

February 13, 2020

The Town Board of the Town of Warwick held a Public Hearing to consider the Purchase of 85+/- acres located at 46 Bowen Road, SBL# 63-2-8. Said public hearing was held on Thursday, February 13, 2020 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton opened the public hearing at 7:00 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman James Gerstner
Councilman Mickey Shuback
Councilman Floyd DeAngelo
Councilman Russell Kowal

Attorney for the Town, Jay Myrow

LEGAL NOTICE: The clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on January 22, 2020. (Copy of this legal notice is printed at the end of these minutes.)

Supervisor Sweeton – Before we open it up for comments, I want to give a little background and tonight is not about different uses and things that you can do because we are not even at that stage yet. Tonight, is to kind of gauge the community's feelings about the pros and cons about this. Back in the fall we were notified that the URJ the organization that owns the Kutz Camp and run it so very well in our community planned to not reopen the camp. Their model of how they bring youth together was no longer one that worked here where they brought them here from all over the country to this location. Students now would rather meet in their regional locations and they run 16 of these around the country and they told us it was their intent to sell the property and we asked them to keep us informed with what you are doing and what's happening. We didn't hear much, I contacted them back in December and I was told that they had put packets together to list the property and that they had some informal offers already without first listing it. I came to the Town Board and in an executive session we discussed what the possibilities would be and the Town Board and I came to the conclusion that it made sense for our community to try and secure this property, so we began a negotiation with the URJ and reached an agreement to proceed and do our due diligence to determine whether this was an acquisition that made sense for our community to purchase. I gave you a little display of what the property looks like, if you're not familiar with where it is, it's located at the top of Warwick Turnpike on Bowen Road. It is situated between one of the farms that we have in preservation the Weiss Farm and it is bordered on the other side by property the Orange County Land Trust has known as Fuller Mountain Preserve, which has hiking trails on it. The property is approximately 85 acres of property located on both sides of Bowen Road. There are two single family homes that are part of the property on the one side, the south side of Bowen Road and the bulk of the property is on the other side of the road. There is Rolyn Lake there that does feed down the mountain and does eventually end up in the Wawayanda

Creek. There are 37 buildings with about 72,000 square feet of building space, I would say half of the structures are seasonal which means no heat and the others are fully furnished with heat and water with a central septic system that's gravity fed down to a leach field, treated and then discharged into the stream. It is served by its own water system. There are two pools on the site, tennis courts, basketball courts, hiking trails, there is a climbing tower apparatus there, an infirmary building and a full commercial sized kitchen and dining hall on the property. This property is listed in our community preservation plan and that was a plan document created by a citizens group back in 2005 that preceded the vote for the land preservation transfer tax. This is listed in there which makes it eligible to be purchased with funding from that dedicated fund. That fund can only be spent on specific purposes farmland preservation, open space preservation, recreation space preservation and some limited historic structure preservation. To date that fund has helped us preserve approximately 2,500 acres added to the other 1,700 acres preserved under the PDR referendum, so it helped us preserve 4,200 acres of working farms. We currently have two farms under the process of being secured with that funding, that funding is allocated for those farms and those farms will close as they work through the process. We don't have any viable candidates in the pipeline after that and that's a testament to the fact that we've already preserved 4,200 acres of prime soiled farms. The funding to purchase this would come directly from that fund, so there would be no general taxation dollars spent on the acquisition of the property. The other benefit positive to the acquisition is that it's currently tax exempt, so it is not on the tax rolls currently, so the assessment of the town does not change by the virtue of town taking the property, so you're not taking taxable property off of the roll. Again, the hearing tonight is not to talk about different ideas for it. I will tell you that the URJ Organization is providing us with documentation on costs of what their utilities were to operate seasonally and year-round. They did generate outside income from the facility in the neighborhood of \$200 to \$250,000 a year, so that should be sufficient if we were to do that to cover the costs of operations, however it evolves, but however it evolves if the Town Board moves forward with this it would be to entertain ideas from the community. We'll have a separate evening where we will do that, generate ideas, tabulate them, get a core group of citizens together to kind of sort through them and present them again. Tonight, is just to understand people's feelings, does this make sense or not make sense.

