

**REVISED BY-LAWS
OF THE
SOUTHERN TIER CENTRAL REGIONAL
PLANNING AND DEVELOPMENT BOARD**

Adopted: June 19, 1975

Amended: December 15, 1977

Amended: January 10, 1980

Amended: March 19, 1987

Amended: March 16, 2000

Amended: March 18, 2004

Amended: May 15, 2008

ARTICLE I

CREATION AND PURPOSE

Section 1. Name of Organization

The name of this organization shall be the Southern Tier Central Regional Planning and Development Board.

Section 2. Authorization, Purpose, and Definitions

The authorization for the establishment of this Regional Planning and Development Board is set forth in Article 12-B of the General Municipal Law of the State of New York, and such other legislation, either state or federal, as is appropriate to further the purposes hereinafter stated. The Southern Tier Central Regional Planning and Development Board was established pursuant to resolutions adopted by the Counties of Chemung, Schuyler, and Steuben in 1969.

Section 3. Purpose

The purposes of the Board shall be (1) to provide the means for developing, in cooperation with the Federal and State governments and the local governments and agencies within the area encompassed by the participating counties, a comprehensive regional development plan for the entire area to be served by the Board, (2) to perform related planning and development activities, (3) to encourage the development of comprehensive planning for such area, and (4) to act as the officially designated areawide regional planning agency pursuant to current and future Federal, State, and local legislation, and perform such functions and duties, including review and recommendations concerning Federal, State or other participation in appropriate area programs, as may be requested or required pursuant to such legislation. In carrying out its purposes, the Board shall encourage and assist public and private agencies and persons to undertake a coordinative, comprehensive planning program and to undertake projects and activities in accordance with the Comprehensive Regional Development Plan.

ARTICLE II

MEMBERSHIP AND ORGANIZATION

Section 1. Size and Distribution of Board Member Representation

The Board shall consist of a minimum of twenty-one (21) voting members or a maximum of twenty-four (24) voting members. Distribution of membership shall be as follows: a maximum of nine from Chemung County, nine from Steuben County, and six from Schuyler County.

Section 2. Categories of Appointment

- a. Voting Board Members. The Board shall be constituted so that as a minimum 50 percent of the membership is public-elected officials or representatives responsible to County or municipal government. In member counties where a duly established County Planning Board exists, a representative of that unit shall be represented on the Board. In any County having one or more cities within their boundaries, a municipal official from each city shall be appointed to the Board. Each County may also appoint a general citizen representative to the Board. This is an optional appointment. The only qualification for appointment is being a resident of the appointing County. In addition, Board members will be appointed to serve various regional interest areas. One Board member will be appointed to represent each of the following regional interest areas: industry, environmental, business community, agriculture, minority-disadvantaged, and labor.

Appointments by each member County will be made in the following manner:

3 County elected officials or representatives responsible to County government from each County (total 9)

1 representative from each County Planning Board in the region (total 3)

1 municipal representative from each city within the region (total 3)

1 (optional) general citizen representative who is a resident of appointing County (total 3)

3 regional special interest representatives from Chemung County (total 3)

2 regional special interest representatives from Steuben County (total 2)

1 regional special interest representative from Schuyler County (total 1)

- b. Ex-Officio Members. The County Attorney, the County Engineer or Superintendent of Highways or District Superintendent, and the County Treasurer in each participating County shall be a member Ex-Officio, and in a County that has established the office of Comptroller or Commissioner of Finance, such official and not the County Treasurer shall also be a member

Ex-Officio. Ex-Officio members are not entitled to vote on Board matters. Additional Ex-Officio members may be appointed to the Board by each participating County upon recommendation of the Chair of the Regional Planning Board.

Section 3. Method of Appointment of Board Members

- a. County Appointment Procedures. Voting Board members and Ex-Officio members from the participating Counties shall be appointed pursuant to the Charter, Statutes or Laws authorizing said appointments by the participating Counties; provided however, the appointments made by the respective Counties shall be in conformity with Article II of these By-Laws.
- b. Voting Board Members. In the case of County elected officials and County Planning Board members, appointments shall be made solely at the discretion of the County appointing authority. In the case of the municipal representative from each city in the region, the appointment shall be made upon recommendation of the chief elected official of the affected units of government. In the case of regional special interest representatives, appointments shall be made upon the recommendation of the Chair of the Regional Planning Board. Each representative shall be a resident of the County from which he or she is appointed.

Section 4. Tenure of Appointment

All Board appointments will be made for a two-year duration, but may serve for unlimited successive terms. By mutual agreement, the Counties will decide which regional representatives will be appointed from each County. After those initial appointments are made, two (2) or more Counties may mutually agree to appoint a Board member from a different regional interest area category. Such changes may be made when regional special interest Board members' terms expire or when at least two (2) vacancies of regional representatives exist at the same time affecting different County units.

Section 5. Replacement of Board Member for Lack of Attendance

Any Board member who fails to attend six (6) regular monthly Board meetings (from date of appointment) each year or who misses three (3) consecutive Board meetings without proper notification of the STC office by phone or in writing, forfeits his or her membership on the Board and must be replaced by the County that appointed the affected individual.

Section 6. Board Member Reimbursement

The members of the Board shall receive no salary or compensation for their services as members of such Board, except that they may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties.

Section 7. Vacancy

In the event of a vacancy occurring in the office of a representative member by death, resignation or otherwise, such vacancy shall be filled by a special appointment by the County governing body in the same manner as an original appointment for the balance of the unexpired vacant term. In the case of such vacancy, the Chair of the Board shall immediately notify the respective County of such vacancy and request that it be filled.

Section 8. Voting

Each representative member shall have full and equal voting rights.

Section 9. Officers

- a. The officers of the Board shall consist of a Chair and Vice Chair, who shall be voting members of the Board, and an Executive Secretary and Treasurer, who need not be voting members of the Board. No more than two of the officers shall be representatives from the same County.
- b. The Chair shall preside at all meetings and hearings of the Board and shall have the duties normally conferred by parliamentary usage on such officers.
- c. The Vice Chair shall act for the Chair in his/her absence.
- d. The Executive Secretary shall keep the minutes and records of the Board and with the assistance of such staff as is available shall prepare the agenda of regular and special meetings under the direction of the Chair, provide notice of all meetings to Board members, arrange proper and legal notice of hearings, attend to correspondence of the Board, and such other duties as are normally carried out by a Secretary.
- e. The Treasurer shall supervise the maintenance and keeping of records of all receipts and disbursements. The Treasurer shall be authorized to sign vouchers, financial statements, financial reports, and other such fiscal forms and reports necessary for the Board to transact its monetary affairs.
- f. An annual reorganizational meeting shall be held during the month of February at which time the election of officers (specified in Section 9 a.-e.) shall be held. A Nominating Committee shall present a slate of officers, however, nominations for the various offices may be made from the floor.
- g. A candidate for office of the Board receiving a majority vote of the members present shall be declared elected and shall serve a term of one year or until his/her successor is elected. Vacancies in Board offices shall be filled immediately by the regular election procedure.

- h. Officers of the Board shall not succeed themselves in the same office for more than a total of two (2) consecutive terms, with the exception of the Executive Secretary and Treasurer.

Section 10. Meetings

- a. Regular Meetings. Regular meetings of the Board shall be held at a time and place designated by the Board. All regular meetings shall be open to the public.
- b. Special Meetings. Special meetings of the Board may be called by a majority of the members present at any regular meeting, by the Chair, or at the written request to the Chair of at least one-quarter of the total authorized representative members of the Board.
- c. Notice. Members of the Board shall be sent written notice of the time and place of each meeting by the Executive Secretary or when appointed, the Executive Director, mailed to the address of the member not less than five (5) days prior to the date set for the meeting. Minutes of the previous regular meeting shall be sent with the meeting notice of the regular Board meeting.
- d. Quorum. A majority of the total authorized voting members of the Board shall constitute a quorum for the transaction of any business or the exercise of any power or function of the Board.
- e. Board Action. Every motion or resolution shall require for its adoption the affirmative vote of a majority of all members of the Regional Planning Board.
- f. Open Meetings. All meetings or portions of meetings at which official action is taken shall be open to the general public. However, the Board may meet in closed executive session for discussion purposes.
- g. Robert's Rules. Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at meetings of this Board.

Section 11. Committees

- a. Standing Committees. The Board may create and terminate standing committees, composed of members of the Board, as it deems necessary and appropriate. Such committees shall perform such duties as may be specifically delegated to them by written resolution of the Board.
- b. Advisory Committees and Councils. The Board may create and terminate advisory committees or councils whose members need not be members of the Board, but shall be composed of persons whose experience, training or interest qualifies them to lend valuable assistance in an advisory capacity on technical and special phases of the Board's program. Members of such

advisory bodies shall receive no compensation for their services. The Chair of such committees or councils must be an official voting member of the Board.

