

**Community Preservation Fund Advisory Board  
Meeting Minutes  
October 1, 2009**

The meeting was opened at 7:30 p.m.

Members present: Chair Susan Ezrati, Rich Biezynski, Pete Hubbell Phil Seymour and Brent Kovalchik. Miriam Latzer and Robin Logan were absent. Sheila Franklin, Secretary was unable to attend and Ted Fink, town planner had an alternative engagement. Susan and Pete offered to jointly record the minutes. A tape recorder that had been provided failed to function.

A quorum was determined to be present for the conduct of business. The Board reviewed the September 3, 2009 minutes. Pete noted that the list of absentees should have included Phil Seymour. Pete then made a motion to approve the minutes as revised. Phil seconded the motion and all members present voted in favor.

The Chair then asked Pete to present the language that he proposed be inserted as a revision to the clause concerning the sharing of costs when an amendment to an existing easement was proposed. Pete presented an insert of language that had been drafted by the Dutchess Land Conservancy. A discussion followed that resulted in the elimination of the first paragraph of the amendment language and the deletion of the final sentence in the second paragraph. The chair asked if a motion was tabled, Pete moved the proposed language as amended, Phil seconded the motion. Some discussion followed. The question was called. All present voted in favor of the proposed change in the cost sharing language by voice vote. The revised, approved."Stewardship and Monitoring Plan" is attached with these minutes.

Susan then informed the Board that she had received a request from the Town Attorney, Chris Chale, for a copy of the Stewardship and Monitoring Plan. She noted that she had informed the attorney that the Board had not formally presented the plan to the Town Board for their consideration. The attorney noted that she was working on a similar document for another purpose and simply was hoping to save time and effort by referencing the work that already had been undertaken by the CPF Ad Board. Susan asked the Board for permission to forward the Draft document to the Town Attorney. A discussion followed and the Board agreed to forward the document to the attorney.

The Chair then moved to the next item on the agenda, Review of Inventory Detailing and Design Ranking Plan. She presented an e-mail from Ted Fink making the Board aware of New York State Town Law Section 64-h(6), which stipulates the contents of the Community Preservation Plan. The e-mail contained the exact wording of that section of Town Law. Susan noted that the Town Planner, Ted Fink, who has advised Warwick and is familiar with a town in Suffolk – the only two towns that have Community Preservation Plans in place, believes that the language of the law requires the Board to provide some kind of ranking of parcels that may be eligible for CPF supported easements.

The Board considered the language of the law. In the discussion that ensued. Many members of the Board argued that the language of the law did not require rankings by parcel or in batches of parcels. They noted that such a process would require significant additional research, much of which would be unnecessary because not all landowners would be applying for CPF funds. Furthermore, they argued that nothing stays the same. Examples of this problem included, a working farm might cease to be a working farm. A parcel that was characterized by a high percentage of prime soils, but not a working farm, might become a working farm. Any static ranking

would therefore not properly serve the intent and greatest benefit of the law. The general view of the Board was that a methodology for ranking parcels, along with the parcel inventory, ought to be the objective of the committee's final report to the town.

The Board asked that the Town Attorney or such attorney as was familiar with the CPF statutes be invited to the November meeting to advise the Board. The chair noted that she would make the request to the Town Supervisor. She also noted that Ted Fink was committed to attend the November meeting.

There was no additional Old Business and no new Business to consider.

A motion to adjourn was made by Pete and seconded by Brent. The meeting was adjourned.

Respectfully submitted,

Susan Ezrati and Pete Hubbell  
Secretaries pro tem