

**EXHIBIT**

1-A-12, 1/24/12

NOTICE OF POSTING: NOTICE OF PUBLIC HEARING – SPECIAL PERMIT, ORANGEBURG COMMONS.

STATE OF NEW YORK }  
COUNTY OF ROCKLAND }  
TOWN OF ORANGETOWN }

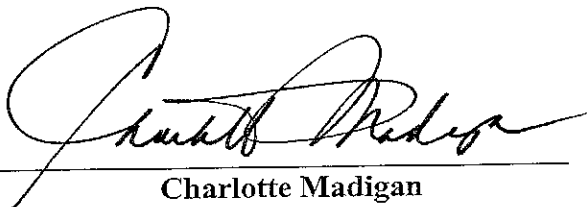
SS.

Charlotte Madigan being duly sworn upon her oath, deposes and says;

That, she is, at all times hereinafter mentioned was, duly elected, Qualified and acting Town Clerk of the *TOWN Of ORANGETOWN*, in the County of Rockland, State of New York.

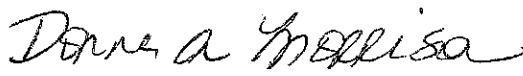
That, on the 5<sup>th</sup> day of January 2012, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the *TOWN Of ORANGETOWN*, New York.

1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.

  
 Charlotte Madigan  
 Town Clerk

Subscribed and sworn to before me

This 5<sup>th</sup> day of January, 2012

  
 DONNA A. MORRISON  
 Notary Public, State of New York  
 No. 01MO5081099  
 Qualified in Rockland County  
 Commission Expires June 30, 2015

~~SECRET~~

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to Town Board Resolution 670 of 2011, duly adopted on December 13, 2011, a public hearing will be held by the Town Board of the Town of Orangetown at Orangetown Town Hall, 26 Orangeburg Road, Orangeburg, New York on the 24th day of January, 2012, at 8:05 PM to consider the application of FB Orangetown, LLC to amend a Special Permit previously issued by the Town Board, pursuant to Article 43, Section 4.32(O) of the Town Zoning Law permitting the mixed-use development of property located at 170 Route 303, Orangeburg, NY (the intersection of State Rte. 303 and the Palisades Interstate Parkway at Interchange 5 and State Rte. 303 and Stevens Way) (Tax Map designation 74.15-1-21).

The proposed amendment would affect the retail component of the approved project combining two retail areas into a single full service Stop & shop Foodmarket, with the related reconfiguration of portions of the internal access roads and a relocation of a proposed bank, and would increase the square footage and number of rooms of one of the two hotels in the approved project by 1,450 s.f. and 4 rooms. The Application Submission Booklet, which includes a Full Environmental Assessment Form, and the Amended Concept Plan (last revised December 22, 2011) are on file and available for review in the Town Clerk's Office during regular business hours.

At the time and place of the public hearing specified above, all interested persons will be given an opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

CHARLOTTE MADIGAN  
Town Clerk

DATED: Orangeburg, New York  
December 13, 2011

JOHN S. EDWARDS  
Town Attorney  
Town of Orangetown

**AFFIDAVIT OF PUBLICATION**

FROM

**The Journal News**

Florence Bonilla being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: the code to the left of the run dates indicates the zone(s) that the ad was published. (See legend below)

**ZONE**                      **DATE**  
RK                              01/12/2012

Signed \_\_\_\_\_

Sworn to before me  
\_\_\_\_\_ 17<sup>th</sup> day of January 2012

Jessie L Araujo Dsouza  
Notary Public, Westchester County

JESSIE L ARAUJO DSOUZA  
Notary Public, State of New York  
No. 01AR6083528  
Qualified in Westchester County  
Commission Expires November 18, 2014

- Legend:**
- Northern Area (AN):**  
Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincoln Dale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson
  - Central Area (AC):**  
Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains
  - Southern Area (AS):**  
Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers
  - Greater Westchester (GW or LGW):**  
Includes Northern area, Southern area and Central area. (See details below each area)
  - Westchester Rockland (WR):**  
Includes Greater Westchester area and Rockland area.
  - Rockland Area (JN or RK):**  
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack
  - Review Press Express (XBV):**  
Bronxville, Eastchester, Scarsdale, Tuckahoe
  - Sound Shore Express (XSS)**  
Purchase, Port Chester, Rye, Harrison, Mamaroneck, Larchmont, New Rochelle, Pelham
  - White Plains Express (XWP)**  
Elmsford, Hartsdale, Hawthorne, Valhalla, White Plains
  - Yorktown and Cortlandt Express (XYC)**  
Amawalk, Buchanan, Cortlandt Manor, Croton-on-Hudson, Granite Springs, Jefferson Valley, Mohegan Lake, Montrose, Ossining, Peekskill, Shrub Oak, Yorktown Heights
  - Northern Westchester Express (XNW)**  
Armonk, Bedford, Bedford Hills, Briarcliff Manor, Chappaqua, Cross River, Goldens Bridge, Katonah, Millwood, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Purdy's, Somers, South Salem, Thornwood, Waccabuc
  - Rockland Express (XRK)**  
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sparkill, Spring Valley, Tappan, Thiells, Tomkins Cove, Sloatsburg, Suffern, Stony Point, Valley Cottage, West Haverstraw, West Nyack
  - Express Putnam (LHPN)**  
Baldwin Place, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Putnam Valley, Patterson
  - Express Rivertowns (LHRT)**  
Ardsley, Dobbs Ferry, Hastings, Irvington, Tarrytown
  - Express Yonkers/Mount Vernon (LHYM)**  
Mount Vernon, Yonkers

Ad Number	Size	Start Date	End Date
3301329	72	1/12/2012	01/12/2012

Run dates: 01/12

Ad Text:

NOTICE OF PUBLIC HEARING  
NOTICE IS HEREBY GIVEN  
that, pursuant to Town  
Board Resolution 670 of  
2011, duly adopted on De-  
cember 13, 2011, a public  
hearing will be held by the  
Town Board of the Town of  
Orangetown at Orangetown  
Town Hall, 26 Orangeburg  
Road, Orangeburg, New  
York on the 24th day of  
January, 2012, at 8:05 PM to  
consider the application of  
FB Orangetown, LLC to  
amend a Special Permit pre-  
viously issued by the Town  
Board, pursuant to Article  
43, Section 4.32(O) of the  
Town Zoning Law permit-  
ting the mixed-use devel-  
opment of property located  
at 170 Route 303, Orange-  
burg, NY (the intersection of  
State Rte. 303 and the Pal-  
lades Interstate Parkway at  
Interchange 5 and State Rte.  
303 and Stevens Way) (Tax  
Map designation 74.15-1-21).

The proposed amendment  
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ponent of the approved pro-  
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ket, with the related recon-  
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internal access roads and a  
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bank, and would increase  
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proved project by 1,450 s.f.  
and 4 rooms. The Appli-  
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Form, and the Amended  
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December 22, 2011) are on  
file and available for review  
in the Town Clerk's Office  
during regular business  
hours.

At the time and place of the  
public hearing specified  
above, all interested per-  
sons will be given an oppor-  
tunity to be heard.

By order of the Town Board  
of the Town of Orangetown.

CHARLOTTE MADIGAN  
Town Clerk

DATED:  
Orangeburg, New York  
December 13, 2011

JOHN S. EDWARDS  
Town Attorney  
Town of Orangetown

**TOWN OF ORANGETOWN AFFIDAVIT OF POSTING AND MAILING NOTICES FOR SPECIAL PERMIT/ZONE CHANGE**

Project Name: Orangeburg Commons - Application to Amend Special Permit

Address: 170 Route 303, Orangeburg, New York

(Named) James Kostulas being duly sworn, deposed that he/she is

~~the applicant herein,~~ representing the applicant herein:

That he/she resides at Cortlandt Manor, New York

That heretofore and the 13th day of January, 2012


**POSTING**

- He/She posted the required Notice of Public Hearing sign as required pursuant to the Orangetown Code, Chapter 43, Article 10.44 by posting the attached Notice on every lot corner and at least once every One Hundred (100) feet thereafter, facing each public street on which the property abuts. Such sign has been displayed for a period of not less than 5 days immediately preceding the hearing date. The sign was not be set back more than 10 feet from any property or street line, was not be less than two feet or more than six feet above grade at the property line, and was clearly visible from the property line.

Please Note that this affidavit shall be notarized the date of the Public Hearing after the five day period has expired. It must be completed by the person actually posting the notice and shall be submitted to the Town Clerk at the commencement of the Public Hearing.

**~~NOTICES~~**

- ~~He/She complied with required mailing of the Notice of Public Hearing pursuant to Orangetown Code, Chapter 43, Article 10.44, by at least 10 days prior to the public hearing, providing the Town Clerk with stamped envelopes addressed to all property owners within 500 feet of the subject property as measured from the front, side, and rear lot lines of the subject parcel (excluding public road ways, rights of way, and property owned by any public utility or public entity in measuring the 500 feet), as well as all properties within 500 feet of the subject parcel along both sides of parcel along both sides of any street or roadway on which the subject parcel abuts.~~

 (signature)  
James Kostulas

Subscribed and sworn to before me

This 19th day of January, 2012

  
Notary Public

Please Note that this affidavit shall be notarized the date of the hearing and shall be submitted to the Town Clerk at the commencement of the Public Hearing.

