ONEIDA COUNTY BOARD OF LEGISLATORS

ONEIDA COUNTY OFFICE BUILDING ◆ 800 PARK AVENUE ◆ UTICA, N.Y. 13501-2977

Gerald J. Fiorini
Chairman
(315) 798-5900

Mikale Billard
Clerk
(315) 798-5404

George Joseph
Majority Leader

Philip M. Sacco
Minority Leader

COMMUNICATIONS FOR DISTRIBUTION
January 4, 2016

(Correspondence relating to upcoming legislation, appointments, petitions, etc.)

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INTRODUCTORY NO. 1

FN 20 16 - 001

F.N. 2016-001

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Joseph
2ND BY:

RE: REAPPOINTMENT OF GERALD J. FIORINI AS CHAIRMAN OF THE BOARD OF LEGISLATORS

WHEREAS, The term of office of the Chairman of the Board of County Legislators of the County of Oneida expired as of December 31, 2015, now, therefore, be it hereby

RESOLVED, That Gerald J. Fiorini be, and hereby is, reappointed as Chairman of the Board of County Legislators of the County of Oneida for a term of two years, with the expiration date of December 31, 2017, at an annual salary of $21,747.00

Dated: January 4, 2016

Adopted by the following v.v. vote:
AYES NAYS ABSENT

2.

ONEIDA COUNTY BOARD OF LEGISLATORS

Gerald J. Fiorini, Chairman • 800 Park Avenue • Utica, New York 13501
Work Phone: 798-5900 • Home Phone: 337-9045

December 28, 2015

FN 20 16 - 002

Board of Legislators
800 Park Ave
Utica, NY 13501

Honorable Members:

Please find the enclosed proposed Rules of the Board for the 2016-2017 legislative term of office. I am proposing the following changes to the Rules:

1) **Rule 4-Reguler Meetings**: Due to the lack of agenda items, I am proposing that we eliminate the first meeting in December. The December meeting would be scheduled at the discretion of the Chairman, most likely later in the month due to the timing of the tax apportionment resolutions.
2) **Rule 26-Standing Committees**: I am proposing that the Worker's Compensation Committee be reinstated as a standing committee of the Board.
3) **Rule 28-Changes in Committees**: I am proposing that language be removed referencing the Laws and Rules Committee since such committee no longer exists.
4) **Rule 53**: I am proposing that language be added in regards to Memorializing Petitions requiring a majority number of signatures of the Members of the Board for passage.

Thank you in advance for your consideration. If you have any questions or concerns, please do not hesitate to contact the Board office.

Sincerely,

Gerald J. Fiorini
Chairman of the Board

3.

Proposed Rules of the Board Version (12-28-15)

RULES OF THE BOARD OF COUNTY LEGISLATORS

COUNTY OF ONEIDA

Approved:
Resolution No. of 2016

No. 1 - ORGANIZATION OF THE BOARD

The members of the Board of County Legislators shall organize the Board and select a Chair on or before the eighth day of January in each even-numbered year. The Board shall bi-annually, by resolution duly adopted during the month of December, fix the date, time and place of the meeting to organize the Board. The Chair shall be elected by a majority vote for two years and, thereafter, a Clerk, Deputy Clerk, Majority Legislative Analyst and Minority Legislative Analyst shall be appointed by, and serve at the pleasure of, the Board until such time as their successors are appointed.

No. 2 - ELECTION OR APPOINTMENT OF OFFICERS AND EMPLOYEES

The election of a Chair and the appointment of a Clerk and Deputy Clerk by the Board shall be by aye and nay vote and it shall require a majority vote of the members of the Board to constitute an election.

Following the organization of the Board, County Legislators of the two political parties, which shall have polled the largest vote in the last general election for County Executive, shall appoint a Majority Legislative Analyst and Minority Legislative Analyst of their respective parties who shall serve at the pleasure of the respective party appointing them. The Analyst of the political party whose membership on the Board constitutes a majority of the Board shall be known as the Majority Legislative Analyst. The Analyst of the other party shall be known as the Minority Legislative Analyst. Such election shall be substantiated by written designation signed by a majority of the whole number of county legislators of each respective political party, such writing to be filed with the Clerk of the Board.

The Chair of the Board shall have the power of appointment for all other employees in the Legislative branch.

The Chair of the Board shall appoint a Vice Chair who shall serve in his or her absence as well as perform other duties as assigned by the Chair. The Vice Chair is to serve at the pleasure of the Chair of the Board.

Proposed Rules of the Board Version (12-28-15)

No. 3 - MAJORITY AND MINORITY LEADERS

Following the organization of the Board, County Legislators of the two political parties, which shall have polled the largest vote in the last general election for County Executive, shall elect leaders of their respective parties for a term of two years. The leader of the political party whose membership on the Board constitutes a majority of the Board shall be known as the Majority Leader. The leader of the other party shall be known as the Minority Leader. Such election shall be substantiated by written designation signed by a majority of the whole number of county legislators of each respective political party, such writing to be filed with the Clerk of the Board. The Majority Leader may select three Assistant Majority Leaders and the Minority Leader three Assistant Minority Leaders for a term of two years.

