

RESOLUTION NO. 2015275

RE: REAPPOINTMENTS AND REAPPOINTMENT OF THE CHAIRMAN OF THE DUTCHESS COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

Legislators MICCIO, HORTON, MAC AVERY, and FARLEY offer the following and move its adoption:

WHEREAS, vacancies exist effective June 30, 2015, on the Dutchess County Environmental Management Council, and

WHEREAS, Victoria Kelly, Constance Kustas, Marsh Leed and Stephen L. MacAvery have expressed their desire to be reappointed to the Dutchess County Environmental Management Council, and

WHEREAS, the EMC Executive Committee recommended to the full EMC membership that Stephen L. MacAvery be reappointed as Chairman, and

WHEREAS, the full EMC membership voted to support the recommendation of the EMC Executive Committee, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby reappoint the following as members of the Dutchess County Environmental Management Council for a two-year term commencing July 1, 2015, and expiring on the 30th day of June 2017:

<u>Reappointment</u>	<u>Term Expires</u>
Victoria Kelly 77 Verbank Road Millbrook, NY 12545	June 30, 2017
Constance Kustas 1212 Route 55 LaGrangeville, NY 12540	June 30, 2017
Marsha Leed 15 Relyea Terrace Wappingers Falls, NY 12590	June 30, 2017
Stephen L. MacAvery 224 South Grand Avenue Poughkeepsie, NY 12603	June 30, 2017

, and be it further

RESOLVED, that the Dutchess County Legislature does hereby reappoint Stephen L. MacAvery as Chairman of the EMC.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 3rd day of December 2016, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 3rd day of December 2016.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 58 1972

RE: Local Law No. 2 of 1972.

The Refuse Disposal Committee offers the following and moves its adoption:

RESOLVED, that the Board of Representatives of the County of Dutchess adopt Local Law No. 2 of 1972 which has been submitted this day for consideration and offered hereby by said Committee.

APPROVED:

William H. Bartles
William H. Bartles
County Executive

WILLIAM H. BARTLES
COUNTY EXECUTIVE
COUNTY OFFICE BUILDING
POUGHKEEPSIE
NEW YORK 12601

br:ejc
2:9:72

STATE OF NEW YORK }
COUNTY OF DUTCHESS } ss:

This is to certify that I, the undersigned, Clerk of the Board of Representatives of the County of Dutchess, have compared the foregoing copy of resolution with the original resolution now on file in the office of said Clerk, and which was adopted by said Board of Representatives on the day of FEB 28 1972 196, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Representatives this day of FEB 28 1972 196

Louis H. Moore

CLERK OF THE BOARD OF REPRESENTATIVES

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 the 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 management is a necessary step in fostering unified action on environmental problems among local governments and among public and private agencies and organizations

STATE OF NEW YORK }
COUNTY OF DUTCHESS } ss:

This is to certify that I, the undersigned, Clerk of the Board of Representatives of the County of Dutchess, have compared the foregoing copy of resolution with the original resolution now on file in the office of said Clerk, and which was adopted by said Board of Representatives on the day of 19. , and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Representatives this day of 19

CLERK OF THE BOARD OF REPRESENTATIVES

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 Term. (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 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.

STATE OF NEW YORK }
COUNTY OF DUTCHESS } ss:

This is to certify that I, the undersigned, Clerk of the Board of Representatives of the County of Dutchess, have compared the foregoing copy of resolution with the original resolution now on file in the office of said Clerk, and which was adopted by said Board of Representatives on the _____ day of _____ 19____, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Representatives this _____ day of _____ 19____

CLERK OF THE BOARD OF REPRESENTATIVES

(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 its meetings and activities and shall file an annual report as provided in section seven of this local law.

STATE OF NEW YORK }
COUNTY OF DUTCHESS } ss:

This is to certify that I, the undersigned, Clerk of the Board of Representatives of the County of Dutchess, have compared the foregoing copy of resolution with the original resolution now on file in the office of said Clerk, and which was adopted by said Board of Representatives on the _____ day of _____, 19____, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Representatives this _____ day of _____, 19____

CLERK OF THE BOARD OF REPRESENTATIVES

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.

