

**Resolution Adopting Rules of Procedure
for the Nassau County Bus Transit Committee**

WHEREAS, Section 209 of the County Government Law of Nassau County provides for a NASSAU COUNTY BUS TRANSIT COMMITTEE; and

WHEREAS, the effective and efficient operation of that Committee requires the establishment of certain Rules of Procedure to govern the operation of that Committee

NOW, THEREFORE, BE IT RESOLVED, that the NASSAU COUNTY BUS TRANSIT COMMITTEE does hereby adopt the following Rules of Procedure:

**NASSAU COUNTY BUS TRANSIT COMMITTEE
RULES OF PROCEDURE**

Section I – Purpose & Authority

The purpose of these rules is to establish guidelines for the operation of the Nassau County Bus Transit Committee (the "BTC") including the conduct of meetings and hearings, to assist it in carrying out its duties and responsibilities as designated by the County Government Law of Nassau County and all other applicable laws. These rules may be amended from time to time by a majority vote of the members of the BTC as the BTC deems appropriate.

Section II – Organization

A. Officers: The BTC shall annually elect from its own members a Chair. The BTC may also annually elect a Vice-Chair and a Secretary. Such elections shall take place at the BTC's first meeting of each year, or upon a vacancy, as soon after the vacancy has occurred as may be practical. In the event of the absence of both the Chair and the Vice-Chair (if applicable) from an official meeting of the BTC, the BTC may choose one of its members present to serve as acting Chair for that meeting only.

B. Sub-Committees: The BTC may establish sub-committees of its membership to address particular issues as it deems necessary and appropriate to carry out its responsibilities. Such sub-committees may be created only upon a majority vote of the entire BTC, and must either have a fixed term of existence, or require an annual reauthorization by a majority vote of the BTC.

C. BTC Representation Outside BTC Meetings: The Chair may designate members of the BTC to attend various meetings and events as official representative(s) of the BTC as required. No member of the BTC may speak on behalf of the BTC at any public or private meeting unless he or she has been duly designated by the Chair or by a majority vote of the BTC in advance of the meeting or event. BTC Members shall report back to the full BTC on any meeting or event they attended in an official capacity. Such reports shall be made at the BTC meeting immediately following such a meeting or event.

D. Advocates and Advisors: Unless otherwise specified by law, the Nassau County Executive may designate members of the public to serve as non-voting

advocates or advisors to the BTC. Such advocates or advisors may not vote on any business of the BTC and shall not be considered members of the BTC.

Section III – Meetings and Hearings

A. The BTC shall notice and hold meetings and hearings in accordance with all applicable law and any approved Public Participation Plan, if applicable.

B. Meeting Agendas: Agendas for each meeting shall be prepared by the Chair or his/her designee and emailed to each member of the BTC and any officially designated advocates or advisors to the BTC at least three (3) days prior to any regularly scheduled BTC meeting.

C. Order of Business: The order of business for regular meetings shall be:

- 1) Roll Call
- 2) Approval of Minutes &/or Acknowledgement of Receipt of Transcript
- 3) Performance Report by the County's Designated Bus Manager and Operator
- 4) Applications to the BTC by the County's Designated Bus Manager and Operator (if any)
- 5) Public Hearings (if any)
- 6) Resolutions and Reports
- 7) Unfinished Business
- 8) New Business
- 9) Public Comment (if no Public Hearings)
- 10) Adjournment

D. Quorum and Voting: The quorum requirements for convening a meeting and taking any actions shall be as set forth in the County Government Law of Nassau County, or if any such requirements are not so specified, then a meeting and voting quorum shall consist of a majority of the BTC members duly appointed. All votes of the BTC must be recorded in such manner as to indicate how each individual BTC member voted. The Chair shall call for each vote as required and shall call for a roll on each vote, unless the BTC acts on a matter with unanimous consent.

E. Work Sessions: The BTC may conduct informal work sessions. All such work sessions must be open and accessible to the public and the BTC may not vote or take public comment at any work session. Notice of all work sessions must comply with all applicable law.

F. Executive Session: Pursuant to applicable law, the BTC may go into an executive session upon a proper vote taken in an open public meeting.

G. Minutes: The Chair, or his or her designee, shall arrange for the keeping of minutes for each of the BTC's meetings according to applicable law. The minutes shall comply with all applicable law, including the County Government Law of Nassau County. In addition, minutes shall record the action taken on each item on the agenda, including the specific vote of each member of the BTC unless the item passes on unanimous consent. If practicable, draft minutes shall be made available to all BTC Members and any officially designated advocates or advisors to the BTC prior to the next scheduled regular meeting. All official minutes and records of the BTC shall be kept in the Nassau County office designated by the County Executive.

H. Matters before the BTC: The BTC shall receive a performance report from the County's Designated Bus Manager and Operator at every regularly-scheduled meeting, and the entity so designated shall be afforded as much time to present such a report as is reasonable under the circumstances. The BTC shall also hear and consider any proposals and applications required by applicable law. The BTC may invite any speakers it deems necessary to speak at its meetings and it may take public comment as it deems appropriate. Every speaker before the BTC must note for the record their name, and the organization, client or other party they are representing or the fact that they are speaking on their own behalf. Unless applicable law or the approved Public Participation Plan provides otherwise, speakers from the public are limited to three (3) minutes and each group/organization is limited to five (5) minutes. Members of the BTC, counsel and the officially designated advocate may question each speaker at the end of that speaker's presentation. Speakers may be recalled by the BTC after their presentation to answer additional questions. The time limits noted herein shall only be extended by the Chair or a majority vote of the BTC. The BTC may require each speaker to register in advance, on such forms as designated by the BTC. The Chair shall announce such registration requirements at the beginning of each meeting, and whenever else during a meeting as necessary. All parties shall limit their comments to the matter before the BTC, and shall act with decorum during their presentation and the presentations of others. Items submitted to the BTC, such as photos, maps, studies, drawings, or other exhibits, shall be deemed part of the official record of the meeting.

I. Applications to the BTC: All applications to the BTC shall be presented in writing at least three days in advance of a regularly-scheduled meeting, unless otherwise permitted by the Chair or a majority vote of the BTC.

Section IV – Ex Parte Communications

No member of the BTC may communicate outside the record with the County's Designated Bus Manager and Operator about any matter which has or may come before the BTC for a decision. If any BTC member does so communicate outside the record, he or she shall place on the record the circumstances and details of the communication.

Section V – Decisions

If a public hearing is required by applicable laws or an approved Public Participation Plan regarding an application to the BTC, there shall be a written statement of decision for each such application, including a summary of the background of the application, findings of the BTC and the BTC's final decision.

Section VI – Recusals

The BTC shall be governed by all applicable laws, including the Nassau County Charter and applicable sections of New York State Law regarding the requirement that individuals recuse themselves from consideration of particular matters. When recusing himself or herself, a BTC Member must publicly note such recusal immediately after the calling of the item on the agenda, and then remove himself or herself from the room in which the BTC is meeting for the duration of the particular application.

Section VII – Public Statements and Site Visits

BTC Members shall not comment publicly outside the context of a formal meeting about any pending matter before the BTC. BTC members may make site visits to better familiarize themselves with the management and operations of the County's bus system generally as well as any pending applications. If more than one member visits a site at the same time, the BTC must comply with applicable law regarding public meetings.

Section VIII- Suspension of the Rules

The BTC may suspend any rule on the concurrence of a voting quorum. Such action must specifically address the rule being suspended, and shall require a formal vote of the BTC.

The foregoing resolution was offered
ON MOTION of _____,
SECONDED by _____.

Upon a roll call, the vote was as follows:

_____, Chair AYE

 AYE

 AYE

 AYE

 AYE

The Chair declared the resolution duly adopted.

