

# Local Law Filing

(Use this form to file a 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  Town  Village

(Select one:)

of Greenburgh

Local Law No. 1 of the year 20<sup>23</sup>

A local law amending Chapter 520 of the Code of the Town of Greenburgh, entitled, "Conservation

(Insert Title)

Advisory Council," as it relates to the composition of Conservation Advisory Council

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village

(Select one:)

of Greenburgh as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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. 1 of 2023 of the (County)(City)(Town)(Village) of Town of Greenburgh was duly passed by the Town Board on December 19 2022, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20  , in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

\* 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 chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

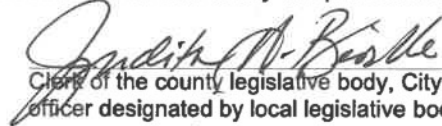
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: April 10, 2023

(Seal)

**RESOLUTION ADOPTING A LOCAL LAW AMENDING CHAPTER 520 OF THE CODE OF THE TOWN OF GREENBURGH, ENTITLED “CONSERVATION ADVISORY COUNCIL,” AS IT RELATES TO THE COMPOSITION OF CONSERVATION ADVISORY COUNCIL**

**WHEREAS**, the Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Chapter 520 of the Code of the Town of Greenburgh to update the number of members which would constitute the Conservation Advisory Council (“CAC”); and

**WHEREAS**, a local law was prepared by Town staff, based upon input from members of the Conservation Advisory Council; and

**WHEREAS**, on November 21, 2022, the Town Board adopted Resolution CL-2 – 11/21/2022, scheduling a noticed public hearing on the matter for December 14, 2022; and

**WHEREAS**, on December 14, 2022, the Town Board held a duly noticed public hearing on the proposed Code Text Amendment; and

**WHEREAS**, pursuant to Section 617.5(c)(33) of the SEQRA Regulations, the proposed modification of the number of members on the CAC is a Type 2 action under SEQRA requiring no environmental review;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Greenburgh hereby adopts the attached Local Law, entitled “a Local Law amending Chapter 520 of the Code of the Town of Greenburgh, ‘Conservation Advisory Council,’” in the Code of the Town of Greenburgh.

**APPROVED**

DEC 19 2022

**BY RESOLUTION  
OF THE TOWN BOARD**



TOWN of GREENBURGH

**Local Law No. 1/2023**

A local law amending Chapter 520 of the Code of the Town of Greenburgh entitled, "Conservation Advisory Council," pursuant to New York State Constitution Article IX and New York Municipal Home Rule Law Section 10, New York Environmental Conservation Law Article 8 (SEQR).

**BE IT ENACTED** by the Town Board of the Town of Greenburgh:

- § 1. **Title.**
- § 2. **Legislative Findings and Intent.**
- § 3. **Amendment to § 520**
- § 4. **Supersession.**
- § 5. **Severability.**
- § 6. **Effective Date.**

**§ 1. Title.**

This law is entitled "A local law amending Chapter 520 of the Code of the Town of Greenburgh, "Conservation Advisory Council."

**§ 2. Legislative Findings and Intent.**

The Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Chapter 520 of the Code of the Town of Greenburgh to update the number of members which would constitute the Conservation Advisory Council.

**§ 3. Amendments to Chapter 520.**

Chapter 520 of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in strikeout; new text underlined):

§ 520-2. Establishment.

A. There is hereby created for the Town of Greenburgh a Conservation Advisory Council, hereinafter referred to as the "CAC."

B. The CAC shall consist of ~~nine~~seven members who shall be residents of the unincorporated area of the Town and shall be appointed by the Town Board. Each member shall be appointed for a two-year term, except that four initial

appointees shall be appointed for one-year terms so that the terms shall thereafter be staggered. Vacancies on the CAC shall be filled in the same manner as for any other appointee, except that the replacement shall serve only for the unexpired term. The Town Board may appoint up to two alternate members to serve on the Conservation Advisory Council to participate in all meetings of the council, with voting privileges only when so designated by the Chair when a member is unable to attend a council meeting or is recused on a specific application, or when a member has resigned.

- C. The Town Supervisor, the ~~Chairman~~ of the Planning Board, the Commissioner of the Department of Public Works, the Commissioner of the Department of Parks and Recreation, the Town Attorney and other officials that may hereafter be designated by the Town Board shall be ex officio members of the CAC.
- D. The Town Board shall designate a member of the CAC to act as ~~Chairman~~ thereof. The members of the CAC shall elect from among themselves a recording secretary, who shall keep accurate records of its meetings and activities and shall file an annual report. The CAC shall adopt rules and regulations for its meetings.
- E. No members of the CAC, including ex officio members, shall receive any compensation for their services as members thereof, but they may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within appropriations which are made available therefor.

**§ 4. Supersession:**

Pursuant to New York Municipal Home Rule Law Section 22, this law is intended to supersede any other inconsistent provision of law.

**§ 5. Severability:**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**§ 6. Effective Date:**

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



TOWN of GREENBURGH

**Local Law No. 1/2022**

A local law amending Chapter 520 of the Code of the Town of Greenburgh entitled, "Conservation Advisory Council," pursuant to New York State Constitution Article IX and New York Municipal Home Rule Law Section 10, New York Environmental Conservation Law Article 8 (SEQR).

**BE IT ENACTED** by the Town Board of the Town of Greenburgh:

- § 1. **Title.**
- § 2. **Legislative Findings and Intent.**
- § 3. **Amendment to § 520**
- § 4. **Supersession.**
- § 5. **Severability.**
- § 6. **Effective Date.**

**§ 1. Title.**

This law is entitled "A local law amending Chapter 520 of the Code of the Town of Greenburgh, "Conservation Advisory Council."

**§ 2. Legislative Findings and Intent.**

The Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Chapter 520 of the Code of the Town of Greenburgh to update the number of members which would constitute the Conservation Advisory Council.

**§ 3. Amendments to Chapter 520.**

Chapter 520 of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in ~~strikeout~~; new text underlined):

§ 520-2. Establishment.

- A. There is hereby created for the Town of Greenburgh a Conservation Advisory Council, hereinafter referred to as the "CAC."
- B. The CAC shall consist of seven members who shall be residents of the unincorporated area of the Town and shall be appointed by the Town Board. Each member shall be appointed for a two-year term, except that four initial

appointees shall be appointed for one-year terms so that the terms shall thereafter be staggered. Vacancies on the CAC shall be filled in the same manner as for any other appointee, except that the replacement shall serve only for the unexpired term. The Town Board may appoint up to two alternate members to serve on the Conservation Advisory Council to participate in all meetings of the council, with voting privileges only when so designated by the Chair when a member is unable to attend a council meeting or is recused on a specific application, or when a member has resigned.

- C. The Town Supervisor, the Chairman of the Planning Board, the Commissioner of the Department of Public Works, the Commissioner of the Department of Parks and Recreation, the Town Attorney and other officials that may hereafter be designated by the Town Board shall be ex officio members of the CAC.
- D. The Town Board shall designate a member of the CAC to act as Chairman thereof. The members of the CAC shall elect from among themselves a recording secretary, who shall keep accurate records of its meetings and activities and shall file an annual report. The CAC shall adopt rules and regulations for its meetings.
- E. No members of the CAC, including ex officio members, shall receive any compensation for their services as members thereof, but they may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within appropriations which are made available therefor.

**§ 4. Supersession:**

Pursuant to New York Municipal Home Rule Law Section 22, this law is intended to supersede any other inconsistent provision of law.

**§ 5. Severability:**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**§ 6. Effective Date:**

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



