RULES OF ORDER

ULSTER COUNTY LEGISLATURE

(Effective January 7, 2014)

RULE 1. RULES OF ORDER NOT SUBJECT TO EXECUTIVE APPROVAL.

The Rules of Order of the Ulster County Legislature, except where any portion or section thereof has been made part of the Charter of the County of Ulster, pertain solely to the conduct of the Ulster County Legislature. Thus, as a result and pursuant to §C-12 of the Charter (Submission of Enactments for Executive Approval; Veto and Veto Override) are not subject to County Executive approval.

RULE 2. AMENDMENT OF RULES.

The Rules shall not be rescinded, altered or amended, nor any additional Rule added thereto except by timely presentation to the Clerk of the Legislature, as and in the form of Resolution, and by a majority vote of the total members of the Legislature and only after having been read at two consecutive meetings of the Legislature.

RULE 3. RESOLUTIONS, LOCAL LAWS, RULES FOR PROCEDURE FOR PRESENTATION AND CONSIDERATION.

A. *Adoption, amendment and repeal. The County Legislature may adopt, amend and repeal Resolutions by a majority vote of the total number of its members. Each Resolution shall* embrace *only one subject and may relate to property or any other subject of County concern not required by the Charter or applicable law to be provided by local law. Resolutions shall not be subject to referenda.*

B. *Procedure. Except as otherwise provided in the Charter, all procedural details relating to the adoption, amendment and repeal of Resolutions shall be as provided in the Administrative Code or applicable law.* The procedural details shall also be governed by these Rules to the extent they are not inconsistent with the Charter, Administrative Code or applicable law.

C. Procedure for the submission and consideration of Resolutions in Committee.

1. Introduction: A Legislator or Legislators together may introduce a Resolution by drafting or causing the same to be drafted and filing the same with the Clerk of the Legislature. The Sponsors shall be deemed those representing themselves as the sponsors when the Resolution is filed with the Clerk (one Legislator may represent to the Clerk that multiple Legislators are sponsors). Other Legislators may co-sponsor the Resolution by asking the Sponsor or Clerk to add their name to the Resolution as a Co-Sponsor. The Clerk shall refer the Resolution to a Committee of Original Jurisdiction based on the Rules of the Legislature and may also refer the matter to one or more Committees of Secondary Jurisdiction. The Sponsor(s) may

request that the Clerk refer the Resolution to a particular Committee of Original Jurisdiction.-: The Resolutions may or shall be considered during the "Legislative Calendar Month" in which they are introduced, as provided for herein. The "Legislative Calendar Month" shall commence the day after the most recent Regularly scheduled meeting (also known as Regular Monthly Meeting) of the Legislature (as described in Rule 10) and shall end upon the completion of the day of the last Regularly scheduled meeting of the Legislature for the next month of the year. Nothing shall preclude however the Legislature's acting during Special Meetings of the Legislature or Committees thereof provided the Rules of the Legislature and applicable law are otherwise complied with. The time for presentation of each type of Resolutions to the Clerk, for consideration by a Committee shall be as follows:

(a) Regular Resolutions. Resolutions shall be deemed Regular Resolutions if they are filed with the Clerk of the Legislature not later than 12:00 Noon five days in advance of the first Regular meeting date of Committees for that Legislative Calendar Month. Regular Resolutions once filed shall be placed on the Committee Agenda of the next Regular meeting of the Committee of Original Jurisdiction unless all Sponsors of the Regular Resolution request it be referred to a later meeting of the Committee. As part of the Annual Legislative Calendar, the Clerk shall identify the Regular Meeting dates of each Committee of the Legislature. The Clerk of the Legislature shall provide to the Members of the Legislature the deadline for submission of Regular Resolutions as soon as practicable for the Calendar year, or, in the case of 2013, as soon as practicable after these Rules shall take effect.

If a Regular Resolution is to also be referred to another Committee(s), to be known as a Committee of Secondary Jurisdiction after its passage in the Committee of Original Jurisdiction, it must be considered in such secondary committee(s) that month unless the secondary committee has already met, in which case it must be considered the following month or at a special meeting of the committee(s) of Secondary Jurisdiction during the month it passed the Committee of Original Jurisdiction. If all Sponsors of a Regular Resolution request it when the Regular Resolution is introduced, the Committee(s) of Secondary Jurisdiction shall consider the Regular Resolution even if such Committee(s) of Secondary Jurisdiction meet prior to the Committee of Original Jurisdiction. If a Regular Resolution is defeated in a Committee of Secondary Jurisdiction, it shall be deemed to have been defeated and may not be considered except pursuant to Rule 3(E).

(b.) Late Filed Resolutions. A Resolution that is not a Regular Resolution shall be deemed a Late Filed Resolution if, when introduced, it is requested by the Sponsors to be deemed a Late Filed Resolution.

