

# **Ulster County Planning Rules and Procedures**

As adopted July 2, 2012 by the Ulster County Planning Board  
Amended August 1, 2012 by the Ulster County Planning Board  
Amended September 5, 2012 by the Ulster County Planning Board  
Amended/Adopted June 5, 2013 by the Ulster County Planning Board

## **PREAMBLE**

The mission of Ulster County Planning Board (“the Board”) is to promote, encourage and support solutions among levels of government, agencies and other stakeholders in matters affecting conservation, preservation, and development. In pursuing this mission, it is of critical importance that the Planning Board be widely accessible to the public, comprised of technically and professionally experienced members, broadly represented geographically, and independent from political influence. The very nature of the Board’s duties requires a non-partisan approach in order to work for the benefit and welfare of Ulster County. The following represent the Rules and Procedures, which enable the Planning Board to carry out its functions pursuant to the Ulster County Charter.

## **I. PURPOSE of the BOARD**

1. To provide and promote physical, economic, environmental, and human resource planning in Ulster County.
2. To make available education and outreach, to disseminate information to public officials and others engaged in or interested in planning and community development.
3. To encourage citizen participation at all levels of the planning process.
4. To encourage and assist municipalities to work collaboratively and creatively to develop and implement plans and projects.
5. To consider the use of resources and the consequences of growth and development for the county, region and the state, as well as the community in which it takes place.
6. To foster and implement meetings, conferences, and educational programs relating to planning and development
7. To publish, promote and support the development of planning materials and publications relating to planning and community development and other pertinent subjects.
8. To develop understanding, cooperation, coordination, and support necessary for progressive planning and development throughout Ulster County.
9. To respond to the technical assistance, policy, and program needs of the Ulster County Executive, Ulster County Legislature, and the Towns and Villages of Ulster County.
10. To function as a County Planning Board consistent with the powers and duties conveyed on a County Planning Board pursuant to New York State Law, the Ulster County Charter, and attendant provisions of the Ulster County Administrative Code.

## **II. POWERS AND DUTIES**

### **A. Statutory Responsibilities**

The Board and its members shall have all the powers and duties, organization, membership and tenure as derived from the Ulster County Charter and attendant provisions of the Ulster County Administrative Code, and as enumerated under New York State General Municipal Law, Article 12-B, Sections 239-b thru 239-n, together with any and all applicable rules, laws or statutes.

### **B. Technical Assistance**

The Board may provide technical assistance and support to local officials, including elected officials, planning and zoning boards, government agencies, non-profit organizations, neighborhood associations, and private parties, in the furtherance of its mission. Such assistance may be in the form of educational and informational seminars, community meetings, geographic information systems, data dissemination, topical publications, meetings with project applicants, and other means.

### **C. County Government Assistance**

The Board may provide technical assistance and program support to the County Executive, Legislature, and other County departments as may be requested on matters and issues concerning comprehensive planning, economic development, housing, open space, transportation, recreation, agriculture, environment, county facilities, and other special projects.

### **D. Community and Public Education**

1. The Board shall conduct community and public education and outreach programs including seminars, public presentations, and presence at meetings and hearings in furtherance of planning policies, programs, and its statutory responsibilities.
2. In furtherance of its community and public education efforts, the Board may develop special programs geared to particular audiences including students, businesses, neighborhood groups, environmental groups, etc.

### **E. Program and Project Management**

1. Pursuant to Section 239-d of New York State General Municipal Law, and in conformity with Section C-50 of the Ulster County Charter, the Board will review the Comprehensive Plan and submit its recommendations on it to the County Executive and make recommendations on any proposed amendments to that plan prior to action being taken on such amendments by the County government and review procedural guidelines for the coordination and preparation of the Comprehensive Plan and annual planning program. It will further conduct studies and review County policies and standards for inclusion in the Comprehensive Plan and make recommendations regarding such policies and standards to the County Executive and Legislature as it sees fit.