For the purpose of complying with the provisions of Section 200 (1) of the County Law, in the event that neither the members of one party nor the other constitute a majority of the members of the Board of County Legislators, then, in said event, the Chair of the Board shall designate one party leader elected as above, 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.

No. 4 - REGULAR MEETINGS

Regular meetings of the Board shall be held at 2:00 P.M. on the second Wednesday of the Month, except for the months of November ~~and December~~, **which shall have two meetings on the second and fourth Wednesday of the month, and December which shall have one meeting scheduled at the discretion of the Chairman**; ~~and can be scheduled at the discretion of the Chairman of the Board~~. If such Wednesday is a legal holiday, in which event said regular meeting shall be held on the following day. Each regular meeting and all adjourned and recessed regular meetings shall be open for the consideration of any matter which, in accordance with these rules, may be properly brought to the attention of the Board.

No. 5 - SPECIAL MEETINGS

Special meetings shall be held at the call of the Clerk of the Board upon direction of the Chair or upon the filing with the Clerk of the Board a written request therefor signed by a majority of the members of the Board. 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 Board 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. Only business specified in the notice

thereof may be transacted at a special meeting.

No. 6 - QUORUM

A majority of the whole of the members of the Board of County Legislators shall constitute a quorum for the transaction of business, but a less number may adjourn.

No. 7 - ABSENCE OF A QUORUM

In all cases of the absence of a quorum during regular, recessed or special meetings of the Board, the members present may take such measures as they deem necessary to secure the presence of a quorum and may inflict such censure or pecuniary penalty as provided by law and as they may deem proper on those who, on being called for that purpose, shall render no sufficient excuse for their absence.

No. 8 - ATTENDANCE AT MEETINGS

The Board shall have power to compel attendance of members at regular, recessed and special meetings of the Board and at committee meetings. Board members shall notify the Clerk of the Board in the event that they are unable to attend a regular or committee meeting of the Board of Legislators.

No. 9 - CALL TO ORDER - ROLL CALL

The Chair shall call the Board to order at each meeting at the appointed hour. In case of the non-appearance of the Chair or Vice Chair within five minutes of the appointed hour, the Clerk shall call the Board to order and the Board shall select a temporary Chair to preside during the absence of the Chair or Vice Chair, for a period not to exceed one day. The Chair or the temporary Chair, as the case may be, shall, except in the absence of a quorum, proceed to business in the manner prescribed by these rules.

No. 10 - ORDER OF BUSINESS

1. Pledge of Allegiance to the Flag of the United States and prayer.

2. Calling of the roll of members by the Clerk who shall enter the same upon the minutes of the meeting.

3. Public Comment period

4. Presentation of motions, resolutions, notices, local laws and ordinances

5. Other business.

6. Adjournment.

No. 11 - REFERRAL OF RESOLUTIONS BY THE CHAIR

1. The Chair may at any time on his or her own motion, refer any resolution, when offered, to such committee as he or she deems proper.

2. The Chair shall assign correspondence, communications or petitions to the appropriate committee upon receipt of same by him or her.

3. The Clerk of the Board shall make copies of resolutions and correspondence received available to each member of the Board.

(a) Resolutions are to be mailed or, in the alternative, emailed at the written request of an individual Legislator on the Friday preceding the Board meeting.

(b) Communications shall be distributed at each regular Board meeting, such communications to be referred for consideration at the relevant committee meetings, which take place prior to the next regular Board meeting.

4. If the Chairman of the Board does not refer a motion to the appropriate primary committee within 40 days of receipt of such request, then the title sponsor may request that the full Board, by a two thirds vote of its total membership, forward such legislation to the appropriate primary committee.

No. 12 - APPROVAL OF RESOLUTIONS

All resolutions within the purview of any standing or special committee must, prior to action by the Board, be approved by the appropriate committee. All resolutions, with the exception

of those relating to appointments, memorials or organization of the Board, shall be approved by the Ways and Means Committee. Approval by the Ways and Means Committee must be accomplished in accordance with Rule No. 55. The Board shall also be empowered at their discretion to approve a single resolution at the first scheduled meeting of the calendar year for the acceptance of all amendments to contracts with New York State that include reductions in state aid and for the approval of grant applications that do not require a county contribution

No. 13 - RESOLUTIONS REFERRED TO COMMITTEE

In any case where a resolution has been referred to committee and that committee has not made a report to the Board within 70 days of the date of such referral, the sponsor of such resolution shall be permitted to introduce a motion at the next succeeding regular meeting of the Board to eliminate further committee consideration of the proposed resolution and bring it to a vote by the Board. If such motion passes by a majority vote of the Board, the proposed resolution shall then be placed before the Board by the Chair at that meeting and the Rules of the Board relative to any resolution which has had all required committee approval shall then apply.

No. 14 - PRESENTATION TO BE IN WRITING AND SIGNED

All correspondence, i.e. communications, petitions and committee reports, read into the record of the proceedings of the Board shall not be accepted unless such correspondence carries an original signature of the presenter. Resolutions and amendments must be typewritten or printed legibly. All amendments and resolutions, which are presented from the floor, must be signed by the presenter.

Any legislation, i.e., resolution or local law, requested by a particular legislator(s) shall bear the name of such legislator(s) as its sole sponsor(s).

No. 15 - SIGNING OF COMMITTEE REPORTS

All committee reports shall be signed by at least a majority of the members of such committee before the same are submitted to the Board.

No. 16 - RECORDING OF VOTE

On roll call, the ayes and nays shall be taken on any question whenever so required by law or requested by any member and whenever so taken, shall be entered in the proceedings of the Board. When a roll call vote is called for, the Chair of the Board shall direct the Clerk to select, at random, a number from a box provided, which shall contain numbers from one through twenty-

nine. The roll call sheet shall be arranged in a district sequence and the call shall be commenced beginning with the member of the Board representing the numbered district selected from the box, and continue in numerical sequence until its conclusion. The Clerk shall record the names of the members and the way each shall have respectively voted. Any member shall have the right to have his or her vote recorded and entered upon the minutes at his or her request without explanation and without requiring the ayes and nays to be called.

A roll call vote is necessary for the adoption of the county budget, bond resolutions and for the creation, amending and terminating of capital projects.

No. 17 - RESOLUTIONS APPROPRIATING COUNTY FUNDS

All resolutions or other proceedings involving the appropriation or payments of money within the authority of the Board shall be taken by ayes and nays, and it shall require a majority vote of all of the members of the Board to adopt a resolution involving such appropriation or payment. Transfers shall require a majority vote for adoption and supplemental appropriations shall require a two-thirds vote for adoption.

No. 18 - MAJORITY VOTE

Except where otherwise prescribed herein, or by local law or statute, a majority vote of the whole number of the members of the Board shall be required to carry any question, motion, proposition, resolution or other matters. The terms "majority", "majority vote of the members of the Board" and "majority vote of the whole number of the members of the Board" as used herein, shall be construed to mean a majority of the total number which the Board of Legislators would have if there were no vacancies and if none of the County Legislators were disqualified from acting. When the Board shall be equally divided on any question, including the Chair's vote, the question shall be deemed lost. The same rule shall apply to committee business.

No. 19 - WITHDRAWAL OF MOTION

Any motion offered by any member may be withdrawn by the member presenting it at any time before a decision is announced by the Chair or an amendment to such motion has been adopted.

No. 20 - WITHDRAWAL OF RESOLUTION

No resolution offered by any member may be withdrawn by him or her after a roll call vote has begun or after an amendment thereto has been adopted. A roll call vote on such resolution or

amendment, once commenced, shall not be interrupted by recess or otherwise, but must be completed, and the result of the vote shall be announced by the Chair.

No. 21 - EVERY MEMBER TO VOTE

Every member who shall answer roll call shall vote upon every resolution and/or other proposition stated by the Chair at that meeting unless he or she is excused by a majority vote of the members present. Any member requesting to be excused from voting, may make, when his or her name is called and before the result shall be announced, a brief statement of the reasons for making such request not exceeding five minutes in time, and the Board without debate, shall decide if it will grant such request, but nothing in this rule contained shall abridge the right of any member to record his or her vote on any question previous to the announcement of the result unless he or she is excused by filing a conflict of interest statement with the Clerk of the Board of Legislators. A legislator who has so filed may request permission to abstain of the Chair; the Chair may grant the right of abstention but may be overruled by a majority vote of the body upon motion and second from the floor.

No. 22 - SUSPENSION OF RULES

No standing rule or order of the Board shall be changed, suspended or rescinded unless by the affirmative vote of a majority of all of the members of the Board.

No. 23 - DIVISION OF PROPOSITIONS

Unrelated and distinctly different propositions shall not be combined in one resolution. Any objection that a resolution contains unrelated and distinctly different propositions, shall be made prior to the calling of the vote on the resolution and the same shall be divided by the Chair upon passage by a majority vote of a motion sustaining the objection, so that separate votes shall be taken upon each proposition or any combination of propositions as shall have been determined by the motion.

If a series of independent resolutions relating to different subjects is included in one motion, it must be divided upon the request of a single member, which request may be made while another has the floor. The demand must be made before the question has actually been put.

Notwithstanding any provisions of this rule, a motion to strike out and insert shall be deemed indivisible.

