

GREENE COUNTY LEGISLATURE
Rules of Order
Index
LEGISLATIVE MEETINGS

- Rule 1. Organization Meeting.
- Rule 2. Acting Chairman.
- Rule 3. Regular Sessions.
- Rule 4. Special Meetings.
- Rule 5. Notice of Meetings.
- Rule 6. Quorum.
- Rule 7. Majority and Minority Leaders.
- Rule 8. Roll Call, Absences.
- Rule 9. Minutes.
- Rule 10. Order of Business.
- Rule 11. Time for Presentation of Offerings for a Meeting
- Rule 12. Decorum.
- Rule 13. Appeal from the Chair's Ruling.
- Rule 14. Privilege of the Floor.
- Rule 15. Referrals to Committee.
- Rule 16. Member Not to Speak or Leave His Place.
- Rule 17. Majority Vote and Tie Vote.
- Rule 18. Priority of Business.
- Rule 19. Limitation on Time of Speech.
- Rule 20. Recording of Vote.
- Rule 21. Recording of Ayes and Noes.
- Rule 22. Borrowing Money.
- Rule 23. Vote on District Proposition.
- Rule 24. When a Member May be Excused from Voting.
- Rule 25. Speak When Recognized by the Chairman.
- Rule 26. Suspension of Rules.
- Rule 27. Presentation of Motions.
- Rule 28. Committee of the Whole.
- Rule 29. Committee of the Whole - No Quorum; Adjournment.
- Rule 30. Withdrawal of Resolution or Motion.
- Rule 31. Motions not Amendable or Debatable.
- Rule 32. Previous Questions and Amendments thereto.
- Rule 33. Motions for Reconsideration.
- Rule 34. Motion to Rescind.
- Rule 35. All Points of Order Not Covered by These Rules.

COMMITTEE MEETINGS

- Rule 36. Rules of Legislature Shall Apply to Committee Meetings.
- Rule 37. Standing and Special Committees.
 - Rule 38. Chairman, Majority Leader and Minority Leader ex-Officio Members of all Committees.
- Rule 39. Recording Presence or Absence of Committee Members.
- Rule 40. Section 1. - Conduct of Committees.
 - Section 2. - Matters Referred to Department Heads.
 - Section 3. - Report on any Final Action of Committee.
 - Section 4. - Committee Agenda.
- Rule 41. Committee Reports Made by Majority of Committee.
- Rule 42. Appointments and Confirmations.

BUDGET COMMITTEE

- Rule 43. Tentative Budget.
- Rule 44. Adoption of Budget.

MISCELLANEOUS

Rule 45. Annual Reports.
Rule 46. Amendment of Rules.

GREENE COUNTY LEGISLATURE

RULES OF ORDER

LEGISLATURE MEETINGS

DEFINITION OF MAJORITY

Whenever and wherever in these rules reference is made to a majority of the total vote of the duly constituted membership of the Legislature or shall refer to a quorum for the transaction of business, said majority of the duly constituted membership and the term quorum shall mean and refer to and be calculated by tabulating the percentage of votes represented by the body as a whole. For instance, the above-referenced terms shall be calculated by a reference to the Local Law and a reference to the weighted vote per Legislator, which shall be tabulated. In any event that the tabulation of weighted percentage votes exceeds 50% then the quorum requirements under former Rule 6 and the carrying requirements for resolution propositions, motions, etc., set forth in Rule 17 shall be deemed to have been met. In the event that a two-third's consent or affirmative vote of the members of the Legislature is required pursuant to these rules, then the tabulation of the weighted percentage votes must equal or exceed .667%.

Rule 1. ORGANIZATION MEETING.

The Greene County Legislature shall, after adopting a resolution during the month of December fixing the date, time and place for a meeting to be held on or before the eighth day of January next, convene for the purpose of organizing the Board and selecting a Chairman whose term of office shall expire at the end of the term of the Legislature selecting such Chairman.

The procedure for the selection of the Chairman of this Board shall be as follows:

The Clerk of this Legislature for the previous year, or, in the absence of the Clerk, a Deputy Clerk, shall call the meeting to order, call the roll of members, then proceed to the selection of Chairman of this Board for the ensuing year, which shall be by a majority vote of the members present (Robert's Rules of Order).

Rule 2. ACTING CHAIRMAN.

In the event of the absence of the Chairman and Vice Chairman (Res. 220-88) from any meeting of this Legislature, an Acting Chairman shall be named in his stead from the membership of the Legislature in the following manner:

The Clerk or a Deputy Clerk of this Legislature shall call this Board to order, call the roll of members, then proceed to the selection of an Acting Chairman, which shall be by a majority vote of the members present.