(Attach Notice and list of property owners within 500 feet to whom notices were sent)

GERALDINE N. TORTORELLA  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02104933447  
Qualified in Westchester County  
My Commission Expires May 09, 2014

TOWN OF ORANGETOWN  
2012 JAN 20 PM 2 22  
TOWN CLERKS OFFICE

**TOWN OF ORANGETOWN AFFIDAVIT OF POSTING AND MAILING NOTICES FOR SPECIAL PERMIT/ZONE CHANGE**

Project Name: Orangeburg Commons - Application to Amend Special Permit

Address: 170 Route 303, Orangeburg, New York

(Named) Geraldine N. Tortorella being duly sworn, deposed that he/she is

~~the applicant herein, or is~~ representing the applicant herein:

That he/she resides at Bedford, New York

That heretofore and the 16th day of January, 2012

**POSTING**

~~He/She posted the required Notice of Public Hearing sign as required pursuant to the Orangetown Code, Chapter 43, Article 10.44 by posting the attached Notice on every lot corner and at least once every One Hundred (100) feet thereafter, facing each public street on which the property abuts. Such sign has been displayed for a period of not less than 5 days immediately preceding the hearing date. The sign was not be set back more than 10 feet from any property or street line, was not be less than two feet or more than six feet above grade at the property line, and was clearly visible from the property line.~~

~~Please Note that this affidavit shall be notarized the date of the Public Hearing after the five day period has expired. It must be completed by the person actually posting the notice and shall be submitted to the Town Clerk at the commencement of the Public Hearing.~~

**NOTICES**

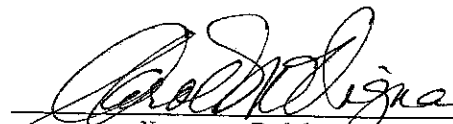
• ~~He/She complied with required mailing of the Notice of Public Hearing pursuant to Orangetown Code, Chapter 43, Article 10.44, by, at least 10 days prior to the public hearing, providing the Town Clerk with stamped envelopes addressed to all property owners within 500 feet of the subject property as measured from the front, side, and rear lot lines of the subject parcel (excluding public road ways, rights of way, and property owned by any public utility or public entity in measuring the 500 feet), as well as all properties within 500 feet of the subject parcel along both sides of parcel along both sides of any street or roadway on which the subject parcel abuts.~~

  
\_\_\_\_\_  
Geraldine N. Tortorella (signature)

Subscribed and sworn to before me

This 19th day of January, 2012

~~Please Note that this affidavit shall be notarized the date of the hearing and shall be submitted to the Town Clerk at the commencement of the Public Hearing.~~

  
\_\_\_\_\_  
Notary Public  
CAROL M. VIGNA  
Notary Public, State of New York  
No. 01V14848209  
Qualified in Westchester County  
Commission Expires October 31, 2013

(Attach Notice and list of property owners within 500 feet to whom notices were sent) See attachment.

TOWN OF ORANGETOWN  
2012 JAN 20 PM 2 22  
TOWN CLERKS OFFICE

**NOTIFICATION LETTER**  
**SPECIAL PERMIT ~~ZONE CHANGE~~**  
**TOWN OF ORANGETOWN TOWN BOARD**  
**Public Hearing**

Notice DATE: Jan. 6 2012  
Hearing DAY: Tuesday, Jan. 24, 2012  
Hearing TIME: 8:05 P.M.

**NOTICE OF PUBLIC HEARING:** Please take notice that an application has been filed with the Town Board of the Town of Orangetown for amendment of a special permit as set forth below:

The application of FB Orangetown, LLC for amendment of a special permit previously issued by the Town Board permitting the mixed-use development of the property described below (the nature of the proposed amendment being more fully described in the attachment annexed hereto and made a part hereof) in accordance with Article 16 of the Town Law of the State of New York, Chapter 43, Article XIV of the Code of the Town of Orangetown, and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 170 Route 303, Orangeburg, New York (at the intersection of State Rte. 303 and the Palisades Interstate Parkway at Interchange 5 and State Rte. 303 and Stevens Way), Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.15, Block 1, Lot 21 in the Light Industrial zoning district.

Applicant Information: FB Orangetown, LLC, c/o RD Management LLC, 810 Seventh Avenue, 10<sup>th</sup> Floor New York, New York 10019  
Attorney Information: Hocherman Tortorella & Wekstein, LLP, One North Broadway, Suite 701 White Plains, New York 10601 (Geraldine N. Tortorella, Esq.)  
DATE of HEARING: Tuesday, January 24, 2012\* TIME: 8:05 p.m.  
PLACE of HEARING: Town Hall  
Town of Orangetown  
26 Orangeburg Road  
Orangeburg, New York

**\*TO BE CONTINUED AS NECESSARY**

You are not required to be present or to respond to this communication. However, if you wish to present an opinion with regard to this application, you may do so by appearing at the above designated time and place. The complete application is on file and is available for your inspection at the Town Clerk's Office. A Freedom of Information Form must be completed prior to review of the files. **The files are available for inspection between the hours of 9:00 am to 5:00 pm, Monday to Friday.**  
Town Clerk Telephone # 359-5100.

Attachment to Public Hearing Notice

Application of FB Orangetown, LLC for Amendment of Special Permit

Project Name: Orangeburg Commons

Premises: 170 Route 303, Town of Orangetown, New York

Description of Application: The proposed amendment would affect the retail component of the approved project by combining two retail areas into a single building for a full service Stop & Shop Foodmarket, reconfiguring portions of the internal access roads, and relocating a proposed bank, and would increase the square footage and number of rooms in one of the two previously approved hotels by 1,450 s.f. and 4 rooms, respectively.



Lemus Isaias  
6 Maple Ave.  
Orangeburg, NY 10962

Guerrero Nina  
4 Maple Ave.  
Orangeburg, NY 10962

Clemente Cesar S.  
Clemente Rosita  
2 Maple Ave.  
Orangeburg, NY 10962

Dublin Marginita  
Dublin Pablo  
4 Wisteria Ct.  
Orangeburg, NY 10962

Ficarotta John A.  
Ficarotta Helen T.  
5 Wisteria Ct.  
Orangeburg, NY 10962

Isaguirre Sabas  
Isaguirre Norma  
6 Wisteria Ct.  
Orangeburg, NY 10962

Thomas Doly  
Thomas Varughese  
7 Wisteria Ct.  
Orangeburg, NY 10962

Pak Woo Kun  
Young Mi  
8 Wisteria Ct.  
Orangeburg, NY 10962

Tom Jay W.  
9 Wisteria Ct.  
Orangeburg, NY 10962

Almonte Alexis A.  
Abreu Cynthia  
7 Cedar Ave.  
Orangeburg, NY 10962

Reiner Nathan  
Reiner Arlene  
5 Cedar Ave.  
Orangeburg, NY 10962

Balingcongan Ruben  
Balingcongan Corona T.  
3 Cedar Ave.  
Orangeburg, NY 10962

Gaffney Edward J.  
444 Western Hwy.  
Orangeburg, NY 10962

Dimauro Anthony  
Dimauro Kim  
440 Western Hwy.  
Orangeburg, NY 10962

Temple Elena  
4 Cedar Ave.  
Orangeburg, NY 10962

Andrade Fernando A.  
6 Cedar Ave.  
Orangeburg, NY 10962

Paris Alan  
Paris Dawn  
21 Renie Ln.  
Blauvelt, NY 10913

Ulrich Jeanne  
22 Kevin Dr.  
Orangeburg, NY 10962

Buhler Gary  
Buhler Louise F.  
18 Kevin Dr.  
Orangeburg, NY 10962

Lynady Cornelius  
Lynady Alice  
14 Kevin Dr.  
Orangeburg, NY 10962

Holcomb Kenneth J.  
Holcomb Lois  
10 Kevin Dr.  
Orangeburg, NY 10962

McCabe Brian  
McCabe Eileen  
6 Kevin Dr.  
Orangeburg, NY 10962

Ficarra Frank  
Ficarra Mary Ann  
4 Kevin Dr.  
Orangeburg, NY 10962

Guzman Yolanda  
Aguilar Affrain  
445 Western Hwy.  
Orangeburg, NY 10962

Luu Cuong  
Luu Tuong  
443 Western Hwy.  
Orangeburg, NY 10962

Willock Cassandra  
430 Western Hwy.  
Orangeburg, NY 10962

Ramirez Ervin M.  
434 Western Hwy.  
Orangeburg, NY 10962

Echemendia Maureen  
3 Kevin Dr.  
Orangeburg, NY 10962

Paynetter Kevin  
7 Kevin Dr.  
Orangeburg, NY 10962

Hennessy William  
Hennessy Joanne  
11 Kevin Dr.  
Orangeburg, NY 10962

Gallagher James  
Carfi Josie  
15 Kevin Dr.  
Orangeburg, NY 10962

Spadaccini Nicholas  
Spadaccini Frances  
1A Blue Hill Commons  
Orangeburg, NY 10962

