


# **Rensselaer County Legislature**

## **Clerk's Certification**

**I, Jenét N. Marra, Clerk of the Rensselaer County Legislature, do hereby CERTIFY that the attached is an official document of the Rensselaer County Legislature.**

**IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Rensselaer County Legislature of Troy, New York, this 6<sup>th</sup> of January, 2014.**

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**Jenét N. Marra**  
**Clerk of the Legislature**  
**County of Rensselaer**  
**State of New York**

**Seal**

RENSSELAER COUNTY LEGISLATURE  
ORGANIZATIONAL MEETING

Thursday, January 2, 2014

Legislative Meeting called to order by Clerk Jenét N. Marra at  
6:06 p.m.

Roll Call: Present: 18  
Absent: 1 (Goodermote)

Legislators Oath administered by Honorable Deborah Young

Nomination for Mr. Reid as Chairman

By: Mr. Danaher  
Seconded By: Mrs. Breselor  
Moved: 18-0

Nomination for Mr. Brownell as Vice Chairman

By: Mr. Shannon  
Seconded By: Mr. Fiacco  
Moved: 18-0

Nomination for Mr. Danaher as Vice Chairman/Finance

By: Mr. Bayly  
Seconded By: Mrs. Hoffman  
Moved: 18-0

Oath of Office for Chairman, Vice Chairman, and Vice  
Chairman/Finance of the Rensselaer County Legislature  
administered by Honorable Deborah Young

Invocation: Honorable Michael Stammel

Pledge of Allegiance to the Flag: Honorable Peter Grimm

Chairman's Address

**MEETING AGENDA**

**PRESENTATION OF PETITIONS:** (on file in Clerk's Office)  
**PRESENTATION OF COMMUNICATIONS:** (on file in Clerk's Office)  
**REPORTS OF COMMISSIONS:** (on file in Clerk's Office)  
**DEPARTMENTAL REPORTS:** (on file in Clerk's Office)  
**REPORTS OF STANDING COMMITTEES:** (on file in Clerk's Office)  
**LOCAL LAWS:** None  
**INDEX OF RESOLUTIONS:** Attached  
**LEGISLATOR'S PRIVILEGE:**  
**ADJOURNMENT:** 6:30 P.M.

**"Say NO to Drugs"**

RENSSELAER COUNTY LEGISLATURE  
ORGANIZATIONAL MEETING

THURSDAY, JANUARY 2, 2014

RESOLUTION	TITLE
P/1/14	RESOLUTION APPOINTING CLERK OF THE RENSSELAER COUNTY LEGISLATURE
P/2/14	RESOLUTION APPOINTING RENSSELAER COUNTY AUDITOR
P/3/14	RESOLUTION TO ADOPT RULES OF PROCEDURE
P/4/14	RESOLUTION APPOINTING A RECORDS ACCESS OFFICER OF THE RENSSELAER COUNTY LEGISLATURE AND DESIGNATING A DENIAL OF ACCESS TO RECORDS HEARING APPEAL OFFICER
P/5/14	RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS FOR THE COUNTY OF RENSSELAER

# RENSSELAER COUNTY LEGISLATURE

Introduced by Legislator(s) Reid, Brownell, Danaher, Herrington, Bayly, Breselor, Fiacco, Goodermote, Hoffman, Shannon, Stammel, Tesman, Walsh

Sent To: \_\_\_\_\_ Committee \_\_\_\_\_ Date January 2, 2014

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Resolution No. P/1/14

## RESOLUTION APPOINTING CLERK OF THE RENSSELAER COUNTY LEGISLATURE

**BE IT RESOLVED,** Pursuant to Section 2.05 of the Rensselaer County Charter, that Jenét N. Marra, 165 Loweree Road, Nassau, New York 12123, is hereby appointed Clerk of the Rensselaer County Legislature.

Resolution ADOPTED by the following vote:

Ayes: 18

Nays: 0

Abstain: 0

January 2, 2014

# RENSSELAER COUNTY LEGISLATURE

**Introduced by Legislator(s)** Reid, Brownell, Danaher, Herrington, Bayly, Breselor, Fiacco, Goodermote, Hoffman, Shannon, Stammel, Tesman, Walsh

**Sent To:** \_\_\_\_\_ **Committee** \_\_\_\_\_ **Date** January 2, 2014

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**Resolution No.** P/2/14

## RESOLUTION APPOINTING RENSSELAER COUNTY AUDITOR

**BE IT RESOLVED,** Pursuant to Section 5.01 of the Rensselaer County Charter, that Tyler Sawyer, 145 Keyler Avenue, Petersburg, New York 12138 is hereby appointed Rensselaer County Auditor.