- c. Executive Committee. The Executive Committee shall be responsible for acting for the Board in the interim between regular Board meetings. Its authority shall be limited to that granted by the Board and will usually include, unless otherwise specified by the Board, carrying out the policies of the Board, reviewing personnel problems and changes, taking action on routine monthly financial statements and vouchers, and executing contracts. The Executive Committee will report all its activities to the Board at the next regular Board meeting. Minutes of the Executive Committee meetings shall be kept and shall be open to inspection by any Board member and shall be considered a matter of public record.

The Chair of the Board shall serve as Chair of the Executive Committee.

Membership on the Executive Committee shall include the Chair and Vice Chair of the Board plus the low income/minority representative of the Board and one (1) additional voting representative from each County. Each County delegation to the Board shall caucus at the annual reorganizational meeting in March to select its County's representative on the Executive Committee.

- d. Rules Governing All Committees. Formal minutes shall be kept of all committee meetings. Robert's Rules shall govern all meetings. As deemed appropriate by the committee Chair, a committee report shall be presented at regular or special Board meetings. In policy matters, unresolved differences between committees and staff shall be resolved by the Board.

Section 12. Finances

- a. The Board shall adopt policies governing the supervision of the budget, expenditures, contract obligations, and the formula for determining the annual recommended amount of County contributions.
- b. In the event of a voluntary dissolution of this Board, the assets of the Board (office furniture, equipment, etc.) will be distributed among the member Counties in the same proportion as their voting rights and financial contributions are presently, or may hereafter, be determined; with the exception that assets now owned by an individual County and used by the Board shall be returned to the County owning this asset.
- c. The Board shall be responsible for keeping accurate accounts and records of all its financial transactions. Periodic audits will be performed by a certified public accountant as mandated by state or federal program requirements or upon request of any County Legislature or Board of Supervisors.

Section 13. Employees

- a. Executive Director. The Board may employ an Executive Director, who shall be the administrative head of the Board's staff. He/She shall report to the

Board and serve at its pleasure. The Executive Director, or his/her duly authorized designee, shall attend all meetings of the Board.

- b. The Board shall have the power to create and eliminate such positions as it may deem necessary for its work.
- c. The Executive Director is authorized to hire and terminate all employees.
- d. Such staff shall be hired on the basis of a merit system and shall be subject to other personnel policies, procedures, and practices as approved by the Board. The personnel policies of the Board shall conform in all respects to the laws of the State of New York and the federal government as required.

ARTICLE III

POWERS, DUTIES, RESPONSIBILITIES AND JURISDICTION

Section 1. Powers

The Southern Tier Central Regional Planning and Development Board shall have all the powers and shall conduct its affairs in accordance with the Provisions of Article 12-B of the New York State General Municipal Law, including amendments thereto.

Section 2. Duties and Responsibilities

The Southern Tier Central Regional Planning and Development Board shall perform such duties including, but not limited to, the following:

- a. Assembling of maps, surveys, and necessary data for the study of regional problems.
- b. The preparation of a flexible comprehensive regional development plan.
- c. The development of a means by which the Board will assist the several municipalities in putting into effect their portions of the Regional Comprehensive Plan.
- d. The maintenance of educational programs to familiarize the public with specific planning proposals.
- e. The presentation of the regional point of view to State and Federal agencies contemplating public works affecting the region.
- f. Aiding in the preparation of long-term management and budget programs of essential works in accordance with the regional plan.
- g. Act as a helpful coordinating agency, assist municipalities with their local land use, subdivision, and zoning problems.
- h. Function as a clearinghouse for information and consultation for the respective municipal bodies and for all agencies, public and private, which may have concern in the area.
- i. Advise and assist counties and municipalities in the areas of economic development, environmental resources, governmental management, land use, human resources, etc.
- j. Setting and annually reviewing priorities for the Southern Tier Central region.
- k. Review and comment on various projects proposed for the Southern Tier Central region.