Jim Mehling – Resident, Cascade Road, Warwick, NY – I want to say thank you for proactively addressing the concerns of preserving the open space. I know there's a lot of back and forth on this. I know for myself questions about operating expenses could potentially increase liability for the town. The Greenwood Lake Town Beach when you bought that and utilized, its kind of a claw for her to have to pay a fee to go to the town beach when our tax dollars, unless I was misinformed went to purchase it or to maintaining it. Or if it's a revenue independent thing meaning you need to draw money in to maintain it. The concern is are we as taxpayers and citizens of the town going to be expected to pay for the use of the facilities? I'm not talking about for an event, a wedding, a bar mitzvah, a birthday or just go for the day, because our concern is if this goes through and gets opened up you are going to expect to draw in people from outside of the community and that's normal practice. Putting measures in place to ensure that we are not getting charged if at

all the same as those coming up from Rockland or Westchester. I'm all for bringing things into the community but in a controlled, intelligent manor.

Supervisor Sweeton – A couple of points, the Greenwood Lake Beach was purchased through the Community Preservation Fund, so again the purchase of it was not taxable, there is a tax cost to run it. The Town Board budgets approximately \$30,000 to run it and we do get revenues from it to offset a lot of it but not enough. That particular beach a decision was made that it should be open to all residents because there was additional funding from the county. We debated back and forth what to do, whether it should be town residents only. What we feel strongly about on this property was that we want to make sure that town residents get good use of the property. Anything else that's done would be done to mitigate the operating cost, because there will be operating costs, there's no question. If it's a rental for a wedding or a team building, those kinds of exercises and there are accommodations where a corporate group could come up and spend the weekend and use the facilities and they would pay. The idea is to minimize any cost, zero cost to the taxpayer to operate it but give them access. We've had calls for pools.

Jim Mehling – That has gone back and forth for the last umpteen years about money that was given many, many years ago and they built a pool in the high school and its for the community and people go back and forth. My concern is even though I'm as much in favor of progress having lived in Orange County our entire life, I've also seen certain forms of progress that have existed outside of our community and there are certain things personally I'm not really keen on. I'm personally grateful that you're proactively going out to hopefully mitigate some circumstances from happening down the road. Based on that and getting more information myself as a citizen I'm in favor of the process.

Supervisor Sweeton – Thank you and we share your concerns.

Howard Horowitz – Living here over 38 years I've always noticed it as a visual highlight of the area. I think the possibilities are very great, clearly there is responsibility that we would take on with the added property, but if we don't do it will end up being developed in some other way. I would personally be willing to be one of the people involved here to help plan good and positive uses for that property if and when we go do it. I'm in favor and I think having a uniquely situated place that is beautiful and Warwick could use to grow and it would be important to keep the special open space open to the public and I think that's a great chance and hopefully we can make the most of it.

Supervisor Sweeton – Thank you.

William Vieldhouse – What is that land zoned for?

Supervisor Sweeton – It's in the mountain zone. We did do a use of the environmental control formula, which is a conservative development tool that's done on paper. It could anywhere from 10-12 single family homes, if it were developed that way. It does have a central septic system so it could mean denser development, which didn't really fit there.

William Vieldhouse – I'm not really for development, don't get me wrong, but I really feel that changing this from a kid's camp into one park, I mean we've got parks all over the place. We have state land, federal land, town land, village land and I don't think we need any more land and I would rather see it go to another religious group Jewish or whoever for kids. Because we have everything, we have the best schools, the best library, we have the best of everything, we're all rich if you look around the world. Do something for those who have nothing. I would say pay them off with the building rights like you did the farmers, probably give them a million bucks or whatever they got, I don't know and tell them it's got to stay that way and then you don't have to worry about it being built up. By the other way if you consider conservancy you're opening it to the general public because whenever they get involved it's opening it up to the general public and to me who's that, you don't know who that is.

Supervisor Sweeton – Thank you sir, appreciate that.