A Late Filed Resolution shall be referred to and may be placed on an agenda of the Laws and Rules, Governmental Services Committee at the option of the

Chairperson of the Laws and Rules, Governmental Services Committee if any two of the following circumstances exist:

(i) The Resolution was introduced upon the request of the County Executive, Comptroller, Sheriff, District Attorney, or County Clerk, which shall be specifically identified as being introduced at their request. The Resolution, if meeting this criteria, shall contain an explanation, acceptable to the Chairperson of the Legislature or the Chairperson of the Laws and Rules, Governmental Services Committee from the County Executive, Comptroller, Sheriff, District Attorney, or County Clerk, explaining why the Resolution was sent for introduction to the Clerk of the Legislature on the date it was sent and why it is necessary that the Resolution must be acted upon at the next meeting of the County Legislature.

(ii) The Resolution is of financial consequence or potential financial consequence for the County, the timeliness of which requires or favors action by the full Legislature at its next meeting, as determined by the Chairperson of the Legislature or Chairperson of the Ways and Means Committee.

(iii) The Resolution relates to a matter of public safety and the failure to act would negatively impact the people of Ulster County as certified by the Sheriff , Legislature Chairperson, Chairperson of the Law Enforcement and Public Safety Committee or District Attorney;

(iv) That another governmental entity (Town/Village/City/School District/State/Federal government) or division or agency thereof requires or requests such Resolution be acted on in order for that entity or division or agency to act.

(v) That the Chairperson of the Legislature deems it appropriate to act on the Resolution at such meeting and the matter should not be held until the next meeting of the County Legislature.

If a Late Resolution must also be considered by the Ways and Means Committee, nothing in these Rules shall preclude such Late Resolution, upon a finding by the Chairperson of the Ways and Means Committee or the Chairperson of the Laws and Rules, Governmental Services Committee, from being placed on any Regular or Special Meeting of the Ways and Means Committee to be called by the Chairperson thereof before or after the Laws and Rules, Governmental Services Committee shall have approved such Resolution. Notwithstanding the preceding, the Chairperson of the Laws and Rules, Governmental Services Committee may refer a Resolution to another Committee of more appropriate subject matter jurisdiction (in such Chairperson of the Laws and Rules, Governmental Services Committee's judgment), for an advisory opinion on such Resolution if that Committee has

not met for the Legislative Calendar Month, or if the Chairperson of that other Committee indicates to the Chairperson of the Laws and Rules, Governmental Services Committee, that a Special Committee meeting of that Committee would be called for the purpose of rendering advice on such Resolution.

2. Resolutions may be amended and/or passed in any Committee by vote of the majority of the total members of such Committee so long as the Sponsor, if present, consents. If the sponsor is not present, the Committee may pass the Resolution in its original form or as amended. If amended, the Clerk shall promptly notify the (or a) Sponsors of the amendment and the fact that the Resolution has passed in amended form. The Sponsor may then, approve such amendment or reject it. If the Sponsor rejects the amendment, the Resolution shall not be advanced and shall be considered a Regular Resolution at the next regularly scheduled meeting of the Committee. Notwithstanding the preceding, an amendment to a Resolution may not be made in Committee on the date the Resolution is to be voted on by the full Legislature; in such case, the amendment must be made by the full Legislature. Resolutions, when amended shall show the amendments in a track changes format in the version to be adopted by the Legislature, but shall not be forwarded to the County Executive or otherwise entered into the minutes or official records in track changes format.

D. Consideration by the Legislature of Resolutions which have passed Committee. If a Resolution of any kind passes all necessary Committees (in its original form or as amended in any Committee) which have jurisdiction over it, it is eligible for consideration by the full Legislature and shall be so considered at the next regularly scheduled meetings of the Legislature.

E. Petition to Discharge. No Resolution shall be considered by the full Legislature unless it shall have been passed by all necessary Committees unless the following procedure is implemented:

(a) The sponsor of a Resolution defeated in Committee shall, within five calendar days, file with the Clerk of the Legislature, a document, on a form prescribed by the Clerk of the Legislature, known as a "Petition to Discharge" (which Petition to Discharge shall be numbered by the Clerk);

(b) At least 75% of the total number of the Legislators who make up the minority caucus shall have signed such Petition (any combination of Legislators may sign, not merely minority party Legislators). Such signature may be an actual signature on the Petition to be held in the custody of the Clerk, or a written request to the Clerk (hand delivered, mailed, e-mailed, or faxed and in any event, received by the Clerk within thirty days of such Petition's being filed) that the Clerk place such Legislator's name to the Petition. If a Legislator does not personally sign the petition, the request from the Legislator to the Clerk to add that Legislator's name shall be appended to the Petition;

(c) Thereafter if Legislators shall sign the Petition to Discharge, as described above, the matter shall be referred to the next full meeting of the County Legislature for a vote provided such full meeting is at least ten days from the date the minimum number of signatures needed pursuant to these Rules have been made upon (or with the authorization of the Legislator placed upon) the Petition to Discharge.

