

A Resolution to Establish an Enfield Conservation Advisory Council

RESOLUTION #2024-_____

Whereas, the 2019 Enfield Comprehensive Plan states that, “Enfield residents value and wish to maintain the rural character of the Town” and that activities should be discouraged that would “adversely affect Enfield visually or otherwise degrade the Town’s rural nature;” and

Whereas, this Town Board believes that preservation of rural character includes the continued presence of roadside trees, stately in beauty, lush in character, and plentiful in number, trees that provide motorists, pedestrians, and all those traveling on or living along our roadways shade, protection from the elements, and a welcoming presence that underscores the kind of community that Enfield is; and

Whereas, during recent months, numerous Enfield residents have petitioned our Town Government, contacted its elected leaders, and attended Town Board meetings to urge that this Town Board take prompt, decisive action to protect Enfield’s roadside trees from what the petitioners regard as overly-aggressive pruning and tree removal practices by the Town’s Highway Department; and

Whereas, while this Town Board duly recognizes that New York State Highway Law, General Municipal Law, Municipal Home Rule Law, and an Opinion of the Office of the State Comptroller reserve to the elected Highway Superintendent the exclusive authority to trim and remove trees within the designated highway rights-of-way, this Board also recognizes that nothing in said laws or legal opinions precludes a conservation advisory council or similar municipally-designated advisory group from providing the Highway Superintendent reasoned, nonbinding advice; and

Whereas, this Board believes that the establishment of an Enfield Conservation Advisory Council would ameliorate resident concerns over tree pruning practices, reduce potential conflict and disagreement, and provide an organized opportunity for residents and property owners in our community to offer constructive input toward attaining the proper balance in highway-related tree management, as well as to offer input on other environmental conservation matters as provided in state law; therefore, be it

Resolved, that this Board, under Section 239-x of the General Municipal Law, hereby establishes the Enfield Conservation Advisory Council, a Council numbering as many as nine community residents, appointed annually, with the Town Supervisor, the Town Highway Superintendent, and up to one Town Councilperson serving additionally as non-voting, ex-officio members; and be it further

Resolved, that this Conservation Advisory Council shall meet at least once monthly, conduct its statutorily-mandated responsibilities, review with the Highway Superintendent pending projects, report to this Town Board quarterly, and provide guidance limited to that of advice only in matters of Town-wide environmental protection, including, but not limited to, roadside tree maintenance; and be it further

Resolved, that the Town Clerk shall post on the Town website an invitation for residents to join the Enfield Conservation Advisory Council, with this Town Board to vote on said council’s initial membership at the Board’s January 2025 Organizational Meeting or as soon thereafter as practicable.

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