

**MODEL
VILLAGE PLANNING BOARD
BY-LAWS**

WHEREAS, it is desirable for the Village Planning Board to be governed by rules for the efficient and proper administration of its affairs, now therefore be it

RESOLVED, that the Village Planning Board, for the Village of _____, Otsego County, New York, created by resolution of the Village Board on the ___ day of _____, 20___, does hereby adopt the following rules as the by-laws to govern its activities.

ARTICLE I: MEETINGS

Section 1.1 Annual Meetings

The annual meeting of the Village Planning Board shall be the first regular meeting in the month of _____ of each year hereafter. Such meeting shall be devoted to the election of officers for the ensuing year, preparation of an annual report to the Village Board, and such other business as shall be scheduled by the Village Planning Board.

Section 1.2 Regular Meeting

Regular meetings of the Planning Board shall be held in the _____ at _____ P.M., on the _____ of each month hereafter. At such meetings, any and every matter properly brought to the attention of the Planning Board shall be considered.

Section 1.3 Special Meetings

Special meetings of the Village Planning Board shall be held at a time and place designated by the Chairperson. Verbal or written notice thereof shall be given to all members not less than twenty-four hours in advance thereof.

Section 1.4 Public Notice of Meetings

Public notice of the time and place of a meeting scheduled shall be posted in the local newspaper at least one week prior to the meeting and shall be conspicuously posted in one or more designated public locations at least seventy-two hours before such meeting. Public notice of the time and place of every other meeting shall be, to the extent practicable, posted in the newspaper and shall be conspicuously posted in one or more designated public locations. (§104, Open Meetings Law)

Section 1.5 Quorum

At any meeting of the Village Planning Board, a quorum shall consist of a majority of the members of the Board. No action shall be taken in the absence of a quorum, except that those members present shall be entitled to call a Special Meeting at a subsequent date.

Section 1.6 Proceedings

a. At any regular meeting of the Planning Board, the following shall be the regular order of business:

1. Roll Call

2. Reading and approval of minutes of the preceding meeting
 3. Privilege of the floor
 4. Communications
 5. Reports and action on old business
 6. New business
 7. Agenda for next succeeding meeting
 8. Adjournment
- b. Each action of the Planning Board required by law, rules or regulations shall be embodied in a formal resolution duly entered in full upon the Minute Book after an affirmative vote. Each resolution so adopted shall specifically authorize, if necessary, the use and imprint of the official signature of this Planning Board as hereinafter defined.

Section 1.7 Rules and Procedure

All meetings of the Planning Board shall be conducted in accordance with Robert's Rules of Order. All meetings shall be conducted pursuant to the New York State Open Meetings Law, including regular, annual and special meetings. Executive meetings shall be conducted pursuant to §105 of the Open Meetings Law.

ARTICLE 2: OFFICERS

Section 2.1 Officers

The officers of the Village Planning Board shall consist of a Chairperson, a Vice Chairperson and a Secretary, each of whom shall serve for a term of one year.

Section 2.2 Election of Officers

The officers of the Planning Board shall be elected for the ensuing year at the annual meeting of the Planning Board. In the event the Secretary shall be absent from any meeting, the officer presiding shall designate another member of the Planning Board to act pro tem in place of the Secretary.

Section 2.3 Duties of Officers

The duties and powers of the officers of the Village Planning Board shall be as follows:

- a. Chairperson:
 1. To preside as all meetings,
 2. To call special meetings in accordance with these by-laws,
 3. To sign, together with the Secretary, all official documents of the Village Planning Board in accordance with the requirements of these by-laws,
 4. To see that all reports, documents, and actions of the Planning Board are properly made, executed, filed or taken, as the case may be, in accordance with law and the actions and regulations of the Planning Board,
 5. To serve as liaison to Village Board at the direction of the Planning Board.
- b. Vice Chairperson:
 1. During the absence, disability or disqualification of the Chairperson, the Vice Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.

c. Secretary:

1. To keep the minutes of all meetings in an appropriate Minute Book,
2. To give or serve all notices requires by law or by the by-laws,
3. To be custodian of records of the Village Planning Board,
4. To attend to all official correspondence,
5. To lay before the Village Planning Board at its meetings all official correspondence received by the Secretary relating to the business of the Board,
6. To affix to any official document of this Planning Board the official signature thereof whenever the same shall be required by law or the regulations of the Board, such action to be taken, however, only after such action shall have been authorized by an affirmative vote of the Board.

