

**BE IT RESOLVED** that the Community Diversity Commission hereby adopts the attached Rules of Order for its meetings:

## **AMHERST COMMUNITY DIVERSITY COMMISSION RULES OF ORDER**

The Rules of Order was adopted at the Community Diversity Commission Meeting held on ??, 2021.

### **1. NAME**

This Commission shall be known as the Community Diversity Commission of the Town of Amherst. Throughout this document this Commission shall be referred to as the Commission. The Town of Amherst Board shall be referred to as the Board.

### **2. GOALS AND OBJECTIVES**

A. The purpose of this Commission is to enhance and increase cooperation, understanding and dialogue among residents of diverse cultural, religious, socio-economic and racial backgrounds, and to promote inclusion throughout the Town of Amherst.

B. Responsibilities of the Commission include:

1. Study the demographics of Amherst.
2. Promote Town wide events that foster cultural awareness.
3. Increase minority participation on government boards and committees in the Town's work place.
4. To facilitate meetings designed to promote a better understanding of who Amherst is as a Community.

### **3. MEMBERSHIP**

The Commission shall consist of ????? fifteen (15) members, three (3) appointed by the Supervisor and three (3) by each member of the Town Board. Members of the Committee shall be residents of the Town of Amherst. Each member shall serve a two (2) year term.

### **4. OFFICERS**

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

1. The Chairperson shall preside at all meetings, be the Commission's 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.

2. 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 Commission 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.

3. The Secretary shall maintain the Commission 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.

4. The Public Relations Chairperson shall

5. The Education Coordinator Chairperson shall

## **5. REGULAR MEETINGS**

A. Regular meetings of the Commission shall generally be held on the second Tuesday evening of each month, at least 8 times per year. When such evening is an official Town Holiday, the meeting shall be held on the following day or evening. The schedule of regular meetings shall be determined and established at the reorganizing meeting held in January and established no later than January 31st of each year. Where any meeting date shall fall on a public holiday, the Commission, by majority vote, shall reschedule said meeting date.

B. 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 Commission.

C. The Commission shall conduct regular business meetings at 5:30 p.m. on the date set by the Commission, unless the Commission otherwise provides. At such meetings, the Commission shall consider any and all scheduled items on its agenda, unless by a vote of a majority plus one (1) of the Commission votes otherwise. Any unfinished items shall be carried over to the next meeting. The Commission shall end its regular and special business meetings by 7:00 p.m., except upon unanimous consent of all members.

## **6. OPEN MEETINGS LAW**

In accordance with New York State Open Meetings Law, the Commission designates the following locations for the Member (Public Relations Chair?) or other designated representative to place public notices for all meetings on the website of the Commission of the Town of Amherst.

## **7. WORK SESSIONS**

The Commission may hold an informal Work Session. These rules shall not apply to any such Work Session, except pursuant to Rule 8, (Conduct of Meetings), herein.

## **8. CONDUCT OF MEETINGS**

A. All regular and special meetings of the Commission shall be conducted in strict accordance with the New York State Open Meetings Law and shall either be electronically recorded or transcribed by a stenographer. All regular and special meetings of the Commission shall be held in the Council Chamber Members Conference Room, located at Amherst Town Hall, unless otherwise scheduled by the Commission.

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 Commission may change the Order of Business at any meeting by vote of a majority plus one (1).

## **9. AGENDA PROCEDURES**

### **A. AGENDA**

The Member (Public Relations Chair?) or other designated representative shall prepare and post the agenda on the website for the Commission of 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 ITEMS**

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 Commission from making an announcement or meeting reports. The Commission 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.

## **10. MEETING PROCEDURES**

## **A. QUORUM**

The majority of the duly constituted membership of the Commission 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 Commission, the Chairperson may take such measures as provided by law and as he or she may deem necessary to secure the presence of a quorum.

## **C. ROLL CALL: MINUTES - ABSENCES**

At any and every meeting of the Commission, 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, resolution, or a motion shall be entered in the minutes of the Commission, the name of the members presenting or moving the same shall be entered.

## **D. DECORUM**

1. The Chairperson shall convene the meeting promptly at the hour specified for the convening of the Commission 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 Commission and sustained.

2. Speakers shall address the Commission 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 board, 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 Commission 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 Commission 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 Commission.

**F. MAJORITY VOTE**

A majority of the total vote of the entire membership of the Commission shall be necessary to carry any question, 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 Commission 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 his or her 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 10 (H), (Abstentions), below.

**H. ABSTENTIONS**

Every member who shall be physically present in the Council Chamber Members Conference Room, when a question is stated by the Chairperson must cast his or her 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 his or her vote, wrongfully abstains, or otherwise refuses to vote, the Chairperson, or in the event that the Chairperson is the member in question, the Vice Chair 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 Commission 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 his or her second to the same.

**J. MOTIONS NOT AMENDABLE OR DEBATABLE**

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 his vote must do so before the start of the roll call, provided that, before a roll call begins, all members of the Commission shall have a right to avail themselves of the provisions of Rule 10 (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 Commission present. When the Commission 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 Commission 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 Commission.

#### **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. A quorum must be present.

2. A motion to reconsider must be made by a Commission member who voted with the prevailing side on the action proposed to be reconsidered. A member has a right to change his or her vote up to the time the result is announced. Afterward, a change of vote can be made only by permission of the Commission. 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 Commission 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 Commission, 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 Commission's Rules of Order, or by Robert's Rules of Order (Revised), the Rules of the New York State Assembly shall be followed.

#### **O. MINUTES**

The Commission 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 Commission meeting minutes.

#### **P. SECOND REQUIRED FOR DISCUSSION**

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

#### **Q. ANNUAL REPORT**

The Commission shall file an annual report by December 31<sup>st</sup> of each calendar year, with the

Board highlighting its accomplishments and recommendations to enhance and increase cooperation, understanding and dialogue among residents of diverse cultural, religious, socio-economic and racial backgrounds, and to promote inclusions throughout the town.

**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 Commission 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 Commission. After holding a discussion, the members of the Commission 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 Commission 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 Commission. 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.

The Secretary or other designated representative shall post for the public, a complete and up-to-date copy of the Amherst Committee on Disability Rules of Order on its Town website.

These Rules are effective immediately.