

A LOCAL LAW to establish a conservation advisory council of the Village of Athens, pursuant to Section 239-x of the General Municipal Law.

Be it enacted by the Board of Trustees of the Village of Athens as follows:

**Section 1. Legislative intent.** The preservation and improvement of the quality of the natural and human-made environment within the Village of Athens, in the face of population growth, urbanization and technologic change with their accompanying demands on natural resources and open land, 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 Board of Trustees of the Village of Athens. It is recognized that the biologic integrity of the natural environment on which people are dependent for survival and the natural and functional beauty of our surroundings which condition the quality of our life experience cannot be protected and improved without the full cooperation and participation of all the people of the Village working in partnership with local and State officials and with various public and private institutions, agencies, and organizations. Establishment of a conservation council is a necessary step in fostering unified action on protection of natural resources, open space conservation and other environmental problems.

**Section 2. Establishment of the council.** The Board of Trustees of the Village of Athens hereby creates a conservation advisory council which shall be known as the Village Conservation Advisory Council, hereinafter called the council.

**Section 3. Membership.**

(1) The council shall consist of members of which six shall be appointed by the Village Board of Trustees and who shall serve for two years, at the pleasure of Village Board of Trustees and the remainder shall be ex-officio voting members as provided herein. Persons residing within the Village of Athens who are interested in natural resources and open space conservation and the improvement and preservation or environmental quality shall be eligible for appointment as a member of the council. Vacancies on the council 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) At least one member should be 30 years of age or younger at the time of initial appointment.

(3) The terms of the members of the council shall be staggered. The first three members appointed shall hold office for a term of one year, the second three for a term of two years, and the successors of all initial appointees shall be appointed for full terms of two years. Members shall serve no more than four consecutive terms.

(4) One member of the Board of Trustees selected by the Mayor, the chairman of the planning board, the department director of public works, and other officials that may be hereafter designated by the Village Board of Trustees shall be ex-officio members of the council. Ex-officio members may send non-voting alternatives to attend meetings of the council. Ex-officio

members need not reside within the village of Athens.

(5) No more than nine council members may be voting members. If there are more than three ex-officio members, the Mayor shall designate which ex-officio members shall and which shall not be voting.

(6) Members who fail to attend three-quarters of all meetings may be removed from council membership at the discretion of the Mayor. A vacancy thus created shall be filled within 90 days.

**Section 4. Officers, meetings and committees.** The Mayor shall designate a member of the council to act as chairperson thereof. At the first meeting of the council, its members shall elect from among themselves a recording secretary. The council 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. With the concurrence of the Board of Trustees, an outside secretary also may be obtained, one who would not be a member.

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

(1) Advise the Board of Trustees on matters affecting the preservation, development, and use of the natural and human-made resources, features and conditions of the Village insofar as environmental quality, biological integrity, natural beauty, and other environmental factors are concerned. In the case of human activities and developments, advise on any major threats posed to environmental quality, so as to enhance the short-term or the long-range value of the environment to the people of the Village of Athens.

(2) Conduct and maintain or cause to be conducted and maintained an inventory of the natural resources within the Village of Athens in map form, including an up-to-date index of all significant 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, watershed lands; swamps, marshlands and other wetlands; wildlife habitat, unique biotic communities; scenic and other open areas of natural or ecological value. The open space index shall include the ownership, present and proposed uses of open areas, so as to provide a base of information for recommendations by the council for their conservation purposes and for preparing an open space plan for the municipality. Such plan also shall include the municipality's overall goals for open space conservation and the specific recommendations and actions that should be taken by specified organizations and agencies to realize the goals. The plan should describe important issues, identify laws, programs and techniques for preserving, protecting, and enhancing open areas and serve to create a community open space system.

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

(4) 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 which can

be of assistance to the council. Specific requests may be made to local organizations to designate one of their members as liaison to the council.

(5) Working in cooperation with the planning board, and consistent with the Comprehensive Plan, recommend from time to time to the Board of Trustees features, plans, and programs relating to natural resources management and environmental protection and improvement for inclusion in the comprehensive plan of the Village of Athens and similarly recommend to the Board of Trustees appropriate and desirable changes in existing local laws and ordinances relating to environmental and land use controls or recommend new local laws and ordinances to achieve the purposes of this local law.

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

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

(8) When authorized by resolution of the Board of Trustees of the Village of Athens, the council may accept by gift, grant, devise, bequest or otherwise, property both real and personal in the name of the Village of Athens as may be necessary to conserve and otherwise properly utilize open spaces and other land, water and natural resources within the boundaries of the Village of Athens. 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.

(9) Serve as the Climate Smart Community Task Force.

(10) Assume the duties of the Tree Committee as defined in Village of Athens Local Law #4 of 2018.

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

**Section 6. Reports.** The council shall keep accurate records of its meetings and actions and shall submit an annual report to the Board of Trustees not later than the thirty-first day of December of each year, concerning the activities and work of the council. From time to time the council shall submit such reports and recommendations as may be necessary to fulfill the purpose of this local law.

**Section 7. Compensation and expenses.** The members of the council, including ex-officio members, shall receive no compensation for their services as members thereof but may be reimbursed at the discretion of the Board of Trustees for reasonable and necessary expenses incurred in the performance of their duties within the appropriations made available therefor.

**Section 8. Resources available to the council.** The Board of Trustees may appropriate funds for the expenses incurred by the council, including but not limited to expenses for professional

staff, consultants, clerical assistance and printing and distribution of publications. The council may prepare and submit an annual budget request in a manner prescribed by the Board of Trustees. The Board of Trustees, upon request by the council, also may from time to time and for designated purposes, assign or detail public employees to perform work for the council.

**Section 9. Construction.** This local law shall be deemed an exercise of the powers of the Village of Athens to preserve and improve the quality of the natural and human-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 10. Effective date.** This local law shall take effect on (date) [**NOTE:** A special date on which the local law shall become effective should be inserted here. This date should be subsequent to the date the local law is filed as required by the provisions of Municipal Home Rule Law, Section 27.]