

**Establishing Capital Project No. 515- Open Space And Recreation Fund: Taliaferro Farm Conservation Easement, Adopting SEQRA Negative Declaration, And Authorizing The Chairman Of The Ulster County Legislature To Execute Documents- Department Of Planning**

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio and Rodriguez), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Deputy Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, Hector Rodriguez, and Legislator James Delaune offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Planning; and

WHEREAS, the 2017-2022 Ulster County Capital Improvement Program included \$3,000,000 in funding for the Open Space and Recreation Fund project; and

WHEREAS, pursuant to the Ulster County Open Space Plan and the Ulster County Agricultural and Farmland Protection Plan, the County is proposing to partially fund the purchase of an agricultural conservation easement (the "Easement") to be held by the Wallkill Valley Land Trust, Inc. on approximately 32.02 acres of active farmland owned by Robin and Sylvester Taliaferro located at 187 Plains Road in the Town of New Paltz (the "Taliaferro Farm"); and

WHEREAS, the Taliaferro Farm primarily consists of productive agricultural land, with approximately 17 acres of prime soils, and is located in Ulster County's Agricultural District #2, created pursuant to Article 25-AA of the New York State Agriculture and Markets Law, and the Easement will protect the Taliaferro Farm from residential and other development inconsistent with the preservation of farming on the property; and

WHEREAS, a real estate appraisal by the Farm Credit East Appraisal Service, which is on file with the Clerk of the Legislature, supports a purchase price for the Easement of \$387,000, and the proposed County share through the Open Space and Recreation Fund for the Easement and a Third Party Right of Enforcement is \$129,000, one-third of the appraised cost of the Easement, which will be funded equally by Ulster County, the Town of New Paltz, and The Scenic Hudson Land Trust, Inc.; and

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WHEREAS, the proposed Easement is consistent with the Open Space Plan of the Town of New Paltz, which on December 7, 2017 determined pursuant to the State Environmental Quality Review Act (“SEQRA”) that the execution of the Easement on the Farm was an unlisted action that would not have an adverse impact on the environment; and

WHEREAS, the Easement is consistent with the Ulster County’s Open Space Plan that was adopted pursuant to General Municipal Law Section 239-d. and which includes a recommendation to support purchase of development rights programs at the County and local level; and

WHEREAS, in addition to the Easement, the parties involved will enter into a purchase agreement, which is on file with the Clerk of the Legislature; and

WHEREAS, the Ulster County Legislature has reviewed the Environmental Record prepared for this action, including a negative declaration, and the draft Conservation Easement as now on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby determines that the execution of the Easement on the Taliaferro Farm in the Town of New Paltz constitutes an Unlisted Action pursuant to NYCRR Part 617.4 and 617.5; and be it further

RESOLVED, that the Ulster County Legislature has examined the Environmental Record, the Easement language, the County’s adopted Open Space Plan, and other pertinent documents associated with the execution of the Easement on file with the Clerk of the Legislature and finds that no significant adverse effect on the environment will occur by the funding and execution of the Easement and that in accordance with NYCRR Part 617.7(c) a Negative Declaration, a copy of which is annexed to this Resolution and made part hereof, is hereby adopted; and, be it further

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RESOLVED, that Capital Project No. 515 is hereby established as follows:

	<u><b>CREATE</b></u>	<u><b>AMOUNT</b></u>
Capital Project No. 515	Open Space and Recreation Fund: Taliaferro Farm Conservation Easement	\$129,000

and be it further;

RESOLVED, that the 2017 Ulster County Capital Fund Budget is hereby amended as follows:

	<u><b>INCREASE</b></u>	<u><b>AMOUNT</b></u>
HH.7197.0515.4300.4430 (App. #)	Legal	\$129,000
HH.7197.0515.3500.5710 (Rev. #)	Serial Bonds	\$129,000

and be it further;

RESOLVED, that Chairman of the Ulster County Legislature is hereby authorized to execute any and all documents related to the Conservation Easement, as approved and modified by the County Attorney, and any amendments thereto,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21            NOES: 0  
(1 Abstention: Legislator Ronk)  
(Absent: Legislator Bartels)

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Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on December 5, 2017

Passed Committee: Ways and Means on December 12, 2017

**FINANCIAL IMPACT:**

**\$129,000- ADDITIONAL CAPITAL FUND APPROPRIATIONS**

**\$129,000 – SERIAL BONDS**

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 19<sup>th</sup> Day of December in the year Two Thousand and Seventeen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21<sup>st</sup> Day of December in the year Two Thousand and Seventeen.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
21<sup>st</sup> Day of December, 2017.

Approved by the County Executive this  
28<sup>th</sup> Day of December, 2017.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

|s| Michael P. Hein  
Michael P. Hein, County Executive