The Acting Chairman shall have and exercise all the powers and duties of the Chairman at the meeting over which he is called to preside.

Said power and duties shall not extend beyond the scheduled meeting without the consent of a majority of the members present at the meeting.

Rule 3. REGULAR SESSIONS.

Regular sessions of the County Legislature shall be held in the Greene County Office Building, Main Street, Catskill, New York, on the third Wednesday of each month unless said third Wednesday is a legal holiday, in which event said regular session shall be held on another day designated by the Chairman of the County Legislature, and in such event, notice thereof shall be duly published in either of the designated official newspapers of Greene County not less than five (5) days prior to the new designated day. All regular sessions shall convene at 7:00 p.m. local time unless the time to convene is designated otherwise by the Chairman of the County Legislature. Each regular session and all adjourned sessions shall be open for the consideration of any matters which, in accordance with these rules, may be properly brought to the attention of the Legislature.

Rule 4. SPECIAL MEETINGS.

Special meetings shall be held at the call of the Clerk of the Legislature upon direction of the Chairman or upon filing with the Clerk of the Legislature a written request signed by a majority of the members of the Legislature.

Rule 5. NOTICE OF MEETINGS.

Notice for all regular, special and organization meetings shall be in writing and shall state the time and place of the meeting as well as, in the case of special meetings, the purpose of such meetings. Said notices shall be served personally or by mail upon each member of this Board and the County Attorney by the Clerk of said Board. In the case of special meetings, the notices must be served upon the members of the Board at least forty-eight (48) hours previous to the time fixed for a meeting, or the members may waive the service of notice by a writing signed by a majority of the members. Only the business specified in the notice thereof may be transacted at a special meeting.

Rule 6. QUORUM.

The majority of the duly constituted membership of the Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

In the absence of a quorum during the sessions of the Legislature, the Chairman may take such measures as provided by law and as he may deem necessary to secure the presence of a quorum.

Rule 7. MAJORITY AND MINORITY LEADERS.

During the first calendar quarter of the three year term of County Legislators, the members of the two political parties which shall have polled the largest vote in the last general election for County Legislators shall elect a leader of their respective parties.

The leader of the political party whose membership of the Legislature constitutes a majority of the Legislature shall be known as the Majority Leader and shall act as Vice Chairman in accordance with applicable provisions of the County Law of the State of New York. The leader of the other party shall be known as Minority Leader.

For the purpose of complying with the provisions of Sec. 200, Subd. 1 of the County Law, in the event that neither of the members of one party nor the other constitute a majority of the members of the County Legislature, then, in said event, the Chairman of the County Legislature shall designate one party leader as the Majority Leader and the other as the Minority Leader. In all other matters, they shall be known as the Leaders of their respective parties.

Rule 8. ROLL CALL, ABSENCES.

At any and every meeting of the Legislature, upon the members being called to order by the Chairman, the roll of

members shall be called by the Clerk, and the names of those absent shall be inserted in the Minutes. The Majority and Minority Leaders should note the absence of any of their members because of County business or established illness, and such absence shall be carried in the minutes as an excused absence.

Rule 9. MINUTES.

The reading of the minutes of a previous meeting shall be dispensed with, except that any member of the Board may request the reading of the minutes, or any portion thereof, of any previous meeting if approved by a majority vote of the members present.

An opportunity will be offered by the Chairman so that any corrections, alterations and/or additions may be made by any member of this Board, if so approved by a majority vote of the members present. In the absence of objections or corrections, the minutes shall stand approved upon declaration of the Chairman. All orders, petitions, resolutions and motions, including, where required, the name or names of the member or members presenting or moving the same, along with the name or names of any required supporter or seconder, shall be entered in the minutes of the meeting. Printed copies of all minutes of regular and special meetings and public hearings shall be supplied to each Board member, the County Attorney, and to such others as may be determined by this Board, as soon as possible following a meeting.

Rule 10. ORDER OF BUSINESS.

The Order of Business of each session shall be:

1. Calling the roll of members by Clerk.
2. Approval of minutes of the preceding meeting.
3. Reports of Standing Committees.
4. Reports of Special Committees.
 - a. Report of the County Administrator.
(Res. 3-90 1/2/90)
5. Presentation of Communications by members of the Legislature.
6. Presentation of other Communications.
7. Presentation of motions, resolutions and notices.
8. Unfinished Business.
9. Announcements from the Chair.
10. Special order of the day.
11. Announcement of Committee meetings.
12. Memorial Resolutions for Adjournment.
13. Adjournment.

The Chairman in his discretion may change the Order of Business at any session.