**Resolution ADOPTED by the following vote:**

**Ayes:** 18

**Nays:** 0

**Abstain:** 0

**January 2, 2014**

# RENSSELAER COUNTY LEGISLATURE

Introduced by Legislator(s) Reid, Brownell, Danaher, Herrington, Bayly, Breselor, Fiacco, Goodermote, Hoffman, Shannon, Stammel, Tesman, Walsh, Grimm, Doran, Fleming, Manny, Pavlic, Welcome

Sent To: \_\_\_\_\_ Committee \_\_\_\_\_ Date January 2, 2014

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Resolution No. P/3/14

## RESOLUTION TO ADOPT RULES OF PROCEDURE

**BE IT RESOLVED,** That the Rules of Procedure heretofore governing the Rensselaer County Legislature shall be and the same hereby are rescinded; and, be it further

**RESOLVED,** Pursuant to Section 2.06 of the Rensselaer County Charter, that the proposed Rules of Procedure annexed hereto and made a part hereof by reference are hereby adopted as the Rules of Procedure for the Rensselaer County Legislature.

Resolution **ADOPTED** by the following vote:

**Ayes:** 18

**Nays:** 0

**Abstain:** 0

**January 2, 2014**

# *RULES OF THE RENSSELAER COUNTY LEGISLATURE*



Rev. 1/2/2014



## RULE NO. 1: MEETINGS

A. The Rensselaer County Legislature shall meet to organize as required by Section 2.05 of the Rensselaer County Charter. At such organizational meeting, the Legislature shall organize itself and select a Chairperson, Vice-Chairperson and Vice Chairperson/Finance, from among its members. The Chairperson of the Legislature shall serve for a four (4) year term, unless he/she shall be elected to fill an unexpired term, in which event the term will expire with the expiration of the terms of office of the current Legislature.

B. In addition to the foregoing, the Legislature shall conduct regular, monthly meetings on the second Tuesday of January, February, March, April, May, June, July, August, September, October, November and December of each year, with such meetings to commence at 6:00 p.m. In the event such regular meeting date falls on a legal holiday, the regular monthly meeting shall be held on the day following at the regular, designated time. If meeting day falls on Election Day (a legal holiday) or Primary Day, the regular monthly meeting shall be held on the day following at the regular, designated time.

C. In addition to the organizational and regular monthly meetings, the Rensselaer County Legislature shall also meet in a special session whenever a special meeting is duly called by a notice signed by the Chairperson of the Legislature, or the Vice Chairperson in the absence of the Chairperson, which said notice shall clearly state the object of such special meeting. Such notice of special meeting shall be filed with the Clerk of the Legislature at least 72 hours prior to the date fixed for such special meeting, upon receipt of which the Clerk of the Legislature shall be required to mail copies thereof on the same date as received to each legislator at his/her last known post office address.

D. In the absence of the Chairperson of the Legislature from any regular or special meeting of the Legislature, the Vice-Chairperson shall serve as temporary Chairperson. The Chairperson may designate any other legislator to serve as temporary Chairperson at the regular or special meeting in the event of simultaneous absence of both the Chairperson and the Vice-Chairperson.

## RULE NO. 2: QUORUM

A quorum of the Legislature shall be comprised of a majority of the entire membership of the Legislature, unless the question before the Legislature is to be determined in accordance with Article 2 Section 2.04 of the Rensselaer County Charter, in which event a quorum of the Legislature shall be comprised of a majority of the remaining members of the Legislature. In the absence of such a quorum, a majority of those members as are present are authorized to and may send the Rensselaer County Sheriff or Deputies thereof, or any other person or persons, for the absent Legislators, or, in the alternative, may take such measures as shall be necessary to adjourn to the call of the Chairperson.

### RULE NO. 3: STANDING COMMITTEES

A. The following committees shall be the standing committees of the Rensselaer County Legislature: (1) Aging; (2) Agriculture; (3) Budget and Finance; (4) Contracts and Agreements; (5) Education; (6) Environment; (7) Health; (8) Judiciary and Public Safety; (9) Local Government; (10) Personnel; (11) Planning and Tourism; (12) Public Works (13) Rules and Legislative Operations; (14) Social Services; (15) Veterans and Youth.

B. It shall be the duty of each of the foregoing committees to inquire into all matters referred to them, to render such reports thereon as may be appropriate, to examine and report on all claims against the county which may be referred to them and to exercise all other powers and duties conferred upon them by law. The power to conduct investigations, pursuant to Section 209 of the County Law, is hereby delegated to the standing committee on Rules and Legislative Operations.

C. All standing committees shall be comprised of two Legislators, one member of the majority and one member of the minority, and a third member designated as the Chairperson of each such standing committee, all of whom shall be appointed by the Chairperson of the Legislature to serve at his/her pleasure, except the Chairperson of the Budget and Finance Committee who shall be the Vice Chairperson/Finance, and the Rules and Legislative Operations Committee which shall be comprised of the Chairperson, Vice Chairperson, Majority Leader, Minority Leader and Deputy Minority Leader.

D. All proposed resolutions and local laws shall, upon being filed by the Office of the Clerk of the Legislature, be referred by the clerk to an appropriate standing committee for its consideration. No proposed resolution or local law shall be placed on the agenda for any meeting of the Legislature unless it shall first have been discharged from such standing committee by majority vote thereof. In the event that the appointed member of a standing committee is unable to attend his/her committee meeting, for reasons beyond his/her control, he/she may designate another legislator from his/her caucus to vote in his/her stead. Such notification shall be made to the Chairperson prior to the committee meeting. Notwithstanding the foregoing, the Chairperson may place on the agenda any resolution or local law, whether or not it has been referred to and considered by such committee, unless such consideration has occurred and resulted in a majority vote against discharge.

E. The Clerk of the Legislature shall forward to all members of the Rensselaer County Legislature, the County Executive, other elected officers and all county department heads, a schedule of the date, time and place for meetings of such standing committees of the Rensselaer County Legislature. Any proposed resolution or local law not filed and referred to an appropriate standing committee on or before the date of its scheduled meeting shall not be placed on the agenda for the next meeting of the Legislature unless such placement is directed by the Chairperson.

F. If a standing committee fails to take action upon a proposed resolution or local law during two meetings of such standing committee, such proposed resolution or local law may nonetheless be placed upon the agenda for any special or regular meeting of the Rensselaer County Legislature upon a written petition for discharge of such proposed resolution or local law signed by a majority of the total number of members of the Legislature, filed with the Clerk of the Legislature not less than twenty-four (24) hours in advance of such special or regular meeting. A written petition for discharge may not be utilized to discharge a proposed resolution or local law which has in fact been voted upon by such standing committee, but has failed to receive a majority vote of such standing committee in favor of its discharge and placement upon a meeting agenda. The chairperson of each standing committee of the Legislature shall have the ability to schedule or reschedule a meeting of the standing committee to allow for attendance by committee members and county officers, and to facilitate attendance by the public and any other interested parties.

G. The Chairperson of each standing committee shall set the agenda for each meeting of that committee and set upon the agenda of any such meeting those resolutions as he/she shall determine from those referred to the committee by the Clerk of the Legislature to be in order or appropriate for consideration by such standing committee from the index of resolutions prepared by the Clerk of the Legislature such as are filed with the Clerk of the Legislature as provided under Rule No. 16(B) of the Rules of the Legislature. The agenda for each committee meeting shall be forwarded to the Office of the Minority by 12:00 noon on the day of such committee meeting.

H. The Chairperson of the Legislature, Vice-Chairperson, Vice Chairperson/Finance, Majority Leader, Minority Leader and Deputy Minority Leader shall be non-voting ex-officio members of all standing committees of the Legislature of which they are not actual members.

I. All meetings of committees shall be open to members of the news media, the general public, and other Legislators as observers, and meet the requirements of the New York State Open Meeting Law and Freedom of Information Law.

