

**BY-LAWS OF THE BROOME COUNTY
ENVIRONMENTAL MANAGEMENT COUNCIL**

WHEREAS, the Broome County Environmental Management Council should be governed by rules for the proper and efficient administration of its affairs;

THEREFORE, be it resolved that the following rules are hereby adopted as the By-Laws of the Broome County Environmental Management Council and that any matter not addressed herein shall be handled according to Robert's Rules of Order, Revised.

ARTICLE I: NAME AND PURPOSE

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.

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.

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;
- 9) responding to County environmental problems.

ARTICLE II: MEMBERSHIP

SECTION 1 – COMPOSITION

A. The composition of voting membership in the Council shall be as follows:

1. Fifteen (15) Members-at-Large who are County residents.
2. Three (3) high school or college students who are County residents and who are at least sixteen years of age; specifically, one (1) from a high school; one (1) from Broome Community College; and one (1) from SUNY-Binghamton.
3. One (1) representative from each city, town, and village Conservation Advisory Commission (CAC) in the County.
4. One (1) representative each from the Soil and Water Conservation District and the Cooperative Extension Association located in the County.

B. The following individuals shall be non-voting, ex-officio members of the Council:

1. The administrators of the following County Government Departments, or their designated standing representatives from the respective agencies:
 - Health
 - Parks and Recreation
 - Planning and Economic Development
 - Public Works
 - Division of Solid Waste Management
2. One (1) representative from the Resource Recovery Agency.
3. One (1) representative from the US Soil Conservation Service.
4. Two (2) County Legislators.

C. There shall be any number of non-voting Associate Members.

SECTION 2 – SELECTION

A. The Executive may consider nominees selected as set forth in subparagraph nos. 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 US Soil Conservation Service, Cooperative Extension Association, Soil and Water Conservation District and the Resource Recovery Agency 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. Notification shall be included in the agenda for that meeting.

SECTION 3 – TERMS OF MEMBERSHIP

Terms of membership on Council shall be for periods specified as follows, subject to the provisions of Article II, Section 2 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. US Soil 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.

SECTION 4 – TERM EXPIRATION AND FILLING VACANCIES

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.

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.

Whenever vacancies occur from among the other categories of Council membership, Council shall notify the appropriate agency or organization so that it may submit the name of a replacement, subject to the provisions of Article II, Section 2 above.

SECTION 5 – 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 their 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.

SECTION 6 – COMPENSATION

All members of 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.

ARTICLE III: OFFICERS

SECTION 1 – COMPOSITION AND SELECTION

The Officers of the Council shall be a Chairperson and two Vice Chairpersons. Officers shall be nominated by the Membership Committee at the November Council meeting. Council members may submit the names of additional nominees for office to the Staff Director prior to the December Council meeting.

SECTION 2 – APPOINTMENT

Vice-Chairpersons and Council’s nominee for the Chairpersonship shall be elected by a majority of Council members attending the December meeting. While the election of Vice-Chairpersons is final, the selected nominee for Chairperson shall be submitted to the County Executive, who may appoint any Council member to the position of Chairperson.

SECTION 3 – TERMS OF OFFICE

Officers shall serve one (1) year terms of office beginning on January 1 and ending on December 31 of any given year.

SECTION 4 – DISMISSAL

Vice-Chairpersons may be dismissed by a two-thirds vote of members attending a regular meeting, provided that prior to the vote, the officer has been advised in writing and has been given the opportunity to present their case to the Council. Notification shall be included in the agenda for that meeting. The Chairperson may be dismissed only by the County Executive.

SECTION 5 – DUTIES

The officers of Council shall undertake the duties commonly associated with their positions. The Chairperson shall preside over Council meetings, and in the event of the absence of the Chairperson, a Vice-Chairperson shall preside. In the event of an extended absence of the Chairperson, a Vice-Chairperson shall serve as Acting Chairperson.

ARTICLE IV: EMC STAFF

SECTION 1 – REVIEW OF APPLICANTS

The Council shall review candidate applications for appointment to staff positions, and shall recommend to the appointing authority one or more candidates for consideration. The appointing authority reserves the right of appointment, subject to New York State Civil Service Law.

ARTICLE V: COMMITTEES

SECTION 1 – NUMBER OF COMMITTEES

The Council shall create and dissolve any number of administrative, standing, or task force committees to carry out Council duties. Task force committee meetings are open to the public.

SECTION 2 – AUTHORITY

Committees have no authority to act independently of Council or to make policy or other decisions on behalf of Council. Committee and task force decisions constitute recommendations to Council for its consideration and action.

SECTION 3 – NOTICE

Staff shall send a written notice and agenda to each Committee member approximately one week prior to a meeting. Special Committee meetings shall be scheduled with at least 24 hours notice given to members.

SECTION 4 – QUORUM

A quorum shall consist of 51% of current Committee members. A quorum is required for the transaction of official Committee business. If a quorum is not present, the committee business conducted at that meeting will be subject to approval by a majority of members at the next Committee meeting.

SECTION 5 – MINUTES

Minutes shall be recorded at each meeting and mailed to Committee members no later than one week prior to the next meeting.

SECTION 6 – SELECTION OF COMMITTEE CHAIRPERSONS

All committee chairpersons must be Council members (other than Associate Members) and shall be appointed by the Council Chairperson.

SECTION 7 – COMMITTEE MEMBERSHIP AND SELECTION

Task Force committee membership is open to all Council members and interested non-members, subject to appointment by the Council Chairperson. Non-Council members shall become eligible once they attend three consecutive meetings or otherwise demonstrate commitment to the work of the task force.

SECTION 8 – VOTING PROCEDURE

Each Task Force committee member, including its Chairperson, is entitled to vote on committee matters. The Council Chairperson and Staff Director shall serve as non-voting, ex-officio members of all task force committees.

SECTION 9 – ABSENCES

Unexcused absences from three consecutive task force committee meetings or from four meetings in any twelve (12) month period shall constitute presumed resignation.

SECTION 10 – EXECUTIVE COMMITTEE

The Executive committee shall be composed of the Chairperson, the two Vice-Chairpersons, and the Council Staff Director. This committee shall be responsible for the routine administrative functions of Council, including preparation of the monthly meeting agenda.

SECTION 11 – MEMBERSHIP COMMITTEE

The responsibility of the Membership Committee is to recruit Council members in order to ensure that all Council positions are filled. The Committee shall submit nominations to Council for approval.

ARTICLE VI: MEETINGS OF THE FULL COUNCIL

SECTION 1 – REGULAR MEETINGS

The Council will hold regular meeting once a month. If deemed necessary, and only with Council approval, regular meetings may be scheduled bi-monthly to meet the needs of the Council. Regular meetings will be open to the public.

SECTION 2 – SPECIAL MEETINGS

Special meetings may be called by the Chairperson to conduct business that cannot be conducted at a regular meeting. Special Council meetings are open to the public.

SECTION 3 – NOTICE

Staff shall send a written notice and agenda to each Council member approximately one week prior to a regular meeting. Special meetings of Council shall be scheduled with at least 24 hours notice given to members.

SECTION 4 – QUORUM

A quorum shall consist of 51% of current voting members. A quorum is required for the transaction of official Council business. If a quorum is not present, the Council business conducted at that meeting will be subject to approval by a majority of members at the next Council meeting.

SECTION 5 – MINUTES

Minutes shall be recorded at each meeting and mailed to Council members no later than one week prior to the next regular meeting.

SECTION 6 – PRIVILEGE OF THE FLOOR FOR VISITORS

At the beginning of each Council meeting, there shall be a period of time designated as Privilege of the Floor. The Chairperson may give the floor, for up to five minutes, to each visitor who wishes to address the Council on any matter of environmental concern. Issues raised during this period may be placed on the agenda for the next regular meeting or Council may vote to take immediate action.

SECTION 7 – VOTING PROCEDURE

All voting members of the Council are entitled to one vote on any question brought before Council at its meetings. Unless otherwise specified, a majority of members present is sufficient to decide an issue brought to a vote. Members absent from a Council meeting may not vote on business conducted during that meeting, either by proxy or by personally designated representative. When necessary, the Executive Committee may authorize the Chairperson to obtain votes from Council members by telephone, email or mail.

ARTICLE VII: BY-LAWS AMENDMENTS

SECTION 1 – NOTICE

The notice for a meeting at which final action on a by-law amendment is scheduled shall include the text of the proposed amendment and shall be mailed to members approximately one week prior to that meeting.

SECTION 2 – RATIFICATION

Amendments to the by-laws shall require a two-thirds vote of all voting Council members.

Revised March 9, 2019 per action of
the Broome County EMC

Previously adopted
Broome County Legislature
Resolution Permanent No. 91-272
July 18, 1991

Revised 10/15/19