

MONROE COUNTY PLANNING BOARD

RULES OF OPERATION

Adopted by Monroe County Planning Board 2/13/74

Revised 10/9/74

Revised 1/12/77

Revised 6/10/81

Revised 2/27/98

Revised 10/27/2022

ARTICLE I - AUTHORIZATION

1.00 The Monroe County Planning Board shall have those powers and duties as set forth in Article V, § C5-7 of the Monroe County Charter. The Rules of Operation herein are authorized pursuant to Article V, § C5-7B of the Monroe County Charter. Any procedural matters not set forth herein shall be governed by Roberts Rules of Order.

ARTICLE II - MEETINGS

2.00 Regular Meetings. Regular meetings of the Board shall be held at a time and place designated by the Board. Written notice of each meeting with place, time and agenda shall be e-mailed to each Board member, the public and news media designated by the Board, and such other persons as the Board may direct, no less than ten days prior to such meeting. Regular meetings shall be open to the public.

2.10 Special Meetings. Special meetings of the Board may be called upon at least twenty-four hours notice by the Chairperson, or upon written request to the Chairperson by a majority of the members of the Board. Such notice shall also be given to the public and news media designated by the Board as soon as possible after it is given to the Board members themselves. The meeting notice shall include all items of business to be considered, and no items other than those contained in the notice shall be considered at such special meetings. Special meetings shall be open to the public.

2.20 Special Liaison Meetings. Whenever necessary, meetings shall be scheduled between the Board and (1) The President and the Majority and Minority Leaders of the County Legislature; (2) County Legislative Committees; (3) The County Executive; and, (4) representatives of such County departments and agencies not directly represented on the Board as it may deem advisable.

2.30 Public Hearings. The Board may call Public Hearings on specified subjects, upon at least ten days notice. Written notice of Public Hearings with place, time and agenda shall be e-mailed to each board member, and such further notice shall be given to the public and news media as may be deemed by the Board to be reasonable and appropriate under the circumstances.

2.40 Executive Sessions. The Board may meet in executive session upon majority vote of the total membership of the Board, in accordance with Article 7, Section 100 of the Public Officers Law (Open Meetings Law). All items of business, however, shall be acted upon in open session.

2.50 Quorum. Any eight voting members of the Board shall constitute a quorum for the transaction of any business or the exercise of any power or function of the Board. In the absence of a quorum, those members of the Board present may convene as an ad hoc committee to hear any persons who wish to address the Board.

2.60 Voting. Each voting member of the Board present at a duly constituted regular or special meeting shall be entitled to cast one vote. Voting ex-officio members may designate alternates to represent them at meetings of the Board. Such alternates, who shall be designated in advance by written notice to the Chairperson of the Board, shall be entitled to vote in the absence of the voting ex-officio members whom they represent. Alternates shall have the right to vote at not more than six meetings of the Board in each calendar year. A majority consisting of at least eight affirmative votes shall be required for Board approval of any matter. All votes of the Board shall be verbal ayes or nays unless a Roll Call Vote is requested by an individual Board member. All actions of the Board shall be by clearly worded motions or resolutions.

2.70 Order of Business. Unless modified by Board action, the order of business at regular meetings shall be as follows:

1. Roll Call
2. Approval of Minutes of Previous Meeting
3. Announcements and Communications
4. Matters Requiring Action by the Board
5. Discussion Items
6. Identification of Future Meeting Date and Agenda Items
7. Adjournment

2.80 Use of Videoconferencing. The Monroe County Legislature adopted a local law (Local Law 4 of 2022, herein after the "Local Law") permitting all administrative boards, commissions, and agencies created by or for Monroe County to use videoconferencing as described in POL § 103-a. The following procedures are hereby established to pursuant to Section 2(B) of the Local Law, which requires County Public Bodies to establish written procedures governing member and public attendance consistent with Public Officers Law § 103-a.

1. Monroe County Planning Board members shall be physically present at any meeting of the Monroe County Planning Board unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term "extraordinary circumstances" includes

disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify the Monroe County Planning Board Chairperson no later than four business days prior to the scheduled meeting in order for proper notice to the public to be given. If extraordinary circumstances present themselves on an emergent basis within four days of a meeting, the Monroe County Planning Board shall update its notice as soon as practicable to include that information. If it is not practicable for the Monroe County Planning Board to update its notice, the Monroe County Planning Board may reschedule its meeting.
4. If there is a quorum of members participating at a physical location(s) open to the public, the Monroe County Planning Board may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public shall not count toward a quorum of the Monroe County Planning Board but may participate and vote if there is a quorum of members at a physical location(s) open to the public.
5. Except in the case of executive sessions conducted pursuant to POL § 105, the Monroe County Planning Board shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.
6. The minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL § 103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.
7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used, (ii) where the public can view and/or participate in such meeting, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for the meeting where the public can attend.
8. The Monroe County Planning Board shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the Monroe County Planning Board website within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.

9. If members of the Monroe County Planning Board are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Monroe County Planning Board shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized. The Monroe County Planning Board shall ensure that where extraordinary circumstances videoconferencing is used, it authorizes the same public participation or testimony as in person participation or testimony.
10. Open meetings of the Monroe County Planning Board conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL § 103-a shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, “disability” shall have the meaning defined in Executive Law § 292.
11. The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a state disaster emergency declared by the governor pursuant to Executive Law § 28 or a local state of emergency proclaimed by the County of Monroe County Executive pursuant to § 24 of the Executive Law if the Monroe County Planning Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Monroe County Planning Board to hold an in-person meeting.
12. These procedures shall be conspicuously posted on the Monroe County Planning Board website.

2.80 Agenda. Items for consideration by the Board may be placed upon the agenda, no less than ten days before the meeting at which such item is to be considered, by any Board member or by the Secretary of the Board. An item may be placed upon the agenda as a matter of urgency less than ten days before the meeting at which it is to be considered with the approval of the Chairperson of the Board, provided that notice be given of such addition to the agenda and copies, if any, of material related to the added item or items be made available in advance of the meeting.

2.90 Minutes. The Secretary, or his or her designee, shall keep minutes of all meetings of the Board. Such minutes, after approval, shall be deemed public records. Copies of the minutes shall be distributed to all Board members and their alternates, the President of the County Legislature the County Executive and such other persons as the Board may designate.

ARTICLE III - OFFICERS

3.00 The Board shall annually elect a Chairperson and a Vice-Chairperson from its citizen members. The Director of the County Department of Planning and Development shall serve as Secretary to the Board.

3.10 Duties of Officers

Chairperson. The Chairperson shall preside at all meetings of the Board and shall transmit to the County Legislature such reports and actions as designated by the Board. Public statements on behalf of the Board shall be made by the Chairperson or his or her designee.

Vice-Chairperson. The Vice-Chairperson shall preside in the absence of the Chairperson, or, in the case of prolonged absence or resignation, shall perform the duties of the Chairperson until such time as a new Chairperson is elected by the Board.

Secretary. The secretary, or his or her designee, shall keep accurate records of the proceedings of the Board, and shall be responsible for proper notification of meetings of the Board.

The Officers shall perform other additional duties as may be delegated or assigned to them by the Board.

ARTICLE IV - COMMITTEES

4.00 The Board may create and abolish such committees as it deems necessary and appropriate to perform such duties as it may delegate. Committee chairpersons and members shall be designated by the Chairperson of the Board. Committee chairpersons shall establish meeting dates and procedures for their respective committees.

ARTICLE V - ATTENDANCE OF MEMBERS

5.00 Attendance at meetings shall be recorded by the secretary. In the event that a member is absent for three consecutive meetings, or a total of four regular meetings in a calendar year, the Chairperson shall in the interest of maintaining the integrity of the Board arrange a meeting between such member and the Chairperson for the purpose of discussing the absences and the reasons therefor. If the Chairperson is satisfied with the explanation of the absences, no further action will be taken. If the Chairperson is not satisfied, the Chairperson may send a letter to the appointing body requesting that it take appropriate action to resolve the absence problem. In the event that the Chairperson considers it necessary to contact the appointing body, this fact will be reported at the next regular meeting of the Planning Board along with a report on the status of any actions taken to resolve the problem.

ARTICLE VI - AIRPORT APPEALS PROCEDURE (Reserved)

ARTICLE VII (Reserved)

ARTICLE VIII - AMENDMENTS

8.00 These Rules of Operation may be amended or repealed, in whole or part, at any regular meeting of the Board, provided that such action was proposed in a previous regular meeting of the Board.