J. Upon personal vote of a majority of all members of a committee, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a committee may conduct an executive session of which only members of such committees are present for the following enunciated purposes provided however, that no action by formal vote shall be taken to appropriate public monies:

- 1) Matters which will imperil the public safety if disclosed;
- 2) Any matter which may disclose the identity of a law enforcement agent or informer;
- 3) Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- 4) Discussions regarding proposed, pending or current litigation;
- 5) Collective negotiations pursuant to article fourteen of the Civil Service Law;
- 6) The medical, financial, credit, character or employment history of any person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension dismissal or removal of any person or corporation;
- 7) The preparation, grading or administration of examinations; and
- 8) The proposed acquisition, sale or lease of real property, but only when publicity would substantially affect the value of the property.

K. Attendance at an executive session shall be permitted to any member of the committee and any other person authorized by the committee.

L. Chairperson of standing committees may call public hearings to permit interested persons, groups or organizations the opportunity to testify orally or in writing on legislative issues pending before such standing committee. Chairperson may request that the Clerk of the Legislature make an audio recording of a public hearing. No committee may take testimony at a hearing unless at least two of its members are present at such hearing. Prior notice of all public hearings shall be filed by the Chairperson or his/her designee with the Clerk of the Legislature and the Chairperson of the Legislature and such notice shall contain information as to the subject matter, date and place.

M. Standing committees may hold special meetings upon the call of the Chairperson. At least forty-eight (48) hours prior notification shall be given to all members of such committee. Written notification shall be submitted to the Majority/Minority office and they in turn contact the members of such committee.

N. Any standing committee having secondary subject matter jurisdiction over a resolution may request the Chairperson of the committee having primary subject matter jurisdiction over said resolution (which is the committee to which said resolution has been referred by the Clerk of the Legislature pursuant Rule No. 3(D) to commit the resolution to the committee with secondary subject matter jurisdiction when the resolution is still in the primary committee. If the Chairperson of the primary committee refuses said request, then the committee having secondary jurisdiction through its Chairperson, may request the Chairperson of the Legislature to consider such secondary referencing. If the secondary reference is so made, the secondary committee shall consider the resolution forthwith and return said resolution to the primary committee or the Committee on Rules and Legislative Operations, as the case may be, along with the secondary committee's recommendation.

O. Minutes shall be taken at all open meetings of committees which shall consist of a record or summary of all motions, proposals, resolutions and any other matter voted upon and the vote thereon.

P. Minutes shall be taken at executive sessions of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary shall not include any matter which is not required to be made public by the "Freedom of Information Law" as added by Article 6 of the Public Officers Law.

Q. Minutes of meetings of all committees shall be available to the public in accordance with the provisions of Article 6 of the Public Officers Law, the "Freedom of Information Law," and at such time and place as prescribed by the Chairperson of the Legislature, provided, however, that minutes for executive session meetings shall be available to the public within one week of the date of such executive session.

#### RULE NO. 4: SPECIAL COMMITTEES AND COMMISSIONS

A. The Legislature shall have the power and authority to create such special committees as it may find from time to time necessary or appropriate. The members of all such special committees shall be appointed by the Chairperson to serve at his/her pleasure. Any such special committee to which matters are referred by that Legislature shall report its findings and recommendations within the period prescribed by the resolution creating such special committee.

B. In addition to the foregoing, the Legislature shall have the power and authority to create commissions consisting of legislative and non-legislative members, all of whom shall be appointed by the Chairperson to serve at his/her pleasure. Said commissions shall have such powers, authority, duties and responsibilities as may be lawfully delegated to them by the resolution or local law giving rise to their establishment. The term of any such commission established by the Legislature shall be fixed by the resolution or local law by which it was created, which in no event shall exceed the term of the Legislature.

#### RULE NO. 5: MINUTES OF MEETINGS

The Clerk of the Legislature shall employ a stenographer or mechanical recording device for the purpose of taking the minutes of all regular meetings, special meetings or public hearings of the Legislature. At any regular or special meeting of the Legislature, the minutes of the preceding meeting shall be read or played for the purpose of ascertaining and correcting any mistakes therein, unless the same shall be waived by the Legislature.

