

**TOWN OF SHANDAKEN
INTRODUCTORY LOCAL LAW
CONSERVATION ADVISORY COUNCIL**

BE IT ENACTED by the Town Board of the Town of Shandaken, County of Ulster, State of New York, as follows:

Section 1. A new chapter, designated as Chapter 52 and titled “Conservation Advisory Council,” is added to the Code of the Town of Shandaken and shall read as follows:

CHAPTER 52

Conservation Advisory Council

§ 52-1. Legislative intent and authority.

The intent of this local law is to establish a Conservation Advisory Council (or “CAC”) for the Town of Shandaken pursuant to the authority found in New York State General Municipal Law Article 12-F § 239-x.

The preservation and improvement of the quality of the natural and man-made environment within the Town of Shandaken, New York, in the face of population growth, urbanization and technological 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 to require forthright action by the governing body of the Town of Shandaken. It is recognized that the biological integrity of the natural environment on which man is dependent for survival and the natural and 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 of Shandaken, working in partnership with local and state officials and with various public and private institutions, agencies and organizations. Establishment of a Conservation Advisory Council for conservation of the environment is a necessary step in fostering unified action on environmental problems. Working in conjunction with the Planning Board, Zoning Board of Appeals, Building/ Zoning Department, the Shandaken Area Flood Assessment and Remediation Initiative (“SAFARI”), and the Town’s Floodplain Manager, the Town of Shandaken Conservation Advisory Council will also serve as the Town’s Climate Smart Community Task Force, seek environmental or sustainability related certifications as may be identified, and develop a comprehensive climate program for the Town.

§ 52-2. Establishment of the Council.

The Town Board of the Town of Shandaken hereby creates a Council which shall be known as the "Town of Shandaken Conservation Advisory Council," hereinafter called the "CAC" or the “Council.”

§ 52-3. Membership.

- A. The CAC shall consist of seven members appointed by the Town Board for two-year terms ending on December 31 and who shall serve at the pleasure of the Town Board. Persons residing within the Town of Shandaken who are interested in the improvement and preservation of environmental quality shall be eligible for appointment as a member of the

CAC. Vacancies on the CAC shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by the expiration of a term of office shall be filled only for the remainder of the unexpired term.

- B. The Town Supervisor, Town Board members, Chair of the Planning Board, Chair of the ZBA, Highway Superintendent, Building/ Zoning Department Head, and other officials who hereafter may be designated by the Town Board shall be ex officio members of the CAC.

§ 52-4. Officers, meetings, committees, and records.

- A. The Town Board shall designate a member of the CAC to act as Chairperson thereof. At the first meeting of the CAC, its members shall elect from among themselves a Recording Secretary. The CAC 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 this code.
- B. As the CAC serves as the Climate Smart Community Task Force, the Chairperson of the CAC shall serve as the Town's Climate Smart Community Coordinator. In this capacity, the Chairperson shall:
 - i. Schedule and chair meetings of the CAC
 - ii. Organize and coordinate the efforts of CAC members.
 - iii. Serve as liaison between the CAC and the Town Board on all projects requiring Town Board approval.

§ 52-5. Powers and Duties.

The powers and duties of the CAC shall be to:

- A. Research, assist, and advise the Town Board on actions to be completed by Shandaken consistent with the goals and objectives of environmental and sustainability related certification programs including, but not limited to, the Climate Smart Communities Program and Clean Energy Communities Program.
- B. Document and qualify actions completed by the town, the CAC, and other Shandaken organizations consistent with the goals and objectives of environmental and sustainability related certification programs including, but not limited to, the Climate Smart Communities Program and Clean Energy Communities Program.
- C. Advise the Town Board on matters affecting the preservation, development and use of the natural and humanmade features and conditions of the Town insofar as natural beauty, environmental quality, biological integrity, 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 of the people of the Town.
- D. Develop and, after receiving general approval by resolution 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.

- E. Conduct and maintain an up-to-date inventory of the natural resources within the Town in map form, including an up-to-date index of all significant open spaces 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; and of the ownership, present use and proposed use of such open areas so as to provide a base of information for recommendations by the CAC to the Town Board for their preservation and/or use.
- F. Seek to coordinate, assist and unify the efforts of private groups, institutions, and individuals within the Town of Shandaken in accord with the purposes of this chapter.
- G. Maintain liaison and communications with public and private agencies and organizations of local, state and national scope whose programs and activities have an impact on the quality of the environment or who can be of assistance to the CAC.
- H. Working in cooperation with the Planning Board, recommend from time to time to the Town Board features, plans, and programs, relating to environmental improvement, for inclusion in the Comprehensive Plan of the Town of Shandaken and, similarly, recommend to the Town Board appropriate and desirable changes in existing local laws and ordinances relating to environmental control or recommend new local laws and ordinances.
- I. Prepare, print and distribute books, maps, charts and pamphlets in accord with the purposes of this chapter.
- J. Obtain and maintain in orderly fashion maps, reports, books and other publications to support the necessary research of the CAC into local environmental conditions.
- K. When authorized by resolution of the Town Board of the Town of Shandaken, accept by gift, grant, devise, bequest or otherwise property both real and personal in the name of the Town of Shandaken, as may be necessary to conserve or otherwise properly utilize open spaces and other land and water resources within the boundaries of the Town of Shandaken. 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.
- L. Carry out such other duties as may be assigned from time to time by the Town Board.
- M. Adopt the New York State Climate Smart Communities pledge, which comprises the following ten elements:
 - i. Build a climate-smart community.

- ii. Inventory emissions, set goals, and plan for climate action.
- iii. Decrease energy use.
- iv. Shift to clean, renewable energy.
- v. Use climate-smart materials management.
- vi. Implement climate-smart land use.
- vii. Enhance community resilience to climate change.
- viii. Support a green innovation economy.
- ix. Inform and inspire the public.
- x. Engage in an evolving process of climate action.

§ 52-6. Reports.

The CAC shall keep accurate records of its meetings and actions and shall submit an annual report to the Town Board not later than the first day of April of each year, concerning the activities and work of the CAC and, from time to time, shall submit such reports and recommendations as may be necessary to fulfill the purposes of this chapter.

§ 52-7. Compensation and expenses.

The members of the CAC, including ex officio members, 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.

§ 52-8. Construal of provisions.

This chapter shall be deemed an exercise of the powers of the Town of Shandaken to preserve and improve the quality of the natural and man-made environment on behalf of the present and future inhabitants thereof. This chapter is not intended and shall not be deemed to impair the powers of any public board or agency.

§ 52-9. Establishment of Advisory Board.

The establishment of an Advisory Board must be by resolution and a public hearing called by the Town Board.

Section 2. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 3. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.