

AGENDA - TOWN BOARD MEETING

November 7, 2013

7:00 P.M.

PUBLIC HEARING: 2014 PRELIMINARY BUDGET

PUBLIC HEARING: SPECIAL DISTRICTS

REGULAR MEETING:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ACCEPTANCE OF MINUTES

1. **Regular Meeting, October 24, 2013**

CORRESPONDENCE:

FRANK SIMEONE – Attorney, Kornfeld, Rew, Newman & Simeone, 46 Washington Ave., Post Office Box 177, Suffern, NY 10901 – Letter to the Supervisor and Town Board requesting that the town waive fees which would otherwise be due from the fire district in connection with a building permit application, variance review by the Zoning Board of Appeals or engineering fees regarding the proposed emergency communications tower to be constructed on firehouse property at 675 County Route 1 in Pine Island.

CONNIE SARDO – Secretary, Town of Warwick Building Department – Letter to the Town Board requesting refund on the remaining balance of their escrow.

**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) - Negative Declaration
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: Wickham Water District Expansion

SEQR Status: Type I
 Unlisted

Conditioned Negative Declaration: YES
 NO

Description of Action: The Town Board has proposed expansion of the Wickham Water District to annex the former Mid-Orange Prison site. On July 1, 2011, New York State closed the Prison. The State and Town proposed transfer of the property to the Town and possibly others through the Warwick Valley Local Development Corporation (LDC), a not-for-profit 501(c)(3). Currently, the site is served by the Wickham Sewer District and the provision of community water to the site will allow for its redevelopment in accordance with the Town Comprehensive Plan and with the recommendations of a Town Board appointed Mid-Orange Advisory Committee. The Committee conducted an analysis of potential future use of the prison property if it were to be transferred to the Town of Warwick and others. The Committee conducted a visioning meeting with residents and property owners in the Town to reach out to the public on potential future uses of the site. The Town and LDC wish to enable the site's redevelopment. No construction is proposed as part of the action.

Location: State School Road, Former Mid-Orange Prison Site
 Town of Warwick, Orange County, NY

Related Actions:

New York State's former Mid-Orange Correctional Facility encompasses five contiguous parcels of land totaling ±762-acres. On June 30, 2011, the State of New York announced that it would close the Correctional Facility. Declining inmate populations was reportedly the cause of the closure. At the time of the Facility closure, New York State relocated approximately 572 inmates to other prisons and reassigned a total of 309 employees who worked at the Facility.

Impacts to the Town of Warwick and surrounding area resulting from the closure of the prison were both significant and severe. The most notable impact was the significant loss of revenue for the Town owned and operated Wickham Sewer District, which provides sewer service to the former prison. The prison closure resulted in a loss of approximately one-half of the district's annual operating revenue. Another potential impact is the loss of population in the Town of Warwick. When prison employees, who were residents of the Town, were offered jobs in far-away locations, they moved out of the area. Following the closure of the Mid-Orange Correctional Facility, the Town of Warwick Town Board worked with the State of New York to take title to the facility. Portions of the site that are constrained by wetlands and other environmentally sensitive areas (or where used for recreation) are to be retained by the Town of Warwick while other portions will be held by the Warwick Valley Local Development Corp. and others.

The redevelopment process included public visioning by a Town Board appointed “Mid-Orange Advisory Committee.” The Committee undertook a planning process: “To analyze the options which might be available for the site and to make recommendation(s) to the Supervisor and the Town Board for ways to develop the site that will ensure long-term job possibilities for residents of our community in a way that is compatible with the Town of Warwick Zoning Code and enhances the tax ratables within the Town.” The Final Report of the Committee dated March 7, 2012, recommended the Town pursue future projects including: 1) conservation and historic preservation; 2) agriculture; 3) food processing and distribution; 4) sustainable energy generation; 5) low security corrections; 6) open space and recreation; 7) office and light industrial development; and 8) transportation alternatives.