Rule 11. TIME FOR PRESENTATION OF OFFERINGS FOR A MEETING.

All petitions, resolutions, offers or communications of whatever nature shall be in writing and signed and shall be submitted to the Clerk of the Legislature before the close of business on the Friday prior to the regular meeting of each month, for presentation by the Clerk of the Legislature at the

next meeting, except as provided in Rule 4. In the event that the Friday before the next meeting is a holiday, petitions, resolutions, offers or communications shall be submitted to the Clerk of the Legislature before the close of business on the next day the office of the Clerk is open for general business, except authorizations to pay claims and transfers of funds.

All petitions, resolutions, offers and communications will be typed and available to the Legislators on the next business day following the final day for filing. All resolutions submitted shall be available for inspection by any interested person after the time for filing specified in this Rule. All members of this Board and the County Attorney shall be supplied with a printed copy of each resolution in time for the meeting at which they will be submitted.

Rule 12. DECORUM.

The Chairman shall take the chair promptly at the hour specified for the convening of the Legislature and shall preserve order and decorum. In debate, he shall prevent personal reflections and confine members to the question under discussion. He shall decide all questions of order, which decisions shall be final, unless an appeal is taken to the Legislature and sustained.

Rule 13. APPEAL FROM THE CHAIR'S RULING.

On every appeal, the Chairman shall have the right to assign his reasons for his decision. If the question on which the appeal is taken was not debatable, the Legislature shall decide the case without debate. If debatable, no member shall speak more than once. The Chairman shall put the question: "Shall the ruling of the Chairman be sustained, and the decision of the Chair stand as the judgement of this Legislature?" In the event of a tie vote, the ruling of the chair shall be deemed sustained.

Rule 14. PRIVILEGE OF THE FLOOR.

No person shall be entitled to the privilege of the floor during any session of this Legislature unless a request therefore has been submitted prior to commencement of the meeting to a duly elected member of this body who represents the district in which the person making such request is a bonafide resident. In the absence of the duly elected member of this body who represents the district in which the person making such request is a bonafide resident, the request shall be presented to the presiding Chairman of the Legislature. In the case of elected County officers or elected or appointed heads of County departments and agencies or commissioners, they may, by consent of the Chairman of the Board, be permitted the privilege of the floor. In the case of a non-resident of this County seeking this privilege, the request shall be submitted to the Chairman of the Board or the Chairman of one of the Standing Committees, in the affairs of which the person making the request may be involved. It shall then be at the discretion of the Board member from whom the privilege was requested whether or not it should be considered further. If the Legislator determines the privilege should be granted he shall then state the topic to be discussed to the Chairman of the Board and request a time during the meeting when he can introduce the person. At the proper time, the Legislator shall introduce the person seeking audience and state the subject which is to be presented.

Rule 15. REFERRALS TO COMMITTEE.

The Chairman may refer to the proper committee or, at his discretion, may table any petition, resolution, or other matter when presented, and may similarly refer to the County Attorney for attention any legal proceeding brought against the County.

Rule 16. MEMBER NOT TO SPEAK OR LEAVE HIS PLACE.

While the Chairman is putting a question or while the roll is being called, no member shall speak or leave his place. The Chairman shall allow opportunity for debate before the roll is called.

Rule 17. MAJORITY VOTE AND TIE VOTE.

A majority of the total vote of the entire membership of the Legislature shall be necessary to carry any question, proposition, resolution, motion, or any other matter, except where it is otherwise provided herein or by statute that a two-thirds vote or a unanimous vote is required.

When the Legislature shall be equally divided on any question, including the Chairman's vote, the question shall be deemed to have been lost, except as provided in Rule 13.

Rule 18. PRIORITY OF BUSINESS.

All questions relative to priority of business shall be decided by the Chairman without debate, and his decision shall be final, unless reversed by a majority of the votes of the Legislature.

Rule 19. LIMITATION ON TIME OF SPEECH.

No member shall speak more than five minutes at any one time, nor more than twice on the same question without permission of the Legislature.

Rule 20. RECORDING OF VOTE.

Any member shall have the right to have his vote recorded and entered upon the minutes at his request, without explanation, and without requiring the ayes and noes to be called.

Rule 21. RECORDING AYES AND NOES.

Unless requested by a member all votes can be a voice vote. If requested by any member or if required by law or if the Chairman so directs, a long roll call of the ayes and noes shall be taken without explanation on any question and whenever so taken shall be entered in the proceedings of the Legislature and the Clerk shall record the names of the members and the way each shall have respectively voted.

Rule 22. BORROWING MONEY.

