

RESOLUTION

**Proposed Grant of Conservation Easement
Mill Brook Preserve**

At a meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held at the Town Hall, in New Paltz, New York, in said Town on the ____ day of _____, 2016, at _____ o'clock P.M., Prevailing time.

The meeting was called to order by Supervisor Bettez, and upon roll being called, the following roll was taken:

	<u>PRESENT</u>	<u>ABSENT</u>
Supervisor Neil Bettez	_____	_____
Council Member Jeffrey Logan	_____	_____
Council Member Daniel Torres	_____	_____
Council Member Marty Irwin	_____	_____
Council Member Julie Seyfert-Lillis	_____	_____

The following resolution was offered by Council Member _____ who moved its adoption, seconded by Council Member _____, to wit:

WHEREAS, the Town of New Paltz is the owner in fee simple of certain real property consisting of two (2) tax parcels as follows: (1) approximately 7.2434 acres and designated on the tax map as S-B-L 86.8-6-6; and (2) approximately 63.2 acres designated on the tax map as S-B-L 86.2-1-6.100, (hereinafter the "Property"); and

WHEREAS, the Property is adjacent to the Duzine School property and is part of the healthy and natural setting enjoyed by the students and faculty of the school; and

WHEREAS, the Property is adjacent to the Woodland Pond, a 56.11-acre conservation easement held by The Wallkill Valley Land Trust, Inc. which protects important ecological attributes that contribute to the water quality of Tributary 13, also known as the Mill Brook; and

WHEREAS, the State of New York has recognized the importance of private efforts to preserve land in a natural, scenic, and open condition by conservation easements, including easements in gross, by the enactment of Article 49 of the Environmental Conservation Law (the “Conservation Law”); and

WHEREAS, the Town, as owner in fee of the Property, desires to identify and to assure the preservation in perpetuity of the property’s conservation values and to assure access to the Property by the general public for passive recreation in perpetuity; and

WHEREAS, the Property’s conservation values as described above have been documented in The Mill Brook Preserve Plan (2014), created under the supervision of the Town and Village of New Paltz Clean Water and Open Space Protection Committee in 2014; and

WHEREAS, the Property’s conservation values are of great importance to the Town, the Wallkill Valley Land Trust, Inc., the people of New Paltz, the State of New York and the general public and are worthy of preservation; and

WHEREAS, preservation of these conservation values will contribute to the community’s and the public’s experience and appreciation of the scenic, aesthetic, recreational and open space values of Ulster County; and

WHEREAS, the Wallkill Valley Land Trust, a New York not-for-profit conservation organization has determined such conservation to be desirable and beneficial and has agreed to accept the grant to it of a Conservation Easement in order to restrict the further development of the Property and to preserve the property’s scenic, natural and recreation values;

NOW, THEREFORE, BE IT RESOLVED that the Supervisor of the Town of New Paltz is hereby authorized to execute and acknowledge on behalf of the town a Deed of Conservation Easement to the Wallkill Valley Land Trust, a not-for-profit conservation organization, to preserve and protect valuable scenic, natural and recreation resources upon the Town’s 7.2434 acres (S-B-L: 86.8-6-6) and upon the Town’s 63.2 acres (S-B-L: 86.2-1-6.100), said deed to be substantially in the form attached hereto and acceptable to the parties; and it is further

RESOLVED that the supervisor is hereby authorized to sign on behalf of the town such other and further instruments as are necessary to give full force and effect to the purposes and intents of this resolution.

The foregoing resolution is subject to permissive referendum and shall not be final until the passage of thirty (30) days from the date thereof, or after an election, if such is the subject of a petition, under Town Law Sections 82 and 90, in connection with this resolution, and the Town Clerk shall publish and post this resolution, or an abstract thereof, along with a notice, within ten (10) days in accordance with Town Law.

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Neil Bettez	_____	_____	_____
Council Member Jeffrey Logan	_____	_____	_____
Council Member Daniel Torres	_____	_____	_____
Council Member Marty Irwin	_____	_____	_____
Council Member Julie Seyfert-Lillis	_____	_____	_____

The resolution was thereupon duly adopted.