

**TOWN OF NEW PALTZ**  
**RESOLUTION NO. \_\_\_ of 2020**  
**DATED: DECEMBER 17, 2020**

A regular meeting of the Town Board of the Town of New Paltz, Ulster County, New York, was convened in public session via videoconference and/or teleconference pursuant to Executive Order 202.1, as amended, on December 17, 2020 at 7:00 p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript is required to be prepared to the extent required by such Executive Order.

The meeting was called to order by Supervisor Bettez, and, upon roll being called, the following members were (Note: Where members are marked Present, specify whether In Person at the Town Courthouse, 23 Plattekill Ave., in New Paltz, New York, via Videoconference, or via Teleconference):

	Present	Absent
Supervisor Neil Bettez	VIA	
Councilmember Daniel Torres	VIA	
Councilmember Alex Baer	VIA	
Councilmember David Brownstein	VIA	
Councilmember Julie Seyfert-Lillis	VIA	

The following persons were ALSO PRESENT:

The following resolution was offered by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, to wit;

**RESOLUTION NO. \_\_\_ of 2020**

**AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF NEW PALTZ OF LOCAL LAW NO. F (PROPOSED) OF 2020 RELATING TO AMENDING SECTION 44-7 OF THE TOWN CODE REGARDING THE PRESERVATION AND INVESTMENT FUND**

**WHEREAS**, a proposed form of Local Law No. F (Proposed) of 2020 entitled “**A LOCAL LAW AMENDING SECTION 44-7 OF THE TOWN CODE REGARDING THE PRESERVATION AND INVESTMENT FUND**” (the “proposed Local Law”) was presented to the Town Board of the Town of New Paltz at a regular meeting held on December 3, 2020; and

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of New Paltz on December 3, 2020, setting a public hearing to be held by said Town Board on December 17, 2020 at 7:00 p.m. via teleconference or videoconference, to hear all interested parties on the Proposed Local Law; and

**WHEREAS**, notice of said public hearing was duly advertised in the New Paltz Times, the official newspaper of said Town, on or before December 10, 2020, which is not less than five days

prior to the date of said public hearing; and

**WHEREAS**, due to the ongoing COVID pandemic, said public hearing was duly held on December 17, 2020 via teleconference or video conference at said time, and all parties were permitted an opportunity to comment on behalf of or in opposition to said proposed Local Law, or any part thereof as set forth in the Notice of Public Hearing; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act, the Town Board has determined that the Proposed Local Law is best described as a local legislative decision concerning routine administration and management and that adoption of this Local Law constitutes a Type II action which will not have a significant effect on the environment; and

**WHEREAS**, the Town Board of the Town of New Paltz, after reviewing the comments received and after due deliberation, finds it in the best interests of the Town to adopt said Proposed Local Law, in the form attached hereto;

**NOW THEREFORE BE IT RESOLVED**, by the Town Board of the Town of New Paltz (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. That the Town Board hereby adopts Local Law No. F (Proposed) of 2020, now referred to as Local Law No. 7 of 2020, entitled “**A LOCAL LAW AMENDING SECTION 44-7 OF THE TOWN CODE REGARDING THE PRESERVATION AND INVESTMENT FUND**”, a copy of which is attached hereto and made a part of this resolution.
2. That the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Town Code of the Town of New Paltz, to give due notice of the adoption of said local law to the Secretary of State of New York, and take all other actions as may be required by law.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

<u><b>VOTE</b></u>	<u><b>AYE</b></u>	<u><b>NAY</b></u>	<u><b>ABSTAIN</b></u>
Supervisor Neil Bettez			
Councilmember Daniel Torres			
Councilmember Alex Baer			
Councilmember David Brownstein			
Councilmember Julie Seyfert-Lillis			

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Town of New Paltz, Ulster County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on the 17th day of December, 2020 and entitled:

**TOWN OF NEW PALTZ  
RESOLUTION NO. \_\_\_ of 2020**

**AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF NEW PALTZ OF LOCAL LAW NO. F (PROPOSED) OF 2020 RELATING TO AMENDING SECTION 44-7 OF THE TOWN CODE REGARDING THE PRESERVATION AND INVESTMENT FUND**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this \_\_\_\_ day of December, 2020.

-SEAL-

\_\_\_\_\_  
Rosanna Rosenkranse  
Town Clerk

*Local Law Filing*

NEW YORK STATE DEPARTMENT OF  
STATE  
ONE COMMERCE PLAZA  
99 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 New Paltz  
Local Law No. F (PROPOSED) of 2020

A Local Law amending Section 44-7 of the Town Code regarding the Preservation and Investment Fund

BE IT ENACTED by the Town Board of the Town of New Paltz, Ulster County, New York, as follows:

**SECTION I. - LEGISLATIVE FINDINGS:**

The purpose of this local law is to modify Chapter 44 of the Town Code to remove references to a transfer tax and to clarify that all transfer tax revenues will be deposited and used in accordance with Chapter 59.

Chapter 44 of the Town Code entitled “Agriculture and Open Space Preservation and Acquisition” includes procedures for management of revenues from the sale of bonds issued for acquisition of open spaces and areas. Section 44-7 also provides for deposits to include revenues from any real estate transfer tax.

The Town of New Paltz has enacted a new Chapter 59 of the Town Code entitled “Community Preservation” including procedures for management of revenues from the real estate transfer tax imposed by the Town pursuant to Article III of Chapter 59.

The Town Board finds that this Local Law is necessary and in the best interests of the Town in order to ensure compliance with the requirements for management of revenues from each such source.

**SECTION II. - TOWN CODE AMENDED:**

Chapter 44 of the New Paltz Town Code is hereby amended by revising Subdivision (B) of Section 44-7 thereof entitled “Preservation and Investment Fund” to read as follows:

B. Deposits into the fund shall include revenues of the Town from whatever source and shall include, at a minimum, bond funds of November 2006, all revenues from or for the amortization of indebtedness authorized for the acquisition of open spaces or areas pursuant to § 247 of the General Municipal Law.

**SECTION III. - SEVERABILITY:**

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION IV. - EFFECTIVE DATE:**

This local law shall take effect on the date it is filed with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.