

*DRAFT*

**SPECIAL TOWN BOARD MEETING**

**May 1, 2019**

**4:30 PM**

Supervisor Valentine opened the meeting at 4:30pm followed by a salute to the flag. Members present: Supervisor Valentine, Councilman Perez, Councilwoman Smith, Absent: Councilman Wensley

**CHESTER COMMUNITY PRESERVATION FUND TRANSFER TAX RESOLUTION AMENDMENT**

Supervisor Valentine explained that the Transfer Tax Resolution adopted on April 24, 2019 has not garnered support so it was recommended that the tax be reduced from 1% to .75%.

**TOWN OF CHESTER**

**A RESOLUTION TO IMPORE THE NEW YORK STATE LEGISLATURE TO ENACT LEGISLATION CREATING A TRANSFER TAX ON THE CONVEYANCE OF REAL PROPERTY LOCATED WITHIN THE TOWN OF CHESTER FOR THE PURPOSE OF GENERATING REVENUE IN AN EFFORT TO FUND THE TOWN OF CHESTER COMMUNITY PRESERVATION FUND**

**May 1, 2019**

**TITLE:** A resolution to implore the New York State Legislature to enact legislation which creates a transfer tax of THREE-QUARTERS OF ONE (.75%) Percent on the conveyance of real property located within the Town of Chester for the purpose of creating and generating revenue in an effort to fund the Town of Chester Community Preservation Fund.

At a special meeting of the Town Board of the Town of Chester, Orange County, New York, held at the Town Hall, 1786 Kings Highway, Chester, New York, on the 1st day of May, 2019, at 4:30 PM prevailing time:

The meeting was called to order by Supervisor Valentine and upon roll being called the following were:

**PRESENT:** Robert Valentine, Supervisor  
Cindy Smith, Deputy Supervisor  
Orlando Perez, Councilman

The following amended resolution was offered by Councilwoman Smith, who moved its adoption, seconded by Councilman Perez, to wit:

**WHEREAS**, the Town Board of the Town of Chester drafted a Local Law in 2018, to be added as Chapter 84, entitled "Community Preservation Fund Law," to the Town Code of the Town of Chester; and

**WHEREAS**, the purpose of the local law is to protect and preserve open and undeveloped lands in the Town of Chester in an effort to protect natural resources and historic places and properties within the Town of Chester; and

**WHEREAS**, Section 84-4 of said local law established a Community Preservation Fund which was to be used, among other things, to implement the preservation plan and provide the Town of Chester with resources to acquire interests in real property for the preservation of community character within the Town; and

**WHEREAS**, in order to adequately fund the Community Preservation Fund, the Town Board of the Town of Chester must establish a Three-Quarters of One (.75%) Percent transfer tax on the conveyance of real property located with the Town of Chester; and

**WHEREAS**, the imposition of said transfer tax must be authorized by the New York State Legislature by the enactment of legislation amending the New York State Town and Tax laws; and

**WHEREAS**, the imposition of said transfer tax is vital to the rural preservation of land located within the Town of Chester and the success of the Community Preservation Plan is dependent upon the New York State Legislature passing this important legislation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Chester calls upon the New York State Legislature to embrace the Town of Chester Community Preservation Plan and pass legislation which authorizes the Town of Chester to enact a transfer tax in the amount of Three-Quarters of One (.75%) on conveyances of real property within the Town of Chester in an effort to establish a perpetual funding mechanism for the Community Preservation Plan.

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

Robert Valentine, Supervisor	Yes
Cindy Smith, Deputy Supervisor	Yes
Orlando Perez, Councilman	Yes

Yes   3   No   0   Abstain   0   Absent   1  

Dated: May 1, 2019

Respectfully submitted,

Linda A. Zappala  
Town Clerk  
2019-05-01