

TOWN OF WASHINGTON LOCAL LAW NO. 6 OF THE YEAR 1988

A LOCAL LAW ESTABLISHING A
CONSERVATION ADVISORY COMMISSION
FOR THE TOWN OF WASHINGTON

A LOCAL LAW to establish a Conservation Advisory Commission for the Town of Washington, pursuant to Section 239-x of Article 12F of the General Municipal Law.

Section 1, Legislative intent. The preservation and improvement of the quality of the natural and man-made environment within the Town of Washington, in the face of population growth, urbanization, and technologic change with their accompanying demands on natural resources, are found to be of increasing and vital importance to the health, welfare, and economic well-being of present and future inhabitants and require forthright action by the governing body of the Town of Washington. It is recognized that the ecological integrity of the natural environment on which man is dependent for survival and the natural and functional beauty of our surrounds which condition the quality of our life experience cannot be protected without the full cooperation and participation of the people Of the Town of Washington, working in partnership with local and state officials and with various public and private

institutions, agencies, and organizations . Establishment of a Conservation Advisory Commission appears to be an advisable step in fostering unified action on environmental problems .

The Town of Washington has previously by resolution, called for the creation of a conservation. advisory commission but without guidelines, powers and limitations. This local law is intended to reconstitute said commission and define its function, powers, duties and limitations. To the extent this local law is inconsistent with the terms of any legislation governing the previous commission or the commission as reconstituted by this local law, the terms of this local law will control.

Section 2. Establishment of the Commission. The Town Board of the Town of Washington hereby creates a Commission which shall be known as the Town of Washington Conservation Advisory Commission, hereinafter called the Commission.

Section 3. Membership.

(1) The Commission shall consist of not less than three

(3) nor more than nine (9) members all of whom shall be appointed by the Town Board of the Town of Washington, who shall serve at the pleasure of that Board and may be removed for cause by the Town Board at any time after a public hearing, if requested. In this respect this local law is intended to supersede Section 239-x of the General Municipal Law. Persons residing within the Town of

Washington who are interested in the improvement and preservation of environmental quality shall be eligible for appointment as members of the Commission. Vacancies on the Commission shall be filled in the same manner as the original appointment except that: a vacancy occurring other than by the expiration of term of office shall be filled only for the remainder of the unexpired term.

(2) Term of Appointment: In compliance with State of New York Article 12-F, General Municipal Law, the term of appointment shall be two (2) years subject to the provisions of subparagraph (1) , above.

In order to provide continuity and also encourage new people to participate, the initial appointments shall be staggered as follows: Three (3) members appointed to serve the full two (2) year term, and two (2) members appointed to a one (1) year term. Thereafter. , reappointments may be made each year.

. Section 4. Officers, Meetings and Committees. The Town Board of the Town of Washington shall designate a member of the Commission to act as chairman thereof and may remove and replace the chairman with or without cause at any time. At the first meeting of the Commission its members shall elect from among themselves a recording secretary. The Commission shall adopt rules and procedures for its meetings . It shall keep accurate records of its meetings

and activities and shall file an annual report as provided in section six of this local law.

Section 5. Powers and duties of the Commission. The powers and duties of the Commission shall be to:

(1) Conduct and maintain an inventory of the natural resources within the Town of Washington.

(2) Advise the Town Board of the Town of Washington on matters affecting the preservation, development, and use of the natural and man-made features and conditions of the Town insofar as quality, ecological integrity, vistas and other environmental factors are concerned. In the case of man's activities and developments, advise on any major threat posed to environmental quality, so as to enhance the long range value of the environment to the people of the Town of Washington.

(3) Develop and, after receiving approval by resolution of the Town Board of the Town of Washington, conduct a program of public information in the community which shall be designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions .

(4) Maintain an up-to-date index of all open spaces as defined in Section 239-y of the General Municipal Law, in public or private ownership within the municipality, including but not

limited to natural landmarks, glacial and other geomorphic or physiographic features; streams and their flood plains, swarnps, marshlands, and other wetlands; unique biotic communities; scenic and other open areas of natural or ecological value. Such index shall include the ownership, present and proposed uses of such open areas, so as to provide a base of information for recommendations by the Commission for their preservation and/or use.