Luis Abramson – I have been here about 10 years and as you know from the past I've always advocated for autistic children in Warwick and the County and I'm associated with the New York State PTA in the Hudson Valley and I'm also a member of a committee for children with IDD. One of the things I would like to see with this land that it be maintained the way that it is and be for children with IDD. There are many vendors that are very interested, and it definitely could be used for committee process with OBWDP summer recreational camping and school services and special developmental and behavioral support therapy services. I know that we are not talking about the ideas, but I would like to encourage that it is essential to provide places for children with special needs. We all know that looking at our Beautiful People and the tremendous work that they've done with the baseball field. It is a growing problem in our community, and it is something that will support the school district over the summer and throughout the school year. There are many, many avenues for using this property and gear the space of use for children in our county and out of county and city. I strongly believe it will bring a more integration than personal wealth to Warwick and its community members and the opportunity to bring economic growth to local businesses and employment and a very dignified one for our community. there's nothing like giving the space to individuals that are stigmatized and don't have the ability to go to the regular parks and need special help. There are individuals out there right now that I know of that are very excited about this and would like to engage in a conversation, so when that point does come into effect I would like it taken into consideration because it is a way to preserve what's preexisting and give it to another set of children. It would be less of an impact when it comes to the buildup and it would bring value to this community because there are not many apps for these types of individuals. With that being said I thank you for this time you have given me at this platform, and I encourage you to think about that.

Supervisor Sweeton – Thank you Luis.

Ray Woloszczak – As a resident for a long time on Warwick Turnpike I really appreciate the fact that you guys did look into this and I think it's a preservation for the future. We have the aquifers coming off the mountain and the wildlife. I was just riding down Black Rock road and I saw going into all the empty lots the dozers and what not. Slowly but surely Warwick is changing, and I want to thank you guys for being proactive, but the devil will be in the details. I think we need to have another meeting to find out where you guys are really going with this and how it would benefit all of the individuals in town. I think enough was said and very eloquent, thank you.

Supervisor Sweeton – Thank you Ray, appreciate it.

Danielle Post – I want to thank you for being proactive as everyone else is for addressing this parcel of land off Warwick Turnpike. I live in the neighborhood off of Conklin Road and I just wanted to let you know that we are in support of you purchasing this property for the town and being proactive and preserving the open space is important. We do understand there is adjacent land to the property that is already in the Orange County Land Trust and that is wonderful, but I would like to see this land preserved as well. We have always found the URJ we very considerate neighbors, they were very good, they were kind and they were very clean and we do hope that will continue in the future, that whatever the town does with the property that we take into account that it's a neighborhood that needs to have the land preserved and understand that there are neighbors who are trying to enjoy their own property. We also hope though that and I am in support of this that there will be restrictions in allowing the community members to use this land and restricting those outside of the community with a fee or in some other way. I know many of us who live up there often see the side of Warwick Turnpike on a Sunday afternoon when Wawayanda is overflowing with a lack of place for them to enjoy the outdoors and this land is there and it will give them a place to go as well. So, preserving that land for Warwick we are completely for that, but we are hoping that a future conversation that will allow us to explore that will be for residents of the town.

Gillian Jeffords – I've driven past this place so many times not really seeing or knowing what it was from the road, but this looks like it's a fabulous opportunity to bring the community together and a lot of residents from Orange County. I have some ideas so whenever this goes through and you have a committee, I would love to be on it.

Kristina Hoti – I was born and raised in Warwick. I just wanted to be a voice for the Veterans of our community, again I want to repeat a lot of what was said, which was thank you for taking the roll in preserving the property and maintaining it for the use of Warwick and its residents. I am part of a committee on an organization that is called Hug's for Courage and we are working right now on some fundraising efforts and obtain some space for our Veterans. There are some really important services that are needed, PTSD treatment, therapies and there are so many services we could be offering and in the vane of offering the property for children with special needs or any groups that have a need for a fresh opportunity for rehabilitation or readjustment back into civilian life. I would hope

that we could potentially consider the needs of our local Veterans and even Veterans that maybe might come to use the services in a place like that.

