

***AGENDA***  
***TOWN OF WAWAYANDA TOWN BOARD***  
***SPECIAL MEETING***  
***July 21, 2022***

***PUBLIC HEARINGS***

- Continuation of Public Hearing - Amendments to Special Permit Requirements for Solar Energy Systems
- Robinn Meadows Sewer District – Proposed Improvements Financing

***NEW BUSINESS***

- Robinn Meadows Sewer Treatment Plant Disinfection Project – Draft Negative Declaration Resolution
- Robinn Meadows Sewer Treatment Plant Disinfection WQIP Grant Application Agreement and Any Associated Documents
- Robinn Meadows Sewer Treatment Plant Modification Engineering Agreement
- Robin Meadows Sewer Treatment Plant Bond Resolution

***QUESTIONS & COMMENTS FROM PUBLIC***

Questions & comments from public relating to Town Board business -  
3 minute time limit

**TOWN OF WAWAYANDA  
NOTICE OF CONTINUED  
HEARING  
INTRODUCTORY LOCAL LAW**

PLEASE TAKE NOTICE that the Town Board of the Town of Wawayanda will continue the public hearing on an introductory local law titled "Amendments to Special Permit Requirements For Large-Scale Solar Energy Systems," which local law would impose additional special permit approval standards for large-scale solar energy systems related to the physical characteristics of a site, including slopes, tree and tree cleaning. The proposed local law contains one revision of the initial proposal, which is changing the tree diameter in subparagraph (h) [2] from 15" to 8".

A complete copy of the Introductory Local Law is available for inspection at the Clerk's Office.

NOW, THEREFORE, pursuant to Section 20 of the Municipal Home Rule Law, the Town Board of the Town of Wawayanda, New York, will continue the public hearing on the aforesaid Local Law on July 21, 2022, at 7:00 P.M. or soon thereafter, at the Town Hall, 80 Ridgebury Hill Road, Slate Hill, New York 10973, at which time all persons interested therein shall be heard.

The Town of Wawayanda will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

Dated: July 8, 2022

BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF WAWAYANDA

KATHRYN A. SHERLOCK, TOWN CLERK

**TOWN OF WAWAYANDA  
INTRODUCTORY LOCAL LAW  
AMENDMENTS TO SPECIAL PERMIT REQUIREMENTS  
FOR LARGE-SCALE SOLAR ENERGY SYSTEMS**

Section 1. Paragraph (5), titled “Special use permits standards,” of subsection E, titled “Approval standards for large-scale solar energy systems as a special use,” of §195-42.1, titled “Solar energy systems and equipment,” of Chapter 195, titled “Zoning,” of the Code of the Town of Wawayanda is amended by re-lettering subparagraphs (g) and (h) to (k) and (l) and by adding new subparagraphs (g) through (j) to read as follows:

(g) A large-scale solar energy system shall not be permitted on a site unless at least 50% of the site has existing solar access for the proposed solar energy system prior to any land disturbance or tree clearing.

(h) A large-scale solar energy system shall not be permitted on a site where 50% or more of the site contains either or both of the following sensitive areas:

- [1] Land containing slopes over 15% grade;
- [2] Mature forested land, which is defined as a forested area where the canopy layer is comprised of at least 50% of trees having an average diameter at breast height of 8 inches or greater.

(i) Large-scale solar energy systems shall not be constructed on any portion of a lot containing a sensitive area listed in subparagraph (h) above, except that where no practical alternative exists, the Planning Board may allow limited disturbance of such areas to provide vehicular access or the installation of utility lines and security fencing.

(j) No more than five acres of forested land, defined as a forested area where the canopy layer is comprised of at least 50% of trees having an average diameter at breast height of 8 inches or greater, may be cleared in connection with the construction of a large-scale solar energy system.

Section 2. Severability. If a provision of any article, section, subsection, paragraph, subdivision or clause of this local law shall be adjudged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 3. Supersession. Pursuant to the state Municipal Home Rule Law, this local law is intended to and shall supersede any inconsistent provisions of the state Town Law and any other special law.

Section 4. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

**NOTICE OF HEARING AND  
NOTICE OF SPECIAL MEETING  
TOWN OF WAYWAYANDA  
ROBINN MEADOWS SEWER DISTRICT  
PROPOSED IMPROVEMENT OF FACILITIES**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Wawayanda will hold a public hearing on July 21, 2022, at 7:00 PM at the Town Hall, 80 Ridgebury Hill Road, Slate Hill, New York 10973, to hear and consider public comments on proposed improvements of the facilities of the Robinn Meadows Sewer District. The proposed improvements are necessitated by new permit limitations on certain discharges from the sewage treatment plant required by New York State Department of Environmental Conservation. The proposed improvements include the installation of an ultraviolet light disinfection system, additional filtration and a new building to house the UV disinfection units and filter system. The estimated maximum cost of the project is \$1.6 million, which includes estimated construction costs, 20% construction contingencies, and engineering, grant application and legal expenses. The Town Board will apply for government grants and loan assistance in an effort to reduce the cost to property owners in the Sewer District. A map, plan and report of the proposed improvements is on file in the Town Clerk's office. All persons interested will be heard by the Town Board at the public hearing.

The Town of Wawayanda will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

**PLEASE TAKE FURTHER NOTICE** that the Town Board of the Town of Wawayanda will hold a special meeting on July 21, 2022, at 7:00 PM at the Town Hall, at the above address, to consider and potentially take action to adopt an order and a bond resolution to approve and authorize the financing of the proposed improvements of the Sewer District facilities summarized above, and any other business that may come before the Board.

Dated: July 10, 2022

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF WAWAYANDA

KATHRYN A. SHERLOCK, TOWN CLERK

**RESOLUTION AND NOTICE OF  
SEQR NEGATIVE DECLARATION  
TOWN OF WAWAYANDA TOWN BOARD  
ROBINN MEADOWS STP DISINFECTION PROJECT**

WHEREAS: The Town Board intends to undertake installation of disinfection equipment and additional tertiary treatment and associated construction at the existing Robinn Meadows Sewage Treatment Plant in order to comply with new SPDES Permit requirements.

NOW, THEREFORE, BE IT RESOLVED and PLEASE TAKE NOTICE that, in accordance with the provisions of 6 NYCRR Part 617, including §617.7, the Town of Wawayanda Town Board, as lead agency, having reviewed and considered the Environmental Assessment Form, plans and reports for the proposed project determines that the action as sited and described below, will not have a significant adverse impact on the environment and, therefore, an environmental impact statement is not required and will not be prepared.

**Lead Agency:** Town of Wawayanda Town Board

**Contact Person:** Denise Quinn, Town Supervisor  
Town of Wawayanda Town Board  
80 Ridgebury Hill Road  
Slate Hill, NY 10973  
(845) 355-5700, option 4

**Type of Action:** Unlisted Action

**Location:** 18 Robinn Drive  
Middletown, NY 10940

**Tax Map Parcel:** Section 29, Block 3, Lot 1  
Town of Wawayanda, Orange County New York

**Action:** Improvements to the existing Robinn Meadows Sewage Treatment Plant, described in greater detail below.

**Project Description, Background and Reasons Supporting the Negative Declaration:**

The proposed project consists of the installation of disinfection equipment as well as an additional tertiary treatment filter and associated building to house equipment at the existing Robinn Meadows Sewer Treatment Plant to meet the SPDES Permit requirements.

The Town Board has reviewed the Environmental Assessment Form (EAF), plans and reports for the proposed project and evaluated potential impacts, and completed Part II of the EAF. Based on this evaluation, there are no moderate or large impacts which may be caused by the proposed action.

**Impact on Land** – The proposed action entails improvement to the existing Robinn Meadows Sewage Treatment Plant, which is located on Town-owned property. The project will include limited ground disturbance to install the building that will house the proposed new equipment.

**Impact on Water** – The existing treatment plant is currently connected to the Town of Wawayanda Robinn Meadows Water District water supply and the proposed action will not impact the existing usage.

**Impact on Transportation/Traffic** – No new traffic will be generated by the proposed action, as the proposed project is improvements to an existing wastewater treatment plant.