F. Procedure for the submission and consideration of Local Laws: The routing process of a proposed local law, before adoption by the Legislature, shall be as follows:

1. A Legislator may introduce a proposed local law by filing it with the Clerk, who shall number the proposed local law. The Clerk shall number the proposed local law as "Proposed Local Law Number ___ of the year ____" and then refer the proposed local law to a Committee of appropriate jurisdiction. Upon the presentation of the local law for adoption by the Legislature, the Clerk shall number the proposed local law based on the actual order such proposal, if adopted, would become law based on the local law proposals which have actually become law already that year. The Clerk, in consultation with the Counsel to the Legislature and County Attorney shall cause the adopted local law to be properly numbered for filing with the Secretary of State consistent with State Law and shall annotate any change to the number of the law in the minutes of the meeting when the law was adopted.

2. The Committee to which the Local Law is referred may approve, disapprove, or with the consent of the sponsor, amend the proposed local law. If approved in its original or amended form, the proposed law shall be referred to the Laws and Rules, Governmental Services Committee.

3. Upon referral to the Laws and Rules, Governmental Services Committee, the Committee shall review the law for completeness and technical flaws. If the proposed law needs substantive modifications, it shall sent back to the originating committee with the recommended changes. If non-substantive changes are necessary, the Laws and Rules, Governmental Services Committee may make the proposed changes with the approval of the Sponsors of the proposed law. Within sixty days of receipt of the proposed law, or longer if consented to by the Sponsor and unless it has been sent back to the originating committee, the Laws and Rules, Governmental Services Committee shall generate a Resolution for consideration by the full Legislature setting a time and date for a public hearing.

4. The County Legislature shall vote on whether to set a Public Hearing on the proposed local law and shall conduct such hearing.

5. The Laws and Rules, Governmental Services Committee shall review and consider the comments on the proposed law from the public hearing. The Laws and Rules, Governmental Services Committee may approve the proposed law for consideration by the full Legislature at a meeting of the Legislature, may amend the same with the consent of the Sponsors, or may send the proposed law back to the originating committee for further changes or reconsideration if the Sponsors' consent cannot be obtained to such amendments.

Substantive changes made by the Laws and Rules, Government Services Committee, or an originating committee shall require another public hearing which shall be set by the Legislature via a Resolution generated by the Laws and Rules, Governmental Services Committee after a review of any amendments by such Committee and a determination that the proposed amended local law is technically sound. Nothing shall preclude the calling of a special meeting of any Committee after the public hearing concludes to amend and/or advance the Local Law to the full County Legislature for a vote by the full County Legislature the same night as the public hearing on the proposed local law concludes

6. Proposed local laws, when amended in any Committee, shall show the amendments in a track changes format in the version to be adopted by the Legislature, but shall not be forwarded to the County Executive or otherwise entered into the minutes or official records in track changes format. The track changes format shall show new language as underlined and any removed language with a strikethrough line.

7. Upon approval by the Legislature of a proposed local law, the Clerk shall cause the same to be sent to the County Executive pursuant to the County Charter.

G. The rules as provided for herein shall govern at all times except when the Rules of Procedure or sections thereof may be suspended, such as during the holding of Annual Session or when otherwise voted upon.

H. Notwithstanding any other rules herein contained for the period of time from the close of business on the day preceding the annual session of the County Legislature, all Resolutions to be considered during the Annual Session shall be presented to the Clerk and time and date-stamped at least 48 hours prior to any meeting or adjourned meeting in annual session, and shall not be considered by the County Legislature unless the consideration thereof has been approved by a majority vote of the total membership of the Laws and Rules, Governmental Services Committee.

I. Divisibility of Resolutions. During a meeting of a Committee, a Resolution embracing more than one subject matter may be divided into two Resolutions upon the request of a majority of a Committee or upon the request of the members of the Committee numbering one less than a majority. The Clerk or a person authorized by the Clerk shall number a new Resolution(s) which shall require one or more member of such Committee present (or another Legislator present) to sponsor the introduction of the new Resolution(s). After such numbering, the Committee shall

cause the new Resolution(s) to be treated as the same type of Resolution as the original Resolution that was divided (as a Regular or Late Filed Resolution without regard to when it was filed so long as it meets all other qualities of such type of Resolution).

J. General provisions regarding Resolutions.

1. A Legislator may remove his or her name as a sponsor or co-sponsor of a Resolution by notifying the Clerk of the same and the Clerk shall cause such removal.

2. All sponsors of a Resolution may withdraw the Resolution by notifying the Clerk that the Resolution is withdrawn.

3. Sequential number of Resolutions. The Clerk shall cause Resolutions, when introduced to be sequentially numbered. If amended, there shall be a letter(s) appended to the Resolution indicating the amendment(s). For each amendment the letter shall change. Original and amended versions of each Resolution shall be retained by the Clerk.