Matt Riedel – I've been in Warwick about 20 years and I've seen it go from a small rural village to what is starting to look like a suburb. We don't need more economic development and more business here, we need less economic development. A continuation of a business that we have where if anything a smart business, we don't need to develop so we look like Paramus or Bergen County. If you develop this like Bergen County a lot of people like me will just move. I don't think the property values will go up; I think they will go down because you're going to have so much congestion who's going to want to live here. Purchasing this Kutz Camp is a great idea, even if it goes to raw land and you take all the buildings down and don't do anything else with it and I'm not going to weigh in on that because I don't know much about it. My same feelings apply to when I heard about the desire to develop a hotel on Pulpit Rock. We don't need a hotel. It's a residential Agra community why would you want a hotel a ¼ of a mile from a catholic school and the middle school and high school. It's not popular to be anti-business, I'm not antibusiness but we have to be very smart about how we develop the town and when you preserve land in my opinion you're going to make it better for all the businesses because people will actually want to come here as oppose to saying there's a suburb here about an hour away why would I go there anymore.

Will Brown – Besides being a Warwick resident I'm the president of the Orange County Land Trust which is the owner and operator of the land preserved next to this property. I just have a couple of questions I think would be useful for me and other people who are considering this to know a little bit more about the price of the evaluation or appraisal of 6.5 million dollars came from, because it does strike one as expensive. The land itself is probably worth no more than 10 or 20% of that, so it's the structures on the property that are at least 80% of the value. The quality of the structures and what they can potentially be used for would be very important.

Supervisor Sweeton – We ordered an appraisal and we will get that. The market value was listed at 6.8 million and the appraisal will see where that is. That market value was set by the Assessors evaluation over the years, we'll see what the appraisal brings, so that's where it was and in the negotiation with the URJ association or board they had offers that were in the vicinity of where we were. They knew what their market value was listed at and we landed at the 6.5. The appraisal will either confirm that or not, we'll find out.

Will Brown – Do you have any idea what types of uses the other offers have?

Supervisor Sweeton – We do not, they did not share that. It's highest and best uses is a camp. It was continued to be used as a camp for less than a year which would give anyone who purchased it vested rights to continue to operate it as a camp under its current circumstances, so I suspect whoever was interested was interested in that. We don't know who that is, but there was at least two credible...

Will Brown – Under what current town zone?

Supervisor Sweeton – It would be in the mountain zone and our zoning does provide for a lot of opportunities if you can meet the zoning criteria, now as the gentleman referred we when zoning was first created here the zoning has evolved a lot and I believe its doing quite a bit to preserve what many of us find attractive about Warwick. We don't want to be Bergen County and we will not be Bergen County under our zoning. Having said all that, we do give a lot of different opportunities in the zoning code. As I mentioned residential development in that zone is a 5-acre, cluster you get 4 acres and we conservatively estimated 10-12 single family homes slightly more but not huge numbers. Its still highest and best use is a camp because the facilities I toured them today with our professional people, our engineers, our building inspectors, water and sewer people just to get a deeper feel for the operation of the facility and I will say the URJ did an exceptional job as the resident from Conklin Road talked about it. They've done an exceptional job maintaining this property. The structures range from early structures built in the late 50's early 60's but many of the structures were built less than 13-14 years ago. There was a fire up there if anyone remembers who has been here a while, so they built a lot of new structures. I had not been inside all of the structures until today and I will tell you they are exceptional, so someone who is interested in it is going to use it for some purpose like that. The Board felt strongly for our community that it made sense for us to try and pursue that and determine its future. Stay tuned, thank you Will.

Hannelore Chambers – I also would like to thank you again for this long view of the property and its possibilities. One question I did have is how much is in the PDR Fund?

Supervisor Sweeton – Yes, I knew that would be asked. Currently the balance is 3.7 million dollars. The fund runs until 2025, so we have predicated the purchase on a conservative income to that fund of \$50,000 a month, so if it meets \$50,000 a month it covers this without any issue with what's in there plus the money set aside for the preservation of 2 farms that are currently in the process. I will tell you the past 3 years the fund has averaged \$90,000 a month. So, if it does in fact continue that trend and there is no belief it will not there will be additional funds there to purchase a prime piece of farmland that would come up or a critical environmental area that could come up, but we did not want to commit beyond what we felt was a conservative number. It has never produced except once in 15 years less than \$50,000 a month.

