

BY-LAWS

Sussex County Planning Board

Revised: _____

Article I

Purpose

The objectives and purposes of the Sussex County Planning Board are those set forth in Chapter 251 Public Law of 1935 of the State of New Jersey and amendments and supplements thereto, and the following by-laws or rules of procedure are adopted by the Board to facilitate the performance of its powers and duties delegated by the Sussex County Board of Chosen Freeholders.

Article II

Procedures

The deliberations and procedures of the County Planning Board, County of Sussex, New Jersey, are to be governed by Robert's Rules of Order, as amended, except as hereinafter specifically provided, or otherwise as provided by law.

Article III

Membership

Section 1.

The membership of the Sussex County Planning Board shall consist of the Director of the Board of Chosen Freeholders, one member of the Board of Chosen Freeholders to be appointed by the Director, the County Engineer, and six citizen members who may not hold any other county office and who shall be appointed by the Director of the Board of Chosen Freeholders with the approval of that body.

Section 2.

The officers of the Planning Board shall consist of a Chairman, Vice Chairman and Secretary. A Recording Secretary is appointed from the staff of the County Department assigned to provide clerical assistance to the Board.

Section 3.

The duties of Chairman shall be to preside at all meetings and hearings; appoint subcommittees; allocate duties to Board members; call special meetings deemed desirable or at the request of three Board members; prepare, with the Planning Director, the agenda for meetings; and carry out such other duties as normally are those of a Chairman.

Section 4.

The Vice-Chairman shall act for the Chairman in their absence.

Section 5.

The Secretary shall sign all resolutions, official documents, and correspondence as directed by the Board Chairman.

Section 6.

The Recording Secretary shall keep the minutes and records of the Board, provide notice of meetings to the Board members, arrange proper and local notice of hearings, and attend to such duties as are normally carried out by a recording secretary.

Section 7.

The Chairman, Vice-Chairman and Secretary shall be citizen members of the Board.

Section 8.

Two (2) alternate citizen members may be appointed by the Board of Chosen Freeholders. These members shall be designated by the Freeholder Director as "Alternate No. 1" and "Alternate No. 2" and shall participate in the absence or disqualification of any citizen member.

Section 9.

An alternate may be appointed by the Freeholder Director to serve in the absence of the County Engineer. The alternate shall be the assistant or deputy County Engineer.

Section 10.

The Freeholder Board may appoint a Freeholder to serve as an alternate to the two Freeholder members on the Board.

Section 11.

Alternate members shall serve their term at the same time as the terms of the regular members for whom they are alternates. An alternate member shall be entitled to sit with and participate as a member in any hearing before the Board. Any alternate member who has attended the full hearing(s) or has listen to the tape recordings of same hearing(s) may participate in the Board's decision during the absence or disqualification of any regular member for whom they are an alternate.

Article III

Election of Officers

Section 1.

Nomination of officers shall be made by the Nominating Committee, or from the floor, at the annual reorganization meeting which shall be the first meeting in January of each year and the elections shall follow immediately thereafter.

Section 2.

A candidate receiving a majority vote of the entire membership of the Planning Board shall be declared elected and shall serve for one year or until their successor shall take office.

Section 3.

Any vacancy occurring among the officers of the Board shall be filled by the affirmative vote of a majority of the entire membership of the Planning Board. Any officer elected to fill a vacancy shall serve for the unexpired term of their predecessor in office.

Article V

Meetings

Section 1.

Regular meetings will be held on the first Monday of each month at 4:00 p.m. in the Freeholder Board meeting room at the County Administration Building, Plotts Road, Newton, N.J. or at such other date, time, and/or place within the County as the Board may establish and advertise in accordance with the Open Public Meetings Law in the official County newspaper(s).

Section 2.

Special meetings may be called by the Chairman at anytime provided adequate notice is given in accordance with the Open Public Meetings Law.

Section 3.

Special meetings shall also be called by the Chairman upon written request signed by three (3) or more members of the Board and stating the purpose of such meeting.

Section 4.

Written notice calling all special meetings is to be sent by the Board Secretary to each member of the Board at least forty-eight (48) hours prior to the meeting.

Section 5.

At any special meeting, the only subject to be discussed and action taken thereon shall be that for which the meeting is called.

Section 6.