#### RULE NO. 6: ORDER OF BUSINESS

A. Unless otherwise directed by the Chairperson, the order of business at each regular and special meeting of the Legislature shall be as follows, to wit:

- [1] Reading of the Minutes
- [2] Presentation of Petitions and Communications
- [3] Reports of Special Committees and Commissions
- [4] Reports of Standing Committees
- [5] Local Laws
- [6] Resolutions
  - (a) non-controversial
  - (b) controversial
- [7] Legislator's Privilege

B. All resolutions shall retain their place on the non-controversial index of resolutions and shall be considered pursuant to a vote by the Legislature, unless laid aside by a member of the Legislature to the controversial index of resolutions. Resolutions so laid aside shall be called by the Chairperson in the order in which they were laid aside immediately following the non-controversial index of resolutions for debate.

## RULE NO. 7: ORDER AND DECORUM

- A. The Chairperson of the Legislature shall have the duty of preserving order and decorum and shall have the power and authority to describe all questions of order, decorum and procedure, whether or not the same may be provided for by these rules, subject to an appeal of any such determination to the Legislature as a whole. The Chairperson shall have the right to designate a parliamentarian to assist the Chair in the performance of such duties, and he/she shall have the further right to name any member of the Legislature to perform the duties of the Chair in the event he/she wishes to speak on any question. The Chairperson shall also have the right to call a recess at any time.
- B. Each member of the Legislature, prior to speaking, shall rise from his/her seat, address himself/herself to the Chair and wait to be recognized.
- C. When two or more members of the Legislature have risen from their seats and addressed the Chair, the Chairperson shall name the member first to speak.
- D. Any member may speak on a non-controversial resolution prior to the vote thereon if recognized by the Chairperson for no more than three minutes. No member may speak on a question during a vote on such question.
- E. The vote on any question must proceed to conclusion once such vote has been commenced.
- F. Any member of the Legislature called to order by the Chairperson shall immediately cease speaking and sit down unless permitted by the Chairperson to explain.
- G. Any appeal taken from the decision of the Chair shall be decided without debate and the appeal shall be stated by the chair as follows: "Shall the decision of the Chair stand as the judgment of the Legislature?" Such an appeal shall be deemed successful only if carried by a simple majority of the voting power of the Legislature then and there present.
- H. Every Legislator shall be present within the Legislative Chamber during the meetings of the Legislature, unless duly excused by the Chairperson. Unless duly excused by the Chairperson or a majority vote of the Legislators present at the next meeting of the Legislature, a Legislator absent from an organizational, regular or special meeting, or a public hearing of the Legislature shall pay to the County a penalty of fifty dollars for each absence.
- I. Every Legislator present when a vote is taken on a question shall vote on each question stated from the Chair unless excused by the Chairperson, or unless such Legislator has a direct personal or pecuniary interest in the event of such question. A Legislator desiring to be excused from voting for a direct personal or pecuniary interest in the issue before the Legislature may, when such Legislator's name is called, state such desire to be excused from a vote, and if there is an objection to such excuse, may make a statement not taking more than two minute of the reasons for making such request, and the question on excusing the Legislator shall then be taken without debate and shall be granted by the consent of the majority of the Legislators present.

J. No motion shall be stated, debated or put to a vote unless it has been duly seconded. When such a motion has been seconded, it shall be stated by the Chairperson prior to debate thereon. Any motion may be reduced to writing if the Chairperson or any member of the Legislature so desires.

#### RULE NO. 8: CHAIRPERSON'S RIGHT TO VOTE

The Chairperson shall in all cases have the right to vote on any question or motion. When any vote is equally divided, including the vote of the Chairperson, the question or motion shall be deemed lost.

#### RULE NO. 9: RIGHT OF PUBLIC TO ADDRESS LEGISLATURE

A. It is the intent of this Legislature that members of the public who are residents of the County of Rensselaer have ample opportunity to discuss issues contained in the agenda for the regular monthly meeting. In order to realize such intent, a period not to exceed one half hour shall be reserved for such members of the public prior to the opening of each meeting of the Legislature in order to permit such discussion and communication. Residents of Rensselaer County desiring to avail themselves of this opportunity shall sign-up on a form located outside of chambers on the day fixed for the meeting at which they desire to speak. This form will include name, address, phone, and agenda item they will be speaking on and will set a time limit of 5 minutes. The Chairperson of the Legislature shall thereupon call the Legislature into informal session one-half hour prior to the scheduled meeting time for the purpose of receiving those members of the public who have so signed up to speak. No more than three (3) persons shall be permitted to address the Legislature on the same subject and no person shall speak for more than five (5) minutes on such subject without the permission of the Chairperson. Upon the conclusion of any presentation by a member of the public, the matter may be referred by the Chairperson to an appropriate committee of the Legislature for further consideration.