Hannelore Chambers – I haven't actually ever visited Kutz Camp so I don't have a sense of what is there and I haven't had a chance to look at the map, but from how you described the buildings and the different sizes of buildings and giving different ideas, it sounds like there is potential for multiple uses there as a conference center or trade center as you mentioned, something for the Veterans or something for children with disabilities. I know that the pools are a hot topic and I know you don't want to talk too much about, can I ask are they heated pools?

Supervisor Sweeton – One of them is heated.

Hannelore Chambers – That is something over the years I have heard from a lot of parents and a lot of families are contributing to the fund who are moving here. Given the unfortunate circumstances with the algae bloom scare last year and I'm sure it's not something that's going to go away in the future and it would be wonderful to have a place not just for children, but also for adults to swim. I was wondering if anyone had researched the possibility of a pool club, I know that pool clubs are popular across the country and it could be something discounted for town residents.

Supervisor Sweeton – We have not, I mean obviously that is an attraction. There was an article in the Times Herald Record 2 or 3 weeks ago the Town of Woodbury was facing spending 3.5 million dollars to refurbish their town pool. This has 2 functioning pools that are in pretty tremendous shape and the property is kind of uniquely organized that different groups could be operating there and still has residents have access to a lot of amenities. It has that going for it as well, again we are ahead of ourselves on ideas but those will come shortly.

Joe Lawler – I've been a village resident for 34 years. I have no problems with the funds and preserving the land with the community preservation, but if I'm not mistaken though once you make the purchase the preservation funds no longer apply to maintenance or costs of the properties.

Supervisor Sweeton – You can expend 10% on upkeep of facilities that you own.

Joe Lawler – Every Year?

Supervisor Sweeton – Correct.

Joe Lawler – You also mentioned using the facilities there and hiring someone to run them and maintain the property. I've never known a government to run anything, ok. If you do that and there's no other funds under the community preservation that's got to come out of the tax dollars. If you're not turning a profit you've got to pay people and you have to pay for the upkeep. I don't know of anywhere else in the town that bought property and then tried to run a business on it. Even the prison was a different situation scenario, that wasn't preservation money, but I don't know anywhere where a town runs something to make a profit and rightly so. Businesses are running businesses to make a profit this is a business running the town. I completely agree with the idea of using the community preservation fund, but I'm very leery though of where do you go with the property then because trying to make it a business and hire somebody to manage it and run the business, like I said I don't know any government that's making a profit on anything. That is my concern but that's the fact of buying it but keep that in mind when buying it your going to be very limited to running a business on it.

Supervisor Sweeton – Thank you.

Gregg Merksamer – As I mentioned earlier before the meeting, I'm intensely interested in the prospect that we are going to acquire the property for the towns use whatever uses we figure it out to be. I can see the reasons for our intensely personal and sentimental reasons. As I said the first time, I ever spent time in the Town of Warwick I was a 12 or 13-year-old at this camp. I'm a Westchester native and our temple came up here and not was it only the first time I ever spent in Warwick it was also the first time I spent time away from my parents on an overnight. I found myself thinking a lot about this property over the years anytime you take a please drive and I'm almost always up there taking the turnpike and it really is a nice property just from driving by it. The thing that also excites me is to know from tonight that it already abuts up to protected properties and its in good condition, it's almost a no-brainer for us to try and grab it if we can get it at a good price. We have a track record for having people who are very imaginative with the land that we acquire for protection and I trust that we are going to do the same here. I would like to volunteer the group that's going to try and figure out what that's going to be. I really hope we take this to the next step and give it as much consideration as we can.

Lucia Aloi – Thank you so much for pursuing this, I am so in favor of this purchase. I have one question about the zoning. What is it presently zoned for now?

Supervisor Sweeton – It's in the mountain zone which is a zone that we have and it's a 5-acre underlying density zone, so in other words you would need 5 acres for each lot, and we have cluster provisions. If you cluster and put it on smaller lots, you can use 4-acre underlying zoning. Then it has to do with some steep slopes and there are steep slopes on the property and there are some wetlands on the property and there's a huge lake, so you're not developing any of that. You could put houses on it, but there are business uses that could be it, camps, summer camps, hotels if you want to move a hotel up there.