ARTICLE 3: VOTING AND CONFLICTS OF INTEREST

Section 3.1 Voting

At all meetings of the Planning Board, each member properly appointed and attending shall be entitled to cast one vote. Voting shall be by voice. A majority vote of the Board shall be necessary for the adoption of any proposed action, resolution or other voting matter.

Section 3.2 Conflicts of Interest

Any application, petition, or request brought before the Village Planning Board for action pursuant to any rule, ordinance, or regulations, shall state the name and nature of interest of any municipal officer or employee herein, as defined in Section 809, Article 18 of the General Municipal Law, Chapter 646 of the Consolidated Laws of New York State. Any member of the Village Planning Board having any such interest in any matter brought before the Board, shall either absent or disqualify himself from any consideration, discussion or vote upon such matters. Such absence or disqualification shall be noted in the minutes of the Planning Board by the Secretary, who shall also note that no vote was cast by such member on said matter.

ARTICLE 4: VACANCIES

Section 4.1 Vacancies

Should any vacancy occur among the members of this Planning Board by reason of death, resignation, disability or otherwise, immediate notice thereof shall be given to the Village Clerk by the Secretary. Should such vacancy occur among the officers of the Planning Board, the vacancy shall be filled by election at the next regular meeting of this Planning Board, the officer so elected to serve the unexpired term of the office in which such vacancy shall occur.

Section 4.2 Recommendation to Village Board

The Village Planning Board may recommend persons to the Village Board for consideration for appointment to a vacancy on the Planning Board. If such recommendations are made on behalf of the Planning Board, they shall be only after an affirmative vote thereon. This section does not prohibit individual members of the Planning Board from making individual preferences to fill vacancies.

ARTICLE 5: TRAINING AND ATTENDANCE REQUIREMENTS

Each member of the Planning Board shall complete, at a minimum, four hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four

hours in any one year may be carried over by the member into succeeding years in order to meet the requirements. Such training shall be approved by the Village Board and may include, but not be limited to, training provided by a municipality, regional or county planning office or commission, county planning federation, state agency, statewide municipal association, college or other similar entity. To be eligible for reappointment, a member shall have completed the training requirement. The training may be waived or modified by resolution of the Village Board when, in the judgment of the Village Board, it is in the best interest of the village to do so. No decision of a Planning Board shall be voided or declared invalid because of a failure to comply with this subdivision. (§7-718(7a) Village Law)

ARTICLE 6: APPLICATION PROCEDURES

Section 5.1 Receipt of Applications

The Village Clerk is hereby authorized to receive applications, petitions, and communications on behalf of the Village Planning Board. The Village Clerk shall immediately notify the Secretary of the Planning Board, and transmit to said Secretary, any forms, letters or other materials. The Secretary shall request the Chairperson of the Planning Board to call a special meeting of the Planning Board if any official action on such forms, letters or materials is required before the next regularly scheduled meeting.

Section 5.2 Official Date of Receipt of Applications

Any application, petition or communication shall be considered as received by the Village Planning Board as of the date of the first regular Planning Board meeting following receipt thereof by date which shall be the Official Date of Receipt. The Secretary shall note upon such documents the date of receipt from the Village Clerk, and the Official Date of Receipt, and shall notify any applicant of this official Date of Receipt.

ARTICLE 7: OFFICIAL SIGNATURE

Section 6.1 Official Signature

The official signature of the Village Planning Board shall be endorsed upon all papers and documents requiring the same by reason of the requirements of law or the rules and regulations of the Village Planning Board. Such signature shall be endorsed upon such papers only pursuant to the direction of the Village Planning Board embodied in a resolution so directing, and shall be personally signed by either the Chairperson or Secretary. In form the official signature shall be as follows:

_____ Village Planning Board, Otsego County, New York

By _____, Chairperson

_____, Secretary

Dated _____

ARTICLE 7: AMENDING BY-LAWS

Section 7.1 Amending By-Laws

These by-laws may be amended at any meeting of the Planning Board provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting. Said notice shall contain a precise description of the change proposed in said by-laws.

ARTICLE 8: FORMER BY-LAWS

Section 8.1 Former By-Laws

These by-laws shall supersede any and all by-laws previously adopted by this Board.

Upon motion duly made by _____ and seconded by _____, the resolution set forth about was duly approved by the following votes:

Aye: _____

Nay: _____

(Signed) _____
Secretary

Dated: _____

Amendments effective through: _____