

BY - LAWS

OF THE

TIOGA COUNTY PLANNING BOARD

Adopted July, 1972

Amended 1973

Amended 1974

Amended 1975

Amended 1976

Amended 1977

Amended 1978

Amended 1980

Amended 1981

Amended 1983

Amended 1993

Amended 1994

Amended 1996

Amended 2000

Amended 2005

Amended 2015

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PREAMBLE

The Tioga County Planning Board is empowered to perform planning work as authorized under Article 12-B of the General Municipal Law of the State of New York.

The Board shall be known as the Tioga County Planning Board and the following, as adopted, shall be the By-Laws for the conduct of business. Within these By-Laws the Tioga County Planning Board may be referred to as the Board.

ORGANIZATION

A. MEMBERSHIP

1. **Composition:** The Tioga County Planning Board shall consist of eleven (11) members appointed by the Tioga County Legislature, with at least one (1) representing each of nine (9) towns in Tioga County, one (1) member representing the Village of Owego, one member representing the Village of Waverly, and two (2) alternate members, together with the following ex-officio members: The Tioga County Public Works Commissioner, the members of the Planning Committee of the Tioga County Legislature and the Chairperson of the Tioga County Legislature, and from time-to-time such other persons that the Board may deem helpful and/or advisable.
2. **Qualifications:** The eleven (11) appointed regular members and two (2) alternate members shall be at least 18 years of age and citizens of the United States, and shall represent various aspects of the community including but not limited to education, race, sex, ethnicity, labor, agriculture, industry, commerce and citizens at large. The members appointed from the nine (9) Towns shall be residents of those Towns, and the two from those Villages shall be residents of each respective Village.
3. **Terms:** The appointed members shall serve for terms of three (3) years or the remainder of an unexpired term, as the case may be.
 - a. **Expiration of term.** When a member's appointment expires, that member may continue to serve as a member of the Planning Board until the Tioga County Legislature either reappoints that member or until it appoints a new member to fill that position.
 - b. **Vacancy.** A vacancy will be deemed to exist under any of the following circumstances:
 - i. A member's term expires;
 - ii. A member resigns from the Planning Board;
 - iii. A member is repeatedly absent with or without excuse and the Board makes a recommendation to the Tioga County Legislature for removal of that member.
 - (a) Repeatedly absent is defined as 4 absences from regular meetings during any 12 month period
 - iv. A member takes up residency outside of the municipality that the member was appointed to represent.

Should a vacancy exist on the Board, the Board will promptly notify the Tioga County Legislature of such vacancy. The Tioga County Legislature will appoint a person to serve the remainder of that unexpired term. The Board shall have the privilege of recommending the Tioga County Legislature a person to fill any vacancy.

4. **Expenses:** Members shall serve without compensation, but shall be reimbursed for expenses actually and necessarily incurred in performance of duties, including, but not limited to travel, postage, long distance phone charges and educational expenses.
5. **Authorized Representation of the Board:** No member shall represent himself or herself to be acting on behalf of the Board, except as specifically authorized by the Chairperson or by resolution of the Board.

B. OFFICERS

The executive officers of the Tioga County Planning Board shall be the Chairperson, Vice-Chairperson and Secretary. In case the Chairperson and Vice-Chairperson are absent, the Board may appoint a chairperson pro tempore.

1. **Chairperson:** The Chairperson shall:
 - a. preside at all meetings and hearings of the Board;
 - b. appoint committees and chairperson thereof;
 - c. be an ex-officio member to all committees;
 - d. be an authorized spokesman for the Board;
 - e. perform such other duties as, from time to time, may be required.
2. **Vice-Chairperson:** The Vice-Chairperson shall:
 - a. perform all duties of the Chairperson in case of his/her absence; and
 - b. perform such other duties as, from time to time, may be required and as may be assigned by the Chairperson.
3. **Secretary:** The Secretary shall ensure that the following duties be fulfilled:
 - a. keeping the records of the Board, including the minutes of all meetings, public hearings and proceedings;
 - b. preparation of agenda for each meeting;
 - c. notification of the members of regular or special meetings and other important events; and
 - d. performance of such other duties as, from time to time, may be required or as assigned by the Chairperson.
4. **Vacancies:** If an executive office shall become vacant by reason of death, resignation or any other reason, the Board shall elect, at the next regular meeting, a successor to hold the office for the unexpired term.

