

**AGENDA - TOWN BOARD MEETING**

**August 11, 2011**

**7:00 P.M.**

**PUBLIC HEARING: Acquisition of Development Rights – Warwick Valley Stables**

**PUBLIC HEARING: 2010 MS4 Annual Report**

**PUBLIC HEARING: Amendments Proposed to the Zoning Map of the Town of Warwick**

**PRESENTATION TO WARWICK LITTLE LEAGUE BY TOWN BOARD**

**REGULAR MEETING:**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**ACCEPTANCE OF MINUTES:**

- 1. Regular Meeting, 07/21/11**

**CORRESPONDENCE:**

**DEBORAH EURICH – Assessor, Town of Warwick – Letter to the Town Board requesting approval to attend the State’s training course on “Introduction to Farm Appraisal” to be held in Ostego County, on September 19-23, 2011.**

**DIANE M. STOEBERL – Secretary, New Continental Hotel, 15 Leo Court, Greenwood Lake, NY 10925 - Notice to the Town of Warwick of their intent to renew a liquor license for the New Continental Hotel.**

**ROLAND R. PAFFENROTH – Adjutant, Polish Legion of American Veterans, Post #16, Pine Island, NY 10969 – Letter to the Town Clerk notifying her of the intent to renew a liquor license for the Polish Legion of American Veterans, Post #16.**

**ADAM POWERS – Vice President, AJ Warwick Inc., 48 Main Street, Warwick, NY 10990 – Letter to the Town Clerk notifying her of their intent to apply for a liquor license for FETCH.**

**GLORIA MCANDREWS – Village Clerk, Village of Florida, 33 South Main Street, PO Box 505, Florida, NY 10921 – Letter of notification that the Board of Trustees of the Village of Florida will hold a public hearing in the Village Hall, 33 South Main Street, Florida, New York, on August 10<sup>th</sup> 2011, at 7:30 p.m., or as soon thereafter as the matter can be heard, to consider the adoption of a local law amending Section 119 of the Village of Florida Zoning Law. Copies**

of said proposed local law, and Zoning Law may be reviewed at the Village Clerk's office during regular village hours.

**MICHAEL FOURNIER – NY FRPP Manager, Natural Resources Conservation Service, 441 South Salina Street, Room 520, Suite 354, Syracuse, NY 13202-2450 – Letter to the Supervisor congratulating the Town of Warwick for receiving \$1,400,333 of FRPP financial assistance for the purchase of conservation easements for the Edsall and Pioneer Farms.**

**HON. ANNIE RABBITT – Assemblywoman, 97<sup>th</sup> District, Room 719, Legislative Office Building, Albany, NY 12248 – Letter to the Supervisor regarding the Greenwood Lake Commission's ability to collect user fees while not being required to have them held in an account controlled by the NYS Comptroller.**

**HON. CHARLES E. SCHUMER – United States Senator, Washington, DC 20510 – Letter to the Supervisor notifying him that the National Historical Publications and Records Commission is accepting applications for the 2012 Documenting Democracy: Access to Historical Records Project (CFDA No. 89.003). Applications must be submitted via Grants.gov and are due on October 6, 2011, by 11:59 p.m. Eastern Standard Time. For additional information on eligible applicants, eligible projects, and acceptable budget categories, I encourage you to visit the following website <http://www.archives.gov/nhprc/announcement/access.html>. You can also call the National Historical Publications and Records Commission at 202-357-5101 for additional insight into the review process, project eligibility and samples of successful applications.**

## **STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)**

### **Notice of Determination of Non-Significance**

**This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.**

**The Town Board of the Town of Warwick, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.**

**Name of Action: Zoning Map Amendment: Mid-Orange Correctional Facility Parcels**

**SEQR Status: Unlisted**

**Conditioned Negative Declaration: NO**

**Description of Action: New York State's Mid-Orange Correctional Facility was proposed for closure by Governor Cuomo's office on June 30, 2011. The site, which consists of a medium security prison facility for males on five parcels of land, is located within the Town's Conservation (CO) and Rural (RU) Zoning Districts. The Governor's Office has stated that the purpose of the proposed closure is to consolidate the State's**

correctional facilities based upon a declining inmate population. Future plans for the Correctional Facility land and buildings have not been formulated but it is expected that the site may be sold and therefore, may revert to private use subject to the Town Zoning Law. The closure is expected to have wide ranging economic implications on the Town including the Wickham Sewer District, for which the State pays about one-half of the District's entire operating budget. Due to the site's location adjacent to the Town's Office and Industrial Park (OI) Zoning District, Kings Highway, and the New York Susquehanna and Western freight rail line, the Town Board has proposed a rezoning of the subject parcels to the OI District to enable future redevelopment of the site in accordance with the Town *Comprehensive Plan*. The proposed action also includes correction of a typographical error in the Zoning Law text.

**Location: Five RU and CO District parcels in the vicinity of State School Road:**

Section 46 - Block 1 - Lot 9.1

Section 46 - Block 1 - Lot 9.2

Section 46 - Block 1 - Lot 16

Section 46 - Block 1 - Lot 9.1

Section 46 - Block 1 - Lot 9.1

Town of Warwick, Orange County, NY

**Reasons Supporting This Determination:**

1. The Town Board of the Town of Warwick has given due consideration to the subject action as defined in 6 NYCRR 617.2(b) and 617.3(g).
2. After reviewing the Environmental Assessment Form (EAF) for the project dated August 5, 2011, the Town Board has concluded that environmental effects of the proposed project will not exceed any of the Criteria for Determining Significance found in 6 NYCRR 617.7(c).
3. The Town *Comprehensive Plan* encourages light industrial development next to existing commercial and industrial uses. The Mid-Orange site is located adjacent to existing industrial and commercial uses and is fully developed with a State prison facility, providing an opportunity for redevelopment and reuse of the 30+ buildings on-site. This will allow for development of industrial uses on a site already dedicated to non-residential uses without the necessity of dedicating a new "greenfield" site in the Town for industrial uses.
4. There is no construction proposed as part of this action. No construction can take place on the site, if its ownership is transferred from the State to another entity, without first preparing a plan of development, conducting a SEQR review process and obtaining all requisite permits, as may be necessary, from the Town, County, State and Federal governments.
5. Existing community sewage capacity in the Wickham Sewer District will be available to the site due to the elimination of the prison's employee and inmate populations, at one time accommodating over 4,000 persons.
6. Adequate transportation infrastructure already exists in this location due to the presence of a freight railroad adjacent to the site, a County highway, and the Warwick Municipal Airport.

7. A large portion of the ± 765 acre project area is comprised of freshwater wetlands and their adjacent buffer areas. However, a significant portion of the project site is already developed with roads, buildings, recreational facilities, and other facilities integral to the prison operation. The freshwater wetlands, wetland buffer areas, and the on-site buildings and other development, in addition to the Town Zoning Law requirements for the OI District, will likely determine the future density of any new development on the site. Care should be taken in all redevelopment plans that are formulated to ensure that the Town's goals of protecting wetlands and biodiversity are not diminished.
8. Further Zoning amendments may be warranted pending the outcome of a planning process for the site. The Town Board intends to apply for economic development assistance from the State, which includes money from a \$50 million fund as well as additional tax credits available to assist communities that are facing prison closures Statewide.
9. One structure on the site was built in 1840 on the foundations of a pre-Revolutionary War farmhouse. The project area is also almost entirely within an area identified as sensitive for archaeological sites on the New York State Site Inventory. While the proposed Zoning amendments will not affect such cultural resources in any way, because there is no construction planned nor are there any plans developed to date for development or reuse of the site, care must be taken in the future to ensure cultural resources are fully evaluated and any potential impacts on such resources are avoided or properly mitigated during redevelopment.
10. Potential impacts on the environment, as a result of construction or other changes to the site, will be addressed in the future through separate site specific environmental reviews under SEQRA at the time plans are formulated for development, redevelopment or reuse of the site if the State disposes of the five parcels.

**For Further Information:**

**Contact Person:** Michael Sweeton, Supervisor  
**Address:** Town Board of the Town of Warwick  
132 Kings Highway  
Warwick, NY 10990  
**Telephone:** 845.986.1124

**THOMAS MCGOVERN – Chief of Police, Town of Warwick Police Department – Memo to the Town Board requesting that Carmen Marsh be appointed as a part-time Police Dispatcher to fill the vacant part-time position created by the resignation of Kelly Pikul.**

**BOARD'S DISCUSSION ON CORRESPONDENCE**

**VISITING ELECTED OFFICIALS**

**REPORTS OF BOARDS AND COMMISSIONS**

**COMMITTEE REPORTS**

**DEPARTMENT OF PUBLIC WORKS REPORT**

<b><u>WORK BEING DONE</u></b>	<b><u>LOCATION</u></b>	<b><u>REASON FOR WORK</u></b>	<b><u>LENGTH</u></b>
CULVERT PIPES	Distillery Rd.	Replace pipe	60 ft. of 15"
	Distillery Rd.	Replace pipe	30 ft. of 12"
CATCH BASINS	Vik Dr.	Repair basins	
CHIP SEAL	Town wide	Resurfacing roads	
TREE WORK	Drew Rd.	Clean up fallen tree	
MOWING	Town wide	Intersections	
POT HOLES	Town wide	As needed	
ROAD REPAIR	Town wide	As needed	
ROAD SIGNS	Town wide	As needed	

**ENVIRONMENTAL CONSULTANTS REPORT**

**Town Of Warwick - Water and Wastewater Operations Report - July, 2011**

**Wickham Water District**

Well #11 monthly production	2,600,300 gal
Average daily use	83,900 gal
Sodium Hypochlorite used	56 qt
Orthophosphate used	5 qt
Soda Ash used	450 lbs.

**Bellvale Park Water District**

Total monthly production	150,500 gal
Average daily use	4,900 gal
Sodium Hypochlorite used	9 qt

**Eurich Heights Water District**

Total monthly production	219,000 gal
Average daily use	7,100 gal
Sodium Hypochlorite used	3 qt
Orthophosphate used	12 qt

**Pine Island Water District**

Total monthly production	393,500 gal
Average daily use	12,700 gal
Sodium Hypochlorite used	8 qt

**Westside #1 Water District**

Total monthly production	5,949,400 gal
Average daily use	191,400 gal
Sodium Hypochlorite used	280 qt
Orthophosphate used	133 qt
Caustic Soda	300 gal

**The Fairgrounds**

Total monthly production	201,600 gal
Average daily use	6,500 gal
Sodium Hypochlorite used	6 qt

**Sewer District #1 Wastewater Treatment Facility**

Mid-Orange Correctional District	4,998,210 gal	55%
Wickham Village District	2,433,060 gal	26%
Kings Estates District	1,713,370 gal	19%
<b><u>Total District Flow</u></b>	9,144,640 gal	100%
<b><u>Average Daily Flow</u></b>	294,988 gal	

All facility maintenance has been done for the month. (Oil grease, filters)

The belt press ran for 74 hrs. and 2.5 gal of polymer was used.

20 cu. Yd. of sludge and 5.5 cu. ft. of grit were removed from the site this month.

There was 2.7" of precipitation for the month.

**Sewer District #2 Wastewater Treatment Facility – The Fairgrounds**

<b><u>Total District Flow</u></b>	90,460 gal
<b><u>Average Daily Flow</u></b>	2,918 gal

**COUNCILMAN DE ANGELO REPORT**

**COUNCILMAN DE BUCK REPORT**

**COUNCILMAN GERSTNER REPORT**

**COUNCILMAN SHUBACK REPORT**

**ATTORNEY’S REPORT**

## **TOWN CLERK'S REPORT**

**Fees Collected – Month of July, 2011** – Return Check Fee, \$20.00; Wickham Lake Permit Fee Res., \$140.00; Wickham Lake Permit Fee Non-Res., \$30.00; Wickham Lake Additional Stickers, \$16.00; Wickham Lake Permit Renewal Res., \$50.00; Wickham Lake Permit Renewal Non-Res., \$20.00; ATV Impoundment Fees, \$1,000.00; Certified Marriages, \$80.00; Photocopies, \$15.50; Carters Permit Fees, \$25.00; Peddler Permit Fees, \$100.00; Photographs, \$250.00; Interest In Checking Account for Month of June, \$0.84; Dog Impoundment Fees, \$870.00; Town Park Pavilion Fees, \$150.00; Marriage License Fees, \$332.50; Conservation License Fees, \$38.40; Dog Licenses Issued/Renewed, \$1,787.00; Use of Room Fees, \$60.00; Registrar Fees, \$370.00; Waterfront Park Daily Non Resident Fees, \$2,282.00; Waterfront Park Daily Resident Fees, \$5,799.00; Waterfront Park Res. Adult Season Passes, \$160.00; Waterfront Park Res. Child Season Passes, \$175.00; Waterfront Park Res. Family Season Passes, \$1,300.00; Waterfront Park Res. Senior Season Passes, \$25.00; Waterfront Park Wedding Permit Fees, \$60.00; Town Park Deposits, \$300.00; Waterfront Park Group Deposits, \$300.00; **Total Fees Collected: \$18,214.34**

**Fees Paid – Month of July, 2011** – NYS Dept. of Health for Marriage Licenses, \$427.50; NYS Dept. of Ag & Markets for spay/neuter program: \$223.00; NYS Dept. of Environmental Conservation, \$657.60; Village of Greenwood Lake for Registrar Fees, \$120.00; Village of Warwick for Registrar Fees, \$1,030.00. **Total Fees Paid to the Supervisor, \$15,756.24**

## **SUPERVISOR'S REPORT**

1. CPF Update
2. Mid-Orange Correctional Facility
3. NRCS Farmland Preservation Grant Award
4. Monthly Budget Review
5. Supervisors Corner – Published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser.

## **PRIVILEGE OF THE FLOOR (AGENDA ITEMS)**

### **NEW BUSINESS:**

1. APPROVAL TO ATTEND TRAINING COURSE – DEBORAH EURICH
2. GREENWOOD LAKE AMBULANCE DISTRICT – SERVICE AWARD PROGRAM
3. PROCLAMATION – “INTERNATIONAL AND NATIONAL HOMELESS ANIMALS DAY”
4. LEAD AGENCY – ACQUISITION OF PURCHASE OF DEVELOPMENT RIGHTS
5. NEGATIVE DECLARATION – ACQUISITION OF PURCHASE OF DEVELOPMENT RIGHTS
6. PURCHASE OF DEVELOPMENT RIGHTS – WARWICK VALLEY STABLES AND EQUESTRIAN CENTER

- 7. LEAD AGENCY – ZONING MAP AMENDMENT – MID-ORANGE  
CORRECTIONAL FACILITY PARCELS**
- 8. NEGATIVE DECLARATION – ZONING MAP AMENDMENT – MID-ORANGE  
FACILITY PARCELS**
- 9. ADOPT LOCAL LAW #6 OF 2011 – AMENDING CHAPTER 164-32 “THE  
ZONING MAP”**
- 10. APPOINTMENT OF FULL-TIME POLICE DISPATCHER - KELLY PIKUL**
- 11. APPOINTMENT OF PART- TIME POLICE DISPATCHER – CARMEN MARSH**

**BILLS:**

**PRIVILEGE OF THE FLOOR (GENERAL)**

**EXECUTIVE SESSION:**

**RECONVENE:**

**ADJOURN:**