

Village of Watkins Glen

Planning Board Bylaws

1. Membership

- A. The Village of Watkins Glen Planning Board shall consist of five members and up to two alternate members.
- B. Planning Board members are expected to be knowledgeable of laws, regulations and Board policies and to abide by them.
- C. Appointments.
 - (1) Under Village Law 3-301(3) the mayor must, subject to board approval, appoint all members of the Planning Board.
 - (2) Alternative members can be past full-time appointees to the Planning Board.
 - (3) The term of each member is five years with each alternate being appointed for a three-year term.
 - (4) When there is a permanent vacancy, the mayor, subject to board approval, shall appoint a person to serve for the unexpired term, as soon as possible.
 - (5) Any member of the Planning Board may be removed for cause in accordance with these bylaws.
 - (6) Appointees must be legal residents of the Village of Watkins Glen when appointed and while serving.
 - (7) Term Limits: Maximum of two terms or one term along with appointment as alternate for one term.
- D. Planning Board members have an obligation to attend regular monthly meetings and special meetings. A vacancy shall be declared whenever a member is absent for two consecutive meetings without appropriate excuses, or whenever a member absents himself or herself for more than 30% of the meetings in a calendar year without appropriate excuse. Board members should notify the Chairperson if they cannot attend.
- E. Planning Board members shall meet the minimum annual hourly requirements and obtain certified training in accordance with the standards set by the Village Board of Trustees to qualify for membership on the Planning Board and reappointment.
 - (1) Reimbursement/payments will be made for training courses for up to four hours of education per year.

F. Vacancies.

- (1) Should any vacancy occur among the members of the Planning Board by reason of death, resignation, disability or otherwise, immediate notice thereof shall be given to the Village Clerk by the Chairperson of the Board. Should such a vacancy occur among the officers of the Planning Board, the vacancy shall be filled by appointment of the Village Board of Trustees as soon as possible. The officer so elected is to serve the unexpired term of the office in which such vacancy occurred.
- (2) The Planning Board may make recommendations regarding the vacancy to the Village Board of Trustees for consideration for appointment to a vacancy. If such recommendations are made on behalf of the Planning Board, appointments shall be made only after an affirmative vote thereon. This does not prohibit individual members of the Board from recommending individual preferences to fill vacancies.

G. Removal.

- (1) Any member of the Planning Board may be removed for cause at a joint meeting of the Village Board of Trustees at any time; provided, however, that before any such removal, such member shall be given an opportunity to respond to allegations of such cause in writing to the Village Board of Trustees and at a hearing before said Board as hereinafter provided. Cause for removal of a member shall include:
 - (a) Any undisclosed or unlawful conflict of interest.
 - (b) Any violation of the codes, ordinances or rules applicable to the member's performance of his or her duties.
 - (c) Failure to complete the training requirements.
 - (d) Failure to attend meetings in accordance with these bylaws.
- (2) Notice and hearing.
 - (a) A notice stipulating the reasons for removal of a Planning Board member pursuant to this chapter shall be given to the Planning Board member scheduled for removal 10 days prior to such removal.
 - (b) Removal of a Planning Board member from the Planning Board will be effective 10 days after notice is given to the Planning Board member scheduled for removal unless such Planning Board member requests a hearing before a meeting of the Village Board of Trustees to contest the removal. The request for a hearing shall be directed to the Mayor and filed with the Village Clerk.
 - (c) A hearing request pursuant to this chapter will be held at a special meeting of the Village Board of Trustees following such request. The decision of the Board at said hearing will be final and effective as of the date of the decision or 10 days after notice of the Planning Board member, whichever is later.

2. Officers and their duties.

- A. The officers shall be a Chairperson and a Vice-Chairperson.
- B. The Chairperson of the Board shall be appointed by resolution of the Village Board of Trustees from amongst the appointed members, and such officer shall be appointed at the first Village Board of Trustees meeting held in January. A new Chairperson and Vice-Chair shall be chosen every two years. The Vice-Chair will be chosen by the Planning Board after the Village Board appoints the Chairperson.
- C. The duties of the officers shall be as follows:
 - (1) Chairperson.
 - (a) To preside at all meetings.
 - (b) To call special meetings in accordance with these bylaws.
 - (c) To sign, together with the administrative support personnel, all official documents of the Planning Board in accordance with the requirements of these bylaws.
 - (d) To see that all reports, documents, and actions of the Planning Board are properly made, executed, filed or taken, as the case may be, in accordance with law and actions and regulations of the Planning Board.
 - (e) To serve as liaison to the Watkins Glen Village Board of Trustees and to the CEO.
 - (f) To mentor new members to the Planning Board and explain the role of the Planning Board.
 - (2) Vice-Chairperson.
 - (a) During the absence, disability or disqualification of the Chairperson, the Vice Chairperson shall perform all the duties, exercise the powers and be subject to all the responsibilities of the Chairperson.
 - (3) Administrative support.
 - (a) Such support may be provided by the Village Clerk's Office or other separately hired staff at the Village Board of Trustee's discretion.
 - (b) Shall be responsible for minutes of any meetings being presented to the Planning Board for approval. Minutes shall be type-written, signed and submitted to the Code Enforcement Office for filing within 10 business days in accordance with New York State law.
 - (c) Assure the Planning Board that all notices required by law or by these bylaws are served, posted, or advertised by the Village Clerk's Office.
 - (d) To affix to any official document of this Planning Board the official signature hereof whenever the same shall be required by law or regulations of the Board.

