

LOCAL LAW PERMANENT 9 OF 2018
LOCAL LAW INTRO. NO. 5 Of 2018

**“A Local Law Regarding County Board, Council and Commission
Appointment and Membership”**

BE IT ENACTED, by the County Legislature of the County of Broome as follows:

SECTION I: Chapter 17, Boards and Councils is hereby amended as follows:

ARTICLE I
Appointment Requirements

§ 17-1. All nominations to County Boards, Councils and Commissions that require confirmation by the County Legislature shall require the following:

- (1) A letter from the nominating entity which shall include, but not be limited to:
 - a. Name and address of nominee
 - b. County Charter, Code or Resolution appointment authority citation
 - c. Term of appointment
 - d. Resume or qualifications statement
 - e. Name of the individual to be replaced or the name of the individual previously appointed to said County Board, Council or Commission.

- (2) Upon approval by the County Legislature and signature from the County Executive for the replacement of an individual serving as a member of a County Board, Council or Commission, the nominating entity shall notify the individual to be replaced in writing within 10 days. A copy of this notification shall be filed with the Clerk of the County Legislature.

§ 17-2. The Clerk of the County Legislature shall maintain and make available to the public a record of individuals currently serving on all County Boards, Councils and Commissions that require confirmation of membership by the County Legislature.

ARTICLE II
Residency Requirements

§ 17-3. Residency required for all boards.

It shall be a requirement for membership on all boards of the County of Broome that each individual member be a resident of Broome County unless an exemption is granted by the

ARTICLE III
Environmental Management Council

§ 17-4. Establishment.

The County Legislature hereby authorizes, creates and approves the establishment of a Broome County Environmental Management Council, pursuant to the provisions of Article 19 of the Conservation Law of the State of New York and other laws pertaining thereto, to be known and designated as the "Broome County Environmental Management Council," for the purpose of reviewing and reporting upon the state of the County's environment and for all the other purposes and with all the powers and duties set forth in Article 19 of the

Conservation Law of the State of New York. The County Executive is hereby authorized and empowered to appoint the members of said Broome County Environmental Management Council.

§ 17-5. Membership; terms; Chairman.

The membership of the Broome County Environmental Management Council shall be comprised of one member of each conservation commission within the County of Broome, 15 at-large members who are residents of Broome County, one representative each from designated agencies as established in the EMC bylaws (e.g., USDA Natural Resources Conservation Service, the Cooperative Extension Service, the Soil and Water Conservation District located within Broome County) and, as ex officio members, the Commissioners or designees of the Broome County Departments of Health, of Parks and Recreation, of Planning and Economic Development and of Public Works, and two Broome County Legislators, all of whom shall be appointed by and serve at the pleasure of the County Executive for terms not to exceed two years, and any such appointments shall be subject to confirmation by the County Legislature. The County Executive shall appoint a Chairman of the Council from among the members of the Council.

§ 17-6. Name.

The name of this organization is the "Broome County Environmental Management Council" (hereinafter called the "Council"), as established by the Broome County Legislature (hereinafter called the "Legislature"), in accordance with Broome County Resolution Permanent No. 277 of 1971, No. 64 of 1973, No. 366 of 1976, No. 341 of 1980, No. 525 of 1987 and Article 47 of the New York State Environmental Conservation Law. All references to the "County" refer hereinafter to Broome County.

§ 17-7. Purpose; goals.

- A. The purpose of the Council shall be as set forth in Article 47 of the Environmental Conservation Law, together with such other powers as shall be given it by the Legislature to enhance and preserve the natural and developed environment of the County.
- B. Major goals of the Council shall include:
 - (1) Providing support services and advice to the County Executive, Legislature, municipal governmental bodies and citizens;
 - (2) Conducting and coordinating environmental research activities;
 - (3) Preparing an annual report on the status of the County's environment;
 - (4) Raising public awareness of environmental issues through educational programs;
 - (5) Preparing long-term work plans for the protection and management of the County's natural resources;
 - (6) Cooperating and assisting other organizations in preparing environmental plans and reports;
 - (7) Investigating and recommending sound methods of ecological planning for the use of the County's resources;
 - (8) Reviewing environmental impact statements, plans, applications and reports when requested to do so; and
 - (9) Responding to County environmental problems.

§ 17-8. Composition.

