

Town of Canandaigua
2023 Town Board Rules of Procedure

Adopted February 27, 2023, by Resolution No. 2023-045

The Town Board of the Town of Canandaigua (herein after referred to as ‘Town Board’) hereby adopts the following Rules of Procedure. In the absence of the adoption of its own rules of order, these rules shall apply to all boards and committees of the Town of Canandaigua. The Rules of Procedure will be posted on the Town Clerk's legal bulletin board, in the Town Hall Meeting Room and on the Town of Canandaigua website.

1. **Regular Meetings.** The organizational meeting of the Canandaigua Town Board will be held during the month of January of each year, pursuant to the provisions of Town Law. The Town Board shall hold at least one (1) regular meeting each month of the calendar year, the date(s) and time(s) to be decided upon at the organizational meeting.
2. **Chair.** The Town Supervisor shall be the Chair of the Board. In the absence of the Supervisor, the Deputy Supervisor shall act as the Chair of the Board. In the absence of both the Town Supervisor and the Deputy Town Supervisor, the Town Board shall appoint a temporary Chair.
3. **Quorum.** The majority of the Town Board (3 members) shall constitute a quorum.

COMMITTEES

4. **Permanent/Standing Committees of the Town Board.** The Town Board may from time to time create Committees of the Town Board as deemed necessary to assist the Town Board in the transaction of its business. One or more members of the Town Board shall be appointed to serve by a majority vote of the Town Board on such Committee on an annual basis for a one-year term.
5. **Special Committees.** The Town Board may from time to time also create and abolish advisory, Special Committees and/or Commissions by a majority vote of the Town Board, on an annual basis for a one-year term. Any resolution creating an advisory Special Committee or Commission shall specify the powers and duties of the Special Committee or Commission.

CONDUCT OF MEETINGS

6. **Order of Business.** At each meeting the order of business shall be as set forth in the attached EXHIBIT A.
7. The Chair shall preserve order and decorum at all meetings of the Board. All people in attendance shall conduct themselves with civility and professionalism and shall treat each other and Town staff with courtesy and respect.
8. When two or more members of the Board speak at once, the Chair shall name the Board member who is to speak first. No Board member shall speak more than once on any question, until every Board member choosing to speak shall have spoken.
9. A Board member called to order shall immediately come to order, except that he/she will be permitted to explain. If an appeal shall be taken from a decision of the Chair, the Board shall decide the case by majority vote without debate.

10. All questions of order not addressed specifically by these Rules of Procedure shall be decided by the Town Attorney based on the provisions of Robert's Rules of Order and applicable law.

PERMISSION FOR THE PUBLIC TO SPEAK BEFORE THE TOWN BOARD

11. Anyone from the public shall have the right to address the Board on a matter of public concern during the Privilege of the Floor portion of any Town Board meeting.
 - Each speaker will have three minutes to speak unless the Chair grants approval for additional time. Time may not be transferred from one speaker to another or reserved for a later time in the same meeting.
 - Speakers must direct their comments to the Town Board.
 - The use of racial, ethnic, or homophobic slurs; lewd, obscene, threatening, abusive, or profane language will not be tolerated. Speakers who violate this rule, will have their time immediately revoked and will be asked to leave the meeting.
 - It is helpful, but not required, for speakers to provide their name and address.
 - Written materials may be provided to the Clerk and will be incorporated into the official record.