Ryan Patricia  
P.O. Box 2835  
Branchville NJ, 07826

Villa-Real Edward  
1C Blue Hill Commons  
Orangeburg, NY 10962

Potocki Raymond C.  
Potocki Maria  
1D Blue Hill Commons  
Orangeburg, NY 10962

Patel Minesh  
Patel Dipti  
1E Blue Hill Commons  
Orangeburg, NY 10962

Snowflake LLP  
P.O. Box 1774  
New City, NY 10956

Greco Frank  
1G Blue Hill Commons  
Orangeburg, NY 10962

Cai Ru Ying  
1H Blue Hill Commons  
Orangeburg, NY 10962

Pinnock Edwina  
P.O. Box 587  
Orangeburg, NY 10962

Pagliocca Michael  
2A Blue Hill Commons  
Orangeburg, NY 10962

Delorenzo Susan  
2B Blue Hill Commons  
Orangeburg, NY 10962

Harrigan John  
2C Blue Hill Commons  
Orangeburg, NY 10962

McGann Joan T.  
Taylor Eileen  
332 S Middletown Rd.  
Pearl River, NY 10965

Olea Guillermo  
Olea Lena  
2E Blue Hill Commons  
Orangeburg, NY 10962

Stapleton Maureen  
2F Blue Hill Commons  
Orangeburg, NY 10962

Ruiz Edwin J.  
2G Blue Hill Commons  
Orangeburg, NY 10962

Fuentes Libertad  
2H Blue Hill Commons  
Orangeburg, NY 10962

Clancy John F.  
Clancy Carla  
2I Blue Hill Commons  
Orangeburg, NY 10962

Hoffman Charlotte A.  
Hoffman William R.  
P.O. Box 212  
Orangeburg, NY 10962

Balaguer Anna  
3B Blue Hill Commons  
Orangeburg, NY 10962

Hughes Barbara E.  
3C Blue Hill Commons  
Orangeburg, NY 10962

Roxbury Helen  
Roxbury John  
3D Blue Hill Commons  
Orangeburg, NY 10962

Arabe Ken  
Arabe Katrina  
3E Blue Hill Commons  
Orangeburg, NY 10962

Nguyen Tan Duc  
3F Blue Hill Commons  
Orangeburg, NY 10962

Nespoli Tara  
3G Blue Hill Commons  
Orangeburg, NY 10962

Sannasardo Robert  
3H Blue Hill Commons  
Orangeburg, NY 10962

Feeney Joann E.  
605 Mountain Rd.  
West Hartford, CT 06117

Stella Mary  
4A Blue Hill Commons  
Orangeburg, NY 10962

Feroldi Christopher R.  
4B Blue Hill Commons  
Orangeburg, NY 10962

Brown Kerri  
4C Blue Hill Commons  
Orangeburg, NY 10962

Scott Melinda  
8 Ricklend Rd.  
Old Tappan, NY 07675

Anderegg Robert  
4I Blue Hill Commons  
Orangeburg, NY 10962

Mittler Dolores  
4L Blue Hill Commons  
Orangeburg, NY 10962

Town of Orangetown  
26 Orangeburg Rd.  
Orangeburg, NY 10962

Serrano Domenick A.  
423-427 Western Hwy.  
Tappan, NY 10983

Kostopoulos Haralambos  
203 Rte. 303  
Orangeburg, NY 10962

EJEA Corp.  
2509 Webster Ave.  
Bronx, NY 10458

Palisades Interstate Park Commission  
Administration Building  
3006 Seven Lakes Drive  
P.O. Box 427  
Bear Mountain, NY 10911-0427

Faranda Anthony  
Cunningham Maureen P.  
4D Blue Hill Commons  
Orangeburg, NY 10962

Simms Frederick S.  
Werner Jill M.  
4G Blue Hill Commons  
Orangeburg, NY 10962

Shtutman Boris  
Shtutman Luba  
Attn: R&B Realty  
40 Strawtown Rd.  
New City, NY 10956

Graff Thomas B.  
10 Grand St.  
Tappan, NY 10983

J & D Properties Of NY Inc.  
5 Phyllis Dr.  
Montvale, NJ 07645

Orangeburg Holdings LLC  
Attn: Dana Beckham  
P.O. Box 1000  
Mooresville, NC 28115

Chaves Manuel  
7 Bollinger Ct.  
Tappan, NY 10983

303 Associates LLC  
Attn: Nassau Lens Co. LLC  
160 Legrand Ave.  
Northvale, NJ 07647

NY Central Lines  
CSX Transportation  
500 Water Street (C910)  
Jacksonville, Florida 32202

McNamara Mary K.  
4E Blue Hill Commons  
Orangeburg, NY 10962

Edler Scott  
4H Blue Hill Commons  
Orangeburg, NY 10962

James Roger L.  
4K Blue Hill Commons  
Orangeburg, NY 10962

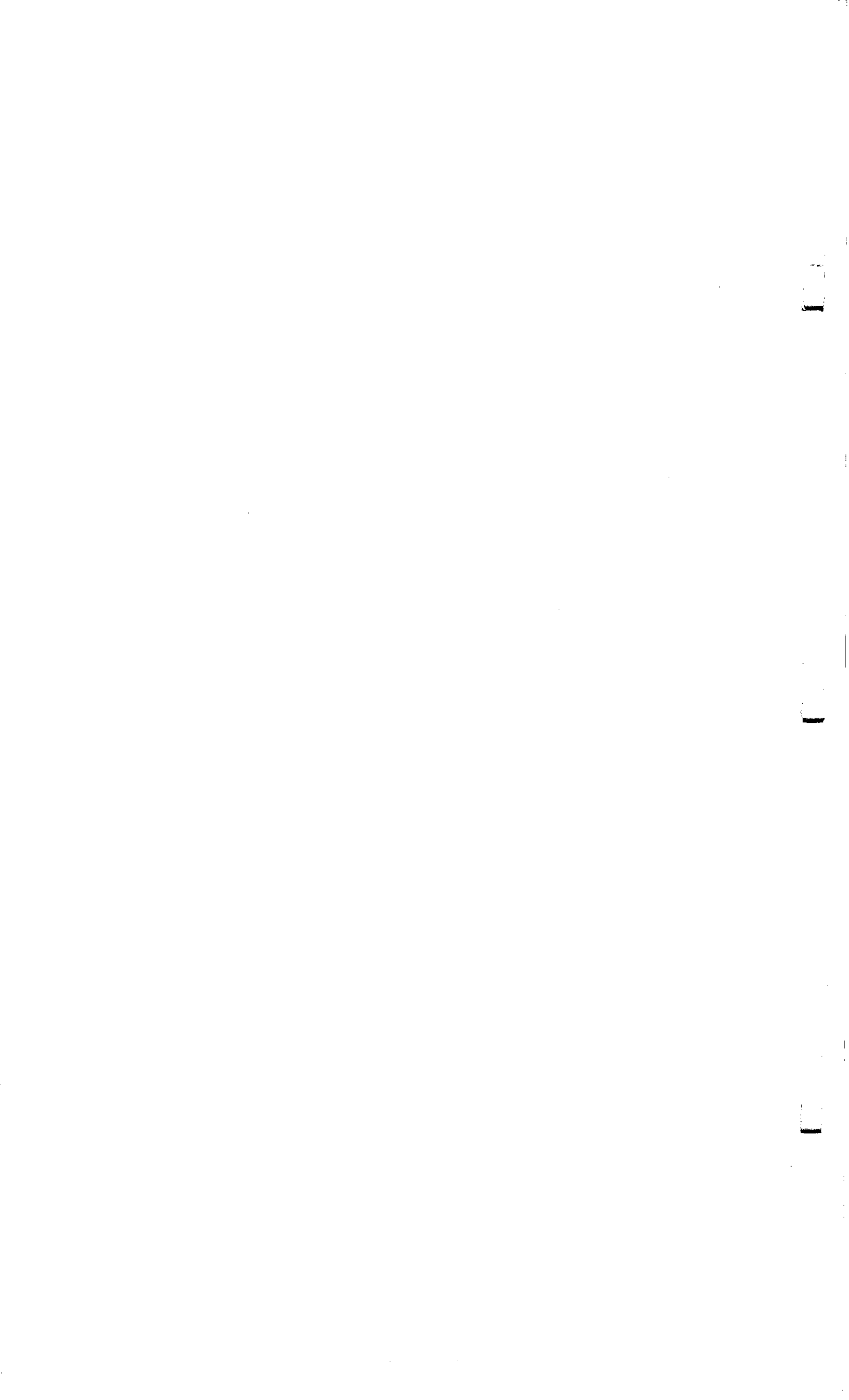
NY District-Corps of Eng  
Real Estate Division  
26 Federal Plaza Rm 2007  
New York, NY 10278-0090

Hogan Thomas  
429 Western Hwy.  
Tappan, NY 10983

Beckerle Lumber Supply Co.  
3 Chestnut St.  
Spring Valley, NY 10977

Delucia Gregory  
183 Rte. 303  
Orangeburg, NY 10962

Minigrip Inc.  
171 Route 303  
Orangeburg, NY 10962



**EXHIBIT**

1-B-12, 1/24/12

Palisades Interstate Park Commission  
Administration Building  
3006 Seven Lakes Drive  
PO Box 427  
Bear Mountain, NY 10911-0427  
Tel: 845-786-2701  
Fax: 845-786-2776



Michael Tesik  
Capital Facilities Regional Manager I  
Telephone: 845-786-2701 x 225  
Fax: 845-786-5367

November 22, 2011

Orangetown Planning Board  
26 Orangeburg Road  
Orangeburg, NY 10962

Re: Orangeburg Commons (PB#11-56)  
Amended Special Use Permit

Members of the Board:

The Palisades Interstate Park Commission has received a request from the applicant for a review of the above listed item. We have reviewed the information provided in the Part 3 EAF, last revised October 13, 2011. The PIPC had previously raised concerns regarding visual impacts to the Palisades Interstate Parkway.

Based on the information provided, it appears that there will be no changes in visual impact to the Parkway. The Palisades Interstate Park Commission therefore has no objections to the proposed amendments.

Thank you for providing us with the opportunity to review and comment on this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl B. Roecker'. The signature is fluid and cursive, with a prominent initial 'K'.

Karl B. Roecker  
Landscape Architect  
Palisades Interstate Park Commission

cc: Rockland County Planning Dept.

PLANNING BOARD  
TOWN OF ORANGETOWN

TO: Town Board

FROM: PLANNING BOARD <sup>PB</sup>

DATE: December 14, 2011

RE: RE: PB #11-56: Consultation of FB Orangetown, LLC  
Mixed Use Concept Plan with Food Market Site Plan  
Section 74.15, Block 1, Lot 21 Zoning District LI,  
Route 303 Overlay Zone

FB Orangetown appeared before the Planning Board at the November 9, 2011 Meeting as a Consultation Item.

The Board reviewed the proposed Mixed Use Concept Plan with Food Market Site Plan, pending the Town Board action of amending the Special Permit as a consultation only.

Upon review of the submitted materials, the Planning Board has no objection to the concept of a proposed Mixed Use Concept Plan with Food Market as submitted. If a Special Permit is approved by the Town Board, formal Site Plan Review by the Planning Board will be necessary.

Project Review Committee Report  
TO: Town of Orangetown Planning Board  
RE: Meeting of November 9, 2011

November 2, 2011

**PB #11- 54: Saint Margaret's Church Site Plan**

**Final Site Plan Review;** 68.19/2/14 & 27; RG zoning district.

1. The PRC has no additional comments beyond the comments submitted by other agencies for this project.

**PB #11- 55: Orangeburg General Auto Repair Site Plan**

**Consultation;** 74.15/1/8; LI zoning district

1. The PRC has no additional comments beyond the comments submitted by other agencies for this project.

**PB #11- 52: 155 Corporate Drive Site Plan**

**Final Site Plan;** 73.15/1/18 and 73.19/1/1; LIO zoning district

1. The PRC has no additional comments beyond the comments submitted by other agencies for this project.

**PB #11- 53: 155 Corporate Drive**

**Internal Commercial Subdivision Plan; Final Internal Commercial Subdivision Plan;** 73.15/1/18 and 73.19/1/1; LIO zoning district

1. The PRC has no additional comments beyond the comments submitted by other agencies for this project.

**PB #11- 56: Orangeburg Commons Mixed Use Concept Plan with Food Market Site Plan**

**Consultation;** 74.15, Block 1, Lot 21; LI zoning district

1. The PRC recommends that the applicant verifies that the entrance from Stevens Way meets the Town of Orangetown requirements for alignments and horizontal curve.
2. The PRC recommends that the applicant review the entrance from Greenbush Road as it relates to the movement of vehicles on and off the project site.
3. The PRC recommends that the applicant provide an on-site snow storage plan.
4. The PRC recommends further study for the traffic light at Stevens Way and entrance to the site, due to the higher generation of traffic at different times of the day, resulting from the food market use of the site.

Attendees: J. Giardiello, R. Pakola, J. Dean, and M. Bettmann



**OFFICE OF BUILDING, ZONING AND PLANNING  
ADMINISTRATION AND ENFORCEMENT  
TOWN OF ORANGETOWN  
20 GREENBUSH ROAD  
ORANGETOWN, N.Y. 10962**

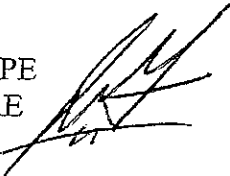
JOHN GIARDIELLO, P.E.  
Director

(845) 359-8410

Fax: (845) 359-8526

Date: November 9, 2011

To: Cheryl Coopersmith, Chief Clerk

From: John Giardiello, PE  
Director OBZPAE 

Subject: Orangeburg Commons Mixed Use Concept Plan with  
Food Market Site Plan  
Consultation  
PB #11-56  
LI zoning district

NOV 4 2011

This review is for Consultation purposes only.

- 1.) The applicant is in the process of amending the Special Permit for Mixed Use with the Orangetown Town Board by removing the retail/service strip shopping mall portion of the plan and replacing it with a supermarket.
- 2.) The garbage/recycling compactors shall be shown on the plans.
- 3.) Any outside vending/sales requires Zoning Board of Appeals approval.
- 4.) The "Phase 2" portion of the project will have to be stabilized to the satisfaction of the Building Department prior to the consideration of Certificates of Occupancies for "Phase 1".





**Department of Environmental Management and Engineering  
Town of Orangetown**

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Route 303 Orangeburg New York 10962  
Tel: (845) 359-6502 • Fax: (845) 359-6951

November 4, 2011

Planning Board  
Town of Orangetown  
1 Greenbush Road  
Orangeburg, New York 10962  
Attn: Cheryl Coopersmith, Chief Clerk

**Re: Orangeburg Commons Mixed Use Concept Plan  
with Food Market Site Plan**

**PB# 11-56**

Gentlemen:

This Department has the following comments/ recommendations.

1. This Department has no comment on this Conceptual Plan at this time.

Very truly yours,

cc: Highway File  
Sewer File

NOV 4 2011



**COUNTY OF ROCKLAND**  
DEPARTMENT OF PLANNING

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax: (845) 364-3435

C. SCOTT VANDERHOEF  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

ARLENE R. MILLER  
Deputy Commissioner

January 20, 2012

Orangetown Town Board  
Orangetown Town Hall  
26 Orangebush Road  
Orangeburg, NY 10962

Tax Data: 74.15-1-21

Re: **GENERAL MUNICIPAL LAW REVIEW: 239(l&m) x 239(n)**  
Map Date: 12/22/2011 Concept Plan, 09/27/2011 Landscape Plan and Other Plans  
Date Review Received: 10/14/2011 (updated Amended Concept Plan 01/10/2012)

**Item: ORANGETOWN COMMONS REVISED SPECIAL PERMIT (O-1876L)**

Revised Special Permit and associated Concept Plan for a mixed-use development with five buildings, including a 54,614 sq. ft. food market (Stop & Shop); a 91,936 sq. ft., 129-room hotel (Extended Stay Residence Inn Hotel); a 70,000 sq. ft., 119-room hotel (Courtyard by Marriot); a 5,167 sq. ft. restaurant building; and a 3,669 sq. ft. bank building, plus 640 parking spaces (44 land banked), on 15.77 acres in a Light Industrial (LI) Zoning District and the Route 303 Overlay Zone.

A Concept Plan was previously approved for six buildings, to include two retail buildings, two hotels, a separate restaurant building and a bank building, with a total floor area of 223,902 sq. ft. The two retail buildings now proposed to be replaced with a food market together included a 10,000 sq. ft. restaurant, 30,000 sq. ft. of retail stores and personal service establishments and a 15,120 sq. ft. stand-alone retail food-related building. In addition to replacing two retail buildings with a single food market, the revised Conceptual Plan proposes the following minor changes: (1) an overall reduction in floor area for the development of 56 sq. ft.; (2) increase in the floor area for the Extended Stay Residence Inn Hotel from 89,946 sq. ft. to 91,396 sq. ft. and a room count increase from 125 to 129; (3) minor changes in the layout of parking spaces in the vicinity of the food market, restaurant building and Extended Stay Residence Inn Hotel; (4) a slight move eastward of the internal access drive; (5) movement of the bank building to a site south of the food market; (6) increase in the number of land banked parking spaces from 23 to 44. No changes are proposed to the previously approved phasing plan, which provided that all buildings and site development would be completed in Phase I, except the 119-room Courtyard by Marriot hotel building, which would be completed in Phase II.

**ORANGEBURG COMMONS REVISED SPECIAL PERMIT (O-1876L)**

Page 2 of 7

Northwest corner of Exit 5 of the Palisades Interstate Parkway and State Route 303

**Reasons for Referral:** Palisades Interstate Parkway, State Route 303, Western Highway  
(County Route 15)

The Rockland County Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the Rockland County Charter, I hereby

**\*recommend the following modifications:**

The following recommended modifications are provided pursuant to both the General Municipal Law and pursuant to this Department's role as an interested party in the review of potential environmental impacts considered under the requirements of the State Environmental Review Act.

**A. TRAFFIC CIRCULATION:**

1. The previous Town Board Special Permit Approval, in Resolution 658, p. 18, required that, with recognition that municipal and agency approvals are beyond the applicant's control, prior to the issuance of a Certificate of Occupancy for any use on the site, a plan shall be developed and implemented to prevent potential stacking of cars on the railroad tracks at Highview Avenue. Subsequently, in the Town Planning Board Amended Site Plan Approval PB #08-30, p. 6, the requirement was affirmed that the Town Planning Board requests the applicant install, at its expense, a traffic light at the intersection of Highview Avenue and Western Highway, subject to the Town of Orangetown Town Board request to the County of Rockland. Since that time, there have been discussions based on the County's plan for a quiet zone and local traffic safety issues, to make Highview Avenue one way eastbound and to make other related traffic changes in this area. The applicant shall, in consultation with the Town and the County of Rockland, revise the traffic study to recognize the current planning for this intersection and to reflect participation in the costs of implementing such planning, commensurate with their previous commitment.
2. The applicant shall consult with the Rockland County Department of Public Transportation prior to site plan approval, in order to address the location of potential bus stops on Route 303 (with shelters to be provided by Rockland County). (The requirement for such a consultation, regarding the location of a potential bus stop on Route 303, was made a part of the Town Planning Board Final Site Plan Approval PB #07-19, p. 9.) Since the time of the previous approvals, operations have changed and it is preferable that, rather than north and southbound buses pulling into Stevens Way for passengers to alight and board, bus stops and shelters be established in front of Oranburg Commons on both sides of Route 303. This would require a pedestrian signal for crossing over Route 303 at Stevens Way.
3. A crosswalk across Stevens Way, for pedestrians going between this and the Lowe's site, shall be provided. (This requirement was made a part of the Town Planning Board Final Site Plan Approval PB #07-19, p. 9.)

**ORANGEBURG COMMONS REVISED SPECIAL PERMIT (O-1876L)**

Page 3 of 7

4. A crosswalk should be provided parallel and adjacent to the south side of Stevens Way at the access road into Orangeburg Commons so that patrons and employees can safely cross between all stores.
  5. A pedestrian walk near the proposed food market, leading across the grassed island, from the sidewalk to be located on the south side of Stevens Way, to the food market, shall be included on the Concept Plan. We suggest that the walk be located approximately 165' west of the center of the Orangeburg Commons access point onto Stevens Way.
  6. The site plan shall include all appropriate pedestrian crosswalk markings.
  7. It is our understanding that there is a bike path that ends by the library on Greenbush Road. It is also our understanding that Lowe's installed a sidewalk from the library to the corner of Stevens Way and Greenbush Road. So that persons using these bike/pedestrian paths can use the destinations to be constructed in Orangeburg Commons, the sidewalk shall be continued along Stevens Way and bike racks shall be provided within Orangeburg Commons. (This requirement was made a part of the Town Planning Board Final Site Plan Approval PB #07-19, p. 9.)
  8. The Concept Plan does not reflect the installation of a sidewalk from Orangeburg Commons south through the PIP property, to provide for safe pedestrian passage to properties further south along Route 303 (there is already a sidewalk on the existing Route 303 overpass over the Palisades Interstate Parkway). (This requirement was made a part of the Town Planning Board Final Site Plan Approval PB #07-19, p. 9, and was reaffirmed in the Town Planning Board Amended Final Site Plan Approval PB #08-30.) It is our understanding based on a May 20, 2008 memo from the town highway superintendent that this improvement is not being required.
  9. We request that consideration be given to the potential for a minimum of 50 designated shared parking spaces near Route 303 to serve as a park and ride lot. (The Town Board Special Permit Approval, in Resolution 658, p. 18, required that, prior to site plan approval, the applicant consult with the Rockland County Department of Public Transportation to address this potential.)
- B. PROTECTION OF THE PALISADES INTERSTATE PARKWAY:** As discussed at the October 30, 2006 meeting with the applicant's representatives and as required in the previous Site Plan approval by the Town Planning Board on February 28, 2007, the applicant must provide a landscaped, bermed area or elevated walled area planted with sufficient vegetation at the south end of the site to better buffer visual impacts of the development, as seen from the Palisades Interstate Parkway. We understand that the PIPC has accepted the revised concept plan.
- C. LANDSCAPE PLANS:**
1. At the meeting of October 30, 2006, the applicant's representatives indicated that the entire area west of the Route 303 right-of-way, including the storm water basin area, is

## ORANGEBURG COMMONS REVISED SPECIAL PERMIT (O-1876L)

Page 4 of 7

to be used to address the requirement for a 25-foot-wide vegetated buffer along Route 303. If this is the case, and the Town is allowing this, an explanatory note shall be placed on the Concept Plan.

2. As required in the previous final site plan approval, the Town shall be satisfied that the requirement in the Town's law governing mixed-use developments, which indicates that evergreen plants are to be used along all property boundaries for minimizing impacts such as noise, visual, etc., has been met. We request that the applicant demonstrate compliance at the time of revised site plan approval.
3. The Town's law governing mixed-use developments states that, if the Town Board permits a storm water basin in the front yard, suitable landscaping and screening is to be provided, including berming. If berming is proposed to screen the storm water basin, this shall be reflected on the landscaping and other plans. It is our understanding from the applicant's engineer's response to our previous comments that, to clarify areas where berming will occur (at the top of the basin), the grading design will be overlaid on the 30 scale planting plans. This, or another appropriate depiction shall be submitted to demonstrate compliance with the Town's law prior to site plan approval.
4. The final site plan that was previously approved included significant use of wall structures and no significant changes are proposed to the affected areas. The wall structures included:
  - (a) A wall of up to 11.2 feet in height at the western boundary of the site, adjacent to the railroad and parking for The Residence Inn (Wall A);
  - (b) A wall of up to 8.5 feet in height along the edge of the wetland at the southern end of the property (Wall B); and
  - (c) A wall of up to 12.1 feet in height along the western boundary of the storm water basin (Wall C).

We are concerned about the visual impact of the walls from Route 303 and other vantage points. In order to better evaluate their visual impact, elevation drawings of how these walls will appear from Route 303, the rear of The Residence Inn and the railroad should be required, shall be provided a the time of revised site plan review.

5. The wall adjacent to the railroad right of way should be landscaped on its eastern side, especially since portions of the wall will be approximately 11 feet high.

D. SITE PLANNING ISSUES:

1. The phasing line in the vicinity of the future 119-room Courtyard by Marriot hotel should be modified on the Concept Plan to provide a clearer delineation, with the phasing line at the curb of this hotel.
2. There shall be no net increase in storm water runoff from the site at all design points.

**ORANGEBURG COMMONS REVISED SPECIAL PERMIT (O-1876L)**

Page 5 of 7

3. Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.
- E. **SIGN DESIGN:** The plans previously submitted for the original Concept and Site Plan approvals showed a 27' high, 18' wide pylon sign and the revised Concept Plan continues to indicate an 18' wide pylon sign. We felt that the previously proposed sign was massive and would dominate the frontage along Route 303, as well as potentially set precedent for others to also request large, oversized signs. One of the arguments for allowing the previously proposed sign was to advertise the retail stores within the development. Since the multiple retail stores have been removed and replaced with one major food market, an oversized sign is not needed.

The Town's law governing mixed-use developments states that signs will comply with the Table of General Use Regulations for uses permitted in the LI District, as set forth under accessory uses, items 7 and 8. Note 7 states, "Same as CC for those uses allowed in LI District except that the total sign area shall not exceed 60 square feet, and the illuminated portion shall not exceed 30 square feet." The Town's signage standards for mixed-use developments seem reasonable and we recommend that signage be limited to that which is permitted by the Town Code.

- F. **SEWER EASEMENTS:** The Town Board's previous special permit approval referred to relocation of an existing Town sewer line (siphon) that is part of the Town's capital sewer plan and that would not have been required except for the proposed project. At the time of revised site plan approval, all layout and landscape plans shall show the location of existing and proposed sewer line easements on all abutting PIPC lands and abutting lands owned by others.
- G. **AGENCY REVIEWS:**
1. The concerns expressed in the January 11, 2012 letter from the New York State Department of Transportation shall be addressed and all required permits obtained.
  2. An updated review shall be completed by the Rockland County Highway Department and all required permits obtained.
  3. If a subdivision of the subject property is requested in the future, the Rockland County Drainage Agency must review and sign the subdivision plat before it will be accepted for filing by the Rockland County Clerk.
  4. With regard to appropriate site development and management for portions of the site that were formerly used for waste disposal, the approved remedial work plan (RWP) shall be amended to reflect the revised concept plan, a review shall be completed by the New York State Department of Environmental Conservation and any additional required permits obtained.

## ORANGEBURG COMMONS REVISED SPECIAL PERMIT (O-1876L)

Page 6 of 7

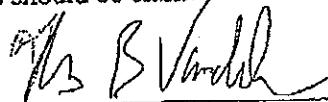
5. Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. We understand that letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, has previously been issued to the municipality for this project, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation, and that there is no net change in the demand.
6. If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed by the Rockland County Department of Health prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.
7. Public sewer mains requiring extensions within a right-of-way or an easement shall be reviewed and approved by the Rockland County Department of Health prior to construction.

