

LOCAL LAW FILING

NEW YORK STATE DEPARTMENT OF
STATE
162 WASHINGTON AVENUE, ALBANY,
NY 12231

(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.

Town of-----Pompey-----

Local Law No.----- of the year 2009

A local law amending Chapter 21, "Environmental Conservation Commission," of the Code of the Town of Pompey to require Town Planning Board referral of proposed actions
(Insert Title)

Be it enacted by the Town Board of the Town of Pompey, Onondaga County, New York as follows:

Section 1. That Section 21-5, subsection (G), is hereby stricken from the Code of the Town of Pompey, as follows:

~~G. Carry out such other duties as may be assigned from time to time by the Town Board of the Town of Pompey.~~

Section 2. That Section 21-5, entitled "Powers and Duties" of the Code of the Town of Pompey, is hereby amended to add a new subsection (G) to read as follows:

- G.
- (1) When the Town Planning Board refers any proposed action or matter to the Onondaga County Planning Board pursuant to § 239-m of the General Municipal Law, or when a proposed action or matter does not require § 239-m referral but does require the Town Planning Board to conduct SEQOR review, the Town Planning Board shall refer the same proposed action or matter to the Commission for review and comment. The Commission shall recommend approval, modification, or disapproval of the proposed action or matter, or report that the proposed action or matter has no significant environmental impact on the Town of Pompey.
 - (2) The Commission shall have thirty days after receipt of a full statement of such

proposed action or matter, or such longer period as may have been agreed upon by the Commission and the Town Planning Board, to report its recommendations to the Town Planning Board, accompanied by a statement of the reasons for such recommendations. If the Commission fails to report within such period, the Town Planning Board may take final action on the proposed action or matter without such report, subject to the provisions of subdivision three of this section.

- (3) If the Commission recommends modification or disapproval of a proposed action, the Town Planning Board shall not act contrary to such recommendation except by a vote of a majority plus one of all the members thereof.
- (4) Within thirty days after final action, the Town Planning Board shall file a report of the final action it has taken with the Commission. If the Town Planning Board has acted contrary to a recommendation of modification or disapproval of a proposed action or matter, it shall set forth the reasons for the contrary action in such report.

Section 3. That Section 21-5, entitled "Powers and Duties" of the Code of the Town of Pompey, is hereby amended to add a new subsection (H) to read as follows:

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

Section 4. This Local Law shall take effect upon its filing with the Secretary of State.

(Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. __ of 2009 of the Town of Pompey was duly passed by the Town Board on _____, in accordance with the applicable provisions of law.

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 the above paragraph.

Ann Christmas, Town Clerk

(Seal) Date: _____

STATE OF NEW YORK
COUNTY OF ONONDAGA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Town Attorney