B. County officers, department heads, employees and commission members shall be deemed to be members of the public and Rensselaer County residents under this rule.

C. The Chairperson of the Legislature may from time to time call upon elected officials representing Rensselaer County to make presentations to the Legislature upon any matter concerning Rensselaer County.

D. Pursuant to Resolution P/51/02 the public may address the County Legislature regarding any subject matter at a special public forum to be held on the Wednesday of each month, preceding the regular meeting, in the Chambers of the Rensselaer County Legislature, beginning at 6:00 p.m. This Public Forum is open to all interested members of the public and the media.

## RULE NO. 10: DEBATE

A. Debate shall be accorded only those resolutions so placed upon the controversial index of resolutions. Upon call of each resolution to be so debated, the Chairperson shall set the time limit for debate on such resolution not to exceed one hour and thirty minutes, divided proportionally between the majority and minority. Management of time shall be the sole responsibility of the Majority Leader and the Minority Leader or their designees. The Majority Leader and Minority Leader shall yield time to any Legislator so desiring to debate. Legislators may request more time from the Chairperson subject to approval of the Majority or Minority Leader. A Legislator may yield back the balance of his/her unused allotted time. A Legislator rising to debate shall move to the podium on the floor on his/her side of the isle, address himself/herself to the Chair and state the purpose of his/her rising.

B. If the question under consideration contains two or more distinct propositions, any member of the Legislature may have the same divided accordingly, subject to a majority vote of the whole.

### C. Motions

1. When a question is before the Legislature, only the following motions shall be made by a member, and such motions shall have precedence in the order here stated:

- a) To adjourn
- b) To lay on the table
- c) To postpone to a certain day
- d) To commit to a standing committee
- e) To commit to a special committee or commission
- f) To amend

2. The motion to adjourn or to lay on the table shall be decided without debate and shall always be in order except as otherwise herein provided.

D. After a motion has been stated by the Chairperson, it shall be deemed to be in possession of the Legislature, subject to withdrawal by the member offering the same.

E. A motion to postpone a question indefinitely or to adjourn it to a certain day shall preclude all motions to amend the main question until decided. Motions for the previous question, to lay the question on the table, or to commit it shall preclude all amendments to end debates on both the main question and the motion.

F. A motion to adjourn the Legislature shall always be in order, and shall be decided without debate.

G. A motion to amend must be germane to the question being so debated. The Chairperson shall rule as to whether the proposed amendment shall be deemed germane prior to its consideration. A motion so deemed not germane by the Chairperson shall be considered lost.



## RULE NO. 11: SPONSORSHIP

All resolutions and local laws filed with the Clerk of the Legislature shall bear the surname of the sponsor or sponsors of such legislation. No other names shall appear as co-sponsor, except with the written consent of the sponsor or sponsors obtained 24 hours prior to the regular or special meeting at which such legislation is to be considered. Such written consent may be waived by the sponsor or sponsors at any time.

## RULE NO. 12: ROLL CALL VOTE

The ayes and nays upon any question shall be taken by roll call and entered upon the minutes if requested by any member of the Legislature. Unless so requested or otherwise required by law, a voice vote may be called for by the Chairperson.

## RULE NO. 13: RECONSIDERATION

No motion for reconsideration of any question shall be in order unless made on the same day as that on which the question proposed to be reconsidered be decided, nor unless one of the majority on such question shall move for such reconsideration. A motion for reconsideration of a question having been put to a vote and lost shall not be renewed.

## RULE NO. 14: AMENDMENTS TO RULES

A parliamentary resolution affirmatively passed upon by a majority of the voting power of this Legislature shall be required to rescind, suspend, change, alter or modify any rule of this Legislature. The consent of the Chairperson shall at all times be required to place such resolution on any agenda.

## RULE NO. 15: COMMITTEE OF THE WHOLE

The Legislature may from time to time, as it deems reasonable and appropriate resolve itself into a committee of the whole for the purpose of considering and discussing any issue. In forming a committee of the whole, the Chairperson may leave the Chair and designate a temporary Chairperson to preside. The Rules of the Legislature shall be observed in the committee of the whole so far as they may be applicable, except that restrictions on the number of times and minutes of speaking shall not be observed and ayes and nays shall not be taken. Motions to rise and report progress and to dissolve the committee of the whole shall always be in order and decided without debate.

## RULE NO. 16: LOCAL LAWS AND RESOLUTIONS

A. All resolutions filed with the Clerk of the Legislature shall be designated by the Clerk as either general or parliamentary resolutions. Parliamentary resolutions are those resolutions not subject to executive approval, including such as establish rules and regulations or other matters pertaining solely to the conduct of Legislative procedures. All other resolutions shall be deemed to be general resolutions subject to approval by the Rensselaer County Executive pursuant to Section

3.06 of the Rensselaer County Charter. All local laws shall likewise be subject to executive approval. All resolutions shall be consecutively numbered during each calendar year and shall be designated with the prefix letter (G) to indicate general resolutions and with the prefix letter (P) to designate parliamentary resolutions.

B. All general resolutions approved by the Legislature shall be submitted by the Clerk of the Legislature to the County Executive within five (5) days of their passage. All parliamentary resolutions shall be filed in the office of the Clerk of the Legislature, with copies thereof forwarded for informational purposes to the County Executive and any other interested persons within five (5) days after adoption.

C. All resolutions and introductory local laws shall be filed with the Clerk of the Legislature no later than 12:00 o'clock noon of the second Tuesday next preceding the date of the regular monthly meeting at which the same is intended to be considered, and by 12:00 o'clock noon, two (2) working days prior to the date fixed by any special meeting at which the same is to be considered. All legislation shall be filed in duplicate with a hard copy along with its corresponding e-mail. Upon receipt, both the original and copy of all such legislation shall be affixed with the date and time and the copy shall be returned to the originating department as proof of filing. This requirement shall be deemed waived if so directed by the Chairperson.

D. The Clerk of the Legislature shall prepare copies of all legislation received as hereinabove set forth and electronically transmit it to the members of the Legislature prior to the opening of the meeting at which the same is to be considered. The Clerk shall further prepare and electronically send a copy of the meeting agenda the Legislators two (2) days prior to the scheduled meeting.

E. All general "G" resolutions shall include in the final "WHEREAS" paragraph a statement as to the fiscal impact of the proposed resolution unless such statement of fiscal impact shall have been contained in the body of such resolution.

F. In any instance where the Rensselaer County Legislature votes to amend the County Charter there shall be a public hearing held by the County Legislature at the meeting where the amendment will be considered, prior to the vote, and a public hearing held by the County Executive prior to the consideration by the County Executive of the amendment.

#### RULE NO. 17: CREATION OF NEW POSITIONS IN COUNTY GOVERNMENT

Any new position hereafter created by the Rensselaer County Legislature shall contain, in the body of the actual resolution creating such position, an adequate description of the job title, a detailed specification of the duties of employment, the purposes to be accomplished by the creation of such new position and the fiscal and budgetary implications arising therefrom. All grant positions must contain a sunset clause within the resolution.

#### RULE NO. 18: INSURANCE REVIEW

The Rules and Legislative Operations Committee of the Rensselaer County Legislature shall be the permanent Insurance Review Committee of the Legislature. The Clerk of the Legislature shall serve as the administrator of the county insurance program and he/she shall make complete and detailed reports of the insurance program in cooperation with the Rensselaer County Executive and County department heads. Such reports shall be reviewed on a quarterly basis, or at the discretion of the Clerk with the approval by the Chairperson, by the Rules and Legislative Operations Committee and made available to the Rensselaer County Executive and each Legislator.

## RULE NO. 19: CONFIRMATION PROCEDURES

Upon filing in the Office of the Clerk of the County Legislature of an appointment by the Rensselaer County Executive subject to confirmation by the Legislature pursuant to Section 2.08 of the Rensselaer County Charter, the following procedures shall be followed, unless otherwise waived by the Chairperson, namely:

1. Within three (3) days after the filing of such appointment by the County Executive, the Clerk of the Legislature, with the approval of the Chairperson of the Legislature, shall assign the appointment to an appropriate standing committee of the Legislature and shall notify in writing the Chairperson of such standing committee that the appointment has been filed in the Clerk's office.
2. Within five (5) days after receiving such notification from the Clerk of the Legislature, the Chairperson of the standing committee so notified shall schedule a Legislative hearing on the appointment and the appointee shall be notified by the Chairperson of the committee to appear at such hearing. The hearing shall be held in public, but questions may be directed to the appointee or other witnesses only by members of the committee and counsel, except that any member of the Legislature may, with the consent of a majority of the committee, be permitted to direct questions to the appointee or other witnesses. Counsel to the majority and counsel to the minority may, if requested by the committee, participate in such hearing. The Clerk of the Legislature shall take minutes of the hearing either by stenographer or mechanical recording device. At the conclusion of the hearing, the committee shall prepare a report of its findings and shall transmit the same to the Clerk of the Legislature with or without recommendations.
3. Upon the filing of the committee report with the Clerk of the Legislature set forth, a resolution of approval or rejection of the appointment may be introduced and considered at the next regular or special meeting of the Legislature.

## RULE NO. 20 MEETING ATTENDANCE BY DEPARTMENT HEADS

A. Any county department, bureau, commission or sponsored agency (e.g. H.V.C.C., contractual agency, etc.) shall be represented at any regular or special meeting of the Rensselaer County Legislature when legislation pertaining to that department, bureau, commission or agency is on the meeting agenda. A head of a county department, bureau, commission or agency, or representative familiar with the respective legislation, shall be present to answer any questions which may arise during the course of the meeting with respect to the legislation.

B. Any Legislator wishing to question an official concerning legislation shall first address the Chair in accordance with Rule No. 7.

# RENSSELAER COUNTY LEGISLATURE

Introduced by Legislator(s) Reid, Brownell, Danaher, Herrington, Bayly, Breselor, Fiacco, Goodermote, Hoffman, Shannon, Stammel, Tesman, Walsh

Sent To: \_\_\_\_\_ Committee \_\_\_\_\_ Date January 2, 2014

Resolution No. P/4/14

**RESOLUTION APPOINTING A RECORDS ACCESS OFFICER OF THE  
RENSSELAER COUNTY LEGISLATURE AND DESIGNATING A DENIAL OF ACCESS  
TO RECORDS HEARING APPEAL OFFICER**

**RESOLVED**, That pursuant to Resolution G/84/78, and Chapter 933 of the Laws of 1977 of the State of New York, the following individuals are now and hereby appointed as Records Access Officer and Records Hearing Appeal Officer for the Rensselaer County Legislature for terms to commence immediately and to expire December 31, 2017:

**RECORDS ACCESS OFFICER:**

Jenét N. Marra, Clerk, Rensselaer County Legislature

**RECORDS HEARING APPEAL OFFICER:**

Craig Crist, Counsel to the Majority

Prior to the vote on Resolution No. P/4/14 a motion was made by Mr. Brownell, with a second, by Mr. Danaher, to amend the Resolution by appointing Craig Crist as the Records Hearing Appeal Officer.

Resolution to Amend PASSED by the following vote:

Ayes: 18  
Nays: 0  
Abstain: 0

Resolution ADOPTED by the following vote:

Ayes: 18  
Nays: 0  
Abstain: 0  
January 2, 2014

# RENSSELAER COUNTY LEGISLATURE

**Introduced by Legislator(s)** Reid, Brownell, Danaher, Herrington, Bayly, Breselor, Fiacco, Goodermote, Hoffman, Shannon, Stammel, Tesman, Walsh, Grimm, Doran, Fleming, Manny, Pavlic, Welcome

**Sent To:** Rules & Legislative Operations

**Committee**

**Date** January 2, 2014

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**Resolution No. P/5/14**

## RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS FOR THE COUNTY OF RENSSELAER

**BE IT RESOLVED,** Pursuant to Section 2.07 of the Rensselaer County Charter, that THE RECORD and the TIMES UNION, being newspapers published within the County of Rensselaer, shall be and they hereby are designated as the official newspapers for the County of Rensselaer for the year 2014 in regard to the publication of all local laws, notices and other matters required by law to be published in such official newspapers.

**Resolution ADOPTED by the following vote:**

**Ayes:** 18

**Nays:** 0

**Abstain:** 0

**January 2, 2014**