The ayes and noes shall be taken on all resolutions or other proceedings involving the granting of authority to borrow money and such other resolutions and proceedings as the statute requires.

Rule 23. VOTE ON DISTINCT PROPOSITION.

If the question in debate contains several distinct propositions, the same shall be divided by the Chairman at the request of any member, to the end that a vote may be taken on each proposition, but a motion to strike out and insert shall be deemed indivisible.

Rule 24. WHEN A MEMBER MAY BE EXCUSED FROM VOTING.

Every member who shall be in the Legislative Chamber when a question is stated by the Chairman, shall vote. A member may be excused if he be directly interested in the question. He must state his connection with the question. After stating his interest and upon obtaining consent of the majority of the members, he may be excused.

Rule 25. SPEAK WHEN RECOGNIZED BY
CHAIRMAN

No member wishing to speak shall proceed until he shall have addressed the Chairman from his place and shall have been recognized by him.

Rule 26. SUSPENSION OF RULES.

These rules may at any time during the session be suspended by two-thirds consent of all the members of the Legislature present; however, the member making application for such suspension must state the purpose for which the same is asked.

Rule 27. PRESENTATION OF MOTION.

When a question shall be under consideration, no motion shall be received except as herein specified, which motions, termed subsidiary motions shall have precedence in the order named, to wit:

1. For an adjournment of the Legislature.
2. A Call of the Legislature.
3. For the previous question.

4. To lay on the table.
5. To postpone indefinitely.
6. To postpone to a certain day.
7. To go immediately into a Committee of the Whole on the pending subject.
8. To recess.
9. To commit to a Standing Committee.
10. To commit to a Special Committee.
11. To amend.

Rule 28. COMMITTEE OF THE WHOLE.

The Legislature may, at any time when in session resolve itself into a Committee of the Whole on any subject before it, and in such case, the Chairman shall name some member to preside.

Rule 29. COMMITTEE OF THE WHOLE-NO QUORUM; ADJOURNMENT.

If at any time when in Committee of the Whole it be ascertained that there is no quorum, the Chairman shall immediately report the fact to the Chairman of the Legislature and adjournment of the Committee of the Whole shall be in order.

Rule 30. WITHDRAWAL OF RESOLUTION OR MOTION.

Any resolution or motion offered by a member may be withdrawn by the member presenting it at any time before an announcement by the Chairman of the vote thereon or before an amendment to such resolution or motion has been adopted.

Rule 31. MOTIONS NOT AMENDABLE OR DEBATABLE.

All motions for an adjournment, for a recess, for the previous question, or to lay on the table, shall be neither amended nor debated.

Rule 32. PREVIOUS QUESTIONS AND AMENDMENTS THERETO.

The "previous question" shall be as follows: "Shall the main question now be put?" and until it is decided, shall preclude all amendments and debates. When the Legislature shall order the previous question and amendments are pending, the question shall first be taken upon such amendments in reverse order, and then upon the main question without further debate or amendment.

Rule 33. MOTIONS FOR RECONSIDERATION.

A motion for reconsideration shall not be in order unless made on the same day, or the session day next succeeding that on which the action proposed to be reconsidered took place. When a motion to reconsider has been defeated, it shall not again be submitted to the Legislature without unanimous consent.

Rule 34. MOTION TO RESCIND.

A motion to rescind requires the affirmative vote of two-thirds of the total members of the Legislature.

Rule 35. ALL POINTS OF ORDER NOT COVERED BY THESE RULES.

On all points of order not governed by the rules of this Legislature, Robert's Rules of Order Revised shall prevail. In the event that a Point of Order shall arise which shall not be covered by either the Rules of the Legislature or by Robert's Rules of Order Revised, the Rules of the New York State Assembly shall be followed.

COMMITTEE MEETINGS

Rule 36. RULES OF LEGISLATURE SHALL APPLY TO COMMITTEE MEETINGS.

The rules of the Legislature shall apply to all Committee meetings.

Rule 37. STANDING AND SPECIAL COMMITTEES.

STANDING COMMITTEES

The Standing Committees shall consist of the number of members are follows:

- Buildings and Grounds - four (4)
- Conservation - three (3)
- Education - four (4)
- Finance - five (5)
- Government Operations - six (6)
- Health - five (5)
- Highway - five (5)
- Human Resources - five (5)
- Public Safety - five (5)

The above Committees shall be appointed by the permanent Chairman within twenty (20) days after his election or appointment, and the list of Committees shall be filed with the Clerk of the Legislature and printed in the Journal.

SPECIAL COMMITTEES

The Chairman of the Legislature in his discretion may appoint such Special Committees, the number of members of which shall be as he may determine.