At any regular, adjourned, or special meeting, at least five (5) members, three (3) of whom shall be citizen members, shall constitute a quorum and the number of votes necessary to transact business shall be a majority of those members present.

Section 7.

All meetings shall be open to the general public except for executive sessions as provided for under the Open Public Meetings Law.

Section 8.

Committee meetings may be called by the Board Chairman or any Committee Chairman at any time or place mutually agreeable to those concerned.

Section 9.

Voting on resolutions shall be by roll call and said vote shall be recorded.

Article V

Order of Business

Section 1.

Regular Meeting

1. Call to Order
2. Statement regarding compliance with Open Public Meetings Law
3. Review and Approval of Minutes
4. Development Review Reports and Waiver Requests
5. Correspondence
6. Committee Reports
7. Old Business
8. New Business
9. Open to the Public - Comments
10. Adjournment

Article VI

Committees

Section 1.

All activities of the Board so far as may be feasible are to be carried on by standing committees, appointed by the Chairman. The appointment of a member of the Board to a standing committee is for a term of one year.

Special committees may be appointed by the Chairman from time to time. As may be deemed advisable.

The Planning Board Chairman shall appoint the Chairman of each committee.

Section 2.

Standing Committees to be appointed are:

- a. Transportation
- b. Development Review
- c. Master Plan, Official Map and Land Use Standards
- d. State Development Plan Negotiating Committee
- e. Municipal Education and Outreach Committee

Article VII

Hearings

Section 1.

In addition to those required by law, the Board may at its discretion hold public hearings when it decides that such hearings will be in the public interest.

Section 2.

Notice of such hearings shall be published in the official County newspaper(s) at least ten (10) days before the time of the public hearing.

Section 3.

Petitioners addressing matters of business before the Board shall be presented in summary by a designated member of the Board, or by staff, the Board Recording Secretary, and parties in interest shall have the privilege of the floor. Witnesses shall be sworn in and evidence submitted to the Board shall be part of the record and considered in any decision rendered by the Board.

Section 4.

No vote of the Board will be taken at a hearing.

Section 5.

Inquiries may be made by any Board member of any of those present. Inquiries by the public shall be addressed to the Chair.

Article VIII

Staff

Section 1.

The Staff to the County Planning Board are assigned by the County Planning Director who directs the Sussex County Department of Planning, Development and Human Services. The development review staff works in conjunction with the County's Engineer's Office in reviewing development applications and making recommendations for action to the Development Review Committee and the County Planning Board.

Section 2.

The staff is to collect, assemble and prepare information and data necessary to updating the County Master Plan, Official Map and the Land Development Standards. In addition, the staff may provide comments on municipal zoning ordinances and Master Plans submitted to the County Planning Board. Coordination is provided by staff to facilitate involvement with the State Development Plan and the Cross Acceptance process.

Article IX

Records

Section 1.

All documents pertaining to matters formally before the Board shall be maintained in the files held by the Staff.

Section 2.

The office of the County Planning Board is located in the same general offices as the County Planning Director.

Article X

Amendments

These by-laws may be amended at any regular meeting of the Board by a two-thirds vote of the entire membership, provided that:

1. the proposed amendment shall have presented to the Board in writing and signed by a member of the Board at the last regular monthly meeting, and provided that said proposed amendment shall have been made part of the minutes of that last regular monthly meeting, and
2. A written copy of said proposed amendment shall have been sent to each Board member no later than ten (10) days before the regular meeting of the Board at which the proposed amendment shall be voted on.

Article XI

Public Interest Protection

It is established that guidelines be provided for mandatory disqualifications for County Planning Board members from participating in official actions where their personal or professional interest might be affected. No member shall have economic interests which are in substantial conflict with the proper exercise of their official duties and powers; and, no member shall influence Board action or decision relating to any matter within the responsibilities of the Board by State Statute and County Land Development Standards in which the member is cognizant or has reason to believe or expect deriving substantial or material gain. If this be the case for any member on the Board, he or she shall be required to disqualify themselves and not participate in any discussion or vote on the subject matter at hand. The member shall divulge the reason and it shall be so noted in the Minutes and/or transcript.

The County Engineer shall abstain from voting on any Board matter he or his office has directly been involved in to include Board actions on any Subdivision and Site Plan applications.