

AVIATION NOISE ADVISORY COMMITTEE

2-2019 AS TO PROCEDURE

A RESOLUTION TO ADOPT THE RULES OF PROCEDURE FOR THE AVIATION  
NOISE ADVISORY COMMITTEE, PURSUANT TO THE RULES OF PROCEDURE OF THE  
NASSAU COUNTY LEGISLATURE

APPROVED AS TO FORM



Majority Counsel

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BE IT RESOLVED, by the Aviation Noise Advisory Committee that the rules hereinafter  
annexed shall regulate, govern and control the calendar and proceedings before the Aviation  
Noise Advisory Committee.

**THE TWELFTH  
NASSAU COUNTY  
LEGISLATURE**

**RULES OF PROCEDURE**

**STATEMENT OF PURPOSE**

**AVIATION NOISE ADVISORY COMMITTEE**

**1<sup>st</sup> and 2<sup>nd</sup> Session**

**January 3, 2018 - December 31, 2019**

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**1. Aviation Noise Advisory Committee Statement of Purpose.**

The general purposes of the Aviation Noise Advisory Committee shall be to analyze aircraft traffic over Nassau County, determine aircraft traffic's impact on the health, safety, and welfare of Nassau County residents, and communicate its findings to the Federal Aviation Administration (FAA) in an effort to curb aircraft traffic away from residential areas within Nassau County.

## **2. Aviation Noise Advisory Committee Rules**

### **A. Chairperson**

#### **1. Appointment**

- a) Pursuant to the Rules of the County Legislature, the Chairperson of the Aviation Noise Advisory Committee shall be appointed by the Presiding Officer of the County Legislature.

#### **2. Powers and Duties**

- a) The Chairperson shall take the chair each meeting day;
- b) The Chairperson shall call the Aviation Noise Advisory Committee to order;
- c) The Chairperson shall, except in the absence of a quorum, proceed to business in the manner prescribed by these Rules;
- d) The Chairperson shall preserve order and decorum, name the member or person entitled to the floor when more than one member or person seeks to be recognized and, in debate, confine members to the question under discussion;
- e) The Chairperson shall decide all questions of order subject to appeal to the Aviation Noise Advisory Committee and on every appeal shall have the right, from the Chair, to assign the reason for such decision. In case of such appeal, no member shall speak more than once, nor for more than five (5) minutes;
- f) The Chairperson shall appoint such other officers as he or she deems necessary to conduct the affairs of the Aviation Noise Advisory Committee;
- g) The Chairperson shall perform any other functions provided herein;
- h) The Chairperson shall perform any functions related to the aforementioned or necessary to implement same.

#### **3. Vacancy**

- a) Whenever a vacancy shall occur in the office of the Chairperson, the Vice-Chairperson shall be Acting Chairperson until the Legislature shall reconvene.

### **B. Vice Chairperson**

#### **1. Appointment**

- a) Pursuant to the Rules of the County Legislature, the Vice Chairperson of the Aviation Noise Advisory Committee shall be appointed by the Presiding Officer of the County Legislature.

## **2. Powers and Duties**

- a) The Vice-Chairperson shall perform all duties of the Chairperson during the absence of the Chairperson.
- b) The Vice-Chairperson shall perform such other duties and functions delegated by the Chairperson, as the Chairperson deems necessary to conduct the affairs of the Aviation Noise Advisory Committee.

## **C. Clerk of the Aviation Noise Advisory Committee**

### **1. Appointment**

- a) Unless otherwise directed by the Chairperson, the Clerk of the Legislature shall be the Clerk of the Aviation Noise Advisory Committee.

### **2. Powers and Duties**

- a) The Clerk of the Aviation Noise Advisory Committee shall call the committee calendar and take minutes at a Aviation Noise Advisory Committee Meeting, which shall consist of a record or summary of all motions, ordinances, resolutions, local laws and other items formally voted upon and the vote thereon.
- b) The Clerk of the Aviation Noise Advisory Committee shall only record the votes of members of the County Legislature that are made from the members' assigned seat in the Legislative Chamber.
- c) The Clerk of the Aviation Noise Advisory Committee shall be responsible for making arrangements for a stenographer to be in attendance.
- d) The Clerk shall perform such other duties and functions delegated by the Chairperson as the Chairperson deems necessary to conduct the affairs of the Aviation Noise Advisory Committee.

## **D. Order of Business**

### **1. Quorum**

- a) No action may be taken at a meeting unless a quorum of four (4) members of the Committee are present. Once a quorum is established, it will not be defeated by a member leaving a meeting of the Aviation Noise Advisory Committee.

## **2. Votes required to Pass**

- a) Unless otherwise provided by law, an ordinance, resolution or local law will require the affirmative vote of four (4) members to be passed by the Aviation Noise Advisory Committee.

## **E. Executive Session**

### **1. Motion and Vote Required**

- a) Upon a majority vote of the total membership of the Aviation Noise Advisory Committee, pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Aviation Noise Advisory Committee may hold an Executive Session at which only members of the Aviation Noise Advisory Committee, designated staff and any other persons designated by the Chairperson shall be in attendance.

### **2. Subjects to be considered**

- a) The subjects to be considered shall be limited to the subjects enumerated in section 105 of the Public Officers Law.

### **3. Minutes**

- a) Minutes shall be taken at Executive Sessions in accordance with section 106(2) of the Public Officers Law.

## **F. Conduct of Business**

### **1. Regular Meetings**

- a) The Rules of Procedure of the County Legislature relating to regular committee meetings shall be the Rules that govern the regular meetings of Aviation Noise Advisory Committees. Unless otherwise directed by the Chairperson, the order and conduct of business at regular meetings shall be as follows:
  - 1. Call to Order
  - 2. If not previously recited at a meeting of the Legislature or a committee held the same day, the Pledge of Allegiance shall open the Legislative Chamber for the day's business. All Legislators shall be entitled to join in the Pledge of Allegiance.
  - 3. Roll Call
  - 4. Public Hearings

5. Local Laws
6. Ordinances
7. Resolutions
8. Miscellaneous
9. Consideration of an item that has not been previously finished and not acted upon
10. Adjournment of meeting

## **2. Special Meetings**

- a) The Rules of Procedure of the County Legislature relating to special committee meetings shall be the Rules that govern special committee meetings of the Aviation Noise Advisory Committee. Unless otherwise directed by the Chairperson, the order and conduct of business at special meetings shall be as follows:

1. Call to Order
2. If not previously recited at a meeting of the Legislature or a committee held the same day, the Pledge of Allegiance shall open the Legislative Chamber for the day's business. All Legislators shall be entitled to join in the Pledge of Allegiance.
3. Roll Call
4. Clerks' announcement of notice given
5. Public Hearings
6. Local Laws
7. Ordinances
8. Resolutions
9. Miscellaneous
10. Adjournment of meeting.

## **G. Motions**

### **1. Permitted Motions and Precedence Thereof**

- a) When a question is before the Aviation Noise Advisory Committee, only the following motions shall be received, and such motions shall have precedence in the order stated:

1. for an adjournment of the Committee
2. to lay on the table
3. to postpone to a certain day
4. to commit
5. to amend
6. to postpone indefinitely
7. to strike from the Calendar
8. to ask unanimous consent

## **2. Amendment to Local Law, Ordinance or Resolution**

- a) Written notice of any proposed amendment to local law, ordinance, or resolution on the Committee Meeting Agenda shall be personally delivered to the Committee Chairman, all Committee members, Majority Counsel, and Minority Counsel, or their designated aide or assistant, at least twenty four (24) hours prior to the date of the scheduled meeting. The written notice shall have a copy of the proposed amendment annexed thereto. Any proposed amendment that does not comply with the requirements of the section shall not be considered by the Committee, subject to the discretion of the Chairman.

## **3. Motion to Reconsider**

- a) A motion to reconsider any vote must be made on the same day which the vote proposed to be reconsidered was taken. Such motion must be made by a member who voted in the majority. Such motion will only be considered under the order of business in which the vote proposed to be reconsidered occurred.
- b) When a motion for reconsideration is decided, that decision shall not be reconsidered, and no question shall be twice reconsidered nor shall any vote be reconsidered upon the following motions:

- (1) to adjourn
- (2) to lay on the table
- (3) to take from the table

#### **4. Memorializing Resolution**

- a) The Aviation Noise Advisory Committee shall not consider any memorializing resolution.

#### **5. Sense of the Committee Resolution**

- a) The Aviation Noise Advisory Committee shall not consider any Sense of the Committee Resolution.

### **H. Modification, Suspension and Amendment of Rules**

#### **1. Suspension**

- a) Any or more of these rules may be suspended at any time, on motion duly made, seconded and passed by a majority vote of the Aviation Noise Advisory Committee provided that at least four (4) members are present.

#### **2. Adoption of Rules**

- a) The Rules of the Aviation Noise Advisory Committee for the preceding year shall remain in full force and effect until the first meeting of the next succeeding year and until the formal adoption of rules is made to supersede those adopted for the current year.

### **I. Construction**

#### **1. Gender Neutrality**

- a) Whenever words of the masculine or feminine gender appear in any rules of this Committee they shall be deemed to refer to both male and female persons.
- b) Gender neutral construction shall apply to gender indicative prefixes, suffixes and entire words.
- c) Whenever the reference is to an entity composed of more than one (1) person or to an assemblage of persons, the reference shall be construed to be gender neutral.

#### **2. Captions**

- a) Captions are inserted for convenience of reference only and do not define, limit or describe the scope or intent of any portion of Rules.