2. The Board will maintain basic data on the County's population, land use, housing, environmental status, human and natural resources and other such matters and performing studies, analysis, plans and recommendations as may be necessary.
3. The Board will review the capital improvement program prepared by the Department of Planning and guidelines for its preparation; to make written recommendations to the County Executive and the County Legislature as it deems necessary.
4. The Board will act as host board with regard to the Ulster County Transportation Council.

### **III. MEMBERSHIP**

#### **A. Appointment**

1. The membership of the Board shall be as provided for in the Ulster County Charter and attendant provisions of the Ulster County Administrative Code. All terms shall be for four years.
2. Members may continue in office beyond their appointed terms until they are replaced. Vacancies shall be filled in the manner as provided for under the Ulster County Charter and attendant provisions of the Ulster County Administrative Code.
3. Members and Alternate Members of the County Planning Board are considered officers of the County and shall file the necessary oath of office required under New York State Public Officers Law Section 10.
4. Members and Alternate members will be eligible for reappointment only if they have fulfilled the requirements of the completion of a minimum of four (4) hours of approved continuing education training for each year of membership as per Section 239-c(2)(d) of New York State General Municipal Law.

#### **B. Responsibilities & Duties**

1. Members of the Board are expected to attend all meetings of the Planning Board. They are responsible to notify the Planning Department staff and their Alternate member when they will be absent from a meeting.
2. Members of the Board shall remain informed of current planning practices, Ulster County Planning Board policies and adopted Ulster County plans.
3. Members of the Board shall complete a minimum of four (4) hours of approved continuing education training as required under New York State law and Ulster County Legislature resolution.
4. Members of the Board shall excuse themselves from any deliberation or vote relating to a matter or proposal before such county planning board which is or has been the subject of a proposal, application or vote before the municipal board of which he or she is a member as required under Article 12B of the General Municipal Law.

5. Alternate members shall have the same responsibilities and duties as regular members, but may only exercise voting rights in the absence of the regular member.

### **C. Basis for Withdrawal of Membership**

1. If a member is absent three consecutive Board meetings without prior notification or a total of four Board meetings in any given calendar year, the Chairperson may seek an explanation from the member for their absence and may, with majority approval of the Board, send notification to the Town or Village the member represents and request the County Legislature take action to remove the member.
2. If a member is guilty of any crime, misconduct or offense bringing discredit to the Board, the Board Chairperson may, with majority approval of the Board, request the County Legislature take action to remove said member.

## **IV. ORGANIZATION**

### **A. Officers**

The officers shall be the Chairperson, Vice-Chairperson, and Secretary who shall be elected annually at the organization meeting in December or at the next regular meeting whenever a vacancy exists.

1. Chairperson
  - a) Preside at all meetings and hearings of the Board.
  - b) Appoint Committees.
  - c) Be an ex-officio member of all committees.
  - d) Perform all duties incidental to the office or as otherwise required.
2. Vice-Chairperson
  - a) Perform all the duties of the Chairperson in case of his absence or recusal.
3. Secretary
  - a) Perform all duties of the Chairperson in the absence or recusal of the Chairperson and Vice-Chairperson.

### **B. Committees**

1. Executive Committee
  - a) Shall be a minimum of six (6) members comprised of the Chairperson, Vice-Chairperson, Secretary, and immediate past three chairpersons, if current members of the Planning Board. Absent a minimum membership, the Chairperson shall appoint members as needed.
  - b) May establish Planning Board policies, present the annual budget, streamline operations, and recommend priorities for conducting Planning Board affairs.
2. Nominating Committee
  - a) Shall be a minimum of three (3) members appointed annually by the Chairperson

- b) Shall prepare a slate of officers to be presented at the annual organizational meeting
- 3. Rules and Procedures Committee
  - a) Shall be a minimum of six (6) members appointed by the Chairperson whenever deemed necessary by the Executive Committee, but not less than once every five (5) years.
  - b) Shall review the current Rules and Procedures and make a report to the Executive Committee and Board of recommended changes.
- 4. Other Committees
  - a) Standing or ad hoc may be appointed by the Chairperson.

