

**June 9, 2011**

**The Town Board of the Town of Warwick held a Public Hearing for the Acquisition of Development Rights. Said public hearing was held on Thursday, June 9, 2011 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the public hearing to order at 7:20 p.m.**

**ATTENDANCE:** Supervisor Michael Sweeton  
Councilman Floyd DeAngelo  
Councilman Leonard DeBuck  
Councilman James Gerstner  
Councilman Mickey Shuback

**Town Attorney, John Hicks**

**LEGAL NOTICE: The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on June 1, 2011. (Copy of this legal notice is printed at the end of these minutes.)**

**Supervisor Sweeton – This is part of the process by which the Town has to go through before it does require any development rights. These three farm projects have surfaced because a group that we partnered with on a recent acquisition the Wright Farm was the Open Space Institute. They subsequently had some additional dollars that had been allocated somewhere else. They put out a call for closings on potential farms and we had three candidates that met the criteria and there were no other outside partners that would complicate the acquisition. The acquisitions would be relatively simple in terms of not having lean issues or anything that would have to be resolved. These three candidates which two of them were on our list previously and one which is a relatively newcomer, but a relatively simple acquisition that makes some sense we think at least to acquire. I'm speaking of the Bazylevsky Farm which is a farm of roughly 190 acres that sits sort of at the intersection of Upper Wisner and Lower Wisner Road and it fits into farms that are already protected which is Wisner Buckbee's farm as well as the farm by Al Buckbee and family. MGF Corporation is a 70 acre parcel that is on Sanfordville Road that is surrounded by three preserved farms the Tunis Sweetman Farm, the Baird Farm and the Sayre Farm, so it fits into that and it's currently farmed by Tunis Sweetman and the third farm is known as the Hampton Hills, which is the name of a proposed subdivision on that farm. That is on Jessup Road adjacent to the Myruski Farm which is a farm that is under PDR preservation, so all of these farms make sense from the Towns perspective in terms of acquiring the development rights. OSI is partnering in terms of up to 25% of the development right acquisition cost plus the various fees associated with surveys, title reports and appraisals, so it helps us stretch our dollars and if we move forward with them it would be a good acquisition. That is essentially it and I will open it up for public comment if anyone has any.**

**Andrew McLaughlin – Resident, Town of Warwick, NY 10990 – I want to commend the Town Board for having gotten itself in the position of being able to move swiftly with partners like the Open Space Institute to move ahead with supplementing our own fund, the Community**

**Preservation Fund, with outside monies which is critical of this acquisition and making impressive grant applications for other farms with the NCRS and other places I may not know about. I want to congratulate you for being vigilant and being in a position to act and this requires action right away, good going.**

**Supervisor Sweeton – Thank you and we appreciate certainly the comments and the support we got not only from the Orange County Land Trust, but also the Conservancy on some of these and I know that probably you folks will be asked to have a role in terms of monitoring and things going down the road.**

**Andrew McLaughlin - We'll help wherever we can.**

**Supervisor Sweeton – We appreciate that. Any other public comment on the acquisition of development rights potentially on these farms?**

**Councilman DeBuck – Mike did you mention OSI wanted to stretch our money because they needed applications that were prepared. You mentioned appraisals, are the appraisals up to date?**

**Supervisor Sweeton – We had appraisals on all three farms; Bazylevsky's was current, but OSI worked with Jim Waterhouse who did the original appraisals and he is updating and providing those numbers to OSI. So the procedure will be that we have the numbers on Bazylevsky; he's completed the numbers for Hampton Hills and MGF to update their appraisals and current values. At that point OSI will then render an offer to the three farms based on those appraisals and based on using the template easement that we used with the Wright Farm. That was another advantage the Wright Farm was the first time we worked with OSI. They had never worked with the Town and I think we impressed them with how well prepared we are and how we are able to handle these things and I think that's what prompted them to want to partner with us again.**

**Councilman DeBuck – Obviously the values are going to reflect today's real estate market.**

**Supervisor Sweeton – Correct.**

**Councilman DeBuck – The appraisals will be updated to today's market price.**

**Supervisor Sweeton – I will give you a for instance. The original appraisal on Hampton Hills which was in our process was greater than a million dollars for development rights. We fully expect that number will be much less. In fact, the farm has been put on the market for much less, so we know that number will be much less when Jim's numbers come in.**

**Councilman DeBuck – The money that's in the Community Preservation Fund in today's market will go further by way of more acreage being protected as well as going further because we're getting outside partners that like the way the Town operates.**

**Supervisor Sweeton – Correct.**

**Councilman DeBuck – Both of those are really good news for the protection of the agricultural industry and what we like to support.**

**Supervisor Sweeton – Just another note, all three of those farms are being farmed today.**

**Councilman DeBuck – That is one notion to know they're pretty good because farmers generally go after land that's productive.**

**Supervisor Sweeton – It's very stark when you look at the map of PDR protected farms. When you look at where these three farms fit into those other protected farms it really rounds out that nice chunk of farmland.**

**CLOSE PUBLIC HEARING: Motion Councilman DeAngelo, seconded Councilman Gerstner, that the public hearing be closed. Motion Carried (5 ayes, 0 nays) 7:29 p.m.  
06-09-11 cp**

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**Marjorie Quackenbush, Town Clerk**