§ 15-1105. Regional planning and development board; meetings; quorum; powers and duties.

1. If the department shall determine that the proposal should be undertaken, the department, after the expiration of the time in which a review of its decision may be had or, in the event such a review has been instituted, after a final judgment or order affirming the department's decision has been entered therein, shall appoint a regional planning board, hereinafter referred to as "the board."

2. The board shall consist of seven members residing in the region of the proposal and of whom:

a. At least one member shall be representative of the municipal corporations within the region of the proposal; and service as a member of the board shall not be deemed as service rendered to any municipal corporation;

b. At least one member shall be representative of the agricultural and farming interests within the region of the proposal and shall be actively interested in the improvement and development of agricultural and farming process and techniques;

c. At least one member shall be representative of industry within the region of the proposal and actively engaged or employed in an industrial or commercial pursuit;

d. At least one member shall be representative of groups within the region of the proposal interested in the needs of fisheries and waterfowl and in forms of outdoor recreation made possible by the state's waters; and

e. At least one member shall be actively engaged in or connected with the acquisition, operation or management of public water supplies within the region; and service as a member of the board shall not be deemed as service rendered to any municipal corporation.

3. Appointments to the board shall be made by the department from lists of nominations submitted to it, at the department's request, by the county legislative body or bodies of the county or counties within the region of the proposal. Each list of nominations shall contain fourteen names including two for each of the five representative classes specified by subdivision 2 of this section. Where more than one county is included, the county legislative body or bodies shall make all reasonable effort to agree upon a single list of nominations. The department when making its requests for nominations shall specify a date, fixed so as to permit action on the requests by the county legislative bodies; on or before which such nominations must be submitted, unless the department shall extend such time. The persons so appointed by the department shall within ten days following the date of their appointments and before entering upon the performance of their duties, take and subscribe an oath of office in the manner and form prescribed by law, and shall file the same in the office of the Secretary of State of the state of New York. Each appointee shall notify the department in writing of the date of filing his oath of office. A vacancy shall be filled from the appropriate representative class and in like manner as an original appointment.

4. The board shall hold its first meeting not later than thirty days after the oaths of office of all members have been so filed for the purpose of organization and the appointment of its officers. The board shall select from among its members a chairman, vice chairman and secretary.

5. The board shall be known and transact its affairs as the "..... Regional Water Resources Planning Board" (insert in the name of such board a word or words, chosen by the board at its first meeting, descriptive of the region of the proposal).

6. The members of the board shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. Vouchers for such expenses shall be prepared on forms provided by the department and shall be approved by the chairman of the board. Such vouchers shall be submitted in duplicate

to the department, which shall transmit one copy of each voucher to the Comptroller of the state of New York for payment and shall retain the other copy in its files.

7. The board shall expire and the terms of office of its members shall terminate thirty days after the department has finally approved or disapproved a plan as hereinafter provided in title 11 of this article. However, the department, with the concurrence of the county legislative body or bodies of the county or counties within the region, may terminate the existence of the board and the terms of office of its members at any time it deems it in the public interest to do so; and the department, with the concurrence of the county legislative body or bodies of such county or counties, may continue the existence of the board and the terms of office of its members for a specified additional period of time after the department has finally approved a plan, for the purpose of furthering the objectives of the plan.

8. The board shall hold regular meetings monthly, keep a record of all its proceedings, and determine the rules of its own proceedings.

9. Special meetings may be called by the chairman upon his own initiative and must be called by him upon receipt of a written request therefor signed by at least two members of the board. Written notice of the time and place of such special meeting shall be given by the secretary to each member at least four days before the date fixed by the notice for such special meeting.

10. Four members of the board shall constitute a quorum to transact the business of the board at both regular and special meetings.

11. The board shall request the department within appropriations available to the department therefor, to provide office space and equipment, and to select and employ or retain clerical, technical, scientific, engineering, legal and other personnel and services to assist the board in carrying out its duties and performing its functions under title 11 of this article.

12. The board, using the personnel so selected and employed or retained by the department, shall proceed to investigate, study, examine and survey the water resources of the region of the proposal to ascertain the present uses being made thereof, and to determine the feasibility of their future development by proper conservation and control measures, to provide a greater supply for, and an equitable distribution among domestic, municipal, agricultural, commercial, industrial and recreational users, to the end that the water resources of the region shall not be wasted and shall be conserved and utilized for the beneficial interests of all the people of the state. Particular consideration shall be given to the impounding and retention of flood waters for their future use and distribution.

13. The board may conduct informal hearings and meetings at any place or places within the region for the purpose of obtaining necessary information or other data to assist it in the proper performance of its functions and duties. The board may delegate to any member, to the secretary or to any agent of the board the power and authority to conduct such hearings and meetings, and all reasonable efforts shall be made to ascertain the views, wishes and opinions of the inhabitants of the region.

14. The board and its authorized agents may enter upon any lands as in its judgment may be necessary for the purpose of making surveys and examinations to accomplish its functions and duties under this article, without liability. Liability only for actual damage done during any such entry, survey and examination is hereby assumed by the state and consent is hereby granted to any owner of such lands to pursue his remedy for any such actual damage pursuant to the Court of Claims Act.

15. The board shall cooperate with legislative committees and commissions, and shall make available to such committees and commissions, upon request, any records and other data, and shall file monthly with the department a report of its activities and progress. Upon termination of the board's existence, the board shall deposit all records of its proceedings with the department.

16. The board, based upon its investigations and studies, shall prepare a comprehensive plan or plans for the protection, conservation, development and utilization of the water resources of the region of the proposal, and shall submit the plan or plans to the department for its approval.