



CITY OF ALBANY PLANNING BOARD RULES OF PROCEDURE

Article 1 - Authority

- 1.1 These rules shall be cited as the City of Albany Planning Board Rules of Procedure.
- 1.2 The rules shall be effective upon adoption by a majority of the members of the Board, signed by the Chair of the Board, and filed with the office of the City Clerk.
- 1.3 These rules, and any subsequent amendments, will be subject to review and comment by the City of Albany Common Council.
- 1.4 These rules may be amended in the same way as the initial adoption.

Article 2- Membership

- 2.1 Selection and membership shall be as stipulated in §§42 of the City Code and §301(e) of the City Charter.
- 2.2 The Chairperson shall be appointed by the Mayor.
- 2.3 A Vice-Chairperson shall be selected by a majority vote of the Board and shall preside over meetings in the absence of the Chairperson.

Article 3- Member Training

- 3.1 In accordance with NY General Municipal Law, Planning Board members are required to obtain 4 hours of suitable training per year. The training shall be certified by the Chief Planning Official and filed with the City Clerk. If a member completes in excess of 4 hours in one year, the excess training shall be counted towards the following year's requirement. Excess training cannot be carried beyond the following calendar year.

Article 4- Agenda Preparation and Delivery, Planning Department Duties

- 4.1 Planning Staff shall, upon receipt, determine the validity of appeals and assess applications for completeness in accordance with §375-5(D)(4) of the Unified Sustainable Development Ordinance.
- 4.2 For all meetings, Planning Staff shall prepare an agenda setting forth the time and place of the meeting and a brief general description of each item of business to be transacted or discussed at the meeting. Items to be included on the agenda must be submitted to the Planning Department in a manner determined to be complete by Planning Staff, no later than the date established by the Department.
- 4.3 Planning Staff shall distribute notice of the agenda to any persons or organizations in the City, or to any governmental, public, or quasi-public organization regarding any matter related to the Unified Sustainable Development Ordinance that may affect the interests of that person or organization, or on any matter on which any such person or organization has requested notice, pursuant to §375-5(D)(6)(e) of the Unified Sustainable Development Ordinance. The agenda shall be distributed no less than one week prior to the meeting and be posted on the City website and in the City Hall Rotunda.

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- 4.4 Planning Staff shall provide each Board member with an agenda, and a staff report or memorandum containing pertinent facts, information and recommendations, as well as exhibits and any other pertinent material, for each item on the agenda. Applications shall be available for public review at the Department of Planning and Development during normal business hours, and may be available on the City of Albany website.
- 4.5 The Department of Planning and Development shall be responsible for the maintenance of Board records and minutes per New York Open Meetings Law.

Article 5- Duties of Members

- 5.1 The Chairperson shall preside over meetings and shall be responsible for conduct and decorum of the meeting. The Chairperson shall have the responsibility to ensure that all parties receive a full and fair hearing before the Board.
- 5.2 It is incumbent upon every member to review agendas in advance of meetings, to be conversant with the plans, projects and issues to be presented, and to advise the Planning Department when they expect to be late or unable to attend, or when they expect to recuse themselves from voting or participating in the discussion of an agenda item.

Article 6- Quorum

- 6.1 A majority of the membership of the Board shall constitute a quorum. A quorum is necessary for the Board to take any action.

Article 7- Meeting Conduct, Voting

- 7.1 Unless modified by vote, the Board shall follow the following Order of Business:
- a) Call to order
 - b) Consideration of consent agenda items
 - c) Consideration of public hearing items
 - d) Consideration of public meeting items
 - e) Discussion items or other business
 - f) Adjournment
- 7.2 Under normal circumstances in which the Board is first considering an application, for each agenda item under consideration, the applicant shall be recognized for attendance; the applicant shall present; questions/input by the Board members and staff; any comments from the public.
- 7.3 The presiding Board member may announce reasonable time limitations and registration requirements for speakers so that all may have an opportunity to be heard.
- a) Except where a speaker's allotted time must be shortened so that all may have an opportunity to be heard, speakers shall be allotted the following:
 - 1. Applicants may have ten (10) minutes to present their remarks
 - 2. Members of the public may have three (3) minutes to present their remarks
 - 3. Council Members may have six (6) minutes to present their remarks
 - 4. Applicants may have five (5) minutes for rebuttal
 - b) Any speaker's allotted time may be extended by majority vote of the Board members in attendance.

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- 7.4 All motions by the Board shall be carried by a majority of members who are present, qualified to act, and who cast either an "aye" or "no" vote, provided that a quorum is present.
- 7.5 No motion shall be carried by fewer than three (3) affirmative votes of the Board.

Article 8- Meetings Open to Public, Information from the Public

- 8.1 All Planning Board meetings shall be open to the public and held in accordance with the requirements of the New York State Open Meetings Law.
- 8.2 The Board may prescribe procedures for registration of speakers and may require that each person come forth and state the following information:
 - a) name
 - b) address, and
 - c) person or organization he/she represents
- 8.3 The chairperson or presiding Board member may announce reasonable time limitations and registration requirements for speakers, so that all have an opportunity to be heard.

Article 9- Meeting, Special Meeting, Place; Hours

- 9.1 The Board shall adopt an annual meeting schedule for each calendar year.
- 9.2 Special meetings of the Board may be held at the call of the Chairperson or by a majority of Board members upon vote. Special meetings shall conform with all the requirements stipulated herein for regular meetings.
- 9.3 Regular or special meetings may be recessed to a time and place certain as a continuation of said meeting without further notice.
- 9.4 All meetings shall be held in City Court Room 209 on the second floor of City Hall or in the Community Room at 200 Henry Johnson Boulevard unless the Board shall meet at some different place for a particular meeting, provided however, that all public hearings of items of business which receive public hearing shall commence no earlier than 5:30 p.m.

Article 10- Standards of Conduct

- 10.1 Members shall abide by Article 4 § 74 of New York State Public Officers Law (Laws 1909, Chap. 51).

Vote:	For Approval:	5	DeSalvo:	Y	Gaillard:	Y
	Against:	0	Ellis:	Y	Kuchera:	Y
	Abstain:	0	Hull:	Y		

Adopted this 25th day of June, 2019.

Signature: Albert R DeSalvo

Albert R. DeSalvo, Chairman