

April 5, 2022
Resolution # 1

WHEREAS, the Town Board wishes to amend Chapter 13A of the Islip Town Code entitled “Environmental Council”; and

WHEREAS, this amendment shall become effective twenty (20) days after filing with the Office of the Secretary of State for the State of New York; and

WHEREAS, a public hearing was held therefor on April 5, 2022.

NOW, THEREFORE, on motion of Councilperson James P. O'Connor, seconded by Councilperson John C. Cochrane, Jr., be it

RESOLVED, that the Town Board of the Town of Islip hereby amends, as of the twentieth day after filing with the Office of the Secretary of State for the State of New York, Chapter 13A entitled “Environmental Council” as follows:

SEE ATTACHED
ADDITIONS are indicated by UNDERLINING
DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was: 5-0

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Chapter 13A

Environmental Council

[HISTORY: Adopted by the Town Board of the Town of Islip 6-8-72 as Local Law No. 1, 1972. Amendments noted where applicable.]

GENERAL REFERENCES

Environmental Control Department — See Ch. 10A.

Environmental quality review — See Ch. 13B.

Streams and watercourses, filling or diversion — See Ch. 47.

Water pollution — See Ch. 66.

Wetlands and watercourses — See Ch. 87.

Zoning — See Ch. 68.

§ 13A-1 Legislative intent.

The preservation and improvement of the quality of the natural and man-made environment within the Town of Islip, in the face of population growth, urbanization and technologic change with their accompanying demands on natural resources, are found to be of increasing and vital importance to the health, welfare and economic well-being of present and future inhabitants and require forthright action by the governing body of the Town of Islip. 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 the people of the Town working in partnership with local and state officials and with various public and private institutions, agencies and organizations. Establishment of a council for conservation of the environment is a necessary step in fostering unified action on environmental problems.

§ 13A-2 Council established.

The Town Board of the Town of Islip hereby creates a council which shall be known as the "Islip Town Environmental Council," hereinafter called the "Council."

§ 13A-3 Membership.

[Amended 1-3-78 by L.L. No. 1, 1978]

The Council shall consist of not less than five (5) members nor more than nine (9) members, appointed by the Town Board, who shall serve at the pleasure of the Town Board. Not more than one (1) member shall be under twenty-one (21) years of age and none shall be under sixteen (16) years of age. Vacancies on the Council shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by the expiration of term of office shall be filled only for the remainder of the unexpired term. Members shall be appointed for a two-year term, except that of the first five (5) members appointed, two (2) shall be appointed for one (1) year and three (3) for two (2) years.

§ 13A-4 Organization.

The Supervisor shall designate a members of the Council to act as Chairperson and Vice Chairpersonman

thereof. 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 § 13A-6 of this local law. Secretarial service shall be supplied by the Town.

§ 13A-5 Reports.

The powers and duties of the Council shall be to:

- A. Advise the Town Board on all matters affecting the preservation, development and use of the natural and man-made features and conditions of the Town of Islip insofar as beauty, quality, biologic integrity and other environmental factors are concerned 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 Town of Islip.
- B. Develop and, after receiving general approval by resolution of the Town Board, conduct a program of public information in the community which shall be designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions.
- C. Conduct such studies and surveys as may be necessary to carry out the general purposes of this local law.
- D. Maintain an up-to-date inventory or index of all open spaces in public or private ownership within the municipality including, but not limited to, natural landmarks, glacial and other geomorphic or physiographic features; streams and their floodplains, swamps, marshlands and other wetlands; unique biotic communities; scenic and other open areas of natural or ecological value; and of the ownership, present use and proposed use of such open areas so as to provide a base of information for recommendations by the Council for their preservation and/or use.
- E. Seek to coordinate, assist and unify the efforts of private groups, institutions and individuals within the Town of Islip in accord with the purposes of this local law.
- F. Maintain liaison and communications with public and private agencies and organizations of local, state and national scope whose programs and activities have an impact on the quality of the environment or who can be of assistance to the Council.
- G. Working in cooperation with the Planning Board, recommend from time to time to the Town Board features, plans and programs relating to environmental improvement for inclusion in the Master Plan of the Town of Islip, and suggest changes in laws and ordinances.
- H. Prepare, print and distribute books, maps, charts and pamphlets in accord with the purposes of this local law.
- I. Obtain and maintain in orderly fashion maps, reports, books and other publications to support the necessary researches of the Council into local environmental conditions.
- J. When authorized by resolution of the Town Board of the Town of Islip, the Council may accept, by gift, grant, devise, bequest or otherwise, property, both real and personal, in the name of the Town of Islip, as may be necessary to conserve and otherwise properly utilize open spaces and other land and water resources within the boundaries of the Town of Islip. Such real property may be accepted in fee for 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.