Lucia Aloi – Commercial development?

Supervisor Sweeton – Those are commercial business uses, so yes you could do that if someone was so inclined to do that. They would apply and go through a planning process.

Lucia Aloi – It is 85 acres.

Supervisor Sweeton – It is 85 acres and it gets pretty steep in the back and it's wooded in the back, it's mountainous and there's trails, there's a big lake, but I don't know how many acres the lake is.

Lucia Aloi – It's nice to have some businesses there to support the other uses for it.

Supervisor Sweeton – Again, the goal is, and we heard from several residents and we share that concern. If we are going to move forward this can not cost us money to run and I do respect Joes opinion and I agree with him government doesn't normally, efficiently run businesses. It's not designed to and it just doesn't and we understand that and we are going

to work through those numbers and we are going to have some options for how to do it so residents can enjoy it and not be burdened by the cost.

Denise Bulnes – I want to thank the Town of Warwick for trying to preserve this beautiful piece of property, that means so much to me and I want to be on the committee.

Supervisor Sweeton – Thank you Denise, we appreciate your expertise.

Rich Murtie – You talked about numbers, you talked about the money available that's available in the preservation fund the 3.7 and we are going to get the 6.5. Have you got any numbers together for what the payments or the longevity of the mortgage on that property is going to be?

Supervisor Sweeton – The plan would be to use a tool called a BAN, bond anticipation note, it's a short-term borrowing. Right now, the town can borrow about 2 ¼% at the most and we would do that, and we have the capability to do that over a number of years and we would do it over a period of 5 years. It's a renewable bond every year and you pay down principal and interest each year and we anticipate that it would be paid off in the 5 years.

Rich Murtie – Thank you.

Supervisor Sweeton – You're welcome. We are not making any decisions tonight, so you know. I am going to try, and I don't have a date yet but if you go to townofwarwick.org we'll make sure it's prominently on the Facebook page and the website and the Town Clerk's Office will know. We'll schedule an evening session where we can flush out different ideas that people have and if you want to engage in that and that will be in the next week or so. You can come and we can record it all and then kind of formulate maybe some groups or something, I don't know yet I'm trying to figure that out. In the meantime, we'll be continuing to do our due diligence on the property and the cost that we've learned. I will also say that the URJ Organization has told us that they would work with us to understand where they had revenue generating opportunities, they will make connections for us. They are very pleased that we are interested in this because they have a long history and investment in this property, and they want to see that its future is a bright one. We thank them for that as well.

Townofwarwick.org?

Supervisor Sweeton – Townofwarwick.org, yes.

Resident - Just a suggestion, between now and formulating the finding committee a walking tour for people who have ideas to go up on the property.

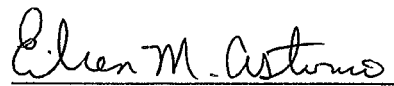
Supervisor Sweeton – There is only limited access there now and there's liability issues and we are going to have to rely on maps. I am getting some other maps done so I'll have them the night that we do this.

Resident – Some aerial?

Supervisor Sweeton – Yeah and you'll get a feel for it that way and we'll have some pictures and we did take a lot of pictures today, so I will see if I can get those done up so you can have a visual sense as well. If you have further comments specifically pros and cons you can send them in an e-mail or drop a note off here for the next 14 days and we'll take those public comments and enter them into the record.

CLOSE PUBLIC HEARING: Motion Councilman DeAngelo, seconded Councilman Gerstner that the public hearing be closed. Motion Carried (5 ayes, 0 nays) 7:49 p.m.

02-13-20 CP



Eileen Astorino, Town Clerk

LEGAL NOTICE

PLEASE TAKE NOTICE that the Town Board of the Town of Warwick will hold a public hearing to consider the purchase of 85+/- acres located at 45 Bowen Road (SBL# 63-2-8). Said hearing to be held on Thursday, February 13, 2020 at 7:00 p.m. or soon thereafter as the matter be heard at the Town Hall, 132 Kings Highway, Warwick, NY

All interested persons will be given the opportunity to be heard.

DATED: January 22, 2020

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF WARWICK
Eileen M. Astorino
Town Clerk**