The following additional comments are offered strictly as observations and are not part of our required General Municipal Law (GML) review. The Board may have already addressed these points or may disregard them without any formal vote required under the GML process.

1. Generally, mixed-use developments are considered to be of superior design if they are planned as an integrated whole, such as is required by the Town's new law regarding mixed-use developments. In order to achieve such a superior design, we recommend that the plan for Orangeburg Commons include a single architectural, landscaping and signage theme, with specific elements that will unite and integrate the design within the site and in relation to the surrounding context of the site. This would include re-use of colors, building materials, forms, details and plants throughout the site to unify the design.
2. The use of earth tone colors for building exteriors and signs will help to blend the site into the natural surroundings and is recommended.
3. The structure located to the west and adjacent to the subject property is identified in the book Pre-Revolutionary Dutch Houses and Families in Northern New Jersey and Southern New York as the Abram Lent house c.1752. The site development plans and landscape plans for the subject property should enhance and protect this historic structure and its setting. Appropriately designed landscaped buffers could serve as one way to protect this house from noise, glare, etc.
4. Text on page 1-1 of the amended special permit application (line 4), describes the Stop and Shop building as containing 51,823 sq. ft., while page 2 of the Full Environmental

## ORANGEBURG COMMONS REVISED SPECIAL PERMIT (O-1876L)

Assessment Form in appendix A describes the Stop and Shop building as containing 51,942 sq. ft. and the Concept Plan dated December 22, 2011 describes the food market as containing 54,614 sq. ft. These minor discrepancies should be clarified or corrected.



Thomas B. Vanderbeek, P.E.  
Commissioner of Planning

\*The GML requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.

The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the presumptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantive burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exceptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

C:

- Supervisor Andrew Stewart, Town of Orangetown
- Orangetown Planning Board
- John S. Edwards, Orangetown Town Attorney
- James Dean, Town of Orangetown Highway Superintendent
- Orangetown Architectural and Community Appearance Board of Review
- U.S. Army Corp of Engineers
- Palisades Interstate Park Commission
- New York State Department of Environmental Conservation
- New York State Department of Transportation
- CSX Transportation
- Rockland County Highway Department
- Rockland County Drainage Agency
- Rockland County Department of Health
- Rockland County Department of Public Transportation
- United Water New York
- Geraldine Tortorella, Attorney, Hocherman Tortorella & Wokstein, LLP
- Justin Lim, P.E., Leonard Jackson Associates
- Nate Burns, Langan Engineering and Environmental Services
- Stuart Turner, Turner Miller Group New York
- Fred Doncit, Turner Miller Group New York
- Richard Birdoff, FB Orangetown, LLC
- Frank Del Tufo, Store Manager, Lowe's Home Improvement Warehouse of Orangeburg





Marriott International, Inc.  
Eastern Region

200 Rivers Edge Drive  
Suite 400  
Medford, MA 02155

781/350-1600  
781/350-1630 Fax

September 28, 2011

FB Orangetown LLC  
c/o RD Management LLC  
810 Seventh Avenue – 10<sup>th</sup> Floor  
New York, NY 10019

Attn: Richard Birdoff

RE: **Proposed Residence Inn  
Route 303/Palisades Interstate Parkway  
Orangetown, New York**

Dear Mr. Birdoff:

This shall confirm that Marriott International has approved your Franchise Application for a 124 room Residence Inn on the site you own in Orangeburg, New York. In connection with this development, we are aware that you propose we share this site with, among other uses, a 51,000+ square foot Stop and Shop supermarket. This use is a welcomed co-occupant of the site.

We very much look forward to the commencement of construction and the opening of the Residence Inn and becoming a part of the Orangetown community.

Thank you very much,

Very truly yours,

Skip LaBarre  
Vice President, Lodging Dept.

JSE

Received HTW 1/4/12

Adler Consulting,  
235 Main Street  
White Plains, NY 10601-2401

Transportation Planning & Traffic Engineering, PLLC

Tel # (914) 997-8510  
Fax # (914) 997-7140

December 16, 2011

Teresa M. Kenny, Esq.  
First Deputy Town Attorney  
Town of Orangetown  
26 Orangetown Road  
Orangeburg, NY 10962

Re: Review of Orangeburg Commons  
Town of Orangetown, New York

Dear Ms. Kenny:

In response to your request, Adler Consulting has reviewed the Traffic Impact Study (TIS) for the proposed Orangeburg Commons, prepared by John Collins Engineers, P.C. and, dated, June 27, 2011 as well as the "Amended Special Permit - Mixed Use Concept Plan with Foodmarket" (Drawing Number 1) prepared by Leonard Jackson Associates, as amended, September 26, 2011. The Applicant proposes to construct a mixed-use development to include a 54,164 square foot (sf) supermarket, a 5,167 sf restaurant, a 3,669 sf drive-in bank and two hotels with a total of 244 rooms. This current application replaces a previously approved application for the Site, with the primary change in the application being the replacement of a proposed retail area with a supermarket. The TIS evaluates and compares the anticipated impacts of the now proposed supermarket-oriented mixed development with the previously approved retail-oriented mixed-use development.

The proposed project is located in Orangetown, NY with primary access via Stevens Way, and is opposite the existing Lowe's store. Steven's Way intersects with NY Route 303 which generally operates with two (2) travel lanes in each direction. Based on a review of those documents, Adler Consulting offers the following comments:

Ms. Teresa M. Kenny, Esq.  
December 16, 2011  
Page 2

A. Traffic Volumes. The Applicant collected traffic volume data during June, 2011. Those traffic volumes were compared by the Applicant with data collected for a separate project in 2009, which indicated that the 2009 traffic volumes were higher than the 2011 traffic volumes. The Applicant used the higher traffic volumes collected in 2009 as the base "Existing" traffic volumes, which is considered a conservative assumption. However, there is no information in the report specifying when, in 2009, these data were collected. Traffic volume data collected during the summer months, or other time periods when local schools and colleges were not open, may understate the nature of existing traffic conditions. The dates during which the data were collected in 2009 should be provided.

B. Anticipated Number of Trips. The Applicant utilized data contained in the Eighth Edition of *Trip Generation* published by the Institute of Transportation Engineers to estimate the number of trips that would be generated by the proposed mixed-use development. The applicant did not use the 'Fitted Curve Equation' for the supermarket land use, but instead utilized the 'Average Rate.' The use of the Average Rate is acceptable but does not provide the most conservative estimate of the number of trips that would be expected to be generated by the proposed mixed-use development.

To account for the predominantly retail uses of the proposed mixed-use development, the Applicant utilized a pass-by credit of 25 percent while calculating the trip generation potential of the proposed Site. The Applicant also utilized a ten (10) percent credit to account for the internal capture of the traffic traveling between the individual destinations within the mixed-use development. Based on a review of the information contained in the Second Edition of the *Trip Generation Handbook*, the use of a 25 percent pass-by credit and the use of a 10 percent credit to account for internal capture are conservative assumptions.

It is noted that there is an apparent typo in both Table 1 and Table 2 which summarize the Trip Generation Rates calculated for the approved and proposed projects. The Tables indicate that the Land Use Code for a Hotel is Code 210 when it is actually Code 310. The information provided in the Tables was correct.

Ms. Teresa M. Kenny, Esq.  
December 16, 2011  
Page 3

C. Intersection Operations. The applicant analyzed the study intersections utilizing the Highway Capacity Software. In addition to analyzing the Site driveway access with Steven's Way opposite the driveway to Lowe's, the applicant analyzed four additional intersections: NY Route 303 with Steven's Way; NY Route 303 with NY Route 340/Greenbush Road; NY Route 303 with Orangeburg Road; and, Western Highway with Highview Avenue. All of the analyzed intersections, with the exception of the intersection of Western Highway with Highview Avenue, are controlled by traffic signals. The intersection of Western Highway with Highview Avenue is a STOP controlled intersection. It is noted that three (3) of the four (4) intersections analyzed are on the New York State roadway system for which any signal timing changes must be approved by the New York State Department of Transportation (NYS DOT).

1. NY Route 303 and Steven's Way

For the intersection of NY Route 303 with Steven's Way, the Applicant has recommended changes to the signal timing. The proposed signal timing changes are not discussed within the text; but based on review of the capacity analysis worksheets, the Applicant apparently proposes to shift five (5) seconds of green time from the north-south phase to the advanced northbound green phase during the PM Peak Hour. For the Saturday Peak Hour, the Applicant apparently proposes to shift one (1) second of green time from the north-south phase to the advanced northbound green phase.

Despite the proposed changes to the signal timing at the intersection, the analysis for the "Proposed Development" scenario indicated that in the PM Peak Hour, the Level-of-Service (LOS) on the northbound approach of NY Route 303 would change from LOS A in the No-Build condition to LOS B in the Build condition and that the LOS for the northbound left-turn movement would change from LOS A to LOS C conditions. Overall, the Level-of-Service for the intersection would change from LOS B to LOS C conditions.

