

Local Law Filing

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of Seneca
Town
Village

Local Law No. 3 of the year 2010

A local law To Establish Membership and Duties of the Seneca County Planning Board
(Insert Title)

Be it enacted by the Board of Supervisors **of the**
(Name of Legislative Body)

County
City of Seneca **as follows:**
Town
Village

SECTION I – Purpose

The Seneca County Planning Board (herein referred to as the “Board”) was established by resolution in 1967 to study the needs and formulate programs for development and growth of the County as a whole. The purpose of this local law is to establish the composition of the Board and the procedure by which appointments are made so as to assure diversity in geographic representation, clarify terms of service, to allow for the appointment of alternate members and to establish the duties of the Board.

SECTION II – Membership

Board members shall be appointed by resolution of the Seneca County Board of Supervisors. The Board shall consist of fifteen (15) voting members. Each of the ten (10) towns within the County shall be represented on the Board by at least one member. Five members shall be appointed at large from the County and their appointments shall be used to help balance the diverse demographics, occupations and interests of the County.

SECTION III – Membership Eligibility

Members of the Board shall meet the following requirements:

- (A) Board members shall be at least 21 years of age.
- (B) Board members shall be residents of Seneca County.
- (C) Persons who serve on their local town or village legislative boards, planning boards or zoning boards of appeals shall be eligible to serve on the Board; however, they shall be disqualified from voting on any matter that will be acted on by the local board on which they serve.

SECTION IV – Alternate Members

The Board of Supervisors shall have the right to appoint two (2) alternate members (first and second) to the Board. Such alternate members shall have all the requirements for eligibility of regular Board members, including the right to participate in all discussions provided, however, that an alternate member shall be entitled to vote only when a regular Board member is not present or is disqualified from voting. When, for whatever reason, a Board member is absent or unable, or disqualified from voting on an issue before the Board, the Board Chairperson shall assign such regular member's voting authority to the first alternate and in his/her absence to the second alternate member. Any further reference herein to Board members shall include any alternate unless otherwise indicated.

SECTION V – Non-Voting Ex-Officio Members

Non-Voting Ex-Officio members shall have the right to participate in all discussions.

The following persons shall be non-voting ex-officio members of the Board:

- (A) The Seneca County Director of the Department of Planning and Community Development,
- (B) Staff person(s) from the Department of Planning and Community Development that prepares the reports to the Board on referrals under New York State General Municipal Law Section 239, Subsections l, m & n,
- (C) The Seneca County Superintendent of Highways and
- (D) The Seneca County Engineer.

SECTION VI – Terms of Members-3-

- (A) The terms of regular membership shall be for four (4) years and so fixed that ½ of the Board shall expire every two (2) years. Terms of office shall run from July 1 to June 30 of the year of expiration.
- (B) No member shall serve more than three (3) consecutive terms starting with the date of adoption of this Local Law.

- (C) With the adoption of this Local Law, one half (½) of the members appointed will have terms ending in 2012 and one half (½) ending in 2014.
- (D) Alternate members shall be appointed for terms of two (2) years.
- (E) Terms served as an alternate member shall not count toward the three (3) consecutive term limit.
- (F) Terms of membership for Non-Voting Ex-officio Members shall be the term of their position.

SECTION VII – Vacancies

- (A) Should any vacancy occur among the members of this Board by reason of death, written resignation, disability, absence from three (3) consecutive meetings without notice, or as provided under §VIII hereof, notice thereof shall be given to the Clerk of the Board of Supervisors.
- (B) Such position shall be filled by resolution of the Board of Supervisors as soon as practicable following such notice.
- (C) Should such vacancy occur among the officers of the Board, the office vacancy shall be filled by election at the next regular meeting of the Board and the officer so elected shall serve the unexpired term of the office in which such vacancy occurred.

SECTION VIII – Removal of Members

Once appointed, Board members may only be removed for cause. The Board of Supervisors shall have the power to remove, after a public hearing for cause. Cause for removal shall include, but not be limited to:

- (A) Non-compliance with the minimum requirements relating to the training and education as established by resolution of the Board of Supervisors.
- (B) Failure to disclose conflicts of interest.
- (C) Physical or mental impairment which affects the Board member's ability to perform his duties as a member.

SECTION IX – Duties

The Seneca County Planning Board shall have the powers and duties as enumerated in New York State General Municipal Law section 239-C3 including but not limited to:

- (A) Review of planning, zoning and subdivision actions by a town or village pursuant to Sections 239-l, m and n of the New York State General Municipal Law.
- (B) Assist in the preparation of a County Comprehensive Plan and amendments thereto pursuant to Section 239-d of the State General Municipal Law, as requested by the County Board of Supervisors.
- (C) Undertake studies relevant to the future growth, development and protection of the

County and municipalities therein, including studies in support of a County Comprehensive Plan.

(D) Collection and distribution of information. The County Planning Board may collect and distribute information relative to County or municipal planning and zoning in such County.

(E) Examine plans and offer suggestions before final approval of any plan involving the construction or reconstruction of any State or County highway.

SECTION X – Effective Date

This local law shall take effect immediately upon filing with the Secretary of State in accordance with §27 of the Municipal Home Rule Law.