**Impact on Wildlife, Threatened or Endangered Species** – The EAF Mapper indicates that the site may contain Indiana Bats or habitat, which is listed as endangered by NYSDEC. Minor tree removal might be necessary for this project. To prevent any impact to this endangered species, all tree clearing necessary for this project will be prohibited from April 1 – September 30.

**Impact on Historic Resources** – The EAF Mapper indicates that the project site is located adjacent to an area designated as sensitive for archaeological sites on the State Historic Preservation Office (SHPO) archaeological site inventory. SHPO has issued a no-impact finding for the proposed project.

**Impact on Energy, Noise, Odor, and Public Health** – There will be no adverse impact on energy, noise or public health. Temporary construction noise will comply with the Town of Wawayanda noise law. All structures and equipment will meet NYS Energy Code. No impacts associated with noise or odor exist from the project site and there will be no such impacts caused by the proposed action.

**Impact on Community Resources** – The proposed project is located within the vicinity of a State listed Critical Environmental Area, the Ridge Preservation Area as designated by the Town of Wawayanda in 1993 to preserve ridgelines to reduce erosion. The proposed project will not have an impact on the ridgeline.

For the reasons listed above, the Town of Wawayanda Town Board determines that there will no adverse environmental impacts due to the proposed Robinn Meadows Sewage Treatment Plant Disinfection Project.

On a motion by Councilperson \_\_\_\_\_, seconded by Councilperson \_\_\_\_\_, this Resolution and Notice was adopted on a vote of \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays.

**Date:** July 19, 2022

Copies of this Resolution and Notice sent to:

**Involved Agencies:**

Town of Wawayanda Town Board – Lead Agency  
80 Ridgebury Hill Road,  
Slate Hill, New York 10973

New York State Department of Environmental Conservation  
21 South Putt Corners Road  
New Paltz, New York 12561  
ATTN: Environmental Permits/SEQRA Unit

New York State Office of Parks, Recreation & Historic Preservation  
Pebbles Island Resource Center  
P.O. Box 189  
Waterford, New York 12188-0189

New York State Environmental Facilities Corp.  
**Address**

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Wawayanda in the County of Orange, New York,  
July 21, 2022.

A special meeting of the Town Board of the Town of Wawayanda, in the County of Orange,  
New York, was held in the Town Hall on July 21, 2022 at 7:00 P.M.

There were present:

Honorable Denise Quinn, Supervisor and

Councilpersons:     David Cole  
                              Rosario LaSpina  
                              Richard Penaluna  
                              Ronald R. Myruski

There were absent:

There were present:   Kathryn A Sherlock, Town Clerk, and

Councilperson                                     offered the following resolution and moved its adoption;  
Councilperson                                     seconded its adoption. It was duly put to a vote on roll call which  
resulted as follows:

	Aye	No
Supervisor Quinn	___	___
Councilperson Cole	___	___
Councilperson LaSpina	___	___
Councilperson Penaluna	___	___
Councilperson Myruski	___	___

The resolution, having received at least two-thirds vote of the members of the Town Board, was  
declared by the Supervisor to be adopted.



BOND RESOLUTION OF THE TOWN OF WAWAYANDA, ADOPTED JULY 21, 2022, APPROPRIATING \$1,600,000.00 FOR THE IMPROVEMENT OF FACILITIES OF ROBINN MEADOWS SEWER DISTRICT IN SAID TOWN AND AUTHORIZING THE ISSUANCE OF \$1,600,000.00 SERIAL BONDS TO FINANCE SAID APPROPRIATION, AND AUTHORIZING ANY AMOUNTS RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF SAID BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES, ASSESSMENTS AND/OR SEWER RENTS FOR PAYMENT OF THE PRINCIPAL AND INTEREST ON SAID BONDS.

