

BE IT RESOLVED that the Committee on Disability hereby adopts the attached Rules of Order for its meetings:

AMHERST COMMITTEE ON DISABILITY RULES OF ORDER

The Rules of Order was adopted at the Committee on Disability Meeting held on November 15, 2021.

1. NAME

This Committee shall be known as the Committee on Disability of the Town of Amherst as created and empowered by the Town Code of the Town of Amherst, Part 1, Chapter 14A, Sections 14A-1 through 14A-4. Throughout this document this Committee shall be referred to as the Committee. The Town of Amherst Board shall be referred to as the Board.

2. OFFICERS

A. The elected officers shall be Chairperson, Vice-Chairperson and Secretary. The officers shall be elected by simple majority vote taken at the first meeting of the calendar year. The officer duties shall be:

- i. The Chairperson shall preside at all meetings, be the Committee official representative and carry out such other functions as prescribed in the Robert's Rules of Order, Newly Revised Edition, unless otherwise provided in these By-Laws. The Chairperson may create ad-hoc work committees at their discretion.
- ii. The Vice-Chairperson shall preside at all meetings when the Chairperson is not present and fulfill all of the Chairperson's duties when they are unavailable to be the official representative of the Committee and carry out such other functions as prescribed in the Robert's Rules of Order, Newly Revised Edition, unless otherwise provided in these By-Laws. The Chairperson may create ad-hoc work committees at their discretion.
- iii. The Secretary shall maintain the Committee records, develop and distribute minutes, formulate and maintain a membership roster/attendance and mailing list, receive and manage correspondence, make written annual reports and perform such other duties as may be required or assigned by the Chairperson.

3. REGULAR MEETINGS

- A. The Committee shall meet by published schedule adopted at the first meeting of the calendar year. These dates shall be published on the Town of Amherst website. A quorum of a simple majority of the total members must be present to transact business at each meeting.
- B. Regular meetings of the Committee shall generally be held on the second Monday evening of each month. When such evening is an official Town Holiday, the meeting shall be held on the following day or evening. Where any meeting date shall fall on a public holiday, the Committee, by majority vote, shall reschedule said meeting date.
- C. Each regular meeting and all adjourned meetings shall be open for consideration of any matter which in accordance with these rules, may be properly brought to the attention of the Committee.
- D. The Committee shall conduct regular business meetings at 6:30 p.m. on the date set by the Committee, unless the Committee otherwise provides. At such meetings, the Committee shall consider any and all scheduled items on its agenda, unless by a vote of a majority plus one (1) of the Committee votes otherwise. Any unfinished items shall be carried over to the next meeting. The Committee shall end its regular and special business meetings by 9:00 p.m., except upon unanimous consent of all members.

4. OPEN MEETINGS LAW

In accordance with New York State Open Meetings Law, the Committee designates the Chairperson, or other designated representative, to contact the Information Department of the Town of Amherst, to place public notices for all meetings on the website of the Town of Amherst.

5. WORK SESSIONS

The Committee may hold an informal Work Session. These rules shall not apply to any such Work Session, except pursuant to Rule (6), (Conduct of Meetings), below.

6. CONDUCT OF MEETINGS

- A. All regular and special meetings of the Committee shall be conducted in strict accordance with the New York State Open Meetings Law and shall be reduced to minutes. All regular and special meetings of the Committee shall be held in the Council Chamber Members Conference Room, located at

Amherst Town Hall, unless otherwise scheduled by the Committee.

B. The Order of Business for each meeting shall be:

1. Roll call
2. Discussion and Approval of preceding meeting minutes
3. Special guests
4. Old Business
5. New business
6. Unfinished business
7. Communications
8. Adjournment.

C. At its discretion, the Committee may change the Order of Business at any meeting by vote of a majority plus one (1).

7. AGENDA PROCEDURES

A. The Secretary or other designated representative shall prepare and post the agenda on the website for the Town of Amherst no later than 4:00 p.m. on the Thursday prior to the regular business meeting.

B. SUSPENSION OF RULES FOR UNLISTED ITEM

No petition, communication, or any item can be acted upon unless it physically appears on the agenda. Nothing in this rule will prevent a member of the Committee from making an announcement or meeting reports. The Committee may, by unanimous consent, suspend the rules in order to consider unlisted items. However these items are limited to communications received after the agenda cutoff related to an agenda item that clearly state why time is of the essence and the matter cannot wait until a later scheduled meeting.

8. MEETING PROCEDURES

A. QUORUM

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

B. CHAIRPERSON TO SECURE A QUORUM

In the absence of a quorum during the meetings of the Committee, the Chairperson may take such measures as provided by law and as they may deem necessary to secure the presence of a quorum.

C. ROLL CALL: MINUTES - ABSENCES

At any and every meeting of the Committee, upon the members being called to order by the Chairperson, the roll of members shall be called by the Secretary, or designated representative, and the names of those absent shall be inserted into the minutes. Any corrections, alterations, or additions to the minutes of the preceding meeting shall then be read and then the minutes deemed to be approved. In all cases when an order or a motion shall be entered in the minutes of the Committee, the name of the members presenting or moving the same shall be entered.

D. DECORUM

1. The Chairperson shall convene the Committee promptly at the hour specified for the convening of the Committee and shall preserve order and decorum. The Chairperson shall recognize Members in the order in which they have requested recognition for the purpose of debate on any question under consideration except the consent agenda. The Chairperson shall decide all questions of order, said decision being final unless an appeal is taken to the Committee and sustained.
2. Speakers shall address the Committee as a whole, in an orderly manner. All speakers shall refrain from partisan political commentary, personal, impertinent, slanderous or profane remarks directed to any member of the board, staff or general public that disrupt the meeting. Any person who makes such remarks or otherwise disrupts the meeting with loud outbursts, shouting, threats or other disruptive behavior shall, at the discretion of the Chairperson or after a motion and majority consensus of the Committee, be ruled out of order. If after receiving a warning, any person persists in disrupting the meeting, the Chairperson shall order that person to leave and may utilize law enforcement to enforce that order.

3. The Committee members who expand their comments in the Public Hearing portion of the agenda beyond the simple statement of questions shall be ruled out of order by the Chairperson.

E. APPEAL FROM THE CHAIRPERSON'S RULING

1. On every appeal, the Chairperson shall have the right to assign the reasons for their decision. If the question on which the appeal is taken was not debatable, the Committee shall decide the case without debate. If the question was debatable, no member shall speak more than once concerning an appeal from the Chairperson's ruling. The Chairperson shall state the question: "Shall the ruling of the Chairperson be overturned?"

2. A motion to overrule a ruling or decision of the Chairperson shall require approval by a majority vote of the Committee.

F. MAJORITY VOTE

A majority of the total vote of the entire membership of the Committee shall be necessary to carry any question, proposition, motion, or any other matter.

G. RECORDING AYES AND NOES

On a roll call, the ayes and noes shall be taken and shall be entered in the minutes of the Committee, by the Secretary, or other designated representative, who shall record the names of the members and the way each will have respectively voted. Each member, as their name is called, shall respond in the affirmative or in the negative, as the case may be. To verify the vote and to correct possible errors, the Chairperson may repeat the call of the roll. The only exception to this procedure is if the member abstains from voting in accordance with Rule 8 (H), (Abstentions), below.

H. ABSTENTIONS

Every member who shall be physically present in the Council Chambers when a question is stated by the Chairperson must cast their vote on the same. The only exception to this procedure is when a member abstains from voting in accordance with the Code of Ethics of the Town of Amherst. If a member wrongfully attempts to avoid casting their vote, wrongfully abstains, or otherwise refuses to vote, the Chairperson, or in the event that the Chairperson is the member in question, the Vice Chairperson or other acting chairperson, shall direct the Chairperson to record such member's

vote in the affirmative on the question being voted upon.

I. WITHDRAWAL OF MOTION

Any motion offered by a member of the Committee, 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 motion has been adopted, provided that the member seconding such motion shall also withdraw their second to the same.

