

Proposed revisions prepared January 11, 2019 to §44-4, *et seq.*, "Clean Water and Open Space Commission," of Chapter 44, "Agriculture and Open Space Preservation and Acquisition" of the Code of the Town of New Paltz for discussion

§ 44-4 Clean Water and Open Space Commission.

The New Paltz Clean Water and Open Space Commission is hereby established and hereinafter referred to as "the CWOSP Commission" or "the Commission." The Commission's purpose is, with the Town Board, to execute the elements of this chapter.

§ 44-5 Membership.

A.

The CWOSP Commission of the Town shall consist of 11 members to be appointed by the Town Board. Persons residing within the Town of New Paltz who shall have demonstrated significant interest in and commitment to the conservation, protection and encouragement of open space and of agricultural lands, both for production of food and for preservation of such lands as valued natural and ecological resources, evidenced either by involvement in conservation and preservation groups, expertise in real estate, finance, agriculture, or recreation, or by employment or by volunteer activity in such areas, shall be eligible for appointment as members of the Commission. The Commission will seek to have geographic representation from the different areas of the Town identified in the New Paltz Open Space Plan as priorities for protection.

ADD:

In any reestablishment of the Commission following the effective date of this local law, the Commission shall consist of seven (7) members to be appointed by the Town Board consistent with the requirements for eligibility and membership set forth in paragraph A of this subdivision.

B.

Of the members of the CWOSP Commission first appointed following adoption of this chapter, two shall hold office through December 31, 2007, the successors for whom shall thereafter be appointed for the term of five years; three shall hold office through December 31, 2008, the successors for whom shall thereafter be appointed for the term of five years; three shall hold office through December 31, 2009, the successors for whom shall be appointed for the term of five years; and three shall hold office through December 31, 2011, the successors for whom shall be appointed for the term of five years each. If a vacancy shall occur otherwise than by expiration of a term, it shall be filled by the Town Board by appointment for the unexpired term.

ADD:

In any reestablishment of the Commission following the effective date of this local law, the terms of office shall be for terms so fixed that one member's term shall expire at the end of the second calendar year next following the calendar year in which such member is appointed. The remaining members' terms shall be three (3) years each, so fixed that three (3) members' terms shall expire at the end of the third year in which such members were initially appointed and three (3) members' terms shall expire at the end of the fourth year next succeeding the end of the year in which such members were initially appointed. At the expiration of each original

member's appointment, the replacement member shall be appointed for a term equal in years to the term of the member replaced.

[Note: The above is an example for discussion purposes, providing for what will end up to be: one two-year term and six three-year terms. When the first two-year term expires, the appointment of a replacement would be for a two-year term; when the first three-year terms expire, each replacement will be for a three-year term; when the first four-year terms expire one year thereafter, each replacement will be for a three-year term. Certainly, other terms and configurations can be discussed.]

I.

A quorum for the transaction of business shall consist of at least six of the Commission's members. All decisions and actions of the Commission shall be formally voted upon, with a majority vote of the total authorized membership of the Commission needed to pass any motion, proposal or resolution. Pursuant to the Freedom of Information Law,⁽¹⁾ a voting record shall be compiled that identifies how individual members voted in every instance.

ADD:

In any reestablishment of the Commission following the effective date of this local law, a quorum for the transaction of business shall consist of a majority of the total authorized membership of the Commission.