

Chapter 7. Boards and Commissions

Article II. Conservation Advisory Council

§ 7-6. Findings and purpose.

The preservation and improvement of the quality of the natural and man-made environment within the Town of Pine Plains, 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 Town Board of the Town of Pine Plains. It is recognized that the biologic integrity of the natural environment on which humans depend for survival and the natural functional beauty of our surroundings which condition the quality of our life experience cannot be protected without the full cooperation and participation of all the people of the Town working in partnership with local and state officials and with various public and private institutions, agencies and organizations. Establishment of a Conservation Advisory Council is a necessary step in fostering unified action on environmental problems.

§ 7-7. Establishment.

The Town Board of the Town of Pine Plains hereby creates an advisory council pursuant to the provisions of General Municipal Law § 239-x, which shall be known as the "Pine Plains Conservation Advisory Council," hereinafter called the "Advisory Council."

§ 7-8. Membership; vacancies; terms of office.

- A. The Council shall consist of seven members who shall be appointed by the Town Board and who shall serve at the pleasure of the Town Board. Persons residing within the Town of Pine Plains who are interested in the improvement and preservation of environmental quality shall be eligible for appointment as a member of the Advisory Council.
- B. Vacancies on the Advisory Council shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by the expiration of the term of office shall be filled only for the remainder of the unexpired term.
- C. Members shall be appointed for a two-year term, with the terms being staggered.

§ 7-9. Officers; rules of procedure; removal of members.

The Town Board shall designate a member of the Advisory Council to act as Chairman thereof. At the first meeting of the Advisory Council in each year its members shall elect from among themselves a recording secretary. The Advisory Council shall adopt rules and procedures for its meetings. The Town Board shall have the authority to remove any member of said Advisory Council for cause, after a public hearing, if requested.

§ 7-10. Powers and duties.

- A. The powers and duties of the Advisory Council shall be to:
- (1) Advise the Town Board on matters affecting the preservation, development, and use of the natural resources, features and conditions of the Town insofar as quality, biologic integrity, beauty and other environmental factors are concerned.
 - (2) Develop and, after receiving general approval by resolutions of the Town Board, 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.
 - (3) Conduct and maintain an inventory of the natural resources within the Town of Pine Plains.
 - (4) Maintain an up-to-date index of all open space, as defined in § 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 floodplains, swamps, marshlands, and other wetlands; unique biotic communities; scenic and other open areas of natural or ecological value.
 - (5) Seek to coordinate, assist, and unify the efforts of private groups, institutions, and individuals within the Town of Pine Plains in accord with the purposes of this article.
 - (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 Advisory Council.
 - (7) Prepare, print, and distribute books, maps, charts, and pamphlets in accord with the purpose of this article.
 - (8) Obtain and maintain in orderly fashion maps, reports, books and other publications to support the necessary research of the Advisory Council into local natural resources.
 - (9) Working in cooperation with the Planning Board, recommend from time to time to the Town Board features, plans and programs relating to environmental improvements for inclusion in the Comprehensive Plan of the Town of Pine Plains and similarly recommend to the Town Board appropriate and desirable changes in existing local laws and ordinances relating to environment and land use controls or recommend new local laws and ordinances.
 - (10) Upon referral from the Planning Board, Town Board and/or Zoning Board of Appeals, make appropriate recommendations to the applicable board relating to applications before that board for subdivision, site plan, special permits, variances, rezonings, and other approvals and permittings with regard to the environmental impacts of such projects.
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 - (11) Carry out such other duties as may be assigned from time to time by the Town Board and exercise such other powers as are authorized by § 239-x of the General Municipal Law.
- B. The Advisory Council may recommend that the Town Board accept, by gift, grant, devise, bequest, or otherwise, property, both real and personal, as may be necessary to conserve and otherwise properly utilize open spaces and other land and water resources within the boundaries of the Town of Pine Plains. Such real property may be accepted in fee for land and water rights, or as any lesser interest, development right, easement, including conservation easement, covenant, or other contractual right, including conveyance with limitations or reversions, by the Town Board.
- C. To assist the Council in carrying out its functions, powers and duties, the Council may request the Department of Environmental Conservation to:

- (1) Prepare reports outlining objectives, priorities and proposed relationships of the Council to the Town Board;
- (2) Prepare descriptions of work to be undertaken, advantageous techniques to be used and suggested roles of Council members;
- (3) Provide research on conservation facts and procedures;
- (4) Provide, on a consulting basis, technical and research assistance as may be required to assist the Council in carrying out its work and to enable the Council to offer recommendations to the Town Board;
- (5) Describe particular areas of natural resources within the Town which require particular attention by the Council.

§ 7-11. Records and reports.

The Advisory Council shall keep accurate records of its meetings and actions and shall submit an annual report to the Town Board not later than the 31st day of December of each year concerning the activities and work of the Advisory Council. Once approved by the Town Board, the annual report shall be forwarded to the State Commissioner of Environmental Conservation as required by General Municipal Law § 239-x(1)(f). From time to time the Advisory Council shall submit such reports and recommendations as may be necessary or requested by the Town Board to fulfill the purpose of this article.

§ 7-12. Compensation and expenses.

The members of the Advisory Council shall receive no compensation for their services as members thereof but may be reimbursed for actually and necessarily incurred expenses in the performance of their duties, subject to the Town Board's approval within the appropriations made available therefor.

§ 7-13. Construal of provisions.

This article shall be deemed an exercise of the powers of the Town of Pine Plains to preserve and improve the quality of the natural and human environment on behalf of the present and future inhabitants thereof. This article is not intended and shall not be deemed to impair the powers of any other public corporation.