

NOTICE OF PUBLIC HEARING

Town of Henderson, New York

Proposed Local Law: Authorizing revisions to Town Law, Chapter 37, Meetings. To provide the standard agenda for the conduct of meetings by the Town Board

PLEASE TAKE NOTICE that a Local Law has been introduced before the Town Board of the Town of Henderson to Authorize revisions to Town Law, Chapter 37, Meetings. To provide the standard agenda for the conduct meetings by the Town Board

PLEASE TAKE NOTICE that a public hearing in connection with the proposed Local Law will be held at the Town Offices, 12105 Town Barn Rd., Henderson, NY 13650 on March 12, 2024 at 7:00PM. An opportunity to be heard in regard thereto will then and there be given to all persons interested in this proposed legislation .

Resolution

WHEREAS Henderson town law Chapter 37, Meetings, provide the standard agenda for the conduct of meetings by the Town Board.

WHEREAS The Town of Henderson has limited resources and capabilities. The Town Board has responsibilities for all aspects of town government functions. Revised town law Chapter 37 will result in improved oversight by the town board and improved transparency and communication of the workings of the town to the citizens of the town.

THEREFORE, BE IT RESOLVED that the following changes to Chapter 37 be enacted. Changes are marked up in RED. Italics indicate original text.

IMPLEMENTATION PLAN FOR REVISIONS

-First monthly reports may not be included until 3 months after approval of the law change to allow development of report template and initial population of data

-Review with affected personnel for feedback and conduct working sessions as needed prior to first monthly report.

Chapter 37

MEETINGS

§ 37-2. *Standard operating procedure.*

The conduct and behavior of all town officials will be professional, courteous, and respectful at all times during meetings.

The Supervisor or any Councilperson may have an item placed on the agenda.

The standard operating procedure for regularly scheduled meetings shall be as follows:

Note that it is acceptable to deviate from the order below as long as all subjects are covered.

A. Pledge of Allegiance.

B. Open the floor for public comment.

1. Time to be limited to three minutes per individual at the discretion of the supervisor.

2. Each speaker ~~must~~ is requested to *state his or her name and the subject he or she will be addressing. The purpose of this requirement is to help ensure that comments relate to town business and in the case of a public hearing, the subject of the hearing.* Explicit sign-in is not required for other than Public Hearings, however, the Town Clerk may need a means to accurately reflect speakers in the meeting minutes.
3. *Comments by speakers must be addressed to the town board. Attendees may not address the board until recognized by the town supervisor.*
4. *Discussion between speakers and attendees of the public meeting or hearing is prohibited. A speaker may disagree with or support prior speakers in comments directed to the town board.*
5. *Comments must relate to the purpose of a hearing or legitimate town business at a board meeting.*
6. *Speakers should present their remarks in a courteous manner and may not make personal comments about public officials, town residents or others.*
7. *Placards, banners or other signs should not be permitted in meeting rooms nor should the distribution of flyers.*
8. *A person who disregards the directives of the supervisor in enforcing the rules, disturbs the peace at a meeting makes impertinent or slanderous remarks or generally conducts himself in a boisterous or inappropriate manner while addressing the town board should be barred from further participation and forfeit any balance of time remaining for his comments,*
9. *After a final warning, if a speaker refuses to step down, the town supervisor should request that a police or peace officer remove the individual from the meeting room. The authority is section 240.20 of the Penal Law, providing that a person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm or recklessly creating a risk thereof, 1) he makes unreasonable noise, 2) in a public place, he uses abusive or obscene language, or makes an obscene gesture, or 3) without lawful authority, he disturbs any lawful assembly or meeting of persons or 4) he creates a hazardous or physically offensive condition by any act which serves no legitimate purpose. Disorderly conduct is a criminal offense constituting a violation.*

C. Guest Speakers

D. Reading and approval of minutes.

E. Reading and approval of warrants.

F. Correspondence

G. Reports designated department heads, commissions and committee chairpersons submit monthly reports in a standardized format to be determined to both the Town Board and the Town Clerk prior to the regular Town Board meeting detailing information from the previous calendar month. Examples of items to report: budget status, long range planning items, items of concern, help needed, etc.

Designated heads will periodically report out in person during the Town Board meeting as denoted below. Actual month of in person report will be designated by the head in their monthly report as part of the report agenda.

1. Supervisor Monthly

Budget reports should be prepared and reviewed as of the end of each month during the fiscal year. The budget report shows the original budget, any authorized amendments, actual transactions to date (i.e., revenues, expenditures, and encumbrances listed by account code) and the differences between the amended budget and actual transactions (shown as variances).

2. Assessor Semi-annual

Include statistics on the following:

- Tax Exemptions approved
- Tax Exemptions not approved
- Tax Exemptions awaiting disposition

3. Mooring Administrators (April and October only for written reports) Annual

4. Highway Superintendent Quarterly

Status of annual agreement on highway plan for repairs and improvements (Highway Law 284)

Monthly summaries of work completed

Annually include updated AMP for equipment and roads

5. Justices Annual (not to interfere with required independence of Judicial Branch)

6. Planning Board Semi-annual

7. Recreation Commission Annual

8. *Sanitation Department* Semi-annual

9. *Water Districts* Quarterly

Include adverse trends in water quality parameters and actions addressing out of specification or adverse trend parameters

Annually include updated AMP

10. *Town Clerk/Collector* Semi-annual

Include statistics on FOIL requests:

#Requests being processed,

greater than 30 working days,

of extensions on one FOIL request

#Requests denied

#Appeals greater than 10 working days

#Appeals denied

Include any new and list of all uncorrected Notice of Defects submitted (N.Y. Gen. Mun. Law § 50-G)

11. *Zoning Board of Appeals* Semi-annual

Include statistics on running total of the following:

-Appeals approved

-Appeals approved with modifications

-Appeals not approved

12. *Zoning Enforcement Officer* Quarterly

H. Special committee reports.

I. Unfinished business.

Review open action items from previous meetings

J. New business

K. Announcements.

L. Review new action items created in this meeting

Schedule as necessary Public Hearings for any item discussed

M. End of meeting critique focusing on good practices and behaviors to continue and practices and behaviors to improve upon.

N. *Adjournment*

§ 37-6. **Prior written notification of resolutions** and meeting materials

A. *Resolutions shall not be considered by the Town Board without prior written notification being distributed to all Board members at least one week prior to the Town Board meeting, unless a majority of the entire Board votes to waive the one-week notice.*

B. Meeting materials will be distributed to all members of the Town Board by at least the preceding Thursday PM to allow sufficient review time, unless a majority of the entire Board votes to waive this requirement. Stated differently, if meeting materials for an agenda item is not distributed to the Town Board by the preceding Thursday PM, then that agenda item may be discussed but not voted on and should be moved to the following meeting.