

(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 of New Paltz

~~Village~~

Local Law No. \_\_\_\_\_ of the year 2019

A local law TO Amend Chapter 44, "Agriculture and Open Space ~~Preservation~~ Protection and Acquisition" of the Code of the Town of New Paltz

**Be it enacted by the Town Board of the**

~~County~~

~~City~~

Town of New Paltz as follows:

~~Village~~

**Section 1.** The definition of "Clean Water and Open Space Protection Commission or The CWOSP Commission" contained in Section 44-3, "Definitions" of Chapter 44, "Agriculture and Open Space Protection and Acquisition" of the Code of the Town of New Paltz is hereby amended to read as follows:

§ 44-3 CLEAN WATER AND OPEN SPACE PROTECTION COMMISSION or  
THE CWOSP COMMISSION

The Commission established in § 44-4 of this chapter which shall assist the Town Board in executing this chapter.

**Section 2.** Section 44-4, "Clean Water and Open Space Protection Commission" of Chapter 44, "Agriculture and Open Space Preservation and Acquisition" of the Code of the Town of New Paltz is hereby amended to amend the name of such commission to read as follows:

"44-4. Clean Water and Open Space ~~Preservation~~ Protection Commission.

"The New Paltz Clean Water and Open Space Protection 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."

**Section 3.** Subdivision A of Section 44-5, "Membership" of Chapter 44, "Agriculture and Open Space Preservation and Acquisition" of the Code of the Town of New Paltz is hereby amended to add a new paragraph at the end thereof to read as follows:

“In any reestablishment of the Commission following the effective date of this chapter, 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 subdivision A of this section.”

**Section 4.** Subdivision B of Section 44-5, “Membership” of Chapter 44, “Agriculture and Open Space Preservation and Acquisition” of the Code of the Town of New Paltz is hereby amended to add a new paragraph at the end thereof to read as follows:

“In any reestablishment of the Commission following the effective date of this chapter, 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.”

**Section 5.** Subdivision I of Section 44-5, “Membership” of Chapter 44, “Agriculture and Open Space Preservation and Acquisition” of the Code of the Town of New Paltz is hereby amended to add a new paragraph at the end thereof to read as follows:

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

#### **Section 6. SEVERABILITY**

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court or competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other person or circumstances and the Town Board hereby declares that it would not have enacted this local law or the remainder thereof had the invalidity of such provision or application thereof been apparent.

#### **Section 7. EFFECTIVE DATE**

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