- l. To furnish its services to municipalities within the jurisdiction of the member Counties upon the request of such municipalities and within the fiscal limitations of the Board. The Board shall have the authority to establish charges to be made for such services under this provision.
- m. In addition to the above duties and functions of the Regional Planning and Development Board, the Board may address itself to and make recommendations as it may deem appropriate concerning current and pending problems which may affect any area or jurisdiction within the region.
- n. To enter into contracts or other agreements with agencies or Departments of the State of New York or the United States of America in connection with any Federal or State Comprehensive Planning or Development Program in which the Board may participate; and such other contracts or agreements to obtain and provide technical and professional staff and consulting services, and other such services, facilities, equipment, materials, and supplies as may be necessary and appropriate for fulfilling its powers and duties. The Chair of the Board (or Vice Chair acting in his/her stead) shall be the proper and duly authorized person to execute all contracts and agreements on behalf of the Board. However, for all contracts up to \$50,000, the Executive Director may execute such contracts and agreements on behalf of the Board without Board approval. Once a contract has been executed, the Board will be notified at its next meeting.

Section 3. Jurisdiction

The Board shall have and exercise the powers, duties, and functions hereby conferred with respect to the area encompassing the participating Counties.

ARTICLE IV

REPORTS AND PLANS

Section 1. Report

The Board shall furnish an annual report of its activities to the County Legislatures or the Boards of Supervisors of the respective participating Counties.

Section 2. Comprehensive Development Plan

For the adoption of a Comprehensive Regional Development Plan or any substantial amendment thereof, an affirmative vote of a majority of the total authorized representative members of the Board shall be required. Before adopting such plan or amendment, the Board shall refer such proposal in writing to the governing bodies and Planning Boards or Commissions of each of the affected municipalities (counties, cities, towns, and villages) for report thereof within thirty (30) days of such reference. Such reference period may be reasonably extended by mutual agreement between the Board and the municipality requesting such extension. Upon the expiration of said reference period, and any extensions thereof, but before taking final action upon such proposal, the Board shall hold at least one public hearing thereon, notice of the time and place of which shall be given by one publication in a newspaper of general circulation in the participating Counties, not more than thirty (30) days or less than ten (10) days before such hearing. The resolution for adoption shall be made in writing and refer expressly to the maps and descriptive and other matter intended by the Board to form the whole or part of the plan or amendment. Affirmative action by the Board shall be recorded on the map, plan and descriptive matter, together with the identifying signatures of the Chair and Executive Director when appointed. Certified copies of such adopted plan or amendments thereto shall be sent to each affected municipality within ten (10) days of the date of adoption.

ARTICLE V

SUSPENSION AND TERMINATION

Section 1. Suspension

In the event that one or more of the participating Counties fails to appropriate or transfer its proportionate share of the Board's operating funds to the Board by January 31st of the Board's current fiscal year, such County shall be deemed to be suspended from the Board and written notice to that effect shall be sent to all other participating Counties. During the period of suspension, such County's representative members shall not be entitled to vote at Board or committee meetings and no items of business relating solely to such suspended County, including requests for review and recommendations concerning Federal or State participation in planning or projects within such suspended County, shall be voted upon or passed by the Board. Any period of suspension hereunder shall be terminated and such County restored to full membership upon receipt of payment of its delinquent share.

Section 2. Termination of Membership

Any member County shall have the right to withdraw from the Southern Tier Central Regional Planning and Development Board at the end of any fiscal year by giving six (6) months written notice in advance to the Chair of said Board and to the governing bodies of the member Counties.

ARTICLE VI

AMENDMENTS

These By-Laws may be amended at any regular meeting of the Southern Tier Central Regional Planning and Development Board. Any amendments to these By-Laws in conflict with the enabling legislation of the Board must also be approved by each County Legislature or County Board of Supervisors, in addition to the Board. Any amendment to these By-Laws must be mailed to all voting members and the Executive Director of the Southern Tier Central Regional Planning and Development Board at least ten (10) days prior to the next regularly scheduled meeting of the Board. The entire amendment proposal must be presented in writing to each voting member by the person proposing the amendment.

ARTICLE VII

ADOPTION OF BY-LAWS

The By-Laws as contained herein or revised shall become effective upon adoption by a majority vote of the members present.

ADOPTED THIS 19TH DAY OF JUNE 1975.

AMENDED THIS 15TH DAY OF DECEMBER 1977.

AMENDED THIS 10TH DAY OF JANUARY 1980.

AMENDED THIS 19TH DAY OF MARCH 1987.

AMENDED THIS 16TH DAY OF MARCH 2000.

AMENDED THIS 18TH DAY OF MARCH 2004.

AMENDED THIS 15TH DAY OF MAY 2008.

Chair
Thomas M. Gifford

ATTEST:

Executive Secretary
Marcia D. Weber