Recital

WHEREAS, following preparation of a map, plan and report for improvement of facilities of Robinn Meadows Sewer District (hereinafter called "District"), in the Town of Wawayanda (hereinafter called "Town"), in the County of Orange, New York, including a Disinfection Project with all structures facilities, equipment and appurtenances in order to comply with the Town's SPDES permit, and after a public hearing duly called and held, the Town Board determined that it is in the public interest to so improve the facilities of the District, and ordered that such facilities be so improved; now, therefore,

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WAWAYANDA IN THE COUNTY OF ORANGE, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$1,600,000.00 for the improvement of facilities of the District, all in accordance with the plan and estimate prepared by duly licensed engineers of the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs, cost of maps, plans, surveys, estimates, advertisements, legal documents and costs incidental thereto and the financing thereof, is \$1,600,000.00 and the plan of financing includes the issuance of \$1,600,000.00 serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District to pay the principal of said bonds and the interest thereon so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of sewer rents, pursuant to the Town Law, to pay the principal of and interest on said bonds and the costs of operation, maintenance and repair, and amounts received from the State of New York shall be expended towards the cost thereof or redemption of the bonds issued therefor or shall be budgeted as an offset to the assessment and/or sewer rents to pay the principal of and interest on said bonds.

Section 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of \$1,600,000.00 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

a) The period of probable usefulness of the aforesaid specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00a.4 of the Law, is forty (40) years.

b) Current funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00d.3 of the Law.

c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

d) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution and any notes in anticipation thereof shall contain recital of validity prescribed by Sec. 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in each year and (b) the payment of interest to be due and payable in each year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Sec. 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and of Sec.30.00 relative to the authorization of the issuance of bond anticipation notes and of Sec. 50.00 and Sec. 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose of which the Town is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Section 8. The object or purpose described in Section 1 hereof has been determined to be an Unlisted action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, with respect to which said Town Board has made a "Negative Declaration."  
R2

Councilperson \_\_\_\_\_ offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF WAWAYANDA IN THE  
COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the TIMES HERALD RECORD, a newspaper published in Wawayanda, New York, the official newspaper of said Town and having a general circulation therein, together with Notice attached in substantially the form as prescribed by Sec. 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

\* \* \* \* \*

The adoption of the foregoing resolution was seconded by Councilperson \_\_\_\_\_ and duly put to a vote on roll call, which resulted as follows:

AYES: [ ] NOES: [ ]

This resolution was declared unanimously adopted.

CERTIFICATION

I, Kathryn A. Sherlock, Town Clerk of the Town of Wawayanda, Orange County, New York,  
HEREBY CERTIFY:

The annexed extract from the Minutes of a meeting of the Town Board of the Town of Wawayanda, duly called and held on July 21, 2022, has been compared by me with the original of said Minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original Minutes so far as the same relate to the subject matters referred to in said extract and the said resolution has not been rescinded or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town of Wawayanda, Orange County, New York on July 21, 2022.

\_\_\_\_\_  
KATHRYN A. SHERLOCK  
Town Clerk

(SEAL)

TOWN OF WAWAYANDA  
NOTICE OF ESTOPPEL

The resolution, a summary of which is published herewith, has been adopted on July 21, 2022, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Wawayanda, in the County of Orange, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

BOND RESOLUTION OF THE TOWN OF WAWAYANDA, ADOPTED JULY 21, 2022, APPROPRIATING \$1,600,000.00 FOR THE IMPROVEMENT OF FACILITIES OF ROBINN MEADOWS SEWER DISTRICT IN SAID TOWN AND AUTHORIZING THE ISSUANCE OF \$1,600,000.00 SERIAL BONDS TO FINANCE SAID APPROPRIATION, AND AUTHORIZING ANY AMOUNTS RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF SAID BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES, ASSESSMENTS AND/OR SEWER RENTS FOR PAYMENT OF THE PRINCIPAL AND INTEREST ON SAID BONDS.

\_\_\_\_\_  
KATHRYN A. SHERLOCK  
Town Clerk

Object or purpose:	Improvement of facilities of Robinn Meadows Sewer District
Amount of obligations to be issued:	\$1,600,000.00
Period of probable usefulness:	Forty (40) years
SEQR Status:	Unlisted

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 80 Ridgebury Hill Road, Slate Hill, New York.

Dated: July 21, 2022  
Slate Hill, New York

\_\_\_\_\_  
KATHRYN A. SHERLOCK  
Town Clerk