

**Supporting Adoption Of The Statewide And Or Regional  
Community Preservation Act**

The Environmental Committee (Chairman Shapiro and Legislators Bartels, Distel, R.A. Parete, Rodriguez, Fabiano and McAfee) and Legislator Zimet offer the following:

WHEREAS, Ulster County recognizes the value of maintaining the qualities that make our county unique and beautiful, including public spaces, natural land, and special places, and

WHEREAS, the proposed Community Preservation Act will create an optional tool for maintaining open land to provide parks and recreational opportunities, protect water quality, preserve wildlife habitat, and protect natural views, and

WHEREAS, the proposed Community Preservation Act can help Ulster County preserve historic properties in our community to help educate future generations about our region's past, and

WHEREAS, the Community Preservation Act would encourage municipalities to plan for the future and would provide the resources needed to purchase land for walking or biking trails, parks, prime agricultural property and development rights, and

WHEREAS, the Community Preservation Act would amend the tax law to permit townships to impose a real estate transfer fee of up to 2 percent, with revenues to be deposited in a designated Community Preservation Fund, and

WHEREAS, the Community Preservation Act would require municipalities, if choosing to pursue this option, to complete a local Community Preservation Plan, pass local legislation and conduct a local voter referendum, and

WHEREAS, the Ulster County Legislature finds both the statewide Community Preservation Act (S.3836/A.7333) and the Hudson Valley Regional Community Preservation Act (S.5125/A.7849) to be consistent with Home Rule legislation.

RESOLVED, that the Ulster County Legislature supports adoption of the proposed statewide Community Preservation Act (S.3836/A.7333), or the regional Community Preservation Act (S.5125/A.7849) as well as S.6143/A.9104 and S.6145/A.9105 which will include Ulster County as a designated community, and looks forward to encouraging positive action under its provisions, and

Resolution No. 226 June 13, 2007

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FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor Eliot Spitzer, New York State Comptroller's Office, Senate Majority Leader Joseph Bruno, Senate Minority Leader Malcolm Smith, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader James N. Tedisco, New York State Senators John J. Bonacic, William J. Larkin, Jr., Vincent Leibell and Carl Marcellino, New York State Assemblymen Kevin A. Cahill, Clifford W. Crouch, Peter Lopez, Thomas Kirwan, Robert Sweeney and Adam Bradley and the New York State Association of Counties,

and moves its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 30                      NOES: 1  
(NOES: Legislator Gerentine)  
(Absent: Legislator Felicello)  
(Legislator Stoeckeler left at 8:05 PM)

Legislator Shapiro motioned, seconded by Legislator R.S. Parete to amend the resolution adding a 7<sup>th</sup> "WHEREAS" as follows: "WHEREAS, the Ulster County Legislature finds both the statewide Community Preservation Act (S.3836/A.7333) and the Hudson Valley Regional Community Preservation Act (S.5125/A.7849) to be consistent with Home Rule legislation," and adding to third line of the "RESOLVED" after (S.5125/A7849) the following: "as well as S.6143/A.9104 and S.6145/A.9105 which will include Ulster County as a designated community".

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 30                      NOES: 1  
(NOES: Legislator Gerentine)  
(Absent: Legislator Felicello)  
(Legislator Stoeckeler left at 8:05 PM)

FINANCIAL IMPACT:

NONE