STATE OF NEW YORK }
COUNTY OF DUTCHESS } ss:

This is to certify that I, the undersigned, Clerk of the Board of Representatives of the County of Dutchess, have compared the foregoing copy of resolution with the original resolution now on file in the office of said Clerk, and which was adopted by said Board of Representatives on the _____ day of _____, 19____, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Representatives this _____ day of _____, 19____

CLERK OF THE BOARD OF REPRESENTATIVES

- (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 properly 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 Commission 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

STATE OF NEW YORK }
 COUNTY OF DUTCHESS } ss:

This is to certify that I, the undersigned, Clerk of the Board of Representatives of the County of Dutchess, have compared the foregoing copy of resolution with the original resolution now on file in the office of said Clerk, and which was adopted by said Board of Representatives on the _____ day of _____ 19____, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Representatives this _____ day of _____ 19____

CLERK OF THE BOARD OF REPRESENTATIVES

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 also shall 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

STATE OF NEW YORK }
COUNTY OF DUTCHESS } ss:

This is to certify that I, the undersigned, Clerk of the Board of Representatives of the County of Dutchess, have compared the foregoing copy of resolution with the original resolution now on file in the office of said Clerk, and which was adopted by said Board of Representatives on the _____ day of _____, 19____, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Representatives this _____ day of _____, 19____

CLERK OF THE BOARD OF REPRESENTATIVES

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

APPROVED:

William H. Bartles
William H. Bartles
County Executive

STATE OF NEW YORK }
COUNTY OF DUTCHESS } ss:

This is to certify that I, the undersigned, Clerk of the Board of Representatives of the County of Dutchess, have compared the foregoing copy of resolution with the original resolution now on file in the office of said Clerk, and which was adopted by said Board of Representatives on the day of FEB 28 1972 19, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Representatives this day of FEB 28 1972 19

Thomas J. Tiller
CLERK OF THE BOARD OF REPRESENTATIVES

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~ of Dutchess
~~Town~~
~~Village~~

Local Law No. 4 of the year 1989

A local law Amending Local Law 2 of 1972, A Local Law To Establish A
(Insert title)
County Environmental Management Council

Be it enacted by the Legislature of the
(Name of Legislative Body)

County
~~City~~ of Dutchess
~~Town~~
~~Village~~ as follows:

BE IT ENACTED, by the Legislature of the County of Dutchess as follows:

SECTION 1. Legislative Intent. The Dutchess County Legislature finds that during the last few years the Dutchess County Legislature and the Executive Branch have increasingly relied on the Dutchess County Environmental Management Council to provide recommendations and solutions to the County's environmental problems. Moreover, these environmental problems and issues have become more complex and controversial thereby creating the need for the appointment of additional qualified members to the Environmental Management Council.

SECTION 2. Section 3 of Local Law No. 2 of 1972 entitled "Membership and Terms" is hereby amended so as to provide for the appointment by the County Legislature of 11 members to the Dutchess County Environmental Management Council instead of 9 members as previously provided.

SECTION 3. Local Law No. 2 of 1972 is, in all other respects, hereby ratified and confirmed.

SECTION 4. This Local Law shall take effect upon the compliance with all statutes of law applicable to its passage.

(If additional space is needed, please attach sheets of the same size as this and number each)

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of was duly passed by the (Name of Legislative Body)
Town
Village
on 19..... in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 19.....
County
of the City of Dutchess was duly passed by the Legislature
Town (Name of Legislative Body)
Village
on July 10 19.89 and was approved by the County Executive
..... Elective Chief Executive Officer *
and was deemed duly adopted on July 11 19....., in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of was duly passed by the (Name of Legislative Body)
Town
Village
on 19..... not disapproved and was approved by the
..... Elective Chief Executive Officer *
repassed after disapproval
on 19..... Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on 19....., in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the City of was duly passed by the ON
Town (Name of Legislative Body)
Village
..... 19..... not disapproved and was approved by the ON
..... Elective Chief Executive Officer *
repassed after disapproval
..... 19..... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