The complexity of transferring and redeveloping the former Mid-Orange prison site and returning it to productive use has meant that a number of separate actions needed to be taken by a variety of different State and Local agencies. This has included the following related actions:

- A. When the site was operational as a prison, it consisted of five parcels of land zoned within the Town's Conservation (CO) and Rural (RU) Zoning Districts. 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 proposed and later enacted a rezoning of the subject parcels to the Office and Industrial Park (OI) Zoning District to enable future redevelopment of the site in accordance with the Town Comprehensive Plan. A separate SEQR review process was conducted by the Town Board for the rezoning action. The Board’s action concluded with the issuance of a Negative Declaration.
- B. The next related step involved transfer of the site from the State of New York, which declared that it would no longer have a need for the property. In order to effectuate the transfer from the State, the action included an initial subdivision of the site for the following purposes: 1) future development and redevelopment of the prison facilities area; 2) protected freshwater wetlands for transfer to a land trust; and 3) transfer of the remaining lands to the Town of Warwick for park, recreation and other municipal uses. The transfer process included other Involved Agencies: the Office of General Services transfer of the site to Empire State Development, Empire State Development transfer of the site to the Warwick Valley Local Development Corporation, and then transfer from the Warwick Valley Local Development Corporation to the Town and others. A separate SEQR review process was conducted by the Town Board, after circulating for Lead Agency status with the above stated Involved State Agencies, for the transfer action. The Town Board’s action concluded with the issuance of a Negative Declaration.
- C. As a pre-condition to closing on the site transfer from the State, New York State agencies required that the existing five site parcels be reconfigured first in the way in which they will be accepted by the Town and LDC. This involved a Re-subdivision of the parcels by the Town Planning Board. A separate SEQR review process was

conducted by the Planning Board for the transfer action. The Planning Board's action concluded with the issuance of a Negative Declaration.

- D. In addition to this SEQR review process on the proposed Water District Expansion, the Town Planning Board is undertaking a separate SEQR review process for a 10 lot commercial development on a ± 48.6 acre parcel on the prison site. Community water supplies are sufficient from the Wickham Water District to supply the 10 lot subdivision with potable water. Annexation of the former prison site into the Wickham Water District will allow for the District's excess capacity to be utilized by future office and industrial development on the site as well as adaptive reuse of the assorted 81 prison buildings.**

The Planning Board has undertaken an extensive SEQR review process on the 10 lot subdivision involving a number of studies including an assessment of the impacts on agriculture, wetlands (both State and Federal), endangered and threatened species as well as biodiversity, traffic and transportation, and cultural resources. It is expected that the Planning Board will issue a Negative Declaration on the 10 lot subdivision, paving the way for eventual development of a small area of the prison site that is suitable for economic development activities. Both the New York State Department of Environmental Conservation and the Orange County Department of Health are Involved Agencies on the Water District Expansion and they have both consented to the Town Board to act as Lead Agency on this action.

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 September 10, 2013, 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. Separate SEQR reviews have been and will continue to be conducted for redevelopment of the former prison site. No construction is proposed in association with the Water District expansion action but a related action consisting of a 10 lot commercial subdivision of a 48.6 acre parcel is being conducted by the Town of Warwick Planning Board. The Planning Board's SEQR review has included an extensive assessment of the impacts of construction activities associated with future development of the 10 office and industrial lots.**
- 4. The Town Planning Board's related 10 lot subdivision review under SEQR includes identification of thresholds needed for future development of the site based upon detailed design and review for development of the 10 individual lots by the Town Building and Engineering departments. In addition, future approvals may be necessary from the Town Board, Planning Board, Zoning Board of Appeals and other County, State and Federal agencies. Such approvals are identified within the Planning Board's separate SEQR review process. A series of thresholds have been developed by the Planning Board to guide future development of the proposed 10 lots. Furthermore, the Town Board of the Town of Warwick and the Warwick Valley Local Development**

Corporation may seek New York State Certification of the subdivision development as a “Shovel Ready Site” by Empire State Development, the State’s chief economic development agency. Businesses that decide to locate within the subdivision and that do not exceed the thresholds established by the Planning Board may be eligible to receive expedited Building Permit approvals from the Town Building Department without the necessity of receiving Site Plan and Special Use permit approvals from the Planning Board.