Rule 38. CHAIRMAN, MAJORITY LEADER AND MEMBERS OF ALL COMMITTEES.

MINORITY LEADER EX-OFFICIO

The Chairman, Majority Leader and Minority Leader shall be members ex-officio of all committees with a vote thereon. The Chairman's, Majority Leader's and Minority Leader's presence at a meeting shall be counted in determining whether a quorum is present. Any vacancies occurring during the year on any Standing or Special Committee shall be filled by the Chairman without delay.

Rule 39. RECORDING PRESENCE OR ABSENCE OF

COMMITTEE MEMBERS.

The Chairman of every Standing and Special Committee shall record and certify on a form provided by the Clerk of the Legislature the names of all members present and absent from all regularly called committee meetings. Said certificate shall be filed with the Clerk and shall be the official record of the committee attendance.

Rule 40. Section 1 - CONDUCT OF COMMITTEES

All committees appointed by the Chairman shall act promptly on all matters referred to them. It shall be the duty of the members of said committees to familiarize themselves with the departments of county government and the work entrusted to each of such committees.

Section 2 - MATTERS REFERRED TO DEPARTMENT

HEADS.

Any matter referred by a committee to a department head for report or study shall be laid on the committee table for one week unless a longer period is specified by the committee.

Section 3 - REPORT ON ANY FINAL ACTION OF

COMMITTEE.

Any final action taken by a majority vote of the members of the committee shall be included in the committee's report of its meeting and the committee's action shall be subject to approval of the Legislature by a majority vote of its total membership. The prime sponsor of any motion passed in committee shall, if he or she elects, also be the prime sponsor of that motion when brought to the floor of the Legislature for a majority vote of its total membership.

Section 4 - COMMITTEE AGENDA.

An agenda of all matters before a committee shall be prepared by the Clerk of the Legislature upon request of the Chairman of a committee. All petitions, resolutions, offers or communications for action by the committee shall be made available to the Clerk of the Legislature at least two days prior to the meeting of the committee.

Rule 41. COMMITTEE REPORTS MADE BY MAJORITY OF COMMITTEE.

No report shall be made by any committee on any subject referred to it except by a majority of the votes of the total membership of the committee unless the Legislature otherwise directs.

Rule 42. APPOINTMENTS AND CONFIRMATIONS.

All appointments by this Legislature shall be filed with the Clerk one day before being acted upon except for appointments made for the purpose of organizing the Legislature and the reappointment of incumbents which may be acted on immediately. All appointments requiring the confirmation of the Legislature may be acted on immediately.

BUDGET COMMITTEE

Rule 43. TENTATIVE BUDGET.

The Greene County Legislature shall select a Budget Officer whose term of office shall expire at the end of the term of the Legislature selecting such Budget Officer. The Budget Officer shall, on or before the 1st day of November, submit a copy of the Tentative Budget to each member of the Budget Committee. The Budget Committee is hereby designated to receive and study the Tentative Budget. The Budget Committee shall hold such meetings thereon as it may determine, and may require any officer or employee of the County or the head of any County department, bureau, office, board or commission, or of any organization receiving financial aid from the County, to appear before the Committee for the purpose of furnishing any information required by the Committee in its consideration of the Tentative Budget. After such consideration, the Committee shall approve such Tentative Budget as originally prepared or with such amendments or changes therein as the Committee may determine, and shall submit such Tentative Budget to the Legislature not later than the second Monday of November of each year.

Rule 44. ADOPTION OF BUDGET.

The Meeting for the adoption of the Budget, making appropriations therefore, and for the levying of taxes for all County and Town purposes prescribed by law shall be held in accordance with the applicable provisions of the County Law of the State of New York.

MISCELLANEOUS

Rule 45. ANNUAL REPORTS.

All Heads of Departments of the County Government and the Head of any Bureau or Organization receiving financial support from the County shall make an annual report of their respective Departments, Bureaus or Organizations during the preceding fiscal year, and shall file 14 copies of the same with the Clerk of the Legislature not later than February first of each year.

Annual Reports shall be condensed and edited by the Clerk before printing whenever practicable. Such reports, weekly and monthly, as prescribed by the Legislature shall be furnished to the Legislature by all department heads and heads of bureaus and organizations receiving financial support from the County. Such reports shall be received and filed or referred to appropriate committees.

Rule 46. AMENDMENT OF RULES.

The Rules shall not be rescinded, altered, nor amended, nor any additional Rule added thereto except by a majority vote of the total members of the Legislature and only after at least one day's notice in writing filed with the Clerk of the Legislature.

These rules are effective immediately.