

Town of New Paltz Historic Preservation Commission Meeting

Wednesday January 23rd 2019 7:00PM - 9:00PM in the Community Center

Commissioners attending: John Orfitelli (Chair), Susan DeMark, and Matt Maley

Also participating by telecon: Deputy Supervisor Daniel Torres

Agenda

1. Public Comment
2. Review/Approve December Minutes
3. Historic Landmark Preservation Legislative Initiative
4. Other
 - a. Meeting Dates for 2019
 - b. Put Corner Cemetery Brochures for Hampton Inn:

Minutes

The meeting was called to order at 7:12 pm with a motion from Susan DeMark and seconded by Matt Maley. Motion carried.

Pledge of Allegiance

1. **Public Comment:** No public comments were received.
2. **Review/Approve December Minutes:** Motion to approve [minutes from our meeting on December 19th](#) was made by Susan DeMark and seconded by Matt Maley. Motion carried.
3. **Historic Landmark Preservation Legislative Initiative:** Susan DeMark provided the following background material with links related to the local law passed by the Town of Warwick which allows the town to collect a fee from real estate transactions to support a preservation fund.
 - The Town of Warwick has a Community Preservation Fund (CPF). Before this, the Town had a program to purchase development rights in order to preserve farms and open space.
 - Then came efforts to establish a preservation fund that would be funded through a small real estate tax that would be levied on property transfers.
 - The Town of Warwick needed to get state approval to establish this fund and tax.
 - July, 2005, Gov. George Pataki signed state legislation -- passed by the New York State Assembly and State Senate -- that allowed the Town of Warwick to collect a real estate transfer tax, to be paid by the buyer, of .75% on a property transfer. The money would go into a Community Preservation Fund.
 - November, 2006, the Town's voters approved the .75% fee on all new real estate sales to be used for the Community Preservation Fund.

Here is a description of the fund -

Community Preservation Fund (CPF): When a house or land is sold in Warwick, the buyer pays a small fee, generally less than the amount charged for title fees in a mortgage's closing costs. The seller pays nothing. This fee is added to a dedicated escrow fund that can only be used for projects identified in the Community Preservation Plan to preserve the community character of Warwick.

The CPF will spread the cost for continuing preservation to those who will enjoy the past and current fruits of our labor by contributing to our shared future in a desirable, livable Warwick.

[Town of Warwick Preservation Plan](#)

Other Links:

Passage at state level – [Times Herald Record article](#)

[2017 article with an update on how the program and fund are working, and with some background on it](#)

Susan agreed to follow-up with the Warwick Supervisors office to obtain clarification on several questions raised by the Commission, namely,

- What kind of push back did the creators receive and how did they respond?
- What are the yearly proceeds collected from the 0.75% fee?
- Are there any exemptions?
- Have there been any changes in the fee or distribution process?

While the Warwick law applies to preservation of agricultural resources, it does provide an excellent example of local legislation involving the collection of fees from Real Estate transactions to support a preservation fund.

Deputy Supervisor, Daniel Torres, joined the Commission by telephone to provide guidance in how the Commission could move forward in securing a similar local law aimed at a preservation fund to assist property owners of local designated landmarks. The basic legislative action is referred to as a Home Rule Request. Based on his personal experience in the State Legislature, Daniel suggested the following steps for how the Commission should proceed.

The Commission should first contact staff members of our [Assemblyman Kevin Cahill](#) and our newly elected [State Senator Jen Metzger](#) to briefly describe what the Commission is seeking to accomplish and solicit their support. A detailed understanding of the Warwick law along with any other local laws passed in the State that involves similar actions would be a prerequisite. Daniel agreed to review the material we plan to use prior to our call to each staff member.

Based on their positive response and encouragement, the Commission would then address the Town Board to review the need for a preservation fund and proposed fee model based on Real Estate transactions. Agreement and support by the Town Board would be required to move forward with submission of a Home Rule Request.

Susan DeMark and Matt Maley agreed to continue research into similar laws. John Orfitelli will contact SHPO and develop the 'talking points' for use with the legislative staff.

4. Other

- a. **Meeting Dates for 2019:** Meetings will continue to be scheduled for the **third Wednesday of each month**, however, the following meeting dates have been changed:

February	was 20 th now 27 th
April	was 17 th now 24 th

- b. **Put Corner Cemetery Brochures for Hampton Inn:** Kate Brodowksa will use the images and text material from the Interpretive Plaque to create a brochure for use by the Hampton Inn. A completed 'production ready' prototype will be available for review at our next meeting.

Motion to adjourn was made by Matt Maley and seconded by Susan DeMark. Motion carried.
Meeting adjourned at 8:40pm.

Next Meeting will be held on Wednesday, February 27th 2019.