

Broome County Environmental Management Council

Barbara J. Fiala, Broome County Executive • Stacy Merola, Director



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June 8, 2007

Hon. Thomas W. Libous
New York State Senate
1607 State Office Building
Binghamton, NY 13901

RE: Broome County Environmental Management Council (EMC) Calling for Support of the Community Preservation Act (A.7333/S.3836)

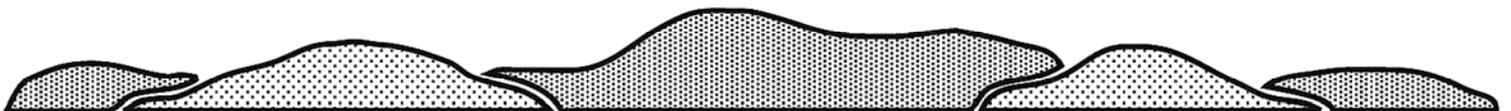
Dear Senator Libous:

The Broome County Environmental Management Council (EMC), Broome County government's citizen advisory board on local environmental matters, wishes to offer our support for the passage of the Community Preservation Act (A.7333/S.3836).

The Community Preservation Act (CPA) would give municipalities the authority to **voluntarily** establish, through local referendum, a fund to preserve open space areas by enacting a fee of no more than two percent on real estate transfers above the median price for that particular county. The EMC supports this bill because it allows New York State's cities and towns to voluntarily plan for their future development while providing them with resources they need to protect natural areas, support family farms, and preserve historic structures and heritage. This can help create a balance between development pressures and resource conservation while enhancing community character.

Open space areas provide several social and economic benefits such as providing plant and wildlife habitats, promoting local agriculture and forestry, increasing recreational and educational opportunities, enhancing community character and improving air and water quality. Furthermore, open space preservation is a key component in **flood prevention and stormwater management strategies**. This is especially important in Broome County as the community continues to deal with the ramifications of major flooding in 2005 and 2006. An open space fund would allow flood-impacted communities to take a proactive approach to flood management by protecting flood prone areas that are not covered under federal or state programs.

As New York State grows and develops, communities need tools to incorporate open space preservation goals into community planning to protect these valuable resources. The CPA will empower the municipalities that choose to establish an open space preservation fund with a **voluntary** tool to support their open space preservation goals. We acknowledge that the strategies outlined in the Bill may not be feasible throughout NYS. However, it does not require communities to take action and will not impose any additional taxes on NYS residents without their **consent through local referendum**.



The Bill recently passed in the Assembly for the third consecutive year. Now, we respectfully request your support of the Community Preservation Act and ask that you call on your colleagues in the NYS Senate to pass S.3836.

Thank you for your time and consideration regarding this important matter.

Respectfully,

(electronically signed)

André G. LaClair
EMC Chairperson

cc: Hon. Barbara J. Fiala, Broome County Executive
Rita Petkash, BC Planning Commissioner
William Heaviside, BC EMC NRC Chair
Timothy Cleary, BC EMC Legislative Rep
Ron Keibel, BC EMC Legislative Rep
NYS Assemblywoman Donna Lupardo, 126th District
NYS Assemblyman Clifford Crouch, 107th District
NYS Assemblyman Gary Finch, 123rd District
NYS Assemblyman Robert Sweeney, 11th District
NYS Senator Carl Marcellino, 5th District

AGL/bae