No. 24 - PRECEDENCE OF MOTIONS ON QUESTIONS

Proposed Rules of the Board Version (12-28-15)

When a question shall be under consideration, no motion shall be received except as herein specified, which motion shall have precedence in the order named, to wit:

1. For an adjournment of the Board*
2. A roll call of the members of the Board*
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 into a committee of the whole on pending subject immediately
8. To commit to a committee of the whole
9. To commit to a standing committee
10. To commit to a special committee
11. To amend

* Not amendable or debatable - See Rule 34

No. 25 - PRIVILEGE OF THE FLOOR

The privilege of the floor shall be granted to any non-member in the manner prescribed as follows: Any person or group may request permission from the Clerk of the Board to appear before the Board. The Board will provide a thirty-minute public comment period, after communications are read and before the Board begins to act on resolutions. Said thirty minutes will be divided evenly among the number of persons or groups that wish to appear before the Board, with no one person or group appearing for more than ten minutes. This rule shall not apply to the County Executive, county department heads or their designees who may request to be recognized at any time during a regular meeting. The Chair shall preserve order and decorum. He or she shall prevent any persons speaking before the Board of Legislators, including members of the Board of Legislators themselves, from making personal or derogatory comments regarding individuals and he or she shall confine the speakers to subject matters pertaining to county government.

No. 26 - STANDING COMMITTEES

There shall be the following standing committees of the Board and the membership of these committees shall be appointed by the Chair within twenty days after his or her election. The list of committees shall be filed with the Clerk of the Board. It shall be the responsibility of each of these committees to study and act upon all matters coming within the purview of each committee as directed by the Chair.

Proposed Rules of the Board Version (12-28-15)

There shall be two Vice Chairs of each of the standing committees, to be appointed by the Chair of the Board by filing a notice thereof with the Clerk of the Board. One Vice Chair shall be of the party opposite from the Chair of the Committee. The Vice Chairs are to serve at the pleasure of the Chair of the standing committee. Each Chair shall designate the order in which the Vice Chairs shall assume the chair in the event of the absence of the Chair.

WAYS & MEANS
(Acquisition & Contract, Salaries, Budget Review, Local Laws, County Charter and Administrative Code, Board Of Legislators, Rules of the Board of Legislators, all pending dockets that come before Board of Legislators)

AIRPORT
(Includes Operations at Griffiss Airport)

ECONOMIC DEVELOPMENT & TOURISM
(Economic, industrial and rural development, Tourism promotion/ Development, Planning Department, MVCC, Cornell Cooperative Extension, Farmland Protection Board and related agricultural issues and related programs)

GOVERNMENT OPERATIONS
(Includes County Executive, County Attorney, Personnel, Workers Compensation, County Clerk, Board of Elections, Audit & Control, Budget, Finance Department and all Other County Departments not specifically covered by another committee)

HEALTH AND HUMAN SERVICES
(Includes Department of Social Services, Public Health Department and environmental health concerns, Mental Health, Office for the Aging, Veterans Affairs, Workforce Development, Youth programs and Coroners)

PUBLIC SAFETY
(Includes District Attorney, Sheriff, Law Enforcement Building, Probation, Public Defenders, all Courts, Jurors, 911, Stop DWI, Traffic Safety and related services, Courts and Jurors)

PUBLIC WORKS
(Includes Department of Public Works, County Lands and Buildings, Union Station, Water Quality and Water Pollution Control, Soil and Water, soil conservation)

WORKER'S COMPENSATION COMMITTEE
(Oneida County Self-Insurance Plan)

Proposed Rules of the Board Version (12-28-15)

All members of standing committees of the Board specified in Rule No. 26 herein shall Continue in office until their successors have been appointed.

No. 27– SPECIAL STANDING COMMITTEE MEETINGS OTHER THAN THE WAYS AND MEANS COMMITTEE

Standing Committees of the board shall meet at those times when current legislation requires their review and approval prior to final board action being taken. It is desirable to provide greater oversight and interaction of all Standing Committees with the various departments and therefore Committee chairs are encouraged to schedule special meetings for those purposes outlined below:

A. Scheduling of Special Standing Committee Meetings other than Ways & Means

1. All Standing Committees may at the their discretion meet with the heads of all of the departments under the purview of such Standing Committee on a quarterly basis, with the time of such special meeting to be designated by the Standing Committee Chair.

B. The purpose of the above-cited periodic special meetings of the Board's standing committees, other than the Ways & Means Committee, shall include, but not be limited to, the following:

1. To inquire as to what measures each department has taken or is in the process of taking to deliver services in a more cost efficient manner;

2. To inquire as to what measures each department has taken or is in the process of taking to develop new programs;

3. To share thoughts and ideas on cost containment and cost reductions that may be achievable;

4. To determine current expenditure rates based on budget amounts;

5. To help identify any possible problems which could impact the budget and offer suggestions as to what board action, if any, may be recommended or required;

C. Report of Special Standing Committee Meetings other than Ways & Means

1. Standing Committee Chairs shall file a report on the results of such special meetings with the Clerk of the Board who shall distribute copies to the members of the Board of Legislators.

II. **Specific Goals for Standing Committees**

A. At the beginning of each year, all Standing Committee Chairs may ask their respective department heads to provide the committees with a breakdown as to which programs within their departments are fully mandated, partially mandated or non-mandated, and if partially mandated, to what extent.

B. At the beginning of each year, all Standing Committee Chairs, in conjunction with the individual committee members and board leadership, may develop a list of goals or areas which that they feel should be addressed by their committee in an effort to better understand the operations and responsibilities of each department.

C. Such goals may include specific initiatives that the Standing Committee may wish to pursue during the current fiscal year that could improve the quality and cost-effectiveness of services delivered by specific county departments and copies of these goals should be shared with the Standing Committee's respective department heads.

D. Department heads shall be required to submit a semi-annual report, as well as a year-end report, on the progress that has been made with respect to these goals

No. 28 - CHANGES IN COMMITTEES

The Chair, on his or her own motion or by resolution of the Board, may add to or subtract from the number of members of any of said Committees. The Chair shall be an ex-officio member of the ~~Committees on Laws and Rules and~~ Ways and Means **Committee**. The Chair, on his or her own motion or by resolution of the Board, may create special committees and give titles to such special committees provided that the Chair file with the Clerk of the Board a statement to the effect of the creation of such special committee together with the names of the members thereof.

No. 29 - COMMITTEE RULES

Any committee appointed by the Chair of this Board shall have the power to make its own

rules as to time, place and procedure of its meeting.

Any legislation which is still in committee by the end of the calendar year is automatically defeated, unless it is extended by the Board Chair. Any proposal that has been defeated in this manner can be re-submitted again the following year.

The Chair of the Board has the option of breaking tie votes in all committees within 48 hours of the meeting at which the tie vote occurred.

A majority vote of the whole number of the members of the committee shall be required to carry any question, motion, proposition or other matter.

No. 30 - FILING OF PAPERS

All papers, communications or other documents, referred to any committee of this Board, shall be returned to the Clerk of the Board at the same time that the report of said committee is submitted, and the same shall be by him or her filed as permanent records; except, however, where the proper custodian of such papers, communications or documents may be a particular department. In the latter case, the same shall be transmitted by the Clerk to the appropriate department head, who shall forthwith file and preserve the same as permanent records.

No. 31 - PARLIAMENTARIAN

The Chair may appoint a parliamentarian to advise him or her as to procedure and interpretations of these rules. The parliamentarian must be a member of the Board. However, the Chair shall not be bound by the parliamentarian's advice, and shall take responsibility himself or herself for his or her rulings.

RULES OF ORDER

No. 32 - DECORUM AND QUESTION OR ORDER

The Chair shall preserve order and decorum. During debate, he or she shall prevent personal or derogatory comments and confine members to the question under discussion. When two or more members arise at the same time, he or she shall name the one entitled to the floor. The Chair shall decide all questions of order and his or her decision shall be final unless an appeal is taken to the Board and sustained. During the proceedings of the Board, and particularly while any member is speaking after having been properly recognized by the Chair, other members, spectators

or other persons shall not pass between the speaker and the Chair, hold private conversations, read any newspapers or otherwise interrupt the business of the Board.

No. 33 - APPEAL FROM RULING OF THE CHAIR

On every appeal, the Chair shall have the right in his or her place to assign the reason for his or her decision. If the question on which the appeal is taken was not debatable, the Board shall decide the case without debate. If debatable, no member shall speak more than once. The Chair shall put the question, "Shall the ruling of the Chair be sustained and the decision of the Chair stand as the judgement of this Board?" In the event of a tie vote, the ruling of the Chair shall be deemed sustained.

NO. 34 - MOTIONS NOT AMENDABLE OR DEBATABLE

All motions for a roll call of the Board, adjournment or recess, for the previous question or to lie on the table shall be neither amendable nor debatable.

NO. 35 - MOTION TO RECONSIDER

No motion for reconsideration shall be in order unless made on the same day, or the meeting day next succeeding that on which the decision proposed to be reconsidered took place. A motion to reconsider must be made by a member who voted with the majority on the decision of the motion or resolution proposed to be reconsidered. When a motion to reconsider has been defeated, it shall not again be submitted to the Board.

NO. 36 - MOTION TO RECONSIDER BY AN ABSENT MEMBER

In case any motion or resolution is carried, or any other action taken by the Board under a suspension of any rule of the Board during the necessary absence of any member thereof, such absent member may, at the next meeting at which he or she is present, move the reconsideration of such action with the same effect as a similar motion made by a member voting with the majority thereon.