RULE 4. *CONFIRMATION OF APPOINTMENTS.*

A proposed appointment or proposed appointments to County office by the County Executive that requires confirmation by the County Legislature under provisions of this Charter shall be presented by the County Executive to the Clerk of the Legislature in writing in sufficient time to allow the Clerk to inform the full Legislature of the proposed appointment or appointments at least thirty (30) days prior to the Legislature's next scheduled meeting. The Legislature shall vote on the confirmation of such individual at its next regular meeting at least thirty (30) days after such nomination has been made by the County Executive. If the Legislature fails to vote upon the proposed appointment or appointments, the proposed appointment or appointments shall be deemed confirmed. When an appointment is not confirmed by the Legislature, but such appointment was considered at a regular meeting of the Legislature, the appointment of the same individual for the same position may not be resubmitted by the County Executive for twelve (12) months after the Legislature votes upon the proposed appointment. [*Amended pursuant to Local Law No. 9 of 2012.*] Each appointment coming before the Legislature for confirmation shall be confirmed (or not confirmed) via a separate Resolution. The Clerk shall endeavor to have multiple confirmation Resolutions, however, on one page.

RULE 5. STANDING AND SPECIAL COMMITTEES OF THE LEGISLATURE AND CALENDARING OF THE LEGISLATIVE SESSIONS

A. All members of Standing Committees of the Legislature shall be appointed by the permanent Chairperson within twenty (20) days after his/her election or appointment, and the list of Committees shall be filed with the Clerk of the

Legislature and printed in the County Directory.

B. The Chairperson of the Legislature in his/her discretion may appoint members to Special Committees, as established by the Legislature.

C. The Chairperson of the Legislature, where he/she is empowered to do so either by Resolution, Local Law, State Law, or otherwise, shall appoint a member of the majority or minority party within a Standing or Special Committee as the Chairperson and shall appoint a member of the political party opposite from that of the Chairperson of said Standing or Special Committee as the Deputy Chairperson.

D. Meetings of the Committees. Committees shall have Regular Committee meetings throughout the year as specified in the Annual Legislative Calendar filed with the Clerk by the Chairperson of the Legislature not later than twenty (20) days after his/her election or appointment (and within twenty days of the adoption of these Rules in the year 2013 for the balance of such year). In establishing such calendar, the Chairperson of the Legislature shall coordinate the dates of Regular Committee meetings with the Clerk of the Legislature to ensure that members of Committees are not scheduled to be at more than one Committee at a time or at more than one physical location in one night except upon the agreement of the affected Legislator(s). Committee Meetings shall be noticed to the Members of the Committee by the Clerk of the Legislature or her designee at least 48 hours in advance by electronic, regular mail or personal notice unless waived by such Member. The Chair with the consent of the Deputy Chair of the Committee may change the Regularly scheduled meeting date and the Clerk shall notify the Members and media of such change. Nothing shall preclude the calling of properly noticed Special Committee meeting(s) by the Chair of the Committee to consider such matters as the Chair of such Committee shall deem appropriate which are not otherwise inconsistent with these Rules.

E. Any vacancies occurring during the year on any Standing or Special Committee of the Legislature shall be filled by the Chairperson without delay.

F. Every legislator shall serve on at least one Standing Committee of the Ulster County Legislature. No Legislator shall be required to serve on more than three Standing Committees of the Ulster County Legislature. *[Amended pursuant to Resolution 54.1 of 2014]*

G. In making appointments to each Standing Committee:

(a) Within seven (7) days after the Legislature's Annual Organizational Meeting, every Legislator shall inform the appropriate Majority or Minority Leader and the newly appointed Chairperson, in writing, his/her five Committees of interest in rank order of preference. *[Amended pursuant to Resolution 54.1 of 2014]*

(b) Within seven (7) days after the Legislature's Annual Organizational Meeting, the Chairperson shall inform the appropriate Majority and Minority Leader of the whole number of seats available on each standing committee. *[Amended pursuant to Resolution 54.1 of 2014]*

(c) The Majority and Minority Leaders will meet with the newly appointed Chairperson to present the Legislator requests and provide insight to the Chairperson regarding each Legislator's knowledge, experience, expertise and interests. *[Amended pursuant to Resolution 54.1 of 2014]*

(d) The Chairperson of the Legislature may shall consider each legislator's knowledge, experience, expertise, or and interests, and will assign each legislator at least one of their requested Committees and other assignments will be at the discretion of the Chairperson. *[Amended pursuant to Resolution 54.1 of 2014]*

H. Legislators may be excused from serving on Standing Committees only upon written notification to the Chairperson of the Legislature which may be granted due to a conflict of interest, illness, family obligations or any other reason as deemed sufficient by the Chairman. In a circumstance where a Legislator only serves on one Standing Committee and excusal from service on said Committee is granted for any reason absent an illness, the Chairperson shall appoint the Legislator to another Committee to be determined at the discretion of the Chairperson. *[Amended pursuant to Resolution 54.1 of 2014]*

RULE 6. CHAIRPERSON EX-OFFICIO MEMBER OF ALL LEGISLATIVE COMMITTEES

The Chairperson shall be a member ex-officio of all legislative committees with a vote thereon. The Chairperson's presence at a meeting shall be counted in determining whether a quorum is present; however, the presence of the Chairperson at such meeting will not increase the number of votes necessary to pass a particular matter unless all sitting members are present.

RULE 7. RULES FOR COMMITTEES.

A. The Rules of Order of the Legislature, except Rule 10(J), shall apply to all Committee meetings.

B. The Standing and Special committees of the Legislature shall conduct all items of their business open to the public and press, except where executive sessions are mandated or authorized under the law. Notices of all committee meetings shall be made available to the public and press by the Clerk of the Legislature. The weekly committee meeting agendas, where available, shall be posted in a public place.

C. An agenda of all matters before a committee shall be prepared by the Clerk of the Legislature upon request of the Chairperson of a Committee.

D. The Standing and Special committees shall keep minutes of all meetings including the date and time of meeting and committee members in attendance. The original of said minutes shall be filed with the Clerk of the Legislature as soon as possible, but not to exceed 20 business days after the next Regular Committee meeting, at

which time the minutes shall be reviewed and accepted. The Clerk of the Legislature or his/her designee shall maintain an official record of each committee's agenda items. This official record shall include the disposition of each agenda item, including individual votes of each committee member on each item.

DD. All Standing Committees and Special committees shall be audio recorded digitally. All audio recordings shall be uploaded to the web within 72 hours of a meeting's adjournment or completion. All audio recordings shall maintained electronically by the Office of the Clerk of the Legislature and on the Ulster County Legislature's website and for a minimum of one year and until financial or physical limitations adversely impact their future storage as determined by the Clerk of the Legislature or the Director of Information Services.

E. Each committee may make such rules as may be necessary and proper to effectuate its duties so long as they do not conflict with the Rules of Order of the County Legislature.

F. Committees, at the discretion of the Chairperson of the Committee, may invite public comment on issues pending before them, and may also, at the discretion of the Chairperson of the Committee, hold public hearing(s) on issues before the Committee or concerning matters of the Committee's jurisdiction.

G. 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. It shall be the duty of each of the several Standing committees to inquire into the matters submitted to them under their supervision and to report thereon to the Legislature any information which the members thereof may deem conclusive of the public good.

H. Committees shall be limited to considering matters referred to them, but may study and/or initiate Resolutions, etc., that fall within the general parameters of each committee's respective subject matter and refer same to the Legislature for action. Any matter referred by a committee to a department head for a report or study shall be laid on the committee table for one week unless a longer period is specified by the committee.

I. 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 may be subject to the approval of the Legislature by a majority vote of its total membership.

J. No report shall be made by any committee of any subject referred to it except by a majority of the votes of the total membership of the committee unless the Legislature otherwise directs. All reports of committee shall be in writing and signed.

RULE 8. *ADVISORY COMMITTEES, COMMISSIONS AND BOARDS.*

Members of all citizens' committees, commissions and boards appointed pursuant to § C-11K of the Charter shall serve at the pleasure of the County Legislature. They shall serve without compensation other than for actual and necessary expenses within appropriations made therefore, unless otherwise provided by Resolution of the County Legislature. The Chairperson of the County Legislature shall be a member ex-officio of all such committees, commissions and boards.

RULE 9. ORGANIZATION OF THE LEGISLATURE – CHAIRPERSON, MAJORITY, MINORITY LEADERS.

A. *The organizational meeting of the County Legislature shall be conducted on or before the second Tuesday of January in each year, at the time and place designated in a written notice to be given each Legislator by the Clerk of the County Legislature not later than five days prior to such meeting. In the event of a vacancy in the office of the Clerk of the County Legislature, or his or her inability or failure to act in accordance with the provisions of this section, notice shall be given by the County Clerk.* In that event, the County Clerk shall determine the time and place designated in a written notice to be given by the County Clerk to each Legislator, the Executive, the Clerk of the County Legislature, and the County Attorney not later than three days prior to such meeting. Public notice to such meeting shall also be given by the County Clerk at the same time written notice is given to the public officials referenced herein.

B. *At this organizational meeting, the members of the Legislature shall select a Chairperson at the call of the Clerk of the Legislature in each year. The Chairperson shall appoint members of the County Legislature to serve on such committees as are provided by the rules of such Legislature. The Clerk of the County Legislature shall preside at all meetings of the Legislature until such time as a Chairperson has been designated by election or appointment. The failure to elect a Chairperson or appoint committee members shall not prevent the County Legislature from transacting its ordinary business.*

C. The Chairperson within 10 days of having been elected as Chairperson of the Legislature shall appoint a Vice Chairperson. The Vice Chairperson shall, in the absence of the Chairperson, preside over each duly constituted meeting of the Legislature and have and exercise all of the powers and duties of the Chairperson at any meeting over which the Vice Chairperson is called to preside. The Vice Chairperson, except as herein limited and/or provided, shall have and exercise those additional powers and duties as may be authorized by Resolution of the Legislature, provided that such Resolution shall specify the dates during which the Vice Chairperson may exercise such powers and duties, and that the powers and duties authorized to the Vice Chairperson shall not be exercised by the Chairperson during the designated time period. The Vice Chairperson shall at no time appoint a person to an office or position of employment with the County, nor appoint the Chairperson or members of any committee of the Legislature, except as specifically authorized by the Legislature as provided herein. The Vice Chairperson may in the

absence of the Chairperson from the County, or upon the Chairperson's authorization, execute all agreements on behalf of the County which the Legislature authorized the Chairperson to execute.

