

**Resolution # \_\_\_\_\_ -2021 Minutes Policy**

WHEREAS, the Town is required by law to provide written minutes of its meetings that include summaries of all motions, proposals, resolutions, and any other matter formally voted upon;

WHEREAS, such minutes are intended to accomplish a number of important goals, including, but not limited to, providing legal protection to the Town for its actions by informing those not present (e.g., the public, municipal officials, absent members, and New York State courts) what transpired; tracking the evolution of issues and applications where precedent has been set; indicating that proper procedure was followed; assuring that the media and public were notified; verifying that a proper quorum and majority vote was undertaken; documenting that SEQRA was considered; and recording a member's recusal and reasons therefore (e.g., conflict of interest);

WHEREAS, there is no set legal standard for how minutes should be prepared other than certain minimum requirements;

WHEREAS, best practice for minutes is considered to be the use of summaries and narrations that include an accounting of discussions and important details of the meeting;

WHEREAS, the Town of Enfield currently lacks a formal policy on how its minutes should be prepared;

NOW, THEREFORE, the Town Board hereby adopts the attached Town Of Enfield Town Board Meeting And Public Hearing Minutes Policy.

## TOWN OF ENFIELD TOWN BOARD MEETING AND PUBLIC HEARING MINUTES POLICY

Adopted \_\_\_\_\_ by the Enfield Town Board

1. The Town Clerk or a Deputy Clerk (the "Clerk") shall attend each public Town Board meeting, special Town Board meeting or public hearing conducted by the Town Board and record the minutes of such meeting. If required by law, the Clerk shall also attend each Executive session of the Town Board and record the minutes of such meeting.
2. The minutes shall be prepared in writing by the Clerk and kept for the period of time required by law. The Clerk shall also make an audio recording of any Town Board meeting, special Town Board meeting or public hearing and keep the recorded copy of the minutes in the Town records for the period of time required by law. [Are they also being posted to Youtube?]
3. The minutes of a public Town Board meeting or special Town Board meeting represent an official record and shall, at a minimum, contain the following:
  - a. Board name, date, time, and place of the meeting;
  - b. List of members in attendance and a notation of those who were absent;
  - c. Times that the was meeting called to order and adjourned;
  - d. The approval and/or corrections of previous minutes;
  - e. Summary of all reports and announcements;
  - f. Any motions to enter into Executive session, including a description of the general area or areas of the subject or subjects to be considered during the Executive session;
  - g. Summary of any discussions, proposals, resolutions, and motions; and
  - h. The results of any votes.
4. The following standards shall apply when preparing Town Board minutes:
  - a. Motions and resolutions shall be recorded verbatim. They shall be read back during meeting for accuracy.
  - b. The minutes shall be prepared in narration form to provide concise and coherent summaries, presenting information logically, but not necessarily chronologically in the case of long discussions. They should include an accounting of all discussions and important details of the discussions.
  - c. The minutes should include all key points made during the meeting.
  - d. The Clerk should separate fact from opinion in the minutes. Facts are objective and indisputable. Opinions are personal views.
5. The minutes of an Executive session of the Town Board represent an official record and shall contain the following:
  - a. Date of the meeting;
  - b. List of members in attendance and a notation of those who were absent;
  - c. A summary of any final determination taken by formal vote; and

- d. The results of the vote.

Notwithstanding the foregoing, such summary should not include any matter that is not required to be made public under the Freedom of Information Law. No minutes are necessary if no formal action is taken during the Executive session.

- 6. The minutes of a public hearing represent an official record and shall, in addition to the information required by a public Town Board meeting, at a minimum, contain the following:
  - a. A summary of any testimonies made at the hearing, including a copy of any written testimonies;
  - b. Whenever possible, the identification of the speaker whose testimony is being summarized;
  - c. Transcripts or summaries of comments from public at the hearing;
  - d. Written comments submitted during public comment period;
  - e. A summary of any expert opinions or copies of any written expert opinions;
  - f. Any visual references, or if not possible to include the visual reference itself, a description and summary of the visual reference; and
  - g. Summaries of any Board members' personal observations and knowledge.

The general standards outlined in paragraph 4 above shall apply to the preparation of public hearing minutes.

- 7. The Board may determine, in its discretion, to require the Clerk to provide a video record of any public hearing in lieu of an audio record.
- 8. A draft of minutes of any public Town Board meeting shall be made available to the public within two weeks of the meeting by posting them on the Town website. A draft of Executive session minutes (if required by law) shall be made available within one week of such session by posting them on the Town website. The minutes and records of a public hearing shall be made available in accordance with the provisions of law that apply to such hearing.
- 9. As the first order of business during a Town Board meeting, the Town Board shall review the minutes prepared by the Clerk and propose any corrections, deletions or additions they feel are necessary to properly reflect the events of the meeting or hearing. Final minutes shall be approved by the Town Board by a majority vote.