

**TOWN OF BURLINGTON  
TOWN PLANNING BOARD BY-LAWS**

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

RESOLVED, that the Town Planning Board, for the Town of Burlington, Otsego County, New York, created by resolution of the Town Board on the 20th day of March, 1989, 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 Town Planning Board shall be the first regular meeting in the month of January 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 Town Board, and such other business as shall be scheduled by the Town Planning Board.

Section 1.2 Regular Meeting

Regular meetings of the Planning Board shall be held in the Municipal Building at 7:00 P.M., on the second Wednesday 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 Town Planning Board shall be held at a time and place designated by the Chairman. Verbal or written notice thereof shall be given to all members not less than twenty-four hours in advance thereof.

Section 1.4 Quorum

At any meeting of the Town 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. The maximum number of Planning Board members shall be seven, however the quorum shall be based on the number of positions filled.

Section 1.5 Proceedings

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

1. Pledge of Allegiance
2. Roll Call
3. Adoption of Agenda
4. Reading and approval of minutes of the preceding meeting
5. Privilege of the floor.
6. Communications from members and committees
7. Reports and action on unfinished business
8. New business
9. Agenda for next succeeding meeting
10. 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 1.6 Rules and Procedure

All meetings of the Planning Board shall be conducted in accordance with Robert's Rules of Order.

## **ARTICLE 2: OFFICERS**

### Section 2.1 Officers

The officers of the Town Planning Board shall consist of a Chairman, a Vice Chairman and a Secretary, each of whom shall serve for a term of one year. The Town Clerk may serve as a non-voting Secretary.

### 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 Town Planning Board shall be as follows:

a. Chairman:

1. To preside at 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 Town 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 Town Board at the direction of the Planning Board.

b. Vice Chairman:

1. During the absence, disability or disqualification of the Chairman, the Vice Chairman shall exercise or perform all the duties and be subject to all the responsibilities of the Chairman.

c. Secretary:

1. To keep the minutes of all meetings in an appropriate Minute Book,
2. To give or serve all notices required by law or by the By-Laws,
3. To be custodian of records of the Town Planning Board,
4. To attend to all official correspondence,
5. To lay before the Town 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, ATTENDANCE 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 Town 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 Town Planning Board having any such interest in any matter brought before the Board, shall either abstain 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.

### Section 3.3 Family Members

Members of the same family, including relatives, shall not be eligible for membership to, and shall not serve upon, the Planning Board concurrently with one another.

### Section 3.4 Attendance

Members of the Planning Board are expected to attend all regular and special meetings of the Board. Members who are not able or willing to attend scheduled meetings are encouraged to resign their position as soon as practical. In the event that a member does not attend, within the preceding twelve (12) months, fifty (50%) percent or more of the regularly scheduled meetings, as defined within Section 1.2 of the bylaws, and does not resign, the position may be vacated by a majority vote of the Quorum. In the event that a member does not attend, within the preceding twelve (12) months, seventy-five (75%) percent or more of the regularly scheduled meetings, as defined within Section 1.2 of the bylaws, and does not resign, the position shall be vacated immediately upon notification from the Chairman. Vacated positions will be filled in accordance with Article 4 of the bylaws.

## **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 Town Clerk by the Secretary. Should such vacancy occur among the officers of the Planning Board, the vacancy shall be filled as soon as practical 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 Town Board

The Town Planning Board may recommend persons to the Town 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: APPLICATION PROCEDURES**

### Section 5.1 Receipt of Applications

The Town Clerk is hereby authorized to receive applications, petitions, and communications on behalf of the Town Planning Board. The Town 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 chairman 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 Town 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 Town Clerk, and the Official Date of Receipt, and shall notify any applicant of this official Date of Receipt.

## **ARTICLE 6: OFFICIAL SIGNATURE**

### Section 6.1 Official Signature

The official signature of the Town 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 Town Planning Board. Such signature shall be endorsed upon such papers only pursuant to the direction of the Town Planning Board embodied in a resolution so directing, and shall be personally signed by either the Chairman, the Vice Chairman in the absence of the Chairman, or the Secretary, if the Secretary has voting privileges. In form the official signature shall be as follows:

Town of Burlington Town Planning Board, Otsego County, New York

By \_\_\_\_\_, Chairman (Chairman Pro Tem )

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: \_\_\_\_\_