NO. 37 - PREVIOUS QUESTION

The "previous question" shall be as follows: "Shall the main question now be put?" and until it is decided, shall preclude all amendment and debate. When the Board shall order the

previous question by majority vote and previously proposed 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.

NO. 38 - RECOGNITION TO SPEAK

No member rising to speak shall proceed until he or she shall have addressed the Chair from his or her place and shall have been recognized by him or her.

NO. 39 - MEMBER TO KEEP HIS OR HER PLACE

While the Chair is putting a question or while the roll call is being called, no member shall speak or leave his or her place.

NO. 40 - WHEN DEBATE IN ORDER

No debate shall be in order until the pending question has been stated by the Chair.

NO. 41 - LIMITATION ON DEBATE

No member shall speak for more than twenty minutes at any one time nor more than twice on the same question without permission of two-thirds of the members present and voting.

NO. 42 - CALL TO ORDER

If any member in speaking transgresses the rules of the Board, the Chair or any member may_make a "point of order", in which case the member so called to order shall immediately take his or her seat and shall remain there until the Board determines the point raised, and if the point of order is sustained, he or she shall not proceed further except in order and by the permission of the Board.

NO. 43 - PRIORITY OF QUESTION

All questions relating to the priority of business, that is, the priority of one question or subject matter over another under the same order of business shall be decided without debate.

NO. 44 - ADJOURNMENT

When a motion to adjourn is carried, the members shall keep their seats and places until the Chair declares the Board adjourned.

NO. 45 - ROBERTS RULES OF ORDER

All questions of order arising in the Board and not governed by the Rules of this Board shall be subject to and interpreted by Roberts Rules of Order.

COMMITTEE OF THE WHOLE

NO. 46

The Board of Legislators may, at any time when in session, resolve itself into a Committee of the Whole on any subject before it and, in such case, the Chair shall name some member to preside therein.

NO. 47

The same rules shall be observed in Committee of the Whole as in the Board, so far as the same are applicable, except that the previous question shall not apply; nor shall the number of times a member may speak be limited. The only motions in order are "to amend", "to adopt" and "rise and report". The Committee of the Whole cannot refer the subject to another committee.

NO. 48

Should the Committee become disorderly, the Chair of the Board may take his or her place and declare the committee dissolved.

NOTE: The following form is generally adopted in Committee of the Whole, unless otherwise ordered.

When the Board has resolved to go into Committee of the Whole, the Chair requests some member, calling him or her by name, to take the Chair. On taking his or her place, the member says "The Board is now in Committee of the Whole on the bill entitled 'An Act', etc. or "The Board is now in Committee of the Whole to consider the question of", etc.

After consideration of the question, a member moves that the committee rise, report progress and ask leave to sit again, or they do now rise and report or, in case of a local law, recommend its passage. After the motion is put and carried, the Chair of the Committee of the Whole takes his or her place in front of the Chair's desk and reports as follows:

"Mr. Chairman or Ms. Chairwoman: The Committee of the Whole has had under consideration the local law entitled 'An Act' (insert title), has gone through the same, made no amendment thereto (or has amended the law as proposed), and has directed their Chair to report the same to the Board and recommend its passage."

In case of inspections, reports or other matters, the above form may be varied to suit the circumstances.

NO. 49

A motion to rise and report progress shall be in order at any stage and shall be decided without debate.

NO. 50

Those local laws or other matters which have been submitted to the Committee of the Whole shall be considered by said Committee in the following manner, viz: They shall first be read through if the Committee so directs; otherwise, they shall be read and considered by sections, leaving the title to be last considered. All amendments in their proper connection shall be reported to the Board by the Chair of the Committee of the Whole.

NO. 51

If at any time, when in Committee of the Whole, it be ascertained that there is no quorum, the Chair of said committee shall immediately report that fact to the Chair of the Board.

GENERAL RULES

NO. 52

The County Executive and all Department Heads shall be available on all days when the

Proposed Rules of the Board Version (12-28-15)

Board of County Legislators is in session for appearance before the Board or the committees of the Board. When, for reasons beyond their control, Department Heads are not available, a qualified person from that department must be available to furnish information required.

NO. 53

Any resolution which memorializes the State Legislature, Congress of United States, or any other legislative body to take an action which will not require a home rule message, shall be referred to the Clerk of the Board for the purpose of reading as a communication. The resolution shall than be labeled a petition by County Legislators. Any member who desires to register their support or opposition to the petition may sign the same, indicating their support or opposition. Thirty days from the date of the reading of said communication, the Clerk shall forward the signed petition with the following language to the appropriate legislative body and public officials: "The enclosed petition represents the opinion of those members of the Oneida County Board of Legislators signing the same regarding the contents of subject matter of the petition. Under the Rules of the Board, a Legislator may sign said petition or may in the alternative elect not to sign the petition. There are 23 members of the Oneida County Board of Legislators". **Any Memorializing Petition not garnering a majority of the signatures of the members of the Board of County Legislators shall be deemed defeated.**

NO. 54

All resolutions, ordinances and local laws shall bear the name of the County Legislator who originally proposed the legislation, if he or she so requests.