J. MOTIONS NOT AMENDABLE OR DEBATALE

1. All motions for an adjournment, for a recess, to call the previous question, or to lay on the table shall be neither amended nor debated.
2. After the roll call on any question has begun, no member shall speak on the question nor shall any motion be made until after the result is declared.
3. While the Chairperson is stating any question or while the roll is being called, no debate or discussion shall be in order. Any member desiring to explain their vote, must do so before the start of the roll call, provided that, before a roll call begins, all members of the Committee shall have a right to avail themselves of the provisions of Rule 8 (K) (Previous Question), below.

K. PREVIOUS QUESTION

The call for the previous question after reasonable debate shall be as follows: "I move to call the previous question." Until it is decided, all amendments and debate shall be precluded. The motion requires a second and must be approved by a two-thirds majority of all members of the Committee present. When the Committee shall order the previous question called and amendments are pending, the question shall first be taken upon the amendment(s) and then upon the main question without further debate.

L. MOTION TO RESCIND

A motion to rescind can only be entertained when moved by a Committee member who voted with the majority in the action which is proposed to be rescinded and the motion requires the affirmative vote of a majority of the total members of the Committee.

M. MOTIONS FOR RECONSIDERATION AND CHANGING ONE'S VOTE

1. A motion for reconsideration or a motion to change one's vote, shall not be in order, unless made on the same meeting day, or on the regular meeting day next succeeding that on which the action proposed to be reconsidered or upon which a change of vote is requested took place.
2. A motion to reconsider must be made by a Committee member who voted with the prevailing side on the action proposed to be reconsidered. A member has a right to change their vote up to the time the result is announced. Afterward, a change of vote can be made only by permission of the Committee. Such permission can be given by general consent or by adoption of a motion to grant permission.
3. When a motion to reconsider or a motion to change one's vote has been defeated, it shall not be submitted to the Committee without unanimous consent for a period of at least thirty (30) days.

N. ALL POINTS OF ORDER NOT COVERED BY THESE RULES

On all points of order not governed by these rules of the Committee, Robert's Rules of Order (Revised) shall prevail. In the event that a point of order shall arise which cannot be covered by either the Committee, or by Robert's Rules of Order (Revised), the Rules of the New York State Assembly shall be followed.

O. MINUTES

The Committee directs the Secretary or other designated representative to collect the names and addresses of every person who speaks during public hearings and to publish their names in the Committee's meeting minutes.

P. SECOND REQUIRED FOR DISCUSSION

At a regular business meeting, the Committee shall not discuss any agenda item that does not receive a second.

Q. ANNUAL REPORT

The Committee shall file an annual report by December 31st of each calendar year, with the Town Board highlighting its accomplishments and recommendations to promote enhancement of access to town facilities by Town of Amherst residents with disabilities, whenever and wherever possible. A copy of this report shall also be filed in the office of the

Amherst Town Clerk.

R. AMENDMENTS OF THESE RULES OF ORDER

These Rules shall not be rescinded, altered, or amended, nor shall any additional rule be added thereto except by a majority vote of the total members of the Committee and only after at least one (1) week's notice in writing filed with the Town Clerk.

S. REMOVAL OF MEMBERS

- 1.** A member shall not miss more than (3) consecutive meetings, or five (5) scheduled meetings within thirteen (13) consecutive months. If such absenteeism of a member occurs, it shall be addressed at the next scheduled meeting of the Committee. After holding a discussion, the members of the Committee shall vote as to whether or not the Town Board Liaison recommend to the Town Board that the member be dismissed. If that member is dismissed, a replacement be appointed by the Town Board for the balance of that member's term.
- 2.** The Town Board shall have the power to remove any member of the Committee for cause and after a public hearing.

T. MAINTENANCE OF THESE RULES OF ORDER

The Amherst Town Attorney's Office shall be responsible for maintaining these Rules of Order and for changing them pursuant to amendments adopted by the Committee on Disability. As soon as possible after their adoption and subsequent amendment, the Rules of Order in effect shall be posted on the website of the Amherst Committee on Disability of the Town of Amherst and shall be filed with the Amherst Town Clerk, who will make them available to the public upon request.

These Rules are effective immediately.