### **C. Staff**

- 1. Planning Director
  - a) Shall serve at the pleasure of the County Executive.
  - b) Shall be appointed by the County Executive upon presentation of three (3) candidates approved by majority vote of the Planning Board, subject to confirmation by the Legislature. In the event that the County Planning Board fails to bring forward to the County Executive three recommendations for the position within 90 days of the occurrence of a vacancy, the County Executive shall make the appointment on his or her own initiative, subject to confirmation by the Legislature.
  - c) Shall possess the minimum educational attainment, qualifications, and administrative experience as set out under New York State law and shall be a person qualified by professional training and experience in the field of metropolitan, regional, County or municipal planning.
  - d) Act as Executive Secretary to the Board.
  - e) Be ex-officio member of all Board committees.
  - f) Be responsible for the preparation of the annual report, and other work items as authorized by the Board.
  - g) Be the authorized spokesman for the Board. Public statements, press releases, etc., on matters not covered by Board policy shall be cleared with the Board Chairperson and/or the Executive Committee.
  - h) Represent the Board in its dealings and responsibilities with County government, local governments, agencies and private parties with authorization.

## **V. MEETINGS**

### **A. Schedule & Type**

1. Regular meetings will be held on the first Wednesday of each month at 7:30 P.M. The meetings will be held generally in the Ulster County Office Building, Kingston, NY. If the first Wednesday is a holiday, then the meeting date shall be determined by the Chairperson. All meetings are open to the public, except Executive Sessions, pursuant to State Law. Notification and conduct of regular meetings will conform to the New York State Open Meetings Law.
2. Annual Organizational meeting shall be the December meeting at which a slate of officers shall be offered to the Board by the nominating committee after which nominations may be offered from the floor. If there are no further nominations, the slate of officers presented by the committee will be voted on and, pending the receipt of a majority vote of the Board, will be elected.
3. Special Meetings - may be called by the Chairperson, by the Executive Committee, or by any five members who shall deliver a signed request to the Chairperson. Members shall be notified either in writing, by e-mail, or telephone of such special meetings. Such notification will include the purpose of the meeting and be a minimum of forty-eight hours in advance. Special meetings will conform to notification requirements under the New York State Open Meetings Law.
4. Executive Session - The Board may meet in closed session in accordance with the New York State Open Meetings Law. However, all meetings or portion of meetings at which official action is taken shall be open to the general public.

### **B. Quorum**

1. A majority of the Board shall constitute a quorum for the transaction of business at any meeting.
2. Actions of the Board require a quorum to be present and a majority of the Board's voting members, to vote in the affirmative, except as may be otherwise specifically provided by law.
3. If a quorum shall not be present at any meeting of the Board, the Chairperson may, by his/her own initiative or at the request of five (5) Board members present, schedule a later date to transact such business as may otherwise have been presented at the meeting.

### **C. Notice**

Notice of Meetings - Written notice of every meeting of the Board shall be posted as required by law, stating the place, date, hour, agenda, and, in the case of a special meeting, the purpose of the meeting, and shall be given either personally, by mail, or by email delivered to each member not less 3 days before the date of the meeting. If mailed, such notice shall be deemed delivered when deposited in the United States mail.

#### **D. Records**

Minutes of the events of the meeting shall be taken and shall include the names of members in attendance, persons appearing before the Board, a brief description of the topics discussed, and a record of any actions taken. Such minutes shall be available for public inspection within two weeks of the meeting. The meeting shall also be recorded by a sound recording device and such recording shall be kept on file as part of the public record until the minutes from the meeting are approved. Minutes of any votes conducted in Executive Session shall be made available within one week.

#### **E. Conduct [subsection amended Aug. 1, 2012 and Sept. 5, 2012]**

Roberts Rules of Order, as revised, when not in conflict with applicable County or State statutes, and except as specified otherwise by these Rules and Procedures, shall govern the Board's proceedings:

1. Order of Business
  - a) Roll Call
  - b) Approval of Minutes
  - c) Financial Report
  - d) Public Comment
  - e) Community Report
  - f) Communications
  - g) Old Business
  - h) Special Topics Discussion
  - i) New Business
  - j) Referrals
  - k) Adjournment
2. The order of business may be altered at the pleasure of the Chairperson or by resolution and majority approval of the Board.