- (e) Shall sign all minutes after their preparation and at the end of each year and shall certify that all minutes of the proceeding minutes are a true and correct copy of the same.
- (f) Previous meeting minutes and proposed agenda for the future meeting are available to Board members seven days prior to a scheduled meeting.

3. Administrative support duties.

- A. The Administrative Support Staff shall perform such duties listed below but not limited to:
 - (1) Administrative support to the Board and its Chairperson.
 - (2) Shall supervise all clerical work of the Board including:
 - (a) All correspondence of the Board.
 - (b) Publishing, posting, advertising, and mailing all notices required by law and these bylaws.
 - (c) Receive all applications, petitions and related plans submitted to the Board.
 - (d) Maintain all files and indexes.
 - (e) Shall cause each member to be notified of the time, date and place for each meeting.
 - (f) Shall provide each member applications, petitions, related plans and information necessary and in accordance to law, before any regular or special meetings of the Planning Board.

4. Alternate members.

- A. The Village Board shall, at its discretion, appoint two alternate members.
- B. Alternate members may attend all meetings and participate in the proceedings but may vote only when designated by the Chairperson to sit for a member.
- C. When a member is unable to participate for any reason, the Chairperson shall designate an alternate member to act for the regular member until the action is decided.
- D. Alternate members shall serve a three-year term to be staggered if members are appointed in any one fiscal year.

5. Meetings.

- A. A schedule of Planning Board meetings shall be posted yearly at the Village Municipal Building and on the Village website. The meetings will begin at 6:00 PM and shall be on the 4th Wednesday of the month.

- B. Special meetings may be called by the Chairperson, or by any three members, on three days' written notice to each member, or shorter notices may be waived by a motion of a majority of the Board voting prior to conducting any business of the Board of a Special Meeting. Notification of special meetings may be supplied via electronic mail and/or telephone.
- C. A quorum shall consist of a majority of the members of the full Board for any regular or special meeting.
- D. All members shall have equal voting rights.
- E. The agenda for Planning Board meetings will be determined by the CEO in consultation with the Chairperson of the Planning Board:
 - (1) The Agenda for Planning Board meetings shall be posted on the Village website seven days before the scheduled meeting.
 - (2) Proposals for the Planning Board need to be delivered to the CEO at least 25 days before the scheduled meeting.
 - (3) The order of business for Planning Board meetings will be determined in the agenda and will consist of communications and reports as well as procedures appropriate for the approval process in keeping with Roberts Rules of Order as well as public comment.
- F. Except where these rules and regulations otherwise provide, Robert's Rules of Order, as revised, shall govern. All meetings shall be conducted pursuant to the New York State Open Meetings Law; including regular, annual and special meetings. Executive meetings shall be conducted pursuant to the open meeting law.
- G. In the case of a referral made to the County Planning Department in accordance with New York Law 239-m, "Extraordinary vote upon recommendation of modification or disapproval. If such county planning agency or regional planning council recommends modification or disapproval of a proposed action, the referring body shall not act contrary to such recommendation except by a vote of a majority plus one of all the members thereof."
- H. No official business shall be conducted without a quorum present. A quorum consists of three members, including any appointed alternates, present and voting. It does not include anyone who cannot participate due to a conflict of interest, as defined in these bylaws or state or local law.
- I. A majority of the full Planning Board shall be required to pass a motion, except where required by a supermajority.

- J. All applications to be reviewed must be received 10 days prior to the scheduled meeting date.
- K. Work sessions.
 - (1) With approval of the majority of the Planning Board, work sessions may be called to consider amendments to the Comprehensive Plan, Zoning Ordinance, Site Plan and Subdivision Regulations, bylaws and other items related to the Board's activities.
 - (2) Work sessions shall be open to the public. The public is not permitted to address the Board at work sessions except with permission of the Board.
- L. Executive session.
 - (1) The Board may meet in executive session upon vote of 3/5 of the members present and voting.
 - (2) Executive sessions shall be held only for purposes expressly authorized by state law. No other matters shall be considered in any session.

6. Training requirements.

- A. The Village Board of Trustees have enacted by resolution New York State training required by Chapter 662 of the Laws of 2006 which shall include:
 - (1) Training is or may be provided by a municipality, county planning office, state agency, college, or other similar entity by, but not limited to, electronic media, video, distance learning or classroom training or other such training as approved by the Village Board of Trustees.
 - (2) Shall require that members appointed by the legislative boards shall complete a minimum of four hours of training each year.
 - (3) Any member not meeting the minimum requirements in any year may be removed for noncompliance relating to the training requirements established by the Village Board of Trustees.

7. Conflicts of interest.

- A. Any application, petition, plan or request brought before the Board of action pursuant to any rule, ordinance or regulation shall state the name and nature of interest of any Board member, municipal officer or employee herein as defined in § 809, Article 18 of General Municipal law, Chapter 646 of the Consolidated laws of New York State. Any member of the Board having such interest in any matter brought before the Board shall recuse him or herself from any consideration, discussion or vote on such matters. Such recusal shall be noted in the minutes by the Chairperson or Secretary, who shall note that no vote was cast by such member, or no further information was provided to that member on said matter.

8. Fiscal year.

- A. The fiscal year shall be the same as the Village fiscal year (beginning June 1).

9. Amendments.

- A. These rules and regulations of organization and procedure may be amended at any regular or special meetings at which a quorum of the Board is present and consent thereto, or at any regular or special meetings of which at least 10 days' written notice has been given to the members, which shall contain the proposed amendment to be voted upon.