

**Suspending The Rules Of The Legislature To Permit The Consideration Of An Amendment To The Rules Entitled “Videoconferencing Of Meetings”**

Referred to the Laws and Rules, Governmental Services Committee

Legislator Robert Parete offers the following:

WHEREAS, Rule 2 of the Ulster County Legislature provides that the Rules of the Legislature shall not be rescinded, altered or amended, nor any additional Rule added thereto except by timely presentation to the Clerk of the Legislature, as and in the form of resolution, and by a majority vote of the total members of the Legislature and only after having been read at two consecutive meetings of the Legislature, and

WHEREAS, a Legislator has requested the ability to videoconference into the February 21, 2012 regular meeting of the Ulster County Legislature, and

WHEREAS, the Public Officers Law, Section 103(c), provides:

“(c) A public body that uses videoconferencing to conduct its meetings shall provide an opportunity for the public to attend, listen and observe at any site at which a member participates,” and

WHEREAS, the Ulster County Legislature has never used videoconferencing to conduct its meetings and the Rules of the Legislature do not provide for the same, and

WHEREAS, the Rules of the Ulster County Legislature provide that for points of order not covered in the Rules, the Legislature shall defer to Roberts’s Rules of Order (the most current edition), and

WHEREAS, Robert’s Rules of Order, Newly Revised, 11<sup>th</sup> Edition, is the current edition of Robert’s Rules of Order, and

WHEREAS, Robert’s Rules of Order, Newly Revised, 11<sup>th</sup> Edition, reads:

“EXTENSION OF PARLIAMENTARY LAW TO ELECTRONIC MEETINGS. Except as authorized *in the bylaws*, the business of an organization or board can be validly transacted only at a regular or properly called *meeting* – that is, as defined on pages 81-82, a single official gathering in one room or area – of the assembly of its members at which a quorum is present.” (Citing 3<sup>rd</sup> printing of 11<sup>th</sup> edition, November 2011, as published by Da Capo Press; copyright 2011 by Henry M. Robert III, Trustee for the Robert’s Rules Association), and

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WHEREAS, the Charter of Ulster County permits the Legislature to make its own rules and regulations, and

WHEREAS, this resolution relates to the Rules and Operations of the County Legislature and is not subject to Executive approval or Disapproval pursuant to the County Charter, §C-12(A), and

WHEREAS, the Legislature believes that suspending the Rules, for the limited purpose of broadening the participatory ability of its Members, in a manner consistent with State Law is appropriate, now, therefore be it

RESOLVED, that the Legislature hereby votes to suspend the Rules for the limited purpose of considering a Resolution entitled "Amendment to the Rules of the Ulster County Legislature to Permit Videoconferencing,"

and moves its adoption, which, in order to pass, requires 2/3 members of the entire Legislature to vote in favor (16 out of 23 members).

ADOPTED BY THE FOLLOWING VOTE:

AYES: 19                      NOES: 2  
(NOES: Legislators Bartels and Loughran)  
(Absent: Legislators Harris and Robert Parete)

Passed Committee: Laws and Rules, Governmental Services on February 21, 2012

FINANCIAL IMPACT:  
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 21<sup>st</sup> day of February, 2012, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 24<sup>th</sup> Day of February in the year Two Thousand and Twelve.

|s| Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature