

A HISTORY OF THE  
CAYUGA COUNTY PLANNING BOARD

*This document was prepared in two parts. The first part, a discussion of the Board's history through 1978 was prepared by Dave Miller in 1990. The portion of the report describing the 1992 and subsequent restructuring was prepared by Dave Miller in 2006.*

## A History of Cayuga County's Planning Program

The first meeting of the Cayuga County Planning Board was held on September 2, 1964. Its Chairman was L.S. (Steve) Riford. The Board had been established by the Board of Supervisors in the Spring of 1964 principally to comply with a federal requirement for obtaining funds for Emerson Park.

### RESOLUTION NO. 73

Create County Planning Board.

By Mr. Burns:

WHEREAS, Cayuga County has applied for federal assistance under Title VII of the Housing Act for the acquisition of an addition to Emerson Park, and

WHEREAS, in order to properly qualify as an applicant for such federal assistance there is a pre-requisite that

the County create and set up a County Planning Board, and

WHEREAS, pursuant to the statutory law of the State of New York provision is made for a County and/or Regional Planning Board, now therefore be it

RESOLVED, that the County Board of Supervisors hereby creates a County and/or Regional Planning Board to be comprised of nine (9) members, and be it further

RESOLVED, that the chairman of the Board of Supervisors is hereby authorized and directed to designate the members of the said Board.

Committee on Supervisors - JAMES C. BURNS, CHARLES DIFABIO, FRED E. PORTEN, CLARENCE BLUMER.

This resolution was adopted April 21, 1964 by roll call vote (32-0-1). All members present voting Aye except absent, Mr. Dalton.

The Board approved the Chairman's appointment of nine (9) members of this Planning Board as follows:

L. S. Riford, W. Genesee St. Rd., Auburn, N. Y. - Representing North End of County.

Neville Mapham, Blumer Rd., Jordan, N. Y. - Representing North End of County.

Vernon R. Law, Locke, N. Y. - Representing South End of County.

Louis Tyrrell, 39 W. Cayuga St., Moravia, N. Y. - Representing the South End of County.

Paul W. Lattimore, 19 South St., Auburn, N. Y. - Representing City of Auburn.

Wallace P. Beardsley, 64 South St., Auburn, N. Y. - Representing City of Auburn.

Ivan Pittroff, R.D. #2, Martville, N. Y. - Representing Citizen at Large.

Alvin C. Hunt, King Ferry, N. Y. - Representing Supervisors.

George F. Shaw, 76 Fitch Ave., Auburn, N. Y. - Representing Supervisors.

The Board was established as a citizen panel. The concept of planning boards, as opposed to planning departments, grew out of the good government movements of the turn of the century that had also generated the city manager idea. This movement envisioned a professional approach to government that could be insulated from political influences and ideological agenda. As a result the legislation allowing creation of planning boards empowered those boards to hire their staffs rather than the political establishment which, in that era, was infamous for its use of patronage. The following discussion from Robert Anderson's N.Y. Zoning Law and Practice explains the evolution of county planning in New York.

## A. INTRODUCTION

### § 18.01. Planning departments; planning boards and commissions.

Perhaps a treatise on zoning and planning should first consider the planning function. Zoning is said to be a legal tool designed to implement community planning, and zoning regulations are required to be adopted in accordance with a comprehensive plan.<sup>1</sup> But in most communities zoning regulations were preceded by a minimum of planning, and the planning function was undertaken to guide revision of existing regulations and to impose effective subdivision controls. Planning, as it is carried out in contemporary planning departments, planning boards, or private planning firms, did not precede the enactment of most zoning regulations. Planning in a modern sense is proceeding in a context of zoning law and experience. Accordingly, it is discussed herein against such a background.

As indicated in an early section,<sup>2</sup> nearly all large cities and a great number of smaller ones now have planning departments. Towns and villages which do not have such departments retain the temporary services of private planning consultants, or seek aid from county and regional planning boards.<sup>3</sup>

Planning departments and the offices of planning consultants are staffed with professional planners. These trained experts do essentially all of the technical work and establish guidelines for planning studies undertaken by the municipalities. But municipal legislatures rarely have delegated final authority in planning matters to the professional planners.<sup>4</sup> Such authority as is not retained by the legislative body itself is commonly delegated to a planning board or commission. The professional planner who is employed or retained by the municipality functions as a technical advisor to the board or commission which has received a delegation of planning power. The planning boards and commissions are composed of residents of the community appointed for their presumed knowledge of the needs and the desires of their neighbors.

### § 19.01. County, regional, and metropolitan planning.

The delegation to cities, towns, and villages of power to adopt zoning regulations and impose subdivision controls did not solve the problems which resulted from the unplanned growth of metropolitan areas. These problems were larger than the territory of a single city, village, or town, and the unrelated plans and controls of several municipalities were incapable of solving them. As early as 1925 it was evident that planning on a larger scale was essential.

The initial response of the state legislature was to authorize planning on a countywide scale by a county planning board. The power initially entrusted to such boards was minimal. Their function was to collect and distribute information, to prepare plans, and to make recommendations. One court remarked:

The powers of the planning board are enumerated in the statute. They are limited to studying the needs and conditions of regional and community planning, to prepare plans and to collect and distribute information relative to planning and zoning. The board has no power to initiate or prosecute public improvements. It is authorized only to investigate and recommend. Its recommendations may be accepted or rejected by the board of supervisors.<sup>5</sup>

As the growth of metropolitan areas beyond city, town, and village lines accelerated, the number of county, regional, and metropolitan planning boards increased. The legislature added to their powers and, in addition, gave to counties the authority to establish and protect a county map.<sup>6</sup> While no zoning power has been delegated to counties, the county and regional planning boards are authorized to co-ordinate the zoning of municipalities within their territory,<sup>7</sup> and they are empowered to participate in the control of land subdivision.<sup>8</sup>

The Statute of Local Governments delegates to a county "the power to perform comprehensive or other planning work relating to its jurisdiction."<sup>9</sup> Under this statute, the planning powers of counties remain subject to restraints imposed by the state statutes which exist or may be enacted in the future.<sup>10</sup>

In short, the state legislature has met the growing need for metropolitan planning and land-use control by vesting in county and regional planning boards additional powers. These boards are playing an enlarged role in community planning. A description of their creation, composition, and powers is warranted, although their decisions have rarely been the subject of judicial comment.

#### **§ 19.02. County, regional, and metropolitan planning boards.**

The board of supervisors of a county, alone or in collaboration with the legislative authorities of cities, towns, or villages in such county, or with the board of supervisors of any adjacent county or counties, may establish a regional or county planning board. The board must consist of representatives of the county or counties, and may include representatives of any participating municipalities.<sup>11</sup> Appointment of members of the board of supervisors is authorized,<sup>12</sup> but persons other than supervisors may serve.<sup>13</sup> The board must include the county engineer, the superintendent of highways, or the district superintendent as a member ex officio, and in a county which has a comptroller or a commissioner of finance, that official must be included as an ex officio member. The chief engineers of special county improvement agencies may be appointed to ex officio membership. Members serve without compensation.<sup>14</sup>

The legislative authorities of cities, towns, and villages in a county or counties may establish a regional or metropolitan planning board. Such a board may consist of representatives of the participating municipalities

Staffing for the original County Planning Board came from the City of Auburn Planning Board. In September of 1964 the Board of Supervisors approved a cooperative agreement with the City of Auburn for planning services. The City Council acted in-kind a month later.

RESOLUTION NO. 151

Contract with City of Auburn to share costs of Planning Board.

By Mr. Burns:

WHEREAS, the Planning Board of the County of Cayuga has been required by the H.H.F.A. an agency of the Federal Government, to set up a preliminary study for open space land for park and recreation purposes, and

WHEREAS, in order for the County of Cayuga to qualify for a federal grant, this was required to be accomplished in a limited period of time, and

WHEREAS, in order to do so, it was deemed advisable to seek professional assistance to prepare said plan, and

WHEREAS, Russell Duryea Associates was authorized to proceed with said plan and to submit their bill for audit, and

WHEREAS, in order to complete a comprehensive plan for the County in respect to park and recreation and other related plans, it becomes necessary to accomplish the end results of said planning board, to set up a comprehensive plan for the County to qualify under the 701 program, and thereby receive both federal and state assistance, and

WHEREAS, the County Planning Board has no staff at the present time and it is necessary in order to carry out the functions of a planning board that provision be made for a staff, and

WHEREAS, the City of Auburn has volunteered to make available the City planning staff to the County of Cayuga on a cost sharing basis, with certain additions, and

WHEREAS, it would be of mutual advantage for both political subdivisions to work jointly to a common end, now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors enter into a contract with the City of Auburn to cost share the joint planning on a cooperative basis, payment to be made on audit, and be it

FURTHER RESOLVED, that this contract be dated and be effective October 1, 1964 and be signed by the Chairman upon approval of same by the County Attorney.

Supervisors Committee - JAMES C. BURNS, FRED E. PORTEN, CLARENCE BLUMER, CHARLES DIFABIO, WILLIAM DALTON.

This resolution was adopted September 28, 1964.

*By Councilman Burns*

OCT 15 1964

WHEREAS, the County of Cayuga has now established a County Planning Board but has no staff at the present time and it is necessary in order to properly carry out the functions of said Planning Board that provision be made for such a staff, and

WHEREAS, the City of Auburn has agreed to make available the City Planning staff to the County of Cayuga on a cost-sharing basis with additional personnel, and

WHEREAS, it would be of mutual advantage for both political subdivisions to work jointly to a common end,

NOW, THEREFORE, be it

RESOLVED: that the Mayor of the City of Auburn be and he is hereby authorized to enter into a contract with the County of Cayuga to cost-share the joint planning of the City and County on a cooperative basis, payment to be made by the County to the City on audit, and

Be it further

RESOLVED: that a copy of the contract between the City of Auburn and County of Cayuga be hereto annexed and made a part hereof.

*Recorded by Councilman Karpinski  
Carried and adopted*

	AYES	NO.
MAYOR SCHEWARTZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COUNCILMAN DE FURIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COUNCILMAN KARPINSKI	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COUNCILMAN GREENE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COUNCILMAN MISKELL	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CARRIED AND ADOPTED.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The scope of activity for the County Planning Board was set forth in contract form. It consisted of 10 work areas.

1. To act as coordinator during preparation of the Master Plan and to review and report progress to the County Planning Board.
2. To advise the County Planning Board on planning and zoning matters coming before it.
3. To assist the County Planning Board in reviewing and where necessary recommend revisions of zoning ordinances.
4. To assist the County Planning Board in reviewing applications for new subdivision plans.
5. To attend meetings of the County Planning Board.
6. To assist the County Planning Board in connection with inter-community, County and State meetings concerned with planning and development of the community.
7. To assist the County Planning Board in preparing programs for improvements.
8. To conduct special surveys and investigations for the County Planning Board.
9. To prepare special studies including text and graphic material.
10. To assist in the developing of the scope of activities to be covered in the development of a county wide Master Plan.

Apparently this arrangement served the County Planning Board well. The Board's April 1965 minutes include a discussion of taking steps to maintain the association. The Board also noted in 1965 that its composition might not be consistent with State Law and requested the Board of Supervisors to modify its membership accordingly.

**RESOLUTION NO. 135**

Increase membership of Planning Board and set terms of office.  
By Mr. Burns:

WHEREAS, the Cayuga County Planning Board has been in existence and functioning as an active Planning Board for approximately one (1) year, and

WHEREAS, the Planning Board has found that the present membership is inadequate to fulfill the long-range goals and objectives which have been set forth for the board, and

WHEREAS, the Planning Board has investigated the legal aspects regarding the number of members on the Board and has found that the number of members is determined by the appointing board, and

WHEREAS, the Planning Board desires to have a wider representation within the county and feels that additional membership will accomplish this goal, be it

RESOLVED, that the Cayuga County Planning Board hereby recommends to the Board of Supervisors that the Planning Board be reconstituted to be composed

- 1.) Nine (9) members from the citizenry of Cayuga County
- 2.) Two (2) members serving from the Board of Supervisors ex-officio
- 3.) Two (2) members as required by law—the County Highway Superintendent and the County Treasurer, and be it further

RESOLVED, that the Planning Board recommend to the Board of Supervisors that the ex-officio members serve with full voting powers and will serve in accordance with the length of term of their office, and be it further

RESOLVED, that each member will serve for a period of five (5) years, however, the initial appointments will be staggered as follows:

- One (1) member for one (1) year
- Two (2) members for two (2) years
- Two (2) members for three (3) years
- Two (2) members for four (4) years

Two (2) members for five (5) years  
Each position is to be filled for a full five (5) year term upon expiration of the initial appointment, and be it further

RESOLVED, that each member may be appointed for no more than two (2) consecutive five (5) year terms.

Committee on Supervisors—JAMES C. BURNS, LOUIS B. MARINO, CHARLES DiFABIO, CLARENCE BLUMER.

This resolution was adopted September 28, 1965.

Planning took on a regional quality when in September of 1965 the Board of Supervisor's endorsed the creation of what is now the Central New York Regional Planning and Development Board and authorized the County's participation.

**RESOLUTION NO. 138**

Endorse Central New York-Finger Lakes Regional Planning and Development Board and budget \$6850 for our share of expenses for 1966.  
By Mr. Burns:

WHEREAS, the New York State Office for Regional Development has prepared a publication entitled, Change/Challenge/Response, and

WHEREAS, Cayuga County has been designated a part of the Five County Region composed of Cayuga, Onondaga, Madison, Cortland and Oswego Counties, and

WHEREAS, representatives of each of those counties met and through the sponsorship of private enterprise in the Five County Area studied the concept of a Five County Regional Planning Council in this area, determined that such a Council is necessary and desirable if planned development in the Five County Area is to take place, and

WHEREAS, members of the Auburn City and Cayuga County Planning Boards were represented in the study group and have participated actively in the determination of these decisions, and

WHEREAS, the Cayuga County Planning Board has reviewed the publication Change/Challenge/Response and has reviewed the publication entitled, "Regional Planning

New York," and is in substantial agreement with the proposals and recommendations set forth in both publications, and endorses the concept of regional planning in the Five County Area, be it

RESOLVED, that the Cayuga County Planning Board recommend to the Cayuga County Board of Supervisors that they endorse the creation of a Central New York-Finger Lakes Regional Planning and Development Board comprised of the counties of Cayuga, Onondaga, Madison, Oswego and Cortland, and that provision be made in the forthcoming annual budget to support this Regional Planning Council to the extent recommended in the publication, that is \$6850, for the first year's operating budget.

Committee on Finance — CLARENCE BLUMER, RAYMOND SLAYTON, HOWARD CUDDEBACK, LAVERNE E. STOCK.

Committee on Supervisors—JAMES C. BURNS, WILLIAM DALTON, LOUIS B. MARINO, CHARLES DiFABIO.

This resolution was adopted by roll call vote on 9/28/65 (28-1-4). All members present voting Aye except Mr. Clifford voting No and absent, Messrs. Butler, Doyle, Mohan and Upton.

1965 also saw the first movement toward a more formal association between the County and City Planning Boards. Planning Director Jud Allen is quoted in the September 1965 County Planning Board minutes as reporting that: "25% of his salary is paid by the County and 75% is paid by the City." He proposed to go to the Board of Supervisors with a request that: "the two Planning Boards get together and split even with the pay." Portions of other City planning personnel time were also being devoted to County planning.

On September 16, 1965 the two groups: Cayuga County Planning Board and Auburn City Planning Board conducted a formal joint meeting to explore options for greater cooperation. At this meeting many issues of mutual interest were discussed including plans to share equally the Director's salary. However, the most significant proposal brought forward was that the two boards should unite. The minutes of that meeting indicate that what was envisioned was an independent County Planning Board, an independent City Planning Board and a third body to be known as an Intra-County Planning Board. The minutes state that this united body: "would be composed of 13 members of the County Board plus the members of the City Planning Board."

In response to a question from Chairman Riford regarding how the Intra-County Planning Board would be financed, Director Allen replied that it would be: "by proportionate shares, a lump sum budget has been prepared." Some time, about a year, would pass before this Intra-County Planning Board would become a reality.

The first indication of the Intra-County Planning Board meeting is found in the September 1966 minutes of the County Planning Board. While titled as the minutes of the County Planning Board, the members present list shows a compliment of twenty for the first time and includes the County Planning Board membership. The proceedings of the Board of Supervisors indicate that the Intra-County Board was formally established in August of 1966.

**RESOLUTION NO. 130**

Creating an Intra-County Planning Board - not changing present membership and method of financing  
By Mr. Burns:

WHEREAS, the Cayuga County Planning Board and the Auburn City Planning Board have established a jointly sponsored planning operation, and

WHEREAS, both the City and the County Planning Boards have agreed that the formation of an Intra-County Planning Board is desirable and essential to the successful completion of the Mater Plan Program for the County of Cayuga, and

WHEREAS, the Cayuga County Planning Board has requested that the Board of Supervisors form such an organization composed of the present membership of the Cayuga County Planning Board, together with the full membership of the Auburn City Planning Board, and

WHEREAS, the Auburn City Council has authorized the inclusion of the membership of the Auburn City Planning Board and the Intra-County Planning Board, therefore be it

RESOLVED, that the Cayuga County Board of Supervisors does hereby create an Intra-County Planning Board to be composed as follows:

a. The County Planning Board for the completion of the present terms commencing from October 13, 1965:

Mr. Mulvany	One (1) year
Mr. Riford	Two (2) years
Mr. Pittroff	Two (2) years
Mr. Law	Three (3) years
Dr. Karplinski	Three (3) years
Mr. Mapham	Four (4) years
Mr. Chauncey	Four (4) years
	Appointed 3-15-66
Mr. Tripiciano	Five (5) years
Mr. Beardsley	Five (5) years
Mr. Hunt	For Term of Office
Mr. Durvetsky	For Term of Office
Mr. Ball	For Term of Office
Mr. Colvin	For Term of Office

b. The City Planning Board for the completion of their term of office as established by the Mayor of the City of Auburn:

Mr. Lattimore	Term to Expire 11-19-68
Dr. Rose	Term to Expire 11-19-68
Mr. MacKay	Term to Expire 11-19-66
Mr. Drennan	Term to Expire 11-19-67
Mr. Adams	Term to Expire 11-19-67
Mr. Eldridge	Term to Expire 11-19-67
Mr. Govern	For Term of Office

Committee on Supervisors -- JAMES C. BURNS, PAUL E. BISHOP, CHARLES DIFABIO, CLARENCE BLUMER, LOUIS B. MARINO

This resolution was adopted August 16, 1966.

The foregoing does not suggest that there was any intention of eliminating either of the existing boards, but, rather to create a new entity to address areas of mutual interest. Furthermore, Section 239 of NYS General Municipal Law would authorize exactly such an arrangement.

While the two boards united in 1966, the City of Auburn continued to provide staff. The 1966-67 City Budget includes the following appropriation.

14 - CITY PLANNING COMMISSION		
A64-100	Salaries	77,957.00
	Planning Director	10,525.00
	1 Planner III	6,268.00
	1 Planner II	\$ 6,879.00
	2 Planner I	15,898.00
	Stenographer (1)	3,213.00
	Senior Stenographer (2)	3,610.00
	Draftsman	8,400.00
	Asst. Planner	8,339.00
	Cleaning Lady (Part Time)	475.00
	Project Director	11,230.00
	Planning Aide (Part Time)	3,120.00
64-200	Purchase of Equipment	\$ 1,025.00
64-300	Materials and Supplies	4,000.00
64-400	Office Expense	4,500.00
64-401	Traveling Expense	4,500.00
64-406	Other Expense	5,050.00
64-407	Consultant Services	8,500.00
64-408	Publications and Reports	5,500.00
	Total, Planning Commission	\$111,032.00

This discussion, up to now, might suggest that planning efforts in the 1960's were directed at the City of Auburn and county wide issues only. Such was far from the case. At the second meeting of the County Planning Board on September 17, 1964 a substantial amount of time was spent discussing the Board's relationship with towns and villages. The Board concluded, even at that early date, that in order to achieve county planning goals it would be necessary to work closely with all of the municipalities in the County. By the September, 1966 meeting the Board discussed a growing concern that demands by town and village planning boards were exceeding staff capacity and by the November, 1966 meeting a consensus of the Board was reached to address this problem. The Board decided to take three steps to reconcile work at the town/village level with available resources:

1. Group several town planning boards together for staffing purposes.
2. Establish a manual of guidelines to assist localities actions on routine matters without staff assistance.
3. Relieve some of the routine administrative burdens on the Director by appointing someone to the staff to handle these matters, thereby giving him more time to work on local issues.

Meanwhile the City and County continued to march toward the County's assumption of principal sponsorship of planning activity. The Board of Supervisors were assigning more areas of activity to the Board. Preparation of a master plan, staff services to the Emerson Park Board, coordination of a special census, and coordination of future water and sewer studies in the County were assigned to the Board during 1967.

In December of 1967 a resolution was adopted by the Board of Supervisors to transfer the planning function from the City of Auburn to Cayuga County.

**RESOLUTION NO. 199**

Consolidation of City-County Planning Board

By Mr. Marino, Chm. Supervisors Comm.

WHEREAS, THE Cayuga County Board of Supervisors is sponsoring a planning program under the terms of a contract agreed to by the Cayuga County Board of Supervisors on the 15th day of October 1964, and

WHEREAS, under the terms of the agreement the City of Auburn sponsored the staff responsible for performing planning services for the Cayuga County Planning Board, and

WHEREAS, the Cayuga County Planning Board and the City Planning Board have studied the most satisfactory method of continuing planning services to all of the communities within the County and have found that this can be best accomplished if the staff is sponsored at the County level, and

WHEREAS, the Cayuga County Planning Board has recommended that the Board of Supervisors of Cayuga County assume the sponsorship of the staff necessary and hereby recommends that the positions be authorized necessary to carry out the functions of the Planning Board, now therefore be it

RESOLVED, that the Cayuga County Board of Supervisors hereby agrees to authorize the Cayuga County Planning Board to undertake the function of providing planning services at the overall County level, and be it further

RESOLVED, that the Cayuga County Board of Supervisors hereby authorizes the Cayuga County Planning Board to determine the level of services to be provided to the municipalities in the County and to determine when specific charges should be made, and the Cayuga County Planning Board is hereby directed, when charges are made for services rendered on the basis of full costs incurred by the County, to pay the same over to the County Treasurer of Cayuga County on audit, and be it further

RESOLVED, that the Cayuga County Planning Board is specifically authorized and directed to enter into an agreement with the City of Auburn to insure the provision of planning services to that municipality at full costs incurred by the County and charge the same on audit payable to the County of Cayuga.

Signed: Marino, Porten, DiFabio, Schmidt, Mosher.

This resolution was adopted 12-4-67..

The last two paragraphs indicate that there was a concern by the Supervisors that services be available to towns and villages at appropriate levels and that the City be insured of the provision of the services it required. As far as costs were concerned the intent was clearly that the City reimburse the County for services provided it. Since the City had been paying in full for planning services up until that time such a provision is hardly surprising or unreasonable. As far as costs for services to towns and villages, this was left to the Planning Board's determination. This issue was addressed by the Board at its March 20, 1968 meeting. The minutes of that meeting include the following:

POLICY ON PAYMENT FOR STAFF ACTION

Clarification of Board policy on staff preparation of application for municipalities within the County was requested. A motion was made and passed stating the staff should process applications without charge.

MOTION: Mr. Richard Chauncey

SECOND: Mr. Ivan Pittroff

VOTE: Yes; all  
No; none

1968 also saw the departure of the County's first planning director, Jud Allen. He left in September, 1968. During the fall of that year the Planning Board conducted a search for its new director and in December of 1968 the minutes of the Board indicate that Jim Carr was welcomed at that meeting as the new director. The 1968 annual report of the Board indicates that it also moved into new quarters in the new County Office building, previously the Board had been housed in rented space in the Triangle Block. The annual report indicates that actions had been taken to help address the question of efficiently providing services to local governments.

## LOCAL PLANNING

### Monthly Meetings

Chairmen of all local planning boards in the County held several meetings as an advisory committee on local planning activities and the role of the County Planning Board in assisting local boards. As a result of recommendations from this committee, regular monthly meetings of all planning boards were held simultaneously in the County Office Building. The County Planning Board provided materials, information and technical assistance to the local planning boards in their individual meetings; at the combined meetings of all boards common problems were discussed.

As the new decade began the nation and a Cayuga County were becoming familiar with terms such as ecology and environment. As Steve Riford was ending his tenure as Board Chairman, December 16, 1970 was his final meeting, the County was creating the Environmental Management Council. Mr. Riford's final act was to introduce Fran Vuilleumot as the first Chairman of the EMC.

The EMC had been placed under the Planning Board by the Board of Supervisors in July of 1970.

### RESOLUTION NO. 115

Planning Board act as agency for purpose of promoting orderly duties of an Environmental management council.

By Mr. Coulson, Chm. Supervisors Comm.

WHEREAS, the Conservation Law has been amended through the addition of Article 19 by a recent act of the State Legislature, and

WHEREAS, the new amendment provides for the establishment of a County environmental management council to be responsible for the following: preparing a plan for the protection of the County's environment and the management of its natural resources; to investigate and recommend to the Board of Supervisors ecologically sound methods of planning the use of the county's resources; to keep an index of all open marsh lands, swamps, and all other wet lands in a like manner, and recommend a program for their promotion, protection and utilization, and

WHEREAS, to create a separate organization within County government for such purposes would be a duplication of effort wasteful and unnecessary, now therefore be it

RESOLVED, that the Cayuga County Planning Board, an agency created by the Board of Supervisors for the purpose of promoting orderly development and protecting natural resources, be and is hereby directed to have the additional duties of an environmental management council as provided under Act 19 of the State Conservation Law, and be it further

RESOLVED, that a progress report on activities of the Planning Board under provision of this law be made annually to the board of Supervisors commencing in 1971.

Signed: Coulson, Hunt, Stock, Burke, Contiguglia.

This resolution was adopted 7-21-70.

There was subsequent action to clarify the EMC's status as a separate body, but the minutes of the first EMC meeting show the close linkage between it and the Planning Board was maintained.

MINUTES

ENVIRONMENTAL MANAGEMENT COUNCIL

December 7, 1970

MEMBERS PRESENT:

- ✓ Francis Vuillemot, Chairman
- John Cameron
- Richard Corey
- ✓ Walter Personius
- ✓ Robert Gray
- ✓ Erwin Fineout
- ✓ William Catto
- ✓ Alex Paczkowski
- ✓ Mrs. Richard Northrup
- ✓ Mrs. Norma Hill
- ✓ Charles Lawrence
- William Anderson
- ✓ Walter Wasserman
- ✓ Gordon Post
- ✓ Charles Burch
- ✓ Harry Greer
- ✓ Laraine Clise
- ✓ Anne DiLella
- ✓ John Rogalski
- ✓ Mark Fohs
- ✓ Ronald Gray

MEMBERS ABSENT:

- ✓ George Westlake
- Francis Tratt
- ✓ Raymond Slayton

STAFF:

James S. Carr  
James D. Hill

GUEST:

L.S. Riford, Jr.,  
Chairman of Cayuga  
County Planning Board

*Norman Byker  
Pres. Duck Lake As.  
Joe Berle  
Duck Lake As.*

1. Mr. L.S. Riford, Jr., Chairman of Cayuga County Planning Board read parts of a letter concerning the Environmental Management Council. He commented on the relationship of the Council to the Planning Board. He introduced Francis J. Vuillemot.
2. Mr. Vuillemot, Chairman of the Environmental Management Council, welcomed the members. A committee for Program and Organization was formed. Members are: Walt Personius, Bill Catto, Bill Anderson, Gordon Post, Alex Paczkowski, Fran Vuillemot, John Rogalski.
3. The chairman named John Rogalski as recording secretary.
4. James S. Carr, Director of Cayuga County Planning Staff spoke of the Cayuga County Master Plan and the goals outlined therein. Suggestions were made of activities that would relate the Environmental Management Council to the work done by the County Planning Board.

The first of large scale employment and training programs were initiated in 1971 under the title EEA, Emergency Employment Act. The Board was assigned the management of EEA in Cayuga County. Eventually this became the CETA program. Ultimately a separate agency was created, Employment and Training to oversee these programs. Because Employment and Training grew out of the Planning Board it continues to report to the Legislature's Planning and Energy Committee.

Incidentally, the Planning and Energy Committee itself was established by the Legislature in May of 1978.

#### RESOLUTION NO. 74

Recommending that Rule No. 11 of the Legislative Rules of Order be Amended  
By Mr. Schneider, Chairman, Rules and Legislation Committee

WHEREAS, the Rules and Legislation Committee were delegated the duties of recommending and amending certain rules of order of the Legislature, and WHEREAS, the Committee has suggested changes to Rule No. 11 as follows:  
Rule No. 11

That the Planning Board be eliminated from the Legislative Committee and a Special County Planning Board Committee be established consisting of five (5) legislators and they shall have charge of all matters relating to that department. now, therefore, be it

RESOLVED, that the above recommendation as amended by the Rules and Legislation Committee be approved.

Signed by: Schneider, Graney, Webster, Hole.

Resolution was adopted 5/16/78 by roll call vote (16-3-2). Voting AYE were Messrs. Hatfield, Savage, Benton, Webster, Stock, Sedor, Coulson, Parmley, Sanders, Patterson, Hole, King, Schneider, Graney, Lepak, Craine. Voting NO were Messrs. H. Marshall, J. Marshall, Viggiano and absent Messrs. Marullo, Shaw.

Chairman Craine appointed Ormonde King, William Patterson, Jr., Charles Savage, John Coulson, and Francis Benton to the new Planning Board Committee. Appointment was approved by voice vote.

Since 1978 the Committee has overseen the activities of the Board and acted as liaison between it and the full Legislature. Its function and duties have been modified over the years. The history of the Board since then has been fairly well documented in the record of the Committee and is generally common knowledge.

In time the Planning and Energy Committee was reconstituted as the Planning and Economic Development Committee. It assumed more and more direct oversight of the planning staff's activities, department policy, and planning programs. This had been the role of the Board in earlier years, and, since County's have no direct land use control authority those serving on the Planning Board, as well as the staff and the Legislature, were asking what is the Planning Board supposed to do?

This was similar to what was occurring throughout the state and by the 1990s County Planning Boards all over the state were restructuring. They had lost their autonomous, blue ribbon panel status and Legislatures wanted to be responsible for development policy and decision making. As a result in Cayuga County we restructured the Board so that it would function in the manner of a Planning Federation. A Federation is authorized by the same section of State Law that authorizes County Planning Boards. The County did not wish to undertake all the technical needed to actually eliminate the County Planning Board so didn't formally establish a Federation.

A 1992 resolution, and subsequent resolutions modifying it adopted in 1996, 2001, and 2005, of the Legislature restructured the County Planning Board. Basically these resolutions give each locality one member. They require that a member serves until the municipality chooses to designate a new member. The County simply recognizes the municipal nomination in the appointment to the Board. The Board meets primarily to exchange information and undertake education on planning issues.

This restructuring was seen as a way to address the practical problems with the Board's lack of duties as described above and as a partial solution to staff limitations that made it impossible to go to all municipal planning boards in the county and offer training to each as was once done. Also it recognized that we just couldn't staff a regular monthly meeting and all that entails from preparing programs to taking minutes.

These restructuring resolutions follow and they are now the guiding documents regarding the operations of the Cayuga County Planning Board.

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)

**Purpose:**

In order to more efficiently and effectively achieve the purposes for which Cayuga County originally established a county planning board and to respond to the changes in Cayuga County which have occurred since that action was taken in 1964, the Cayuga County Planning Board is hereby restructured. It is the intent of this action to promote a greater degree of intermunicipal cooperation in matters of plan development and implementation, environmental protection, and economic development.

**Authority:**

The Cayuga County Legislature undertakes this action in accordance with the authority granted by NYS General Municipal Law, Article 12-B.

**I. Board membership:**

**1. Ex-officio members -**

The following shall serve as ex-officio members of the County Planning Board.

- (a) Chairman, Planning and Energy Committee of the Cayuga County Legislature.
- (b) Member of the Planning and Energy Committee of the Cayuga County Legislature of a different political affiliation than the aforementioned chairman, said member to be appointed by the Chairman of the Cayuga Legislature.
- (c) Cayuga County Treasurer.
- (d) Cayuga County Highway Superintendent.

**2. Regular members -**

The following shall serve as regular members of the Cayuga County Planning Board.

- (a) 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. Said member shall be nominated by the Chief Executive Officer of such municipality to the Chairman of the Cayuga County Legislature who may accept the nomination or reject it and request a new nomination at his discretion. 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.

- (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.

Kimberly S. Fedyszyn  
Deputy CLERK COUNTY LEGISLATURE

DATED Jan. 19, 1994.

Approved as to form      Approved as to substance

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.

*[Signature]*

DATED 12/11, 1996.

Resolution Adopted 12/10/96 vv

RESOLUTION NO. 59-01 January 23, 2001 PBGML

Reconstituting the CCPB committee for conducting NYS GML reviews

BY: Paul Dudley, Chairperson, Planning & Economic Development Comm.

WHEREAS resolution 243 of 1992 of the Cayuga County Legislature created a sub-group of the Cayuga County Planning Board to conduct the review of certain local land use matters mandated by Section 239 of NYS General Municipal Law; and

WHEREAS this sub-group included the ex-officio members of the Board and a representative from the City of Auburn, a town and a village; and

WHEREAS it has become difficult to assemble a quorum of this sub-group and more latitude in the membership of the sub-group would alleviate this problem; now

**THEREFORE BE IT RESOLVED** that resolution 243 of 1992 is hereby amended so as to designate the membership of the Cayuga County Planning Board sub-group to review matters under Section 239 of NYS General Municipal Law as being the Chairperson of the County Planning Board and any four members of the County Planning Board as he or she may designate from time to time.

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 23RD DAY OF JANUARY, 2001, WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.



CLERK, CAYUGA COUNTY LEGISLATURE

DATED: JANUARY 24, 2001

RESOLUTION NO. 413-05 August 23, 2005 planningboardcomposition

**MODIFYING THE MEMBERSHIP OF THE AGENCY CONDUCTING MANDATORY REVIEWS OF CERTAIN LAND USE MATTER IN ACCORDANCE WITH NYS GENERAL MUNICIPAL LAW**

By: George Fearon, Chair Planning & Economic Development Committee

WHEREAS, Resolution 243 of 1992, as amended by resolution 50-01 of 2001, of the Cayuga County Legislature authorized the creation of a sub-group of the Cayuga County Planning Board to act as the agency designated to conduct the review of those local land use matters mandated by Section 239 of NYS General Municipal Law of New York; and,

WHEREAS, it would be desirable to permit the inclusion of comments from other county agencies that may be impacted by or involved in a project in the agency's recommendations to; and,

WHEREAS, it would be desirable to insure that technical recommendations forwarded under the name of Cayuga County to a municipality are of the highest, professional standards. Now, therefore, be it

RESOLVED, that the Cayuga County Legislature hereby designates as the agency to conduct mandatory reviews under Article 12-B of the New York State General Municipal Law a committee of the following persons: the Cayuga County Director of Planning and Development or his/her designee; the Cayuga County Director of Environmental Health or his/her designee; the Cayuga County Superintendent of Highways or his/her designee; the Cayuga County Environmental Engineer or his/her designee; the Cayuga County Director of Soil and Water Conservation or his/her designee.

~~PLANNING & ECONOMIC DEVELOPMENT 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 23th DAY OF AUGUST, 2005, WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.**

*Lee Brew*