AGENDA AND SUPPORTING MATERIALS

12. **Deadline for Submission.** All proposed resolutions and supporting materials must be submitted to the Town Manager's Office on or before noon the Monday immediately preceding the Town Board meeting. All department heads and employees submitting resolutions should make every effort to submit their resolution by Noon the Friday preceding the deadline. The Town Board hereby acknowledges, in its sole discretion, may continue to consider and/or act upon any and all business that may properly come before the Town Board at any duly convened meeting of the Town Board by request of a waiver of the rule and the approval of a majority of the board. Any Town Board member may present a proposed resolution for consideration to the Town Supervisor and Town Manager by the established deadline. Resolutions presented after the deadline will require a waiver of this rule of procedure and approval by the Chair. Resolutions requested for consideration after the deadline shall be provided to the Town Supervisor for introduction and consideration as supplemental at the meeting of the Town Board.
13. **Presentations to the Town Board.** Requests to make a presentation to the Town Board must be received by the Town Supervisor at least one week prior to the meeting.
14. The Town Supervisor and the Town Manager will review the agenda. The Town Clerk will post the agenda on the official bulletin board. The Town Manager's Office will post the agenda and resolutions on the website by 2:00 p.m. the Wednesday prior to a Town Board meeting.
15. **Meeting Packet.** The Town Manager's Office will gather all information relevant to the Town Board meeting, including the agenda, and make it available to the members of the Town Board by 2:00 p.m. the Wednesday prior to a meeting. Also, on the Wednesday prior to a meeting the agenda and supporting documents will be e-mailed to Board members and posted on the Town's website.

MOTIONS AND RESOLUTIONS

16. No motion shall be stated, debated, or put, unless it is seconded. Any motion shall be reduced to writing if the Chair or any Board member so requests. If any question in debate contains several distinct propositions, any Board member may have the same divided.
17. After a motion is stated, it shall be before the Town Board, any such motion may be withdrawn by the Town Board member offering the motion at any time prior to decision or amendment.

18. When a question is under debate, no motion may be received, except a motion to amend the question, to put the question, to postpone it indefinitely, to adjourn it to a specific day, to lay it on the table, to commit it to a committee, or a motion to adjourn the Board. Notwithstanding the foregoing, a member may suggest a modification or modifications to a motion, a proposed resolution or local law during debate and with consent of the originally moving member and the Chair said modification or modifications shall be incorporated into the original motion.
19. Votes, when recorded: The name of the Board member offering a motion or resolution, and the name of the Board members seconding the motion or resolution shall be entered into the minutes. The ayes and nays and abstentions upon any question shall be taken and entered in the minutes. Any such motion must be made by a Board member, be duly seconded and then be approved by an affirmative vote of a majority of the board.
20. Any Resolution or Local Law before the Town Board shall be laid over until the next regular meeting of the Board if so demanded by any member of the Town Board. No further action may be taken on the Resolution or Local Law or its amendments, but limited discussion may occur at the discretion of the Chair. No member shall be required to tell his/her reason for the lay-over of the Resolution or Local Law. Any action on a laid-over Resolution or Local Law must take place at the next scheduled meeting. No Resolution or Local Law may be laid over a second time.
21. **Motion to Adjourn.** A motion to adjourn, duly seconded, shall always be in order and shall be decided without debate by an affirmative vote of a majority of the Board.

MISCELLANEOUS

22. No standing rule of order shall be rescinded, suspended or changed, or any additional rule of order be adopted thereto, except by majority vote of the Town Board.
23. Any Town Board member may request an executive session if allowed by law which may be granted by a majority vote of the Town Board.
24. When a Board member must be necessarily absent or will be participating in a meeting by remote participation in accordance with the Town Board's Remote Participation Policy, that Board member must so inform the Chair and the Town Clerk as soon as reasonably possible.

EXHIBIT A
TOWN OF CANANDAIGUA
2023 TOWN BOARD RULES OF PROCEDURE

ORDER OF BUSINESS

At each meeting the order of business shall be

1. Call to order and Pledge of Allegiance
2. Roll Call
3. Circulation of written communications and correspondence
4. Privilege of the Floor
5. Priority Business
6. Presentations
7. Public Hearings
8. Reports of Town Officials and Department Heads
9. Reports of Committees, Boards and Commissions
10. Privilege of the Floor
11. Resolutions and Motions
12. Approval of the Minutes
13. Payment of Bills
14. Other Business
15. Privilege of the Floor
16. Executive session as needed
17. Adjournment