated by the Chair or read by the Clerk.
6. No member shall speak more than once on any question until every member choosing to speak on the question shall have spoken. If the Chair of the Board or the Chair of any Committee wishes to enter into debate, they may do so only after they excuse themselves from the Chair and the Vice-Chair or a Temporary Chair is appointed by the Chair.
7. Upon any member raising a point of order, all members shall remain seated and silent until the Chair determines the point raised. The Chair shall sustain or deny the point raised. Any member may appeal the decision of the Chair on the point of order to the full body for determination by a vote.
8. No business shall be transacted by the Board, as such, while a Committee or Committees are out at work, except to adjourn.
9. All motions and resolutions shall be presented in open regular meeting. The Chair will state to what Committee the motion or resolution shall be referred unless such reference is objected to by a member, in which case the Board shall decide the issue.

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10. While a member is speaking no member shall entertain any private discourse or pass between the speaking member or the Chair.
11. A motion to adjourn shall always be in order, and shall be subject to debate.
12. When a question is under debate no motion shall be entertained, unless for adjournment of the Board, for the previous question, to place on the table indefinitely; to place on the table for a certain day; to hold; or to amend it. These several motions shall have precedence in the order in which they are stated herein and each stated motion shall be subject to debate.
13. The minutes of this Board shall be distributed to members of the Board and posted to the County website within two weeks of the date of such Regular or Special Meeting of the Board, except that minutes taken during executive session of any action which is taken by formal vote shall be posted to the County website within one week from the date of the executive session, by the Clerk of the Board.

**D. Committees of the Board of Supervisors**

1. Standing Committees consisting of seven (7) or nine (9) members (Note: total weighted vote of Committee membership may not exceed 501, so as not to convene a quorum of the Board of Supervisors), and Special Committees consisting of at least three (3) members, if any, shall be appointed by the Chair at the Organization Meeting or not later than the first regular Board meeting following the Organization Meeting, upon the following subjects, to wit:

<b>Standing Committee Name</b>	<b>Number of Members</b>
County Facilities - <i>Airport; Buildings &amp; Grounds; Fire Prevention &amp; Building Code Enforcement; Weights &amp; Measures</i>	7
Criminal Justice, Public Safety & Emergency Services - <i>Assigned Counsel; Courts; District Attorney; Office of Emergency Services; Probation; Public Defender; Sheriff &amp; Communications</i>	7
Economic Growth & Development - <i>Economic Development Corporation; Planning &amp; Community Development; Workforce Development</i>	7
Environmental Concerns & Real Property Tax Services	7
Finance & Budget - <i>Budget Officer; County Administrator; County Treasurer</i>	9
Health Services - <i>Office for the Aging; Office of Community Services; Public Health</i>	7
Human Services - <i>Countryside Adult Home; Department of Social Services; Veterans' Services; Youth Programs</i>	7
Legislative, Rules & Governmental Operations - <i>Board of Elections; County Auditor; County Clerk/DMV; Purchasing; Self-Insurance</i>	7

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Personnel, Administration & Higher Education - <i>Civil Service; Clerk of the Board; County Attorney; Human Resources; Information Technology; SUNY Adirondack</i>	7
Public Works - <i>DPW; Parks, Recreation &amp; Railroad; Solid Waste &amp; Recycling; Warren County Sewer</i>	7
Tourism & Occupancy Tax Coordination	7

**Special Committees**

Park Operations & Management (O&M)	4 <i>plus 1 alternate</i>
Extension Services	5

2. Special Committees may be created at a Regular Meeting of the Board. The members of a newly-created special committee shall, unless otherwise ordered and directed by a majority vote of the Board, be appointed by the Chair not later than the next scheduled Board meeting following the creation of the Special Committee. The period of time that a special committee shall serve shall be designated when it is created, may be extended to a future date at a Regular Meeting of the Board, but may not extend beyond the current term of the Board of Supervisors.
3. The first member appointed to each Standing and Special Committee shall be and act as the Chair of such committee. The Chair of each Committee shall appoint both the Vice Chair and 2<sup>nd</sup> Vice Chair, who shall serve in the event that both the Committee Chair and Vice Chair are absent. The Vice Chair and 2<sup>nd</sup> Vice Chair designations must be submitted to the Clerk of the Board of Supervisors no later than the date of the first regular Board Meeting of the year, to be held on the third Friday of January. The Committee Chair may elect not to make the Vice and 2<sup>nd</sup> Vice Chair appointments, in which case the Chair of the Board shall do so as soon as is practicable after the first regular Board Meeting of the year.
4. The regular monthly meetings for each standing committee shall be held on dates and times fixed by the Clerk of the Board of Supervisors.
5. Additional committee meetings may be called by the Chair thereof, except as hereinafter provided. The Chair of each committee shall give or cause to be given by the Clerk of the Board of Supervisors notice in person, by telephone, or by email at least two days in advance of the day, hour and place of any additional meeting of a committee except that no advance or prior notice shall be required when the committee meeting is held on a day when the Board shall be in session.
6. A meeting of any committee may be called by any member of the committee and shall be held when a majority of the total membership of a committee sign a written notice to conduct an additional meeting, which notice shall clearly state the day, hour and place of such meeting, provided that such notice shall be served in person or emailed to the Chair of such committee

and the Chair of the Board of Supervisors at least three days in advance of the day specified in such notice.

