

ALTAMONT ZONING BOARD OF APPEALS
Special Meeting Agenda
September 28, 2020

1. Open meeting – State time and that the meeting is being recorded

2. Topic & Discussion: Approval of Meeting Procedures Document

Consider Motion: Motion made to approve ZBA Meeting Procedures Document.

Motion made by: _____ Seconded by: _____

Roll call: DR _____ KP _____ TM _____
ST _____ LM _____

3. Review of meeting minutes of 2/11/20 ZBA Meeting

Motion made by: _____ Seconded by: _____

Roll call: DR _____ KP _____ TM _____
ST _____ LM _____

4. Review of meeting minutes of 3/10/20 ZBA Meeting

Motion made by: _____ Seconded by: _____

Roll call: DR _____ KP _____ TM _____
ST _____ LM _____

5. Review of meeting minutes of 3/31/20 ZBA Meeting

Motion made by: _____ Seconded by: _____

Roll call: DR _____ KP _____ TM _____
ST _____ LM _____

6. Review of meeting minutes of 8/25/20 ZBA Meeting

Motion made by: _____ Seconded by: _____

Roll call: DR _____ KP _____ TM _____
ST _____ LM _____

7. Other Business:

8. Closing of the ZBA portion of the Meeting at Time: _____

Motion Made by: _____ Seconded by: _____

Roll call: DR _____ KP _____ TM _____
ST _____ LM _____

ZOOM LINK AND INVITATION:

Topic: Zoning Board of Appeals Special Meeting

Time: September 28, 2020 at 7:00 p.m. EST

Internet Link: <https://us02web.zoom.us/j/81714871949>

Meeting ID: 817 1487 1949

Or Join by Phone: +1 646 558 8656 US (New York)

**VILLAGE OF ALTAMONT
RULES OF PROCEDURE
FOR ZONING BOARD OF APPEALS MEETINGS**

SECTION 1. REGULAR MEETINGS:

- The Zoning Board of Appeals shall hold regular meetings on the second Tuesday of each month, as needed.
- These meetings shall commence at 7:00 p.m. and will be held in the Community Room at Village Hall **unless otherwise posted.**
- Any deviation of the foregoing paragraph must be determined by the Zoning Board of Appeals.

SECTION 2. SPECIAL MEETINGS:

- Special meetings of the Zoning Board of Appeals are all those Board meetings other than regular meetings.
- **A special meeting may be called by the Chairperson.**
- Notice of Special Meeting shall be provided to the public in accordance with the requirements of the Public Officers Law.

SECTION 3. QUORUM:

- A quorum of the Zoning Board of Appeals must be present to conduct business.
- A quorum of the five-member Board is three.
- In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

SECTION 4. EXECUTIVE SESSIONS:

- Executive sessions will be held in accordance with the Public Officers Law § 105.

- All executive sessions will be commenced in a public meeting.

SECTION 5. AGENDAS:

- The agenda of every meeting of the Zoning Board of Appeals will be prepared by the Secretary of the Board at the direction of the Chairperson.
- The Chairperson is responsible for having an item placed on the agenda.
- When possible, items for the agenda shall be given to the Secretary of the Board by the Thursday before the meeting.
- The agenda will be prepared no later than the Friday before the day of the meeting.
- Submission of public comment on a specific application must be submitted to the Secretary of the Board during the duly noticed public hearing period. All materials for the Board must be submitted by mail, hand delivered, or emailed to the Secretary of the Board.
- Application for special use permit and preliminary site plan approval and required information shall be submitted to the Building Inspector at least 10 business days prior to the date of the regular meeting of the Zoning Board of Appeals.

SECTION 6: VOTING:

- Pursuant to Village Law, each member of the Zoning Board of Appeals has one vote.
- A vote upon any question will be taken by “in-favor” and “opposed”.
- When taking votes, the Secretary of the Board must record in the minutes for each Zoning Board of Appeals member whether they voted “in-favor”, voted “opposed”, “abstained” from voting, or were absent. Abstentions and absences are neither positive nor negative votes; they are simply no vote at all.
- For the purposes of determining whether a matter passed, the Secretary of the Board must tally the number of “in-favor” votes.

