

**CAYUGA COUNTY BOARD OF HEALTH  
BY-LAWS**

**CHAPTER 1**

Name of Board

Section 1. The name and title of this Board shall be the Cayuga County Board of Health.

**CHAPTER 2**

Membership

Section 1. The Cayuga County Board of Health shall consist of seven members: one of whom shall be a member of the County Legislature appointed to the Board of Health; three of whom shall be physicians licensed to practice in the State of New York; one member shall be from the City of Auburn, at least one member shall reside in Cayuga County outside the city of Auburn. (PHL Sec. 343.1)

1. The members of the Board of Health of a County Health District shall be residents of the health district. (PHL Section 343.2)
2. The members of the Board of Health shall be appointed by the Cayuga County Legislature. (PHL sec 343.3)
3. Ex-Officio members may be appointed at the request of the Board of Health. Ex- Officio members do not have voting privileges.

Section 2. The term of office of each appointive member is six years. Vacancies shall be filled for unexpired terms. At the conclusion of their term, Board members must rotate off the Board for at least one year before becoming eligible for request for re-appointment to the board. The term of office of the Legislative member of the Board of Health shall be for such lesser period as may be required in the event that s/he does not continue as a member of the County Legislature. (PHL Sec. 344.1)

Resignations shall be in writing, written to the Chairperson of the Cayuga County Legislature with a copy to the President of the Board of Health.

Section 3. An Advisory Committee may be appointed by the Board of Health, as needed based on specific issue to be addressed.

### **CHAPTER 3**

#### Officers and Terms of Office

Section 1. The officers of this Board shall be President, Vice President and Secretary as designated by the Board of Health.

Section 2. All officers shall assume office on March 1<sup>st</sup> and serve for a year, or until their successors have been elected and qualified to take office. Officers may be re-elected for a second year term of the position held and thereafter must rotate out of that position for a minimum of one year.

These officers shall be elected annually by the Cayuga County Board of Health at the February meeting. The President may appoint at the January meeting a nominating committee to nominate officers and to present the names of such nominees for the several offices at the February meeting.

Section 3. The Legislature may choose, at the request of the Board of Health, to remove a member from the Board prior to term expiration for the following, but not limited to, reasons:

- a. three (3) consecutive unexcused absences from scheduled Board of Health meetings
- b. or missing half (50%) of all meetings of the Board of Health held in a calendar year

### **CHAPTER 4**

#### Duties of Officers

Section 1. **PRESIDENT:** It shall be the duty of the President:

- (a) preside at all the meetings of the Board.
- (b) to prepare, in conjunction with the Public Health Director, an agenda and/or program, to cover and complete any business, old or new, to come before the Board and may request assistance in the preparation of such program from and by any individual Board members or committee.

- (c) To call and convene special meetings as required by law, or as deemed necessary by said President or at the request of at least two members of the Board of Health and/or the Public Health Director.
- (d) To have the power to sign papers, vouchers, documents, minutes, contracts, certificates etc., as necessary to conduct the business and affairs of the Board in its relationship to its own particular affairs and to those of the Health Department requiring such action in the name of the Board of Health.

Section 2. VICE PRESIDENT: The Vice President, in the absence of the President shall:

- (a) possess all the powers and perform all the duties required of the President.
- (b) assist the President in the discharge of his duties.
- (c) succeed the President in office in event of his death, resignation, removal from office, absence, inability, incapacity or refusal to act.

Section 3. SECRETARY: The Secretary shall:

- (a) make and preserve minutes of all meetings of meetings of the Board, regular or special.
- (b) conduct its correspondence.
- (c) issue notices of meetings.
- (d) notify candidates of their election to office and members of their appointments on committees.
- (e) Send a copy of the minutes of a regular or special meeting, within a reasonable period of time following such meeting, to each member of the Board and shall, if requested, at a meeting by the President, make a report of the minutes of preceding.
- (f) Duties of the Secretary may be designated at the request of the Secretary, to a Health Department employee identified by the Public Health Director.

**CHAPTER 5**  
Meetings – Quorum

- Section 1. Every local Board of Health shall meet at a stated intervals to be fixed by it. (PHL 307) The Cayuga County Board of Health shall be scheduled to meet monthly at a time and a place designated by the President.
- Section 2. The order of business shall include, but is not limited to, and in no particular order, the following:
1. Minutes of the Last Meeting
  2. Auditing of Health Department Bills (Vouchers)  
(PHL Sec 346)
  3. Report of Board of Health Hearings
  4. Report of Officers
  5. Report of Committees
  6. Election of Officers (As Applicable)
  7. Old or Unfinished Business
  8. New Business
  9. Public Comment
  10. Adjournment
- Section 3. Four members shall constitute a quorum or the number legally required to hold a regular meeting.
- Section 4. The voting members must be present as a quorum at Board meetings to vote.
- A Board member who is present at a meeting of the Board of Health when a vote is taken is deemed to have assented to the action taken unless such director votes against or abstains from the action taken.
- Section 5. When a quorum is once present to organize a meeting, it is not broken by the subsequent withdrawal of any Members.
- Section 6. When Board members are physically unable to be present to create a quorum for Board of Health meetings, in the interest of facilitating the business of the BOH, electronic polling may be utilized in a forum which facilitates all members making their ballot known to the other members, in the interest of the public documentation.

## **CHAPTER 6**

### **By-Laws**

Section 1. The By Laws of the Board of Health may be amended, repealed or adopted by an affirmative vote of at least two-thirds (2/3) of the eligible voters of the Board of Health present at any regular or special Board of Health meeting.

Section 2. All eligible voters shall be sent a written notice of the proposed changes as far in advance of the meeting as practicable prior to the time of the meeting.

## **CHAPTER 7**

### **Emergency Circumstances**

Section 1. The Board of Health may need to meet in special circumstances related to an emergency. It may be such that a quorum of Board of Health cannot readily be assembled because of some catastrophic event. The emergency circumstances bylaws may make all provisions necessary for Board related work during an emergency, including procedures for calling a meeting of the Board of Health, quorum requirements for the meeting, and designation of additional or substitute director(s). All provisions of the regular Bylaws consistent with the emergency Bylaws remain effective during the emergency. The emergency Bylaws are not effective after the emergency ends. In anticipation of or during any emergency, the Board of Health may modify lines of succession to accommodate the incapacity of any Board member, it is hereby provided that:

- (i) Notice of a meeting of the Board of Health need be given only to those members who it is practicable to reach and may be given in any practicable manner
- (ii) The Public Health Director, or the Public Health Director's department designee, may be deemed to be a Board Of Health member of the meeting in order of rank and within the same rank in order of seniority as necessary to achieve a quorum; and
- (iii) The director or directors in attendance at a meeting or any greater number affixed by the emergency Bylaws constitute a quorum.

Section 2. Emergency action taken in good faith during an emergency to protect the public's health may not be used to impose liability on a

Board member. A Board member or employee acting in accordance with any emergency Bylaws is only liable for willful misconduct.

Revised and Adopted March 2017