5. The proposed action is consistent with the Town Zoning Law (Office & Industrial Park District), the Town Comprehensive Plan and with the Mid-Orange Advisory Committee Final Report dated March 7, 2012.
6. It is the desire of the Town, its residents, and the WVLDC to provide a "shovel-ready" site to facilitate its redevelopment and to recapture the 400 jobs lost as a result of the Prison closure. Expansion of the Wickham Water District will allow redevelopment of a portion of the site to occur.
7. The Town's Wickham Sewer District currently serves the former prison site and the provision of water supply to the site will compliment the sewer services and will encourage redevelopment in accordance with the Town Comprehensive Plan.

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

BOARD’S DISCUSSION ON CORRESPONDENCE

VISITING ELECTED OFFICIALS

REPORTS OF BOARDS AND COMMISSIONS

COMMITTEE REPORTS

ENVIRONMENTAL CONSULTANTS REPORT

DEPARTMENT OF PUBLIC WORKS REPORT

WORK BEING

DONE

LOCATION

REASON FOR WORK

CATCH BASINS	Coppergate Ln.	Repair basins
	Sunrise Ridge	Repair basins
DITCH WORK	Upper Wisner Rd.	Clean ditches
	Lower Wisner Rd.	Clean ditches
POT HOLES	Town wide	As needed
ROAD SIGNS	Town wide	As needed

WATER DEPT. Wickham Knolls Replace hydrant

COUNCILMAN DE ANGELO REPORT

COUNCILMAN KOWAL REPORT

COUNCILMAN GERSTNER REPORT

COUNCILMAN SHUBACK REPORT

ATTORNEY'S REPORT

TOWN CLERK'S REPORT

1. **Fees Collected – Month of October** – Wickham Lake Resident Permit Fees, \$60.00; Film and Video Permit Fee, \$250.00; Copies of Maps, \$25.00; Certified Marriages, \$80.00; Photocopies, \$9.50; Use of Kitchen Fees, \$50.00; Use of Room Fees, \$200.00; Interest in Checking Account for Month of September, \$1.65; Dog Impoundment Fees, \$1,230.00; Town Park Pavilion Fee, \$25.00; Marriage License Fees, \$332.50; Conservation Licenses, \$195.92; Dog Licenses Issued/Renewed, \$1,518.00; Registrar Fees, \$290.00; Town Park Deposits, \$50.00. **Total Fees Collected: \$10,950.15**

2. **Fees Paid – Month of October** – New York State Dept. of Health for Marriage Licenses, \$427.50; NYS Dept. of Ag & Markets for Spay/Neuter Program, \$185.00; NYS Dept. of Environmental Conservation for Conservation Licenses, \$4,660.08; Village of Greenwood Lake for Registrar Fees, \$170.00; Village of Warwick for Registrar Fees, \$1,190.00. **Total Fees Paid to the Supervisor: \$4,317.57**

3. Unofficial Election Result Totals (does not include absentee ballots)

SUPERVISOR'S REPORT

1. Supervisors Corner is published each week in the Warwick Dispatch, with excerpts printed in the Warwick Advertiser

PRIVILEGE OF THE FLOOR (AGENDA ITEMS)

NEW BUSINESS:

1. **ADOPT 2013 TOWN PRELIMINARY BUDGET**
2. **AUTHORIZATION OF ESCROW REFUND – FRANK GRAESSLE**
3. **NEGATIVE DECLARATION – WICKHAM WATER DISTRICT EXPANSION**

BILLS:

PRIVILEGE OF THE FLOOR (GENERAL)

EXECUTIVE SESSION:

RECONVENE:

ADJOURN: