

Local Law Filing

(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.

County City Town Village
(Select one.)

of MARBLETOWN

FILED
STATE RECORDS

JUN 29 2022

Local Law No. 4 of the year 20²²

DEPARTMENT OF STATE

A local law A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PLAN FOR THE
(Insert Title)
PURPOSE OF PRESERVING NATURAL, SCENIC, HISTORIC AND OPEN SPACE
RESOURCES WITHIN THE TOWN.

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of MARBLETOWN

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)



Town of Marbletown

Local Law No. 4 of 2022

A Local Law Adopting a Community Preservation Plan for the purpose of preserving natural, scenic, historic and open space resources within the Town.

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

SECTION I. PURPOSE

The purpose of this Local Law is to meet and implement the requirements of § 6-s of the General Municipal Law by hereby establishing and creating the Town of Marbletown Community Preservation Plan to help guide the Town's efforts to preserve natural, scenic, historic and open space resources within the Town.

SECTION II. TOWN CODE AMENDED:

Pursuant to the provisions of Section 6-s of the General Municipal Law, Chapter 127 of the Marbletown Town Code entitled "Community Preservation" is hereby amended to add the following new Article II of Chapter 127 of the Town Code, to be entitled "Community Preservation Plan", said provision to read as follows:

§ 127-8 Copy of Plan on file.

A copy of the Community Preservation Plan on file with the Town Clerk is attached hereto and incorporated as if fully set forth in this place. Said plan is intended to be the community preservation project plan required by Subdivision 6 of Section 6-s of the General Municipal Law and Article I of Chapter 127 of the Town Code.

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.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2022 of the (County)(City)(Town)(Village) of MARBLETOWN was duly passed by the TOWN BOARD on JUNE 21 2022, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Heather Moody

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 6/27/2022

(Seal)

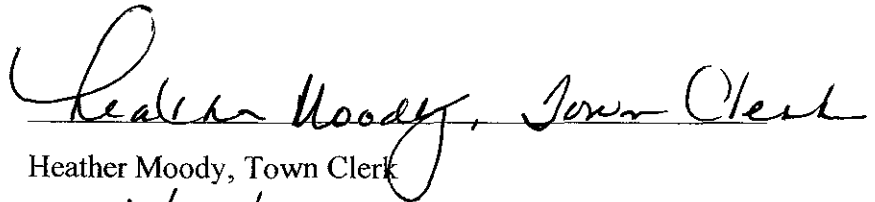
Effective Date of this Local Law

This Local Law shall be effective upon filing with the office of the Secretary of State, and the Town Clerk is directed to immediately file a copy of this Local Law with the New York State Secretary of State as required by law.

I hereby certify that the local law annexed hereto, designated as Local Law No. 4 of 2022 of the Town of Marbletown, was duly passed by the Town Board on June 21, 2022 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in above.

(Seal)


Heather Moody, Town Clerk

Date: 6/27/2022

STATE OF NEW YORK

COUNTY OF ULSTER



TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown was convened in a public session of the Town Hall, 1925 Lucas Ave Cottekill, New York on June 7, 2022, at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

PRESENT: Rich Parete, Tim Hunt, Daisy Foote and Ken Davenport

ABSENT: Don LaFera

The following Resolution was offered by Councilwoman Foote and seconded by Councilman Hunt

RESOLUTION #58-2022: SCHEDULE A PUBLIC HEARING ON PROPOSED LOCAL LAW OF 2022 RELATING TO THE ADOPTION OF A COMMUNITY PRESERVATION PLAN

WHEREAS, a proposed form of Local Law No. ___ of 2022 entitled **A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PROJECT PLAN**" has been submitted to the Town Board of the Town of Marbletown on June 7, 2022; and

WHEREAS, the purpose of this local law is to meet and implement the requirements of § 6-s of the General Municipal Law by establishing and creating the Town of Marbletown Community Preservation Project Plan to help guide the Town's efforts to preserve natural, scenic, historic and open space resources within the Town;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Marbletown as follows: 1. The Town Board of the Town of Marbletown shall hold a public hearing on Tuesday June 21, 2022, at 6:00 o'clock p.m. in the manner set forth in the attached notice of public hearing to hear all interested parties on said proposed local law and at which time and place it shall be determined by the said Town Board whether to adopt said local law. 2. The Town Clerk is hereby authorized and directed to publish a notice of said public hearing in the official newspaper of said Town, which is not less than five days prior to the date of said public hearing. 3. The Town Clerk shall provide copies of such notice of public hearing to the Commissioner of the NYS Department of Environmental Conservation, the Commissioner of the NYS Department of Agriculture and Markets, and the Commissioner of the NYS Department of Taxation and Finance.

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

Councilman Davenport	Voting <u>Aye</u>
Councilman Lafera	Voting <u>Absent</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

Resolution #58-2022 was thereupon adopted.

Heather Moody, Town Clerk/Tax Collector

Dated: June 7, 2022



TOWN OF MARBLETOWN

A regular meeting of the Town Board of the Town of Marbletown was convened in a public session of the Town Hall, 1925 Lucas Ave Cottekill, New York on June 21, 2022, at 6:00 o'clock P.M. local time. The meeting was called to order by Supervisor Rich Parete, and, upon roll being called, the following were:

PRESENT: Rich Parete, Tim Hunt, Daisy Foote, Don LaFera and Ken Davenport

ABSENT:

The following Resolution was offered by Councilman Hunt and seconded by Councilman LaFera

RESOLUTION #69-2022: AUTHORIZING THE ADOPTION BY THE TOWN BOARD OF THE TOWN OF MARBLETOWN OF LOCAL LAW NO. 4 OF 2022 FOR A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PLAN

WHEREAS, a proposed form of Local Law No. 4 of 2022 entitled “**A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PLAN**” (the “Proposed Local Law”) was presented to the Town Board of the Town of Marbletown at a regular meeting held on June 21, 2022; and

WHEREAS, on June 21, 2022, the Town Board reviewed a Full Environmental Assessment Form (FEAF) and classified the Proposed Local Law as a Type I action under SEQRA and declared its intent to serve as lead agency; and

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Marbletown on June 7, 2022, setting a public hearing to be held by said Town Board on June 21, 2022, at 6:00 p.m. at the Rondout Municipal Center, 1925 Lucas Ave. Cottekill NY 12419 to hear all interested parties on a proposed local law; and

WHEREAS, notice of said public hearing was duly advertised in the Kingston Daily Freeman, the official newspaper of said Town, on or before June 15, 2022, which is not less than five days prior to the date of said public hearing; and

WHEREAS, said public hearing was duly held on June 21, 2022, at the Rondout Municipal Center, 1925 Lucas Ave. Cottekill NY 12419, 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, on June 21, 2022, the Town Board adopted a negative declaration determining that the proposed adoption of the Proposed Local Law will not have a significant adverse effect on the environment; and

WHEREAS, the Town Board of the Town of Marbletown, 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 Marbletown (by the favorable vote of not less than a majority of all the members of the Board) as follows:

1. That the Town Board hereby adopts said Local Law No. 4 of 2022, now referred to as Local Law No. 4 of 2022, entitled “**A LOCAL LAW ADOPTING A COMMUNITY PRESERVATION PLAN**”, a copy of which is attached hereto and made a part of this resolution.
2. That the Town Clerk is directed to enter said Local Law in the minutes of this meeting and in the Town Code of the Town of Marbletown, 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 a vote on roll call which resulted as follows:

Councilman Davenport	Voting <u>No</u>
Councilman Lafera	Voting <u>Aye</u>
Councilman Foote	Voting <u>Aye</u>
Councilman Hunt	Voting <u>Aye</u>
Supervisor Parete	Voting <u>Aye</u>

Resolution #69-2022 was thereupon adopted.

Heather Moody, Town Clerk/Tax Collector

Dated: June 21, 2022