C. COMMITTEES

1. **Creation:** The Board, by resolution, shall create such standing or temporary committees as it may find desirable. The members thereof shall be appointed by the Chairperson.
2. **Limitation:** No committee shall take final action in any matter unless specifically authorized by the Board to do so.
3. **Citizen Participation:** Any committee may solicit advise and counsel from persons and/or agencies or organizations who are not members of the Board.

POWERS AND DUTIES

Pursuant to the New York State General Municipal Law and the local laws and resolutions of the County, the Tioga County Planning Board may:

- a. organize itself to carry out its responsibilities;
- b. consider any matters relating to regional, county, town or village planning;
- c. advise the Tioga County Legislature and make recommendations on its own initiative or at the Legislature's request;
- d. counsel with the Tioga County Legislature in the selection of those requirements to be included in the five-year projection of capital needs and assist in the annual updating of this projection;
- e. serve as liaison between the public and the County Government in general;
- f. counsel with various County departments and agencies relative to planning matters.

MEETINGS

A. SCHEDULE

1. **Regular Meetings:** Regular meetings of the Board shall be held at least on a specific day of each month, at the place designated in the notice of the meeting. Alternate members shall attend all regular meetings of the Board. In the event of lack of significant business to put before the Board, the following cancellation procedure shall be followed. The Chair of the Board shall be notified one week (seven days) prior to the next regular meeting by staff of lack of business for his/her cancellation decision. If a decision to cancel is made, staff will notify all other Board members. The host of the meeting will be responsible for posting a notice of cancellation at the designated meeting place, at least 72 business hours prior to that meeting. Staff will be responsible to inform the media of the meeting cancellation also 72 business hours prior to the meeting.
2. **Annual Organizational Meeting:** The regular February meeting of each year shall constitute the annual organizational meeting. Should the Board not be able to meet quorum on the date set for that meeting, the annual organizational meeting shall be the next regular meeting. The Board may, by resolution, postpone the annual organizational meeting until the next regular meeting. At such Annual Organizational Meeting:
 - a. the executive officers of the Board for the coming year shall be elected;

- b. the specific day, the number and place of regular meetings may be established;
 - c. the Board may create or continue standing committees;
 - d. the By-Laws shall be reviewed.
3. **Special Meetings:** The Chairperson or a majority of the voting members may call a special meeting. Notice thereof shall be given to all members of the Board at least forty-eight (48) hours in advance and the notice shall specify the matter or matters to be considered at such meeting.
4. **Executive Session:** The Board may meet informally in closed session, or executive session, pursuant to Article 7 of the Public Officers Law of the State of New York; however, any official action shall be made only in open session.
5. **Notices:** Written notice of regular meetings shall be mailed at least five (5) days in advance of such meeting.

B. PROCEEDINGS

1. **Robert's Rules of Order:** shall govern the Board's proceedings, except as specified otherwise by the By-Laws.
2. **Order of Business:** Business of a regular meeting may be conducted as follows:
- a. Approval of Agenda
 - b. Approval of Minutes
 - c. Correspondence
 - d. New Business
 - e. Committee and Official Reports
 - f. Old Business
 - g. Adjournment
3. **Voting:** The voting membership shall be the eleven (11) appointed members of the Board, including regular and alternate members, however no more than eleven (11) votes shall be cast for any matter. Alternate member(s) will vote only in the absence, disqualification, or conflict of interest of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that the alternate member(s) shall be necessary to create a Board of eleven (11) members for any application, the absent regular member shall not thereafter vote in any manner with respect to that application at the same meeting. The Board Chair will appoint alternate member(s) to serve at meetings as needed. Regular and alternate members shall not be permitted to act on any matter in which he/she has either directly or indirectly any personal or financial interest or when he/she serves on a local board that has final decision on a GML §239m case. Ex-officio members shall not be entitled to vote. A majority vote shall consist of a consensus six (6) voting members.
4. **Quorum:** A quorum shall consist of six (6) of the voting members of the Board.

5. **Visitors:** Visitors at a meeting may enter into a discussion, or present petitions, in the manner and for the period of time prescribed by the Chairperson.

C. MINUTES

Minutes shall be kept of all Board meetings. The minutes of any meeting shall not be considered officially released until formally approved by the Planning Board.

AMENDMENTS

The By-Laws shall be adopted at a regular meeting of the Board and shall be amended only by a majority vote of the voting membership.

Date Adopted: 10/21/2015

Signed: Doug Chrzanowski
CHAIRPERSON

Pam Moore
SECRETARY