7. Members of the Board may attend any Regular or Special Committee meeting as a member of the general public, but no member of the Board, except the Chair of the Board, shall sit as part of a Committee for which they were not appointed, or participate in a Committee meeting as a voting member of the Committee, unless appointed to that Committee as a member. Board members shall be permitted to attend and participate in executive sessions for Committees on which they are not a member.
8. The Chair of the Board of Supervisors shall be an ex-officio member of a standing committee when: a) a quorum is not present at any regularly or specially scheduled committee meeting; b) if such membership will provide a quorum as herein specified; and c) the Chair is available to attend. The total membership of the committee as established by Board Rules shall not change or be increased by the presence and availability of the Chair in determining whether a majority of members are present to allow the conduct of business, rather the Chair shall be considered an alternate or substitute for a non-present committee member. Once the Chair becomes a member by virtue of the criteria set forth above (whether at the start of or during a meeting), the Chair shall be a voting member and shall continue as a member of the committee until a quorum is established or reestablished by appointed Committee members at the subject meeting or subsequent meetings. If an executive session is called for during a Committee meeting after the Chair becomes a member by virtue of the criteria set forth above, then the Chair's vote shall count towards the total needed for any vote of the total membership for a Committee. The Finance Chair may exercise the duties described in this paragraph in the case of the absence, incapacity or inability of the Chair to act during the meeting and shall perform the functions, powers, and duties of the Chair as an ex-officio member of the standing committee.
9. When any Standing or Special Committee of the Board of Supervisors is acting on any matter affecting a single Municipality or is engaged in seeking or obtaining rights of way in a particular municipality, the Supervisor of the affected municipality shall be provided with an opportunity to make a presentation or otherwise be heard by the Committee.

E. Voting by Members of the Board of Supervisors

1. All members present shall vote upon each question, unless their recusal from the question is required and was declared by the member when called for by the Chair.
2. If a resolution contains items that can be voted on separately and a request is made by any member to vote separately on any such item, then the requested item shall be subject to a separate vote.
3. All questions shall be decided by a majority of the total weighted voting power of the Board (herein, "majority vote") unless otherwise required by law or as required herein. All questions shall be decided by weighted majority vote in accordance with the terms of Local Law No. 2 of 2023, as it may be amended from time to time. Whenever in these Rules of the Board of Supervisors there is reference to a majority vote or a 2/3rds vote of the Board, it means a majority of the voting power of the members of the Board or 2/3rds of the voting power of the members of the Board as defined in Local Law No. 2 of 2023.

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4. The following resolutions shall require a roll call vote: fixing or altering salaries, or establishing salary and wage classifications; adoption of the budget; any appropriation or expenditure of public funds; transfers to and from .1 salary codes within the authorized budget and transfers between funds, including Capital and Road Fund Projects; levying of taxes; bond resolutions; any authorizations to fund or refund indebtedness; legalizing informal acts of a town meeting, village election, town or village officer; legalizing municipal obligations incurred through error or mistake wherein a 2/3rds vote is required; alteration of the boundaries of a town; local laws; any sale or conveyance of county property, either real or personal;.
5. A roll call vote upon any resolution or other proceeding shall be taken upon request of any member.
6. All resolutions adopted by the Board of Supervisors shall become effective upon their adoption or as otherwise provided by law or as specified in the resolution.
7. Out-of-Unit Salary Increases. Salaries for all Out-of-Unit (i.e. non-union) employment positions shall be set through the annual adoption of the Warren County Budget ONLY and the County's annual Salary Schedule, except as provided herein.
  - i) Filling Vacant Out-of-Unit Employment Positions: Salary increases may be considered by the Board of Supervisors outside the annual County Budget process when filling a vacant Out-of-Unit employment position which was approved and funded under the current County Budget and the proposed salary increase is required to fill a vacancy with a qualified candidate. All Out-of-Unit salary increases for a vacant employment position shall be approved for both the amount of salary increase and the source of funding for the salary increase upon a majority vote of the Board of Supervisors. Department Heads shall have authority to fill a vacant Out-of-Unit position at a salary up to the amount budgeted without having to obtain oversight Committee or Board of Supervisors approval, provided that the salary amount does not exceed the amount budgeted for that position.
  - ii) Filling Vacant Department Head Positions: When a vacancy arises within a budgeted Department Head position, the County Administrator, with the assistance of the Director of Human Resources and County Personnel Officer, shall manage the recruitment process by: reviewing and updating the job description and minimum qualifications for the position; advertising the position in the manner to obtain the widest available pool of qualified applicants; accepting and pre-screening applications/resumes in order to schedule initial interviews with candidates meeting the minimum requirements for the position. Interviews shall be conducted by the Chair of the Board, appropriate oversight Committee Chair, Personnel Committee Chair, County Administrator and Director of Human Resources, following which a recommendation shall be made to the Personnel, Administration & Higher Education Committee to identify the final candidate and the starting salary for approval and referral to the Board of Supervisors who shall authorize the appointment upon a majority vote of the Board.

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F. General

1. Upon the request by any member of the Board of Supervisors, the Clerk of the Board shall draft a Proclamation of acknowledgment, congratulations, commendation or otherwise recognizing a particular person(s), achievement(s), cause(s) or event(s) on behalf of the Board and for execution by the Chair, subject to no member moving to reject a proclamation and the Board of Supervisors approving such motion by majority vote.
2. No standing rule of the Board shall be rescinded, suspended or amended, or any additional rule or order added thereto, unless it be by majority vote.. In the event a rule of the Board is suspended, such suspension shall apply only to the matter or question which is before the Board at the time of such suspension.
3. All questions not covered in the rules shall be decided according to Robert's Rules of Order-Revised.
4. The rules of the Board shall be published in the Proceedings in the year first adopted and whenever amended.
5. The Rules of the Board, along with any amendments or additions thereto, shall continue in full force and effect until the end of the Organization Meeting for the ensuing year, or any adjourned Organization Meeting, and upon the Board enacting Rules of the Board by majority vote for that ensuing year. Absent the ensuing Board adopting Rules of the Board for the ensuing year, these Rules of the Board shall sunset and expire on January 31<sup>st</sup> of the ensuing year.