

RESOLUTION NO. 507 (1996)

Amending Resolution 243 of 1992, "Restructuring the Cayuga County Planning Board"

By : Mr. Taber, Planning and Economic Development Committee

WHEREAS, In 1992 the Cayuga County Legislature adopted Resolution 243 which restructured the Cayuga County Planning Board so as to make it a representative body whose members are persons interested and involved in planning issues from each municipality within Cayuga County, and

WHEREAS, in so doing the Planning and Economic Development Committee expected the Cayuga County Planning Board membership to monitor the effectiveness of this restructuring and from time to time identify matters that, as a result of the terms or phrasing contained in said restructuring resolution, require clarification or correction so as to improve the effectiveness and efficiency of the Board, and

WHEREAS, the Cayuga County Planning Board at its meeting of 10/2/96 approved report recommending steps to improve its procedures for reviewing certain types of local land use issues that, by State Law, must be referred to it for comment and has forwarded that report to this Committee for appropriate action, now therefore be it

RESOLVED, that the following amendments are hereby made to said resolution :

Amendment 1 to Res. 243 of 1992
Changing Ex-Officio Members

Part I, Section 1. entitled: "Ex-officio members", amend so as to remove from this category of membership the:

" Chairman of the Planning and Energy Committee of the Cayuga County Legislature" and a "Member of the Planning and Energy Committee of the Cayuga County Legislature."

Amendment 2 to Res. 243 of 1992

Changing Membership Criteria

Part I, Section 2. entitled: "Regular members", amend so as to change the eligibility of local members by removal of the phrase:

"one member of the planning board of each municipality in Cayuga County shall be eligible to be a regular member of the Cayuga County Planning Board" ; and replace it with

the phrase: "one person from each locality in Cayuga county shall be eligible to be a regular member of the Cayuga County Planning Board."

Amendment 3 to Res. 243 of 1992
Changing Membership Terms

Part I, Section 2. entitled: "Regular members" shall be amended so as to remove the language that describes the term of membership as:

"Members shall be appointed annually for a one year term. There shall be no limit on the number of terms an individual member may serve, however, eligibility for continued service is dependent upon continued membership on a local planning board.";

and replace it with the following amended language:

"Members shall be appointed for a term not less than one year beginning at the time of original appointment and continuing until such time as a new nomination is submitted by that local government to the Chairman for consideration. New nominations shall be submitted in January of each year except in cases of vacancy due to resignation, disqualification or death in which case a new nomination may be submitted at the earliest convenience of the impacted local government."

I HEREBY CERTIFY, THAT I HAVE COMPARED THE FOREGOING COPY OF A RESOLUTION DULY PASSED AND ADOPTED BY THE LEGISLATURE OF CAYUGA COUNTY, AT A MEETING HELD ON THE 10th DAY OF December, 1996, WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.

DATED 12/11 1996

R. P. Brown

Resolution Adopted 12/10/96 vv

RESOLUTION NO. 243 (1992)

Restructuring the Cayuga County Planning Board

By: Mr. Sincebaugh, Chairman, Planning and Energy Committee

WHEREAS, the Cayuga County Planning Board, the Cayuga County Legislature's Planning and Energy Committee, and the staff of the Planning Department have observed that often the planning needs of one community are similar to those of another and that, if a forum existed where representation from all localities was present, information could be presented to those representatives who in turn could transmit it to their local boards. Often a single model could be developed by the professional staff to address a particular issue of common concern that could be taken back to interested localities by the local representatives. Currently the same issue is often addressed by the staff several times as separate localities confront it individually, and

WHEREAS, the mandatory reviews of land use issues conducted by the County Planning Board are intended to achieve a degree of inter-municipal coordination, but the composition of Board often does not facilitate discussion of a matter before it with a person from the locality where it originated. Nor is there always a board member from that locality who will be able to discuss any County concerns with local officials and citizens. Nor is there a means of insuring that County board members are directly involved in the planning process at the local level or represent or are accountable to any particular constituency, and