Any legislation affecting a County Legislator's district shall bear the name of that County Legislator, if he or she so requests.

NO. 55 - LEGISLATIVE PROCEDURE

Meetings will be held on the second Wednesday of each month, except for the months of November and December, which shall have two meetings scheduled at the Chairman of the Board's discretion. The schedule will be as follows:

A. The Ways & Means Committee will meet at 11:00 A.M. on scheduled Board meeting days. They shall meet to consider legislation, which has been approved by the initial committees. The Ways & Means Committee, upon completion of its agenda, shall present to the Clerk its reports and actions. All legislation approved by Ways and Means shall be placed upon the Full

Board agenda that same day. Any legislation not approved by Ways and Means shall be withdrawn from the Board Agenda until passage by Ways and Means Committee.

B. Copies of all resolutions to be acted upon at the next regular Board Meeting shall be mailed or, in the alternative, emailed at the written request of an individual Legislator by the Clerk of the Board to each County Legislator on the Friday preceding the meeting.

C. All resolutions to be acted upon at the next regular Board Meeting shall be made available to the news media on Tuesday morning preceding the regular Board Meeting.

D. Copies of communications for consideration by the initial committees will also be distributed to all County Legislators by 10:00 A.M. on the day of the meeting.

E. All legislation, which has been approved by the initial committees, will then be transmitted to the Ways & Means Committee for its consideration at the next regularly scheduled meeting.

F. Attendance at Board Meetings will be kept by the Clerk of the Board. Committee Chairs will keep a record of attendance of committee meetings.

G. All requests for Board action not included in prior the prior month's communications packet that must be expedited shall be filed with the Clerk of the Board on the Thursday prior to the Board meeting, so that copies of communications can be distributed in the resolution packet on the Friday prior to the Board meeting.

H. Elected county officials (Sheriff, Comptroller, District Attorney, County Clerk), members of the Board of Legislators and department heads, who are requesting legislative action, shall transmit an original cover letter requesting such action by the Board of Legislators along with two (2) copies of same to the Board. All cover letters and copies thereof requesting Board action shall include pertinent background correspondence and/or agreements relating to said request. All such cover letters requesting legislative action which impacts the County budget except for requests from Legislators must bear the stamp of the County Executive approving of such request for legislative action.

I. The Clerk shall log in and assign a docket number to each request for board action and file it in the appropriate file of the Standing Committee to which it has been referred by the Chairman of the Board. This docket shall be published in the "Communications for Distribution" packet that will be distributed to the Legislators, department heads and media at the Board meeting following the filing of such request. The deadline for receipt by the Board of the "Communications" packet is at Noon the Tuesday before Board Day, but the customary practice is to have requests forwarded to the Board as they are received by the County Executive in order to facilitate record keeping. Requests received without prior approval of the Chairman of the

Board after the Tuesday before Board Day shall not be distributed until the next regularly scheduled Board meeting, thus delaying action for another two weeks.

J. On Board Day, after the communications have been distributed, the primary Standing Committee Chairs will schedule a meeting of their Committee before the next regularly scheduled Board meeting.

K. "Notice of Committee Meetings" shall be distributed to the Legislators, department heads and media during the course of the Board meeting. Department heads shall be notified if their attendance is required at committee meetings, and it shall be the responsibility of the department heads to track the course of their requests for action and to contact the Clerk of the Board to ascertain where in the process their request is and if there are any questions. Additional meetings may be scheduled after distribution of this notice and the appropriate department heads and the media shall be notified of such additional meetings. Committee members are required to call in and notify the Clerk of the Board of their attendance at upcoming Standing Committee meetings.

The Clerk shall expeditiously complete his or her records and forward the prepared dockets to the County Attorney. The County Attorney's Office shall then prepare the resolutions and forward them to the Clerk of the Board by 10:00 A.M. on the Thursday previous to the next regular Board Meeting. All approved dockets will be forwarded to the Ways & Means Committee for consideration and, upon approval by the Ways & Means Committee; the request shall be placed on the agenda for subsequent consideration by the full Board of Legislators the same day.

L. In the event that the Chair of the Board shall determine that a docket needs to be expedited, he or she shall confer with and obtain the permission of the Chair of the relevant standing committee to bypass said committee and send the docket directly to the Ways and Means Committee of the Board. In the absence or unavailability of the committee Chair, the Chair shall confer and obtain the permission of one of the relevant committee Vice Chairs.

M. If any legislative request, docket, resolution, Local Law or ordinance shall be defeated either in committee or by the full Board, such request shall not be reintroduced in the calendar year, unless the sponsor submits to the Clerk of the Board a petition signed by two-thirds (2/3) of the total membership of the Board.