D. *In the event of vacancy in the office of Chairperson, the County Legislature shall fill that office in the manner provided by its rules. Should the County Legislature fail to select a Chairperson within 30 days after that office shall become vacant for any reason, the County Executive shall appoint a member of the County Legislature to serve as Chairperson for the balance of the calendar year.* In the case of a vacancy in the office of Chairperson, the Clerk of the Legislature shall call a meeting within the 30 day period provided for herein or above of the members of the Legislature upon like notice as provided in subdivision A herein, at which a successor who shall be a member of the Legislature shall be elected Chairperson. The person so selected shall serve as Chairperson of the Legislature for the unexpired term of the previous Chairperson. Until such time as a new Chairperson is chosen, the Vice Chairperson shall act in the place and stead of the Chairperson, and shall have all the powers vested in the Chairperson of the Legislature.

E. Annually, the members of the two political parties, which shall have polled the largest vote in the last general election for the County, 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. The leader of the other political party shall be known as the Minority Leader. For purposes of any mathematic calculation necessary, a Legislator not enrolled in the political party composed of the highest two number of Legislators may, within thirty days of taking office, declare themselves a member of the majority or minority caucus by filing a document to that effect with the Clerk.

F. For the purpose of complying with the provisions of Section 200, Subdivision 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 Chairperson 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 10. *MONTHLY AND SPECIAL MEETINGS; NOTICE;* RULES OF ORDER.

A. Monthly Meetings.

1. The County Legislature's Regular Monthly Meeting shall take place on the third Tuesday of the month unless a different date is prescribed in the Annual Legislative Calendar, which the Chairperson shall promulgate not later than twenty (20) days after his/her election. After such Regular Monthly Meeting dates are established, pursuant to the County Charter (§ C-18) no other prior notice of such meetings shall be required. The regular meeting location of the Legislature shall be in the Legislative Chambers except that if the Chairperson, in consultation with the Minority Leader, determines that the safety of the public would be better served (due to an anticipated larger turnout for any

particular matter or matters), then other regular meeting places of the Legislature shall be deemed to include the campus of the Ulster County Community College in the Town of Marbletown and the SUNY New Paltz campus in the Town of New Paltz.

2. If a regular meeting falls on a holiday, *September 11* or if the Chairperson determines the safety and welfare of the public and members may be compromised due to inclement weather or any other emergency, said regular session *or committee meetings* shall be held on another day designated by the Chairperson. [*Amended pursuant to Resolution No. 275 dated January 22, 2013.*]

3. Each regular session and all adjourned sessions shall be open for the consideration of any matter which, in accordance with these rules, may be properly brought to the attention of the Legislature.

B. Special Meetings.

1. *Special Meetings may be conducted at such times and places and upon such conditions and notice to all members as the County Legislature by rule may provide.*

2. Special Meetings shall be held at the call of the Clerk of the Legislature upon the direction of the Chairperson or upon the filing with the Clerk of the Legislature a written request, signed by a majority of the members of the Legislature.

3. 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 Legislature 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 him/her. Only business specified in the notice thereof may be transacted at a special meeting.

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

CC. Videoconference. [*Amended pursuant to Resolution No. 293 dated December 4, 2012.]* Regular and special meetings may be attended via videoconference, when the following process and criteria are met and implemented:

1. Any Legislator requesting to attend a meeting via videoconference pursuant to Section 103(c) of the Public Officers Law may file a written request with the Clerk of the Legislature as soon the Legislator becomes aware of the meeting and that he or she will not be able to personally attend the meeting in the Legislative Chambers.

2. The Clerk of the Legislature shall make arrangements for the videoconferencing; provided, however, that if there is a cost to the County of

Ulster chargeable to the Legislature, the Clerk shall first ascertain whether the Legislature has sufficient funds to pay the costs if chargeable to the Legislature, and shall, prior to agreeing to incur such costs, receive approval from the Chairperson of the Legislature.

3. The Chairperson of the Legislature shall permit such videoconferencing if it reasonably appears to him or her that sufficient funds are available and will not otherwise be necessary for the operation of the Legislature during the fiscal year. The video conference shall be conducted in a manner compliant with State Law and shall ensure that all Legislators have the opportunity to see and hear any Legislator videoconferencing in the meeting and that such videoconferencing Legislator(s) can see and hear the other members of the Legislature.
4. Costs, if any, associated with the securing or equipment at the remote location, the renting of the remote location, any connection or communication fee charged by the remote location shall be borne by that Legislator who is attending remotely, and shall not be the responsibility of the Ulster County Legislature or Ulster County.
5. Any Legislator attending via videoconference shall ensure that public accessibility is permitted at the location of such Legislator pursuant to Section 104 of the Public Officers Law.
6. Attendance via videoconference shall be limited to two (2) non-consecutive instances per calendar year.