- Unless otherwise specified by state law, a majority (three) of the totally authorized voting power of the Board must vote “in-favor” for the matter to pass.

SECTION 7: MINUTES:

- Minutes shall be taken by the Secretary of the Board.
- Minutes must consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon, and vote thereon.
- Minutes must be taken at executive session of any action that is taken by formal vote and must consist of a record or summary of the final determination of the action, and the date and vote thereon. The summary need not include any matter which is not required to be made public in accordance with applicable law.
- Minutes must include the following:
 - 1) Name of the Board;
 - 2) Date, place, and time of the meeting;
 - 3) Notation of whether a board member is present or absent, and the Board member’s time of arrival or time of departure if different from the time the meeting was called to order and adjourned;
 - 4) Name and title of other Village officials and employees present and the approximate number of attendees;
 - 5) Record of communications presented to the Board;
 - 6) Record of reports made by Board or other Village personnel;
 - 7) Time of Adjournment;
 - 8) Signature of Secretary of the Board or person who took the minutes if not the Secretary of the Board.
- Minutes may contain a summary of the discussion leading to an action taken but are not required to include verbatim comments unless a majority of the Board resolves to have the Secretary of the Board do so. Minutes shall be approved by the Zoning Board of Appeals at the next Zoning Board of Appeals meeting. The minutes may be amended upon Board approval.

SECTION 8: ORDER OF BUSINESS:

- Call to order;
- State where the emergency exits are located;
- Old business;
- New business;
- Approval of previous meeting's minutes;
- Adjournment

SECTION 9: GENERAL RULES OF PROCEDURE:

- The Chairperson presides at the meeting. In the Chairperson's absence, the **member with seniority** presides.
- The presiding officer may debate, make motions, and take any other action that other Board members may take.
- Board members are not required to rise but must be recognized by the presiding officer before making motions and speaking.
- A member, once recognized, may not be interrupted when speaking unless it is to call him/her to order. If a member is called to order, they must cease speaking until the question of order is determined. If the member is in order, he/she may proceed.
- A member may not be limited in the number of times he speaks on a question.
- Motions require a second.
- Motions to close or limit debate require two-thirds vote.

SECTION 10: GUIDELINES FOR PUBLIC COMMENT:

- The public may speak only during a duly noticed public hearing.

- Speakers must be recognized by the presiding officer.
- Speakers must step to the **microphone in the** front of the room.
- Speakers will be asked if they would like to give their name, address and organization, if any.
- The presiding officer sets the limit, not to exceed 5 minutes unless otherwise allowed by a majority of the Board.
- Speakers may not yield any remaining time they may have to another speaker and each speaker has only one opportunity per topic to speak.
- Board members may, with the permission of the presiding officer, interrupt a speaker during their remarks, but only for the purpose of clarification or information.
- All remarks must be addressed to the Board as a body and not to individual Board members or the audience.
- Speakers must observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Speakers are encouraged not to read submitted written communications verbatim but should summarize their contents.

SECTION 11: GUIDELINES FOR USE OF RECORDING EQUIPMENT:

- All members of the public and all public officials are allowed to tape or video record public meetings.
- Recording is not allowed during executive sessions.
- The recording must be done in a manner which does not interfere with the meeting or set-up of meeting and staff.
- The Chairperson may make the determination that the recording is being done in an intrusive manner, taking into consideration, but not limited to, brightness of lights, distance from the Zoning Board of Appeals, size of the equipment, the amount of noise generated by the activity, and the ability of the public to still participate in the meeting.
- If the Chairperson determines that the recording is interfering with the meeting, the Chairperson may request that the individual alter his behavior to eliminate the interference. If the Chairperson's request is not complied with, the Chairperson may have the individual removed from the meeting room.

SECTION 12: ADJOURNMENT:

- Meetings must be adjourned by motion.

SECTION 13: AMENDMENTS TO THE RULES OF PROCEDURE:

- The foregoing procedures may be amended from time to time by the majority vote of the Board.