

Resolution No. 58 1972

Re: A Local Law to Establish a County Environmental Management Council

A LOCAL LAW to establish a county environmental management council for the county of Dutchess. Be it enacted by the Board of Representatives of the county of Dutchess as follows:

Section 1. Legislative Intent

Preservation and improvement of the quality of the natural and man-made environment within the county of Dutchess in the face of population growth, urbanization, and technologic change with their accompanying demands on natural resources, are of increasing and vital importance to health, welfare, and economic well-being of the present and future inhabitants of the county. It is recognized that the biologic 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 local governments in the state working in concert with each other and with other public and private institutions, agencies and organizations. Establishment by the county of Dutchess of a council for environmental problems among local governments and among public and private agencies and organizations located within the county.

Section 2. Establishment of the Council

The Board of Representatives of the county of Dutchess hereby creates and establishes a council which shall be called the Dutchess County Environmental Management Council, hereinafter called the council.

Section 3. Membership and Terms.

(1) The council shall consist of the members appointed by the Board of Representatives as provided in this section. In addition to the members appointed from city and town commissions for conservation of the environment and ex-officio members as provided herein, the Board of Representatives shall appoint nine members who shall be persons other than members of city, town or village commissions for conservation of the environment residing within the county of Dutchess and who are interested in the improvement and preservation of environmental quality. The first four members of said nine members appointed other than members of city, town or village commissions for conservation of the environment shall hold office for a term of one (1) year; the second five of the said nine members appointed shall hold office for a term of two (2) years, and the successors of all said nine initial appointees shall be appointed for full terms of two (2) years. (2) The membership of the council also shall consist of one member from each commission for conservation of the environment that has been established by the governing bodies of cities and towns within the county of Dutchess. (3) The Board of Representatives shall choose one of its members to be an ex-officio member of the council. In addition, the chairman of the county planning board, commissioner of public works, county attorney, chairman of the board of directors of the Soil and Water Conservation district and the president of the Dutchess County Cooperative Extension Association shall be ex-officio members of the council. (4) All appointees to membership in the council shall serve for a term of two (2) years with the exception of the term of office of the initial four members appointed for a term of one (1) year as provided in Section 3 (1) herein. The terms of members appointed from city or town commissions for conservation of the environment shall be concurrent with their terms on such city or town commissions, not exceeding a period of two years. Vacancies on the council shall be filled in the same manner as the original appointment except that a vacancy occurring through circumstances other than by expiration of term of office shall be filled only for the remainder of the unexpired term.

Section 4. Officers, Meetings and Committees.

The Board of Representatives shall designate a member of the council to act as chairman 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 meetings and activities and shall file an annual report as provided in section seven of this local law.

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

- (1) Advise the Board of Representatives on matters affecting the preservation, development and use of the natural and man-made features and conditions of the county insofar as they have a bearing on environmental quality and, in the case of man's activities and developments with regard to any major threats posed to environmental quality, so as to enhance the long range value of the environment to the people of the county.
- (2) Develop and, after receiving general approval by resolution of the Board of Representatives,- conduct a program of public information in the county which shall be designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions.
- (3) Develop and recommend a program to improve the coordination and effectiveness of public and private projects and activities in the county in accord with the purposes of this local law, working in cooperation with commissions for conservation of the environment, insofar as such agencies have been established in cities, towns and villages within the county, and with other public and private agencies, focusing particularly on those matters relating to environmental quality which require intergovernmental action.
- (4) Encourage the establishment of commissions for conservation of the environment in cities, towns and villages within the county, advise and assist them in developing their own programs, and foster an effective interchange between the council and such agencies.
- (5) Maintain liaison with regional planning agencies, regional water resources planning and development boards and other such public and private regional bodies, affecting the conservation of environmental quality, with a view towards improvement of coordination.
- (6) Conduct, with appropriate coordination with existing or prospective work of a similar nature performed in municipalities within the county, studies, surveys, and inventories in accord with the general purposes of this local law, including but not limited to surveys and studies for Identification of those open spaces, natural areas, marshlands, swamps, and other wetlands and other natural and scenic features which are of a county or regional significance and for which an index shall be maintained, and make recommendations to the Board of Representatives for the appropriate preservation and use of such areas and features.
- (7) Recommend from time to time to the Board of-Representatives plans and programs for environmental improvement for inclusion in the county master plan, including but not limited to the recommendations in the report and plan required in section seven of this local law.
- (8) Prepare, print and distribute books, maps, charts and pamphlets in accord with the purposes of this local law.

(9) When authorized by resolution of the Board of Representatives the council may accept by gift, grant, devise, bequest, or otherwise, property both real and personal in the name of the county, as may be necessary to conserve and otherwise property utilize open spaces and other land and water resources within the boundaries of the county. Such real property may be accepted in fee or 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.

Section 6. County Scenic Roads Committee.

In the event that a scenic road committee is in the future appointed by the Board of Representatives at the request of the New York State Natural Beauty Commissions for purposes of improving and maintaining the quality of the environment in relation to existing and proposed State and local highways, said committee shall hereafter function as a committee of the council. The members of the scenic roads committee shall be ex-officio members of the council insofar as they are not regular members.

Section 7. Reports.

(1) The council shall submit an annual report to the Board of Representatives no later than the first day of April of each year, concerning the activities and work of the council, and from time to time shall submit such other reports and recommendations as are necessary to fulfill the purposes of this local law.

(2) The council shall also prepare a report on the state of the natural and man-made environment .in the county. Such report shall include a. plan for protection of the county's natural and man-made environment and for management of its natural resources. The report and the action plan contained therein shall be prepared in cooperation with the county planning board and with full consideration of related local and regional plans and reports and shall be submitted by the council to the Board of Representatives as soon as practical, but not later than three years after the effective date of this local law. Thereafter, this report and the plan shall be revised by the council and resubmitted to the Board of Representatives at regular intervals not exceeding three years.

Section 8. 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 for reasonable and necessary expenses incurred in the performance of their duties within appropriations made available therefor.

Section 9. Construction

This local law shall be deemed an exercise of the powers of the county to preserve and improve the quality of the natural and man-made environment on behalf of the present and future citizens thereof. This local law is not intended and shall not be deemed to impair the powers of any city, town or village within the county of Dutchess.

Section 10. Effective Date.

This local law shall take effect on February 28, 1972.