

**BOARD OF TRUSTEES**  
**EXECUTIVE SESSION POLICY**

It is the policy of the Board of Trustees of the Village of Hastings-on-Hudson to conduct Village business in an open fashion and to make available as much information as may legally and practically be disseminated.

The New York Open Meetings Law authorizes the Board to conduct business in executive session in a number of areas. These include:

1. matters which will imperil the public safety if disclosed;
2. matters which may disclose the identity of a law enforcement agent or informer;
3. information relating to criminal investigations;
4. discussions relating to proposed, pending or current litigation;
5. collective bargaining negotiations;
6. personnel matters; and
7. the proposed acquisition, sale or lease of real property or securities.

The Board recognizes that it is authorized to use executive sessions in these situations, but will do so with restraint.

To maintain confidentiality and to encourage the uninhibited discussion of the subject(s) of executive sessions, the specific subject matter and any statements made or positions taken by all participants must remain confidential and may not be disclosed by any participant unless and until a majority of the Board votes to authorize the release thereof by the Board.

It has been and continues to be the practice of the Board that all members of the Board, acting together, come to agreement by consensus on the specific information which is to be released to the public, the suitable vehicle for reporting that information, and the timing of the reporting.

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Adopted by the Board of Trustees on September 28, 1993

# **BOARD OF TRUSTEES** **RULES OF PROCEDURE**

## **SECTION 1 - Regular Meetings**

The Board of Trustees shall hold regular meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month. Such regular meetings shall commence at 7:30 p.m. and be conducted in the board room at the Municipal Building or in the auditorium of the Community Center. Any deviation of the foregoing paragraph shall be determined by the Board of Trustees. Meeting dates may be shifted to accommodate religious holidays or national election days.

## **SECTION 2 - Special Meetings**

Special meetings of the Board of Trustees are all those Board meetings other than regular meetings. A special meeting may be called by the Mayor or a majority of the Board of Trustees upon notice to the entire Board. Notice shall be given by telephone, by email, in person, or in writing.

## **SECTION 3 - Quorum**

A quorum shall be required to conduct business. A quorum of the five (5) member Board of Trustees shall be three (3). In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

## **SECTION 4 - Executive Sessions**

Executive Sessions shall be held in accordance with the New York State Public Officers Law §105. All executive sessions shall be commenced in a public meeting. (Appendix I Executive Session Policy)

## **SECTION 5 - Agendas**

The agenda shall be prepared by the Village Manager and Village Clerk in consultation with the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Village Manager the Friday morning before the meeting; however, items may be placed on the agenda at anytime, including during the meeting, by consent of a majority of the Board. The agenda shall be prepared by Friday preceding the meeting. If necessary, a supplemental agenda shall be distributed at the beginning of the meeting.

## **SECTION 6 - Voting**

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. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State Law.

An abstention, silence or absence shall be recorded as such, but shall be considered a negative vote for the purpose of determining the final vote on a matter.

A vote upon any question shall be taken by ayes and nays, and the names of the members present and their votes shall be entered in the minutes.

## **SECTION 7 - Minutes**

Minutes shall be taken by the Village Clerk. Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action and the date and vote thereon, provided, however, that such summary need not include any matter which is not required to be made public by the New York State Freedom of Information Law.

Minutes shall also include the following:

- 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 and adjournment;
- Name and title of other village officials and employees present in an official capacity and approximate number of attendees;
- Record of communications presented to the Board;
- Record of reports made by Board or other village personnel;
- Time of adjournment;
- Signature of Village Clerk or person who took the minutes if not the Clerk.

Minutes need not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve to have the Clerk do so. Minutes shall be approved at the next Board meeting. Amendments to the minutes shall require Board approval.

## **SECTION 8 - Order of Business**

The order of business shall be:

- Call to order
- Pledge of Allegiance
- Roll Call
- Appointments
- Approval of Minutes of previous meeting
- Approval of Warrants
- Public Comments
- Resolutions
- Village Manager's Report
- Board Discussion and Comments
- Announcements
- Adjournment

The order of business need not be followed if the Mayor determines that it is necessary to deviate.

## **SECTION 9 - General Rules of Procedure**

The Mayor shall preside at meetings. In the Mayor's absence the Deputy Mayor shall preside. The presiding officer may debate, move and take other action that may be taken by other members of the Board.

Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking. A member, once recognized, shall not be interrupted when speaking unless it be to call the member to order. If a member, while speaking, be called to order, they shall cease speaking until the question of order be determined, and, if in order, they shall be permitted to proceed.

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

Motion to close or limit debate may be entertained but shall require a two-thirds vote.

## **SECTION 10 - Guidelines for Public Comment**

The public shall be allowed to speak only during the Public Comment period of the meeting or at such other time as the presiding officer shall allow. The presiding officer may modify these guidelines if warranted.

Speakers must step to the front of the room and speak into the microphone.

Speakers must give their name, address and organization represented, if any.

Speakers must be recognized by the presiding officer.

Speakers must limit their remarks to five (5) minutes on a given topic, and may be recognized again by the presiding officer after other speakers have had an opportunity to speak.

Speakers may not yield any remaining time they may have to another speaker.

Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

All remarks shall be addressed to the presiding officer.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Interested parties or their representatives may address the Board with written communications. Written communications shall be delivered to the Village Manager or Village Clerk. Speakers may not read written communications verbatim but should summarize their contents.

## **SECTION 11 - Use of Recording Equipment**

All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. The recording should be done in a manner which does not interfere with the meeting. The presiding officer may make the determination that the recording is being done in an intrusive manner, taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Village Board, size of the equipment, and the ability of the public

still to participate in the meeting. If the presiding officer makes the determination that the recording is intrusive and has the effect of interfering with the meeting, the presiding officer may request an accommodation to avoid the interference, and if not complied with ask the individual to leave the meeting room.

## **SECTION 12 - Adjournment**

Meetings shall be adjourned by motion.

## **SECTION 13 - Amendments to the Rules of Procedure**

The foregoing procedures may be amended from time to time by a majority vote of the Board.

### **ADOPTED- July 15, 1997**

*Amended April 7, 2005 (Public Comment)*

*Amended April 10, 2007 (Order of Business)*

*Amended April 8, 2008 (Voting)*

*Amended April 21, 2009 (Regular Meetings, Special Meetings)*

*Amended Sept. 8, 2009 (Starting Time)*