

BY-LAWS OF THE ELMIRA URBAN RENEWAL AGENCY
ELMIRA, NEW YORK

ARTICLE I – THE AGENCY

- Section 1. Name of Agency. The name of the Agency shall be the “Elmira Urban Renewal Agency”.
- Section 2. Members. The Agency shall consist of seven (7) voting members: the Mayor who shall be its Chairman and the six (6) City Councilmen, collectively to be referred to as “The Agency”. The City Manager will serve in an ex-officio capacity.
- Section 3. Seal of the Agency. The seal of the Agency shall be in the form of a circle and shall bear the inscription of Elmira Urban Renewal Agency and the year of its formation.
- Section 4. Office of the Agency. The office of the Agency shall be at 302 East Church Street¹, Elmira, New York, or at such other place or places as the Agency may, from time to time, designate by resolution. All books and records of the Agency shall be kept at the office herein above designated, unless otherwise provided by Agency resolution.

ARTICLE II – OFFICERS

The officers of the Agency shall be a Chairman, Vice-Chairman, Secretary and Treasurer. The Agency may also from time to time appoint such other officers as the Agency may require, and fix their duties, powers and terms of office.

¹ Urban Renewal Agency address changed to 307 E. Church Street, Elmira, New York, August 1974.

ARTICLE III
POWERS AND DUTIES OF OFFICERS

CHAIRMAN

The Chairman shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of the Agency, the Chairman shall sign all bonds, contracts, deed or other instruments made by the Agency.

VICE-CHAIRMAN

The Acting Mayor shall be the Vice-Chairman and shall perform all of the duties of the Chairman (including the signing of documents as provided above) in the absence of the Chairman, and during a vacancy in the office of Chairman.

SECRETARY

The Agency shall appoint a Secretary. The Secretary shall keep the records of the Agency, shall sit as Secretary at its meetings, shall record names of individuals in attendance, and record all votes, and shall keep a record of the proceedings of the Agency in a minute book to be kept for such purposes. He shall keep in safe custody the seal of the Agency and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Agency, and to attest to the authenticity thereof, and to certify as to the authenticity of copies thereof. The Agency shall appoint a Deputy Secretary to carry out all of the duties of the Secretary in case of his absence or incapacity. The Secretary and Deputy Secretary need not be a member of the Agency.

TREASURER

The Agency shall appoint or contract for a Treasurer who shall be responsible to the Agency and who shall have care and joint custody of all funds of the Agency and shall deposit the same in the name of the Agency in such bank or banks as the Agency shall select. He shall keep or supervise the keeping, of books of account according to a Uniform System of Accounts for Municipalities and shall render to the Agency at each regular meeting, and more often when required, an account of the transactions and also the financial condition of the Agency. He shall countersign all checks, notes or other instruments for the payment of funds of the Agency. He shall

perform such other duties as are incidental to his office and as from time to time may be imposed upon him by resolution of the Agency.

ATTORNEY

The Agency shall appoint or contract for an Attorney who shall be responsible to the Agency. He shall be the legal advisor to the Agency and the Director of Urban Renewal, the Treasurer and other officials of the Agency. He shall furnish opinions or written reports on any question of law involving the Agency. He shall draw or approve all bonds, contracts, deeds or other instruments to which the Agency is a party or in which it has an interest.

OTHER EMPLOYEES

Such other employees as the Agency shall determine are necessary for the proper administration of the urban renewal program shall be appointed, and shall be subject to removal with the approval of the Agency.

POWERS AND DUTIES OF MEMBERS

The powers and duties of the members of the Agency shall be as set forth in Article XV-A of the General Municipal Law of the State of New York.

The members of the Agency shall perform such duties as are incumbent upon them by reason of their office and shall perform such other duties and functions as may from time to time be required by the Agency or the By-laws, or which may arise by reason of their appointment to serve on committees functioning within the Agency or in cooperation with other persons or groups.

ARTICLE IV – VACANCIES OF OFFICERS

Should any vacancy among the officers occur by death, resignation or otherwise, the vacancy shall be filled in accordance with the special act creating the Agency².

² November 10, 1966, by Resolution No. 32, this was amended by deleting the words “as provided by the General Municipal Law” and substituting “in accordance with the special act creating the Agency”.

ARTICLE V – DIRECTOR OF URBAN RENEWAL

The Agency shall employ a Director of Urban Renewal. Such Director shall serve at the pleasure of the Agency. His compensation shall be as fixed from time to time by the Agency.

The Director of Urban Renewal shall be responsible to the Agency for all normal administrative functions of the Agency. He shall exercise general management and direction of the facilities and business affairs of the Agency. He shall see that all federal, state and local laws and regulations relating to Urban Renewal together with all orders and regulations of the Agency are faithfully enforced and executed. He shall:

- (a) act as the official representative of the Agency with respect to all communications with the Department of Housing and Urban Development, Urban Renewal Administration and the State of New York Division of Housing and Community Renewal;
- (b) attend all regular and special meetings of the Agency with the right to take part in the discussions, but without the right to vote;
- (c) keep the Agency advised as to all matters affecting its business and present a report at each regular meeting of the Agency;
- (d) approve all bills and vouchers for payment subject to pre-audit and control as provided by federal, state and local laws and regulations of the Agency;
- (e) countersign, with the Treasurer, all checks and other instruments for the payment of funds by the Agency;
- (f) have joint custody, with the Treasurer of all funds of the Agency and shall deposit same in such bank or banks as the Agency may designate;
- (g) subject to federal and state laws and regulations and the orders and regulations of the Agency employ or contract from time to time with such special and technical experts, consultants, agents and employees as may be necessary for the proper business of the Agency and fix their compensation as provided by law or resolution of the Agency;

- (h) maintain a continuing review and analysis of budget operations, work programs and costs of the Agency;
- (i) act as the official liaison between the Agency and the Elmira City Council, City Manager, Planning Board, news media and the public;
- (j) prepare and serve all notices of Agency meetings as provided in these by-laws; and
- (k) perform such other duties as may be required of the Agency by federal or state law or by the resolution of the Agency;
- (l) prepare or cause to be prepared a statement, in such form and manner as the Agency may approve, of all accounts presented for payment or currently chargeable against the Agency, all vouchers, bills or claims of whatever kind or nature, prior to the regular meetings of the Agency, for the purpose of auditing and approving said accounts for payment. In no event shall the Director of Urban Renewal pay or cause to be paid any such account prior to the approval of the Agency.³ Amounts up to \$500 may be paid prior to audit, when in the opinion of two of the signatories, that a special condition exists and all amounts paid in the above manner shall appear on the audit following payment⁴.

ARTICLE VI – MEETINGS

Section 1. General Provisions. All meetings shall be held in the Chambers of the Council of the City of Elmira in the City Hall of the City of Elmira, unless some other meeting place is specifically designated⁵.

Section 2. Annual Meetings. The annual meeting of the Agency shall be held on January 1, for the purposes of receiving the annual report of the

³ This section (l) was added to the By-Laws by an amendment approved April 23, 1970, Resolution No. 292. It was re-enacted by Resolution No. 504 dated September 21, 1971.

⁴ This sentence was added by Resolution No. 528 dated November 8, 1971.

⁵ This section was added by an amendment dated September 21, 1971, Resolution No. 503 and replaced “All meetings shall be held at the office of the Agency in the absence of the specific designation of some other meeting place in a resolution passed at a prior meeting. In the event that the date for any annual or regular meeting shall fall on a legal holiday, the meeting shall be held on the next succeeding secular day at the place and time designated in the resolution”.

Director of Urban Renewal, and for the conduct of such other business as may come before the meeting.

Section 3. Regular Meetings. A regular meeting of the Agency shall be held at seven-thirty in the afternoon (7:30 P.M.) of October 23, 1973; and , on Monday, November 5, 1973, and every two weeks thereafter, unless dispensed with or scheduled for another time⁶.

Section 4. Special Meetings. The Chairman of the Agency may, when he deems it expedient, and shall, upon the request of two voting members of the Agency or the Director of Urban Renewal, call a special meeting of the Agency for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered to any member of the Agency or may be mailed to his business or home address, and such delivery or mailing must be performed at least two days prior to the date of such meeting. At such special meeting, no business shall be considered other than as designated in the notice.

Section 5. Quorum. At all meetings of the Agency a majority of the voting members of the Agency shall constitute a quorum.

Section 6. Bonds and Notes. Every bond resolution and capital note resolution shall be adopted in conformity with Section 33 of the Local Finance Law of the State of New York, as amended.

Section 7. Order of Business. At regular meetings of the Agency, an Agenda, prepared and delivered to each member of the Agency two working days in advance of the meeting shall be followed. The order of business shall be:

A. Reading and approval of the minutes of the previous meeting and any intervening special meeting.

⁶ This section was amended by Resolution No. 776B dated October 15, 1973 and replaced a series of amendments to the Bu-laws affixing the dates and times of meetings.

- B. Bills and Communications
- C. Report of the Director of Urban Renewal
- D. Reports of Committees
- E. Unfinished Business
- F. New Business
- G. Adjournment

Section 8. Rules of Procedure. The Rules of Procedure of the Elmira City Council, insofar as they are applicable and not in conflict with these By-Laws, shall be the Rules of Procedure of this Agency.

ARTICLE VIII – AMENDMENTS

The By-Laws of the Agency shall be amended by five (5) votes.