NO. 56 - DUTIES OF THE CLERK OF THE BOARD

It shall be the duty of the Clerk of the Board of Legislators to attend all meetings of the Board, and to remain in attendance thereat, and to keep his or her office open on every day that the Board may be in session as long as may be necessary for the proper transaction of the business

connected with the Board; and on all other days in accordance with Sections 206 and 206A of the County Law, and to keep a record of all acts and proceedings of the Board. He or she shall have the custody of all the records of the Board of County Legislators and it shall be his or her duty to file the same in the document room of the Board in such manner, and so classified, as to render them readily accessible at all times. He or she shall also receive for filing or for presentation to the Board or its several committees, all claims for erroneous taxes, petitions and reports, and other matters required by statute or the rules or local laws of this Board, to be filed with the Clerk of the Board of Legislators, but no such claim, petition, report or other matter shall be so received by said Clerk unless the same be in full conformity with the statutes or the rules or local laws of this Board having reference to such matters.

NO. 57 - DUTIES OF THE DEPUTY CLERK OF THE BOARD

It shall be the duty of the Deputy Clerk of the Board of Legislators to assist the Clerk in the performance of the duties devolving upon the office of the latter, to act as Clerk of the Board at any of its regular or special meetings during the necessary absence of the Clerk.

NO. 58 - DUTIES OF THE LEGISLATIVE ANALYSTS

It shall be the duty of each analyst to provide research and other related services to the Board of Legislators as requested; one representing the Minority and one representing the Majority of the Board of Legislators.

NO. 59 - JOURNAL OF PROCEEDINGS

The Clerk of the Board of Legislators, as soon after the close of each calendar year as practicable, shall cause to be published in bound volume or in electronic form, copies of the proceedings of the Board, to which he or she shall certify as being a true copy. Such printed or electronic volume shall contain all local laws, consecutively numbered, and all resolutions adopted by the Board during the year.

NOTE: Monthly and Annual Reports will be placed on file in the Clerk's Office but will not become a part of the proceedings.

NO. 60 - AMENDMENT OF RULES

After the approval of the Rules of the Board during the reorganizational meeting, these rules shall not be altered or amended except by resolution adopted by the Board, and only after every

proposed alteration or amendment shall have been approved by the Ways & Means Committee of the Board.

NO. 61 - ADOPTION OF RULES

The foregoing rules shall be adopted by resolution and become the Rules of this Board by a majority vote of the members of the Board.

Updated: January ___, 2016

INTRODUCTORY
NO. 3

FN 20 16 . 003

F.N. 2016--003

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Joseph
2ND BY:

RE: REAPPOINTMENT OF MIKALE P. BILLARD AS CLERK OF THE BOARD OF LEGISLATORS

WHEREAS, The County Law and the Rules of the Board of County Legislators of the County of Oneida provide that at the time of the organization of the Board, a Clerk of the Board shall be appointed, now, therefore, be it hereby

RESOLVED, That Mikale Billard be, and hereby is, reappointed as Clerk of the Board of County Legislators of the County of Oneida at Grade 29M, effective January 1, 2016.

DATED: January 4, 2016

Adopted by the following v.v. vote:
AYES: NAYS: ABSENT:

25

INTRODUCTORY
NO. 4

FN 20 16 - 004

F.N. 2016-004

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Joseph
2ND BY:

RE: REAPPOINTMENT OF CYNTHIA DELPIANO AS DEPUTY CLERK OF THE BOARD OF LEGISLATORS

WHEREAS, The Rules of the Board of County Legislators of the County of Oneida provide that at the time of the organization of the Board, a Deputy Clerk of the Board shall be appointed, now, therefore, be it hereby

RESOLVED, That Cynthia DelPiano be, and hereby is, reappointed as Deputy Clerk of the Board of County Legislators of the County of Oneida at Grade 25M, effective January 1, 2016.

DATED: January 4, 2016

Adopted by the following v.v. vote:
AYES: NAYS: ABSENT:

26.

FN 20 16-005

We, the undersigned, being members of the Oneida County Board of Legislators 2016-2017 Term of Office, and being members of the Republican Party, hereby designate **Pietra Baio** as Majority Legislative Analyst pursuant to Rule No. 2 of the Rules of the Board of Legislators of the County of Oneida, to serve for a term commencing January 1, 2016 and terminating on December 31, 2017.

Dated: 12/9/15

27.

FN 20 16-006

We, the undersigned, being members of the Oneida County Board of Legislators 2016-2017 Term of Office, and being members of the Democratic Party, hereby designate MARQUES Phillips as Minority Legislative Analyst pursuant to Rule No. 2 of the Rules of the Board of Legislators of the County of Oneida, to serve for a term commencing January 1, 2016 and terminating on December 31, 2017.

Barbara Calendra
Rose Ann Convertino
William Goodman
Philip M. Sacco

Dated: 12-23-15