WHEREAS, there have been many occasions over the years when County officials have determined that inter-municipal consideration of an issue would be appropriate and considerable time was required to form a special committee in order to bring representatives of different localities together and still more time expended to determine operational conditions. A representative planning board would always be available to provide such a forum, and

WHEREAS, mandated County Planning Board reviews of local land use issues require careful study and debate which could hardly be expected to occur among a group of thirty or forty people. A sub-group of the whole could be designated as the agency assigned to conduct such reviews. Membership on this sub-group could be rotated so that each member of the full Board served a portion of his/her term on the "agency" and when a matter arises effecting a locality not represented on the "agency" the member from that locality would attend the "agency" meeting to provide input, now therefore be it

RESOLVED, the following reorganization of the Cayuga County Planning Board is hereby enacted:

(over)

- (b) Individual members must abstain from voting on any matter exclusively affecting the city, town, or village they also serve.

II. Officers:

The Chairman, Vice-Chairman, and Secretary of the Cayuga County Planning Board shall be appointed by the Chairman of the Cayuga County Legislature from among the regular members of the Cayuga County Planning Board. Officers shall serve a one year term. There shall be no limit on the number of terms a qualified member may serve as an officer.

III. Duties:

The County Planning Board shall perform planning work as described and authorized by Section 239-d of Article 12-B of the General Municipal Law of the State of New York and undertake such tasks and duties as it is requested to by the Cayuga County Legislature.

IV. Committees:

The Cayuga County Planning Board is hereby authorized to establish committees as it may from time to time deem necessary to carrying out its duties and programs.

1. There shall be at least a Committee on Local Land Use Issues which shall be the planning agency charged with considering those matters for which County Planning Board review is mandatory under the General Municipal Law of the State of New York. The Committee on Local Land Use Issues is hereby authorized to consider and act upon such matters in accordance with Section 239 of said General Municipal Law. Said Committee shall be appointed by the Chairman of the Cayuga County Legislature and shall be composed of the Chairman of the Board, the ex-officio members of the Board, a regular member of the Board from the City of Auburn, a regular member of the Board from a village, and a regular member of the Board from a town. Said committee shall meet at such times as are necessary to comply with the time constraints imposed by the NYS General Municipal Law on the consideration of matters referred thereunder to it. Said committee shall conduct its business in accordance with the rules and regulations of the full Board.
2. Such other committees as the Board may deem appropriate to establish may be composed of three to seven members and non-members of special expertise selected by the Chairman of the Planning Board and meet and act in accordance with the direction of the Chairman of the Planning Board.

V. Meetings:

The full Board shall meet no less than three times annually at such time and place as shall be established by the Chairman of the Planning Board.

VI. Staffing and resources:

The Board is hereby authorized to call upon the staff and resources of the Cayuga County Planning Department for the purposes of carrying out its duties and programs.

VII. Rules and regulations:

The Board is hereby authorized to establish such rules and regulations, consistent with the provisions of this resolution and the laws of the State of New York, as it may deem necessary and convenient for carrying out its duties and programs.

AND BE IT FURTHER RESOLVED, that the Chairman of the Cayuga County Legislature, the Cayuga County Legislature Planning and Energy Committee, and the staff of the Cayuga County Planning Department are hereby authorized to undertake such actions as are necessary to facilitate the implementation of this restructuring within ninety days from the date of adoption of this resolution.

PLANNING AND ENERGY COMMITTEE

I HEREBY CERTIFY, THAT I HAVE COMPARED THE FOREGOING COPY OF A RESOLUTION DULY PASSED AND ADOPTED BY THE LEGISLATURE OF CAYUGA COUNTY, AT A MEETING HELD ON THE 16 DAY OF June, 1992, WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.

Kembury S. Fedyszyn
Deputy CLERK COUNTY LEGISLATURE

DATED Jan. 19, 1994.

Approved as to form Approved 01.03.94