K. Carry out such other duties as may be assigned from time to time by the Town Board.

§ 13A-6 Reports.

The Council shall submit an annual report to the Town Board, not 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 reports and recommendations as may be necessary to fulfill the purposes of this local law.

§ 13A-7 Compensation and expenses.

The members of the Council, including ex officio members, may at the discretion of the Town Board receive compensation for their services as members thereof and shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within the appropriations made available therefor. The Town Board will appropriate funds for all the expenses incurred by the Council, including expenses for professional staff, consultants and clerical assistance. The Council shall prepare and submit an annual budget request. The Town Board, upon request by the Council, will assign or detail public employees to perform work for the Council.

§ 13A-8 Construction.

This local law shall be deemed an exercise of the powers of the Town of Islip to preserve and improve the quality of the natural and man-made environment on behalf of the present and future inhabitants thereof. This local law is not intended and shall not be deemed to impair the powers of any other public corporation.

§ 13A-9 When effective.

This local law shall take effect ten (10) days after posting and publication as provided by law.

WHEREAS, the Town of Islip and the Incorporated Village of Ocean Beach were parties to a contract to provide fire protection and ambulance service for an area of Fire Island designated as the Fire Island Fire Protection District, which agreement has expired on December 31, 2021; and

WHEREAS, in accordance with the Town Law of the State of New York, a public hearing is required to be held prior to the entering into a new contractual agreement; and

WHEREAS, a public hearing was duly held before the Town Board of the Town of Islip on April 5, 2022, at 5:30 p.m., for the purposes of considering contracting with Ocean Beach for the same fire and ambulance protection as was rendered in the past for a five (5) year term commencing retroactively January 1, 2022, and terminating December 31, 2026, for payment of \$174,792 for the first year, \$180,036 for the second year, \$185,437 for the third year, \$191,000 for the fourth year and \$196,730 for the fifth year; and

WHEREAS, at the time of said hearing, all persons desiring to be heard were given an opportunity to do so; and

WHEREAS, it has been determined by the Town Board that it is in the public interest to enter into a new contract with the Incorporated Village of Ocean Beach as heretofore described;

NOW THEREFORE, on motion of Council Mary Kate Mullen, seconded by Council James P. O'Connor, be it,

RESOLVED, that the Supervisor be and hereby is authorized to execute a new contract with the Incorporated Village of Ocean Beach for the Fire Island Fire Protection District.

Upon a vote being taken the result was: 4-0-1 with Supervisor Angie M. Carpenter abstains.

WHEREAS, the Town of Islip and the Incorporated Village of Ocean Beach were parties to a contract to provide fire protection and ambulance service for an area of Fire Island designated as the Atlantique Fire Protection District, which agreement has expired on December 31, 2021; and

WHEREAS, in accordance with the Town Law of the State of New York, a public hearing is required to be held prior to the entering into a new contractual agreement; and

WHEREAS, a public hearing was duly held before the Town Board of the Town of Islip on April 5, 2022, at 5:30 p.m., for the purposes of considering contracting with Ocean Beach for the same fire and ambulance protection as was rendered in the past for a five (5) year term commencing retroactively January 1, 2022, and terminating December 31, 2026, for payment of \$85,848 for the first year, \$88,423 for the second year, \$91,076 for the third year, \$93,808 for the fourth year and \$96,623 for the fifth- year; and

WHEREAS, at the time of said hearing, all persons desiring to be heard were given an opportunity to do so; and

WHEREAS, it has been determined by the Town Board that it is in the public interest to enter into a new contract with the Incorporated Village of Ocean Beach as heretofore described;

NOW THEREFORE, on motion of Council Mary Kate Mulle, seconded by Council James P. O'Connor, be it,

RESOLVED, that the Supervisor be and hereby is authorized to execute a new contract with the Incorporated Village of Ocean Beach for the Atlantique Fire Protection District.

Upon a vote being taken the result was: 4-0-1 with Supervisor Angie M. Carpenter abstains.

WHEREAS, the Town of Islip and the Incorporated Village of Ocean Beach were parties to a contract to provide fire protection and ambulance service for an area of Fire Island designated as the Seaview Fire Protection District, which agreement has expired on December 31, 2021; and

WHEREAS, in accordance with the Town Law of the State of New York, a public hearing is required to be held prior to the entering into a new contractual agreement; and

WHEREAS, a public hearing was duly held before the Town Board of the Town of Islip on April 5, 2022, at 5:30 p.m., for the purposes of considering contracting with Ocean Beach for the same fire and ambulance protection as was rendered in the past for a five (5) year term commencing retroactively January 1, 2022, and terminating December 31, 2026, for payment of \$324,251 for the first year, \$333,979 for the second year, \$343,998 for the third year, \$354,318 for the fourth year and \$364,947 for the fifth year; and

WHEREAS, at the time of said hearing, all persons desiring to be heard were given an opportunity to do so; and

WHEREAS, it has been determined by the Town Board that it is in the public interest to enter into a new contract with the Incorporated Village of Ocean Beach as heretofore described;

NOW THEREFORE, on motion of Council Mary Kate Mullen, seconded by Council James P. O'Connor, be it,

RESOLVED, that the Supervisor be and hereby is authorized to execute a new contract with the Incorporated Village of Ocean Beach for the Seaview Fire Protection District.

Upon a vote being taken the result was: 4-0-1 with Supervisor Angie M. Carpenter abstains.

WHEREAS, the Town of Islip and the Incorporated Village of Ocean Beach were parties to a contract to provide fire protection and ambulance service for an area of Fire Island designated as the Atlantique Marina Fire Protection District, which agreement has expired on December 31, 2021; and

WHEREAS, in accordance with the Town Law of the State of New York, a public hearing is required to be held prior to the entering into a new contractual agreement; and

WHEREAS, a public hearing was duly held before the Town Board of the Town of Islip on April 5, 2022, at 5:30 p.m., for the purposes of considering contracting with Ocean Beach for the same fire and ambulance protection as was rendered in the past for a five (5) year term commencing retroactively January 1, 2022, and terminating December 31, 2026, for payment of \$31,809 for the first year, \$32,763 for the second year, \$33,746 for the third year, \$34,759 for the fourth year and \$35,801 for the fifth year; and

WHEREAS, at the time of said hearing, all persons desiring to be heard were given an opportunity to do so; and

WHEREAS, it has been determined by the Town Board that it is in the public interest to enter into a new contract with the Incorporated Village of Ocean Beach as heretofore described;

NOW THEREFORE, on motion of Council Mary Kate Mullen, seconded by Council James P. O'Connor, be it,

RESOLVED, that the Supervisor be and hereby is authorized to execute a new contract with the Incorporated Village of Ocean Beach for the Atlantique Marina Fire Protection District.

Upon a vote being taken the result was: 4-0-1 with Supervisor Angie M. Carpenter abstains.