- A. The composition of voting membership in the Council shall be as follows:
 - (1) Fifteen members-at-large who are County residents.
 - (2) Three student representatives who are County residents and who are at least 16 years of age. At-large and student member nominees shall be considered for approval by a majority of Council members at a regular meeting. Recommendations are submitted to the County Executive for appointment subject to confirmation by the Legislature.
 - (3) One representative from each conservation advisory commission (CAC).
 - (4) One representative each from the Soil and Water Conservation District and Cornell Cooperative Extension located in the County.
- B. The following individuals shall be nonvoting ex-officio members of the Council:
 - (1) The County Executive may appoint the administrators of the following County government departments or their designated standing representatives from the respective agencies:
 - (a) Health.
 - (b) Parks and Recreation.
 - (c) Planning and Economic Development.
 - (d) Public Works.
 - (e) Division of Solid Waste Management.
 - (2) One representative from the United States Department of Agriculture Natural Resources Conservation Service.
 - (3) Two County Legislators.
- C. There shall be any number of nonvoting associate members.

§ 17-9. Selection.

- A. The Executive may consider nominees selected as set forth in Subsection A (1), (2) and (3) and shall submit his/her appointees to the Legislature for confirmation in accordance with County Resolution Permanent No. 277 of 1971, as amended. Selection of nominees for Council membership shall be as follows:
 - (1) At-large and student member nominees shall be selected by the Council's Membership Committee. These names shall be submitted for approval by a majority of Council members at a regular monthly meeting. Notification shall be included in the agenda for that meeting.
 - (2) Each conservation advisory commission may designate one of its members or employees as a Council member nominee.
 - (3) The United States Department of Agriculture Natural Resources Conservation Service, Cooperative Extension Association and Soil and Water Conservation District may designate one of their members or employees as a Council member nominee.
- B. The County Executive may appoint County Department Commissioners or their designees as representatives to Council.
- C. The Chairperson of the Legislature may appoint two Legislators as representatives to Council.
- D. Associate member nominees shall be selected by the Council's Membership Committee, subject to approval by a majority of members at a regular monthly meeting. Notifications shall be included in the agenda for that meeting.

§ 17-10. Terms of membership.

Terms of membership on the Council shall be for periods specified as follows, subject to the provisions of § 17-7 above:

- A. At-large members shall serve a term that consists of two consecutive calendar years. No at-large member may serve more than two consecutive terms. However, six months after the completion of two consecutive terms, an at-large member shall again become eligible for Council membership.
- B. Student members shall serve a term of one year beginning September 1. Student members may serve no more than two consecutive one-year terms.
- C. Representatives from conservation advisory commissions shall serve a term that consists of two consecutive calendar years. CAC representatives serve at the pleasure of their CAC.
- D. United States Natural Resources Conservation Service, Cooperative Extension Service, and Soil and Water Conservation District representatives shall serve at the pleasure of their agencies without a fixed term.
- E. County Commissioners (or their standing representatives) shall serve at the pleasure of the County Executive without a fixed term.
- F. County Legislators shall serve at the pleasure of the Chairperson of the Legislature.
- G. Associate members may serve any number of one-year terms.

§ 17-11. Term expiration and filling vacancies.

- A. Whenever vacancies occur among at-large and student members due to the expiration of a term, the Membership Committee shall recommend nominees to be approved by a majority of Council members at a regular monthly meeting. Members whose terms have officially expired shall continue to serve until their replacements have been appointed and confirmed by the appropriate authorities.
- B. Whenever vacancies occur due to reasons other than the expiration of a term, the Membership Committee shall recommend replacements to serve out the vacated (or interim) term. A member who serves an interim term remains eligible to serve two additional consecutive terms. The nominees are subject to appointment by the County Executive and confirmation by the County Legislature.
- C. Whenever vacancies occur from among the other categories of Council membership, the Council shall notify the appropriate agency or organization so that it may submit the name of a replacement, subject to the provisions of § 17-7 above.

§ 17-12. Absences.

Unexcused absences from three consecutive Council meetings or from four meetings in any twelve-month period shall constitute presumed resignation. Following such absences, the member shall be notified, in writing, of his/her presumed resignation. If extenuating circumstances have caused the absences or if the member wishes to take issue with the proceedings for any reason, the member shall inform the Council Chairperson within one week of the date of the written notification. No response shall be considered a confirmation of the member's resignation.

§ 17-13. Compensation.

All members of the Council shall receive no compensation for their services. They shall be reimbursed, to the extent that the budget permits, for expenses necessarily incurred in the performance of their Council duties (excluding associate members), subject to County expenditure approval procedures.

SECTION II: This Local Law will take effect upon filing with the Secretary of State.