For the Saturday Peak Hour, the operations for the intersection would change from LOS B in the No-Build condition to LOS C in the Build condition. The operations of the eastbound left-turn movement are expected to change from LOS C to LOS D conditions, while the eastbound approach is expected to experience a change from LOS B operations to LOS C operations. The northbound left-turn movement is expected to experience LOS B conditions in

Ms. Teresa M. Kenny, Esq.  
December 16, 2011  
Page 4

the No-Build scenario, which would change to LOS D conditions in the Build scenario.

2. NY Route 303 and NY Route 340/Greenbush Road <sup>E</sup>

For the intersection of NY Route 303 and NY Route 340 with Greenbush Road, the analysis indicated that, during the PM Peak Hour, operations on the westbound approach would change from LOS ~~E~~ in the No-Build condition to LOS F in the Build condition. For the northbound approach, the operating conditions are expected to change from LOS C conditions to LOS D conditions. The analyses indicate that the southbound left-turn movement would continue to experience LOS F operations during both the No-Build and Build conditions, but that the vehicle delay would increase approximately 20 seconds in the Build condition. For the southbound combined left, through and right turn movements, the operating conditions are expected to change from LOS B conditions to LOS C conditions.

In the Saturday Peak Hour, the LOS for the westbound and northbound approaches are expected to change from LOS C to LOS D conditions. The operations on the southbound approach are expected to change from LOS B to LOS C conditions.

3. NY Route 303 and Orangeburg Road

During the PM Peak Hour, the intersection of NY Route 303 with Orangeburg Road is expected to transition from LOS C operations in the No-Build condition to LOS D operations in the Build condition. In addition, the northbound approach is expected to transition from LOS B conditions to LOS C conditions.

During the Saturday Peak Hour, the analyses indicate that the northbound approach is expected to change from LOS B operations in the No-Build condition to LOS ~~E~~ in the Build condition. The northbound left-turn movement is expected to transition from LOS C operations to LOS D operations.

4. Western Highway with Highview Avenue

For the unsignalized intersection of Western Highway with Highview Avenue, the analyses indicate that ~~both the east and westbound movements, which are~~ controlled by STOP signs, would be expected to transition from LOS E <sup>to</sup>

Ms. Teresa M. Kenny, Esq.  
December 16, 2011  
Page 5

operations in the No-Build condition to LOS F in the Build condition. The analyses also indicate that the installation of a traffic signal would mitigate traffic volumes through the intersection and would be expected to result in LOS C operations. The applicant has recommended that traffic volumes at the intersection be monitored, to determine if a traffic signal is warranted, approximately six (6) months after the development is fully occupied.

For the driveway access of Steven's Way with the Lowe's driveway, the installation of the proposed traffic signal is expected to result in operations with LOS C, or better, conditions during the PM and Saturday Peak Hours.

The anticipated operating conditions for the "Proposed Mixed-Use Development" were also compared with the expected operating conditions for the "Approved Mixed-Use Development" which had previously been analyzed. The comparison of the analysis results indicated that traffic operating conditions under the newly "Proposed" development at the four study intersections would be slightly worse than for the previously "Approved" development. The Levels-of-Service anticipated for both development scenarios would be approximately the same but it is expected the "Proposed" development would result in slightly increased vehicle delays at each intersection.

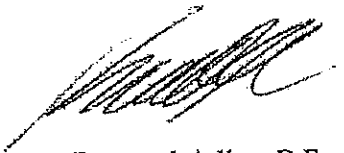
D. Summary and Recommendations. As documented in the above items, additional information should be provided by the Applicant, particularly with regard to the specific dates that the traffic volume data used as the basis for the study were collected in 2009, to permit a thorough review of the anticipated impacts from the proposed project. In addition, the Applicant recommended monitoring the conditions at the intersection of Western Highway with Highview Avenue for potential signalization approximately six (6) months after the development is fully occupied. Adler Consulting recommends that, if the information developed as part of the six-month monitoring indicate that a traffic signal is not yet warranted, then an additional signal warrant study should be performed approximately 12 months after the development is fully occupied.

Ms. Teresa M. Kenny, Esq.  
December 16, 2011  
Page 6

It is also recommended that the traffic signal proposed to be installed at the intersection of Steven's Way with the access driveway be interconnected and coordinated with the traffic signal at the intersection of Steven's Way with NY Route 303.

Please do not hesitate to contact us if should you have any questions.

Sincerely,  
Adler Consulting,  
Transportation Planning & Traffic Engineering, PLLC



Bernard Adler, P.E.  
President  
NY Professional Engineer No. 048373



Michael P. O'Rourke, P.E., PTOE  
Senior Associate  
NY Professional Engineer No. 061375

# JOHN COLLINS ENGINEERS, P.C.

TRAFFIC - TRANSPORTATION ENGINEERS

===== 11 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266 =====

January 10, 2012

Ms. Teresa M. Kenny, Esq.  
First Deputy Town Attorney  
Town of Orangetown  
26 Orangeburg Road  
Orangeburg, NY 10960

RE: Adler Consulting December 16, 2011 Review Letter  
Orangeburg Commons  
Route 303  
Orangetown, New York

Dear Ms. Kenny:

We have had an opportunity to review the above referenced letter with respect to the Traffic Impact Study that we prepared for the Orangeburg Commons. In an effort to provide the additional information that was requested within Mr. Adler's letter and to clarify certain points, we offer the following.

A. Traffic Volumes

We indicated in our study that we used 2009 traffic volumes in our analysis rather than those recorded in 2011 because the 2009 traffic volumes were found to be higher. Mr. Adler requested specific dates during which the 2009 counts were conducted. The 2009 counts were conducted on Thursday, April 23, 2009, Saturday, April 25, 2009 and also on Thursday, May 5, 2009.

B. The Anticipated Number Of Trips

Adler Consulting indicated that while we did not use a "fitted curve equation" for the supermarket land use trip generation, the use of the average trip rate was determined to be acceptable. The average trip rate for a supermarket was chosen since the Institute of



Transportation Engineers publication on Trip Generation, 8<sup>th</sup> Edition, does not provide a fitted curve equation for the Saturday condition. Therefore, for consistency, we used the average rate for the design hours. Adler Consulting also noted that the use of a 25% by-pass credit and a 10% credit to account for internal capture is considered conservative.

The comment with respect to a typo, i.e., Land Use Code 210 versus 310, is noted.

C. Intersection Operations

The Adler review provides a Level of Service summary of certain movements and approaches for each of the intersection locations. The Traffic Impact Study considered the prior approved site plan evaluation and offered a comparison of the approved plan levels of service versus the proposed modified site plan levels of service. Within this Study, on Table 3 is provided a Level of Service Summary, which identifies the existing condition, the 2014 No-Build condition for both the PM and Saturday Peak Hour but also provides a Level of Service summary for the Build condition approved development as well as for the proposed mixed use development for each of the PM and Saturday Peak Hours.

We note certain typographical errors in the review letter have been corrected by hand. These typos do not alter Adler's conclusion that "The Levels of Service anticipated for both development scenarios would be approximately the same but it is expected the 'Proposed' development would result in slightly increased vehicle delays at each intersection."

D. Summary and Recommendations

We indicated within our Traffic Impact Study the suggestion for a monitoring effort six (6) months after the development is fully constructed and occupied. Adler has suggested that monitoring period should extend to twelve (12) months after the development is fully occupied. We concur with this recommendation. Furthermore, we do propose to interconnect the proposed signal on Steven's Way with the signal at Steven's Way/NYS Route 303.

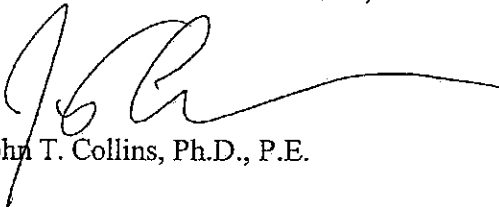
Page 3

Since the date of the Traffic Impact Study (6/27/11), the number of rooms in one of the hotel components has increased by four (4) rooms (125 rooms to 129 rooms). This change would result in a total of 2 additional vehicular trips during the PM Peak Hour and 3 trips during the Saturday Peak Hour. We view this change as insignificant.

We appreciate the opportunity of providing you with the information as requested. If you have any questions on the attached, please do not hesitate to contact us.

Very truly yours,

JOHN COLLINS ENGINEERS, P.C.

A handwritten signature in black ink, appearing to read 'JTC', with a long horizontal flourish extending to the right.

John T. Collins, Ph.D., P.E.

enclosures

cc: B. Adler

G. Tortorella



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
REGION 8  
4 BURNETT BOULEVARD  
POUGHKEEPSIE, NEW YORK 12603  
www.dot.ny.gov

WILLIAM J. GORTON, P.E.  
ACTING REGIONAL DIRECTOR

JOAN McDONALD  
COMMISSIONER

January 11, 2012.

Mr. J. Collins  
John Collins Engineers  
11 Bradhurst Ave.  
Hawthorne, NY 10532

Re: **Orangeburg Commons**  
**Rt. 303, Town of Orangetown**  
**SEQRA #11-0169**

Dear Mr. Collins:

In accordance with our meeting of January 10, 2011, the following action items will substantially conclude the permit review process.

Please submit reports as follows:

- Study the proposed change of town road "Highview" for one-way traffic and impacts to the state ROW. No mitigation of future Town/County actions is expected.
- It is agreed that the Post-Development study will include signal timing at the intersections of Rt. 303/Stevens Way, Rt. 303/Rt. 340, Greenbush Rd. and Rt. 303/Orangeburg Rd. Presently, please submit the SYNCHRO analyses for these intersections.
- Establish as part of the permit application the installation of Pedestrian Signal Heads/crosswalks/sidewalk improvements at the intersection Rt. 303/340. Coordinate with NYS DOT Planning.
- Perform a Highway Safety Investigation for the High Accident Location (PIL) located on Rt. 303 within the reference marker range 303 8501 1019 thru 1026 and include low cost accident countermeasures as part of the permit application.
- Provide a more detailed explanation of recent major commercial developments (FedEx, Bradley Corp. Park, S. Corner Plaza) with respect to traffic impact.

Thank you for taking the time to explain your position on the various points of concern.

Very truly yours,

Michael Sassi, P.E.  
Regional Permit Coordinator

cc: Town of Orangetown Planning Board  
MaryJo Russo, Permit Engineer, Res. 8-5

**JOHN COLLINS**  
**ENGINEERS, P.C.** TRAFFIC • TRANSPORTATION ENGINEERS

===== 11 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266 =====

January 18, 2012

Mr. Michael Sassi, P.E.  
New York State Department of Transportation  
Region 8  
4 Burnett Boulevard  
Poughkeepsie, NY 12603-2594

RE: Orangeburg Commons  
NYS Route 303  
Town of Orangetown, New York

Dear Mr. Sassi:

At our meeting on January 10, 2012 (typo 2011), we discussed the Traffic Impact Study dated June 27, 2011 which was forwarded to the Department in November. That study included a detailed analysis of the currently approved project as well as the proposed (Food Market) modification. It is our understanding that the items listed in your January 11, 2012 letter would be applicable to either project.

Item 1:

Our client will agree to do this study as part of the Highway Work Permit application.

Item 2:

Attached is a SYNCHRO analysis (Attachment 1) of the signalized intersections along NYS Route 303 for Existing, Future No-Build, and Future Build Conditions for both the Approved and Proposed (Food Market) Development. This includes coordination of the traffic signals. A copy of these files is also included on a CD enclosed herein.

Item 3:

Our client will agree to install pedestrian signal heads/crosswalks/sidewalk improvements which will be included in the Highway Work Permit application.

Item 4:

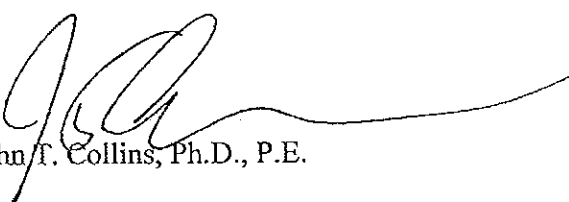
Our client will agree to perform a Highway Safety Investigation (PIL) for the high accident location and include low cost accident countermeasures as part of the Highway Work Permit application.

Item 5:

Attachment 2, enclosed herein, contains additional information on the recent major commercial developments of the FedEx Warehouse Facility including the potential subdivision of that site to include up to 100,000 s.f. of light industrial space and 15,000 s.f. of office space, Bradley Corporate Park and the proposed "S" Corner Plaza.

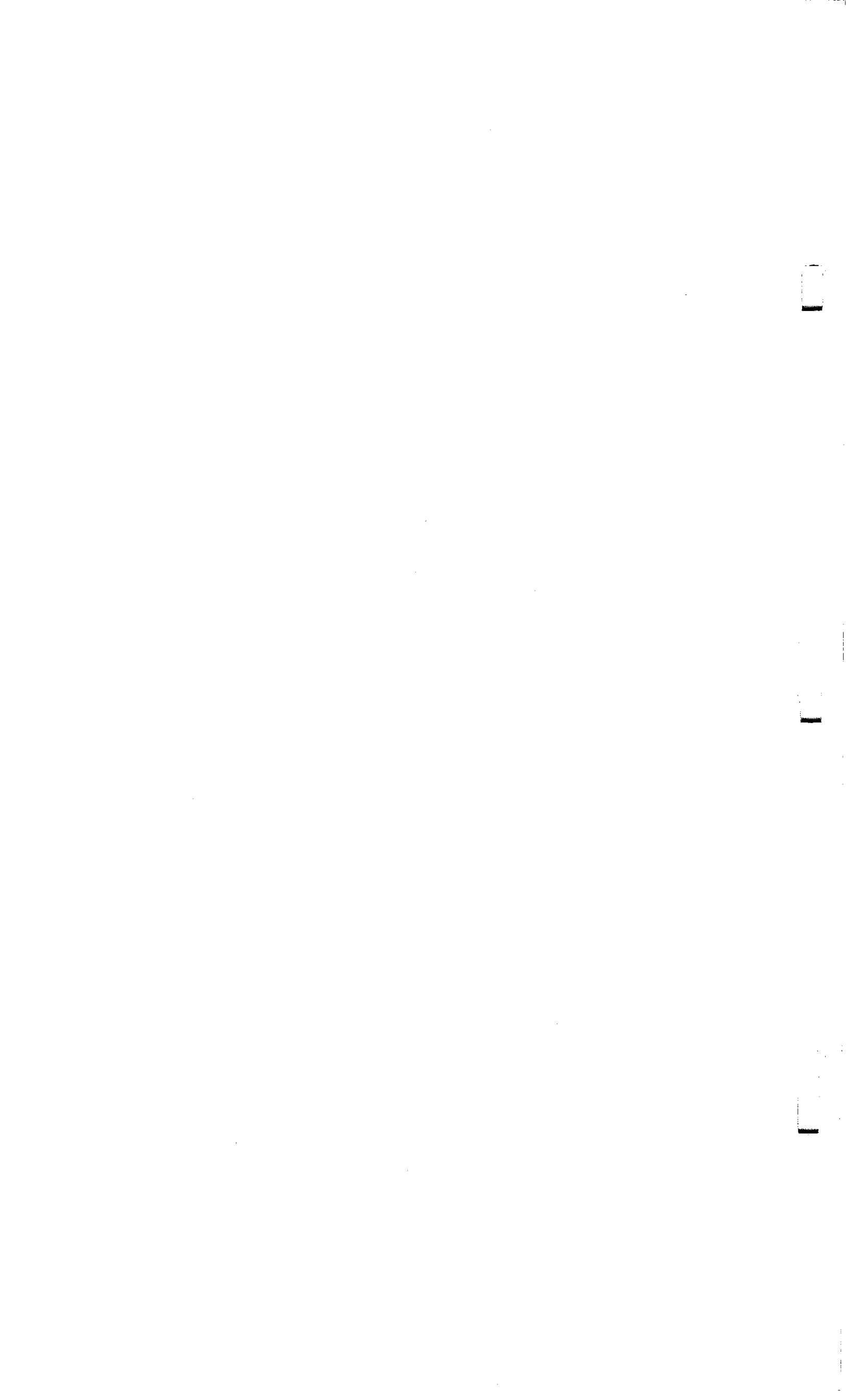
If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,  
JOHN COLLINS ENGINEERS, P.C.

  
John F. Collins, Ph.D., P.E.

w/ enclosure

cc: B. Adler, Adler Consulting  
John Giardiello, Town of Orangetown  
Mary Jo Russo, Permit Engineer, Res 8-5



**EXHIBIT**

1-C-12, 1/24/12

NOTICE OF POSTING: NOTICE TO BIDDERS-- FURNISHING POLICE UNIFORMS.

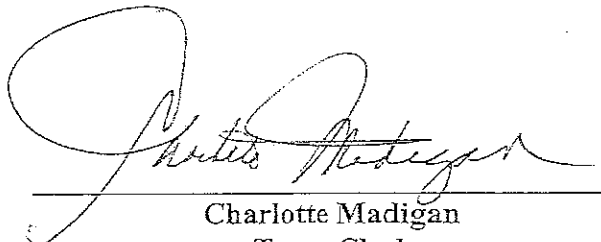
STATE OF NEW YORK        }  
COUNTY OF ROCKLAND    }  
TOWN OF ORANGETOWN    }        SS.

Charlotte Madigan being duly sworn upon her oath, deposes and says;

That, she is, at all times hereinafter mentioned was, duly elected, Qualified and acting Town Clerk of the *TOWN Of ORANGETOWN*, in the County of Rockland, State of New York.

That, on the 6th day of December 2011, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the *TOWN Of ORANGETOWN*, New York.

1.     Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.

  
Charlotte Madigan  
Town Clerk

Subscribed and sworn to before me

This 6th day of December, 2011

ROBERT R. SIMON  
Notary Public, State of New York  
No. 01SI5005857  
Residing in Rockland County  
Commission Expires December 21, 2014



NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, 26 Orangeburg Road, Orangeburg, New York 10962 until