D. Chairperson to Secure Quorum. In the absence of a quorum during the sessions of the Legislature, the Chairperson may take such measures as provided by law and he/she may deem necessary to secure the presence of a quorum.

E. Roll Call; Minutes; Absences.

1. At any and every meeting of the Legislature, upon the members being called to order by the Chairperson, the roll of members shall be called by the Clerk, and names of those absent shall be inserted in the minutes. The minutes of the preceding meeting shall then be read to the end that any corrections, alterations, or additions may be made. In all cases when an order, Resolution or motion shall be entered in the minutes of the Legislature, the name of the member presenting or moving the same shall be entered.

2. Any member wishing to leave session before the Legislature's session is adjourned, shall notify the Deputy Clerk before leaving for the remainder of the session, with departure time noted in the minutes.

F. Order of Business. The Order of Business of each session shall be as follows, except the Chairperson, at his/her discretion, may change the Order of Business at any session:

1. Calling the roll of members for the session by the Clerk.
2. Reading the minutes of the proceedings of the preceding meeting.
3. Presentation of Communications.
4. Reports of Standing and/or Special Committees.
5. Reports of County Officers.
6. Privilege of the Floor.
7. Public Comment.
8. Presentation of Motions, Resolutions and Notices.
9. Unfinished or Other Business.
10. Announcements from the Chair.
11. Special order of the day.
12. Announcements of Committee Meetings.
13. Memorial Resolutions for Adjournment.
14. Adjournment.

G. Decorum.

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

2. The Chairperson, in the absence of the Vice Chairperson at a meeting, may call any other member to take his/her place in the chair. This presiding officer may call any other member to take his/her place in the chair. This substitution shall not extend beyond adjournment.

3. Any Legislator who engages in personal attacks upon any other member of the Legislature shall yield the floor at the Chairperson's order.

H. Appeal from the Chair's Ruling. On every appeal, the Chairperson shall have the right to assign the reason(s) for his/her 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 Chairperson shall put the question: "Shall the ruling of the Chairperson be sustained, and the decision of the Chair stands as the judgment of this Legislature?" In the event of a tie vote, the ruling of the Chair shall be deemed to be sustained.

I. Acting Chairperson. In the absence of the Chairperson and Vice Chairperson from any meeting of the Legislature, the members present and voting, by a majority of the votes, shall select a member of the Legislature to serve as Acting Chairperson at such meeting. The Acting Chairperson shall have and exercise all the powers and duties of the Chairperson at the meeting for which he/she is called to preside.

J. Privilege of the Floor. The following shall apply to privilege of the floor:

1. No person shall be entitled to the privilege of the floor during the session of the Legislature, unless permission has been granted by the Chairperson 48-hours prior to the meeting, by written request, except during that part of the agenda reserved for public comment at the commencement of each regular meeting.

2. Any person, who either digresses from the subject matter concerning which he/she has been granted permission to address the Legislature, or engages in a personal attack upon the character of any member of the Legislature, shall immediately be deemed to have yielded the floor to the Chairperson and shall be precluded from continuing his/her address to the Legislature.

3. Any person who is not a Legislator who has engaged in personal attacks upon any member of the Legislature shall thereafter at the discretion of the Chair be denied the privilege of the floor, for a period of not less than six months, or more than 24 months.

4. That the agenda of the Regular Monthly Meeting of the Ulster County Legislature shall include a period not to exceed 30 minutes for public comments, whereas any citizen of Ulster County shall be afforded opportunity to address the Legislature, for a maximum period of five minutes per person, upon recognition by the Chairperson, said recognition to be afforded in the order the requests therefore were made, where practicable. The Chairperson shall have the authority to extend the public comment period.

K. Member Not to Speak or Leave His/Her Place. While the Chairperson is putting a question, or while the roll is being called, no member shall speak or leave his/her place. The Chairperson shall allow opportunity for debate before the roll is called. Each member may speak as he/she votes.

L. Priority of Business. All questions relative to priority of business shall be decided by the Chairperson without debate, and his/her decision shall be final, unless reversed by a majority of the votes of the Legislature.

M. Limitation of Time of Speech. No member shall speak more than five minutes at any one time, nor more than twice on the same question unless the so-allocated available remaining portion of speaking time of another member is transferred to such member. Each member may transfer his or her allocated speaking time once for a total of two minutes on any one Resolution or amendment. On a long roll call each member may speak up to five minutes to explain their vote on a debatable or amendable motion, but such speaking time shall not be passed to another member.

N. Majority Vote.

1. A majority of the total 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 stature that a two-thirds vote or a unanimous vote is required.

2. When the Legislature shall be equally divided on any question, including the Chairperson's vote, the question shall be deemed lost, except as provided by Rule 10 (H).

O. Recording of Vote. Votes shall be recorded as follows:

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

2. On roll call, the ayes, noes and abstentions shall be taken on any questions whenever so required by law, or by any member, 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.

P. 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.

Q. Vote on Distinct Propositions. If the question in debate contains several propositions, the same shall be divided by the Chairperson 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.

R. When a Member may be Excused from Voting. Every member who shall be in the Legislative Chamber when a question is stated by the Chairperson shall vote. A member may be excused from voting on a question in which he/she has a direct personal or pecuniary interest not common to other members of the Legislature. The member must state his/her connection with the question.

S. Speaker to be Recognized by Chair. No member wishing to speak shall proceed until he/she shall have addressed the Chairperson from his/her place and shall have been recognized by the Chairperson.

T. Suspension of Rules by 2/3 Consent. These rules of order may at any time during the session be suspended by a 2/3 consent of all members of the Legislature present; however, the member making application for such suspension must state the purpose for which the same is asked.

U. Presentation of a 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 or another matter.
8. To recess.
9. To commit to a Standing Committee.
10. To commit to a Special Committee.
11. To amend.

V. Committee of the Whole.

1. The Legislature may, at any time when in session, except as provided for in (U) immediately above, and with the consent of the Minority Leader or Minority Whip or otherwise by vote of 2/3 of the members of the Legislature then in attendance may resolve itself into a Committee of the Whole on any subject and in such case, the Chairperson of the Legislature shall appoint a Legislator to serve as Chairperson of the Committee of the Whole. A Resolution passed by the Committee of the Whole need not be passed by any other Committee.

2. If at any time in Committee of the Whole, it is ascertained that there is no quorum, the Chairperson shall immediately report the fact to the Chairperson of the Legislature and adjournment of the Committee of the Whole shall automatically occur.

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

X. Motions Not Amendable or Debatable. All motions for an adjournment, for a recess, for the previous questions, or to lay on the table, shall be neither amended nor debated.

Y. 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.

Z. 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. A motion to reconsider must be made by a member who voted with the prevailing side on the action proposed to be reconsidered. When a motion to reconsider has been debated, it shall not again be submitted to the Legislature without unanimous consent.

AA. Motion to Rescind. A motion to rescind can only be entertained when moved by a member who voted with the majority in the action which it is proposed to rescind, and requires the affirmative vote of two-thirds of the total members of the Legislature.

BB. All Points of Order not Covered by These Rules. On all points of order not covered by these rules of order of this Legislature, the most current Robert's Rules of Order 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 the most current Robert's Rules of Order, the Rules of the New York State Assembly shall be followed.

RULE 11. ***CLERK OF THE LEGISLATURE; DUTIES.***

A. *A Clerk of the County Legislature shall be elected by the County Legislature on an annual basis commencing upon the organizational meeting of the County Legislature which shall take place in January, 2014. Until such time, the Clerk shall be appointed by the Chairman of the County Legislature. The Clerk shall be and remain an elector of the County, and he or she shall serve at the pleasure of the Legislature until his or her successor shall be appointed and shall qualify. A vacancy in the office of Clerk shall be filled by election of the County Legislature effective after the organizational meeting of the County Legislature in January, 2014. The Clerk of the Legislature incumbent as of December 31, 2013 shall holdover and continue in his or her position as Clerk of the County Legislature until his or her successor shall have been elected; provided, however, that nothing shall preclude the election of the incumbent in the position of the Clerk of the County Legislature as of December 31, 2013. Effective January 1, 2014, Deputy Clerks of the Legislature and employees of the Legislature shall be appointed pursuant to the Rules of the Legislature. Until January 1, 2014 such Deputy Clerks and employees shall be appointed by the Chairman of the Legislature.*
[*Amended pursuant to Local Law No. 9 of 2012.*] . The Chairperson may appoint such Deputy Clerks and employees as the Legislature may require.

B. The Clerk of the Legislature shall make up the agenda including all items received by him/her pursuant to these rules.

C. All local laws, Resolutions, reports and other matters proposed and to be placed upon the agenda for a regular or special meeting of the Legislature shall be submitted to the Clerk of the Legislature in the time and set forth herein under Rule 3 (C).

D. In making up the agenda, the Clerk of the Legislature shall group items in the following order unless otherwise directed by the Legislature:

1. Public comment session
2. Unfinished business
3. Communications from governmental officials, departments and agencies
4. Notices and petitions
5. Reports of standing committees
6. Reports of special committees
7. Special orders
8. Motions and Resolutions

E. The agendas shall be numbered consecutively each year and shall have the items thereon separately numbered beginning with number one (1) for each agenda and continuing consecutively through to the last number and shall contain the title of each item.

F. The Clerk of the Legislature shall furnish to each County Legislator, the County Executive, the County Attorney, Legislative and Minority Counsel, and post on the County web site, as soon as reasonably possible after the deadline for the filing of Resolutions, a complete listing of all filed Resolutions, and such listing to contain a brief description resume of the contents of each Resolution.

G. A list of unfinished business, special orders to be acted upon by the Legislature and the agenda for the next regular meeting of the Board and a schedule of all committee meetings shall be kept posted by the Clerk.

H. The Clerk shall also perform such functions as may be directed by the Chairperson of the Legislature or the Legislative body.