(5) Seek to coordinate, assist, and unify the efforts of private groups, institutions, and individuals within the Town of Washington in accord with the purposes of this local law.

(6) Maintain liaison and communications with public and private agencies and organizations whose programs and activities have an impact on the quality of the environment or who can be of assistance to the Commission.

(7) Working in cooperation with the Town Planning Board, recomrnend plans and programs relating to environmental irnprovement for inclusion in the Master Plan of the Town of Washington. Similarly, recommend to the Town Board of the Town of Washington appropriate and desirable changes in existing local laws and ordinances relating to environmental and land use controls or recommend new local laws and ordinances.

(8) Prepare, print, and distribute books, maps, • charts, and pamphlets in accord with the purposes of this local law.

(9) Obtain and maintain in orderly fashion maps, reports, books and other publications to support the necessary researches of the Commission into local environmental conditions.

(10) When authorized by resolution to the Town Board of the Town of Washington, the Commission may accept by gift, grant, deviser bequest, or otherwise, property both real and personal in the name of the Town of Washington. This may be necessary to conserve and otherwise properly utilize open spaces and other land and water resources within the boundaries of the Town of Washington. Such real property may be accept-ed in fee for land and waste rights, or as any lesser interest, development right, easement, including conservation easement, covenant, or other

contractual right including conveyance with limitations or reversions

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(11) Carry out such other duties as may be assigned to it from time to time by the Town Board of the Town of Washington.

Section 6. Reports The Cornmission shall keep accurate records of its meetings and actions, shall promptly deliver to the Town Board of the Town of Washington after each meeting copies of its minutes and shall submit an annual report to the Town Board of the Town of Washington not later than the thirty-first (31st) day Of December of each year t concerning the activities and work of the

Commission. From time to time the Commission shall submit such reports and recommendations as may be necessary to fulfill the purpose of this local law or as may be requested by the Town Board.

Section 7. Compensation and Expenses. The members of the Commission, including ex-officio members, if any, shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within the appropriations made available therefor. If the Commission expects to be reimbursed for expenses, it will submit its budget to the Town Board for approval prior to receiving any such expenses .

Section 8. Construction. This local law shall be deemed an exercise of the powers of the Town of Washington to preserve and improve the quality of the natural and man-made environment on behalf of the present and future inhabitants thereof. This local law is not intended and shall not be deemed to impair the powers of any other public corporation.

Section 9. Effective Date. This local law shall take effect immediately upon its filing with the Secretary of State, State of New York, pursuant to Section 27 of the Municipal Home Rule Law of the State of New York.

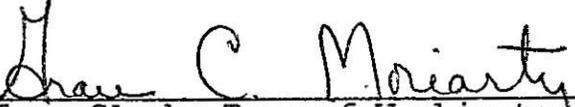
and it is further

RESOLVED, that the Town Clerk of the Town of Washington shall file a certified original of this local law in the Office of the Town Clerk and three certified copies in the Office of the Secretary of State, State of New York, each such certified copy to have attached thereto a certificate executed by the attorney of the Town of Washington that it contains the correct text and that all proper proceedings have been had or taken for the enactment of this local law.

The foregoing resolution was voted upon with all members of the Board voting as follows:

Supervisor Rotunno	AYE
Councilman McDonald	<u>AYE</u>
Councilman Briggs	<u>AYE</u>
Councilwoman Prisco	<u>AYE</u>
Councilman Molella	<u>ABSENT</u>

Dated: July 28, 1988.


Town Clerk, Town of Washington

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Councilman Prisco offered the following resolution which was seconded by Councilman MacDonald who moved its adoption :

WHEREAS, a local law entitled "Town of Washington Local Law No. 6 of the Year 1988, a Local law Establishing a Conservation Advisory Commission for the Town of Washington "; and

WHEREAS, a public hearing in relation to said local law was held on July 28, 1988 at 7:30 o'clock P.M., Prevailing Time; and

WHEREAS, notice of public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of Washington for at least seven (7) days exclusive of Sunday;

NOW, THEREFORE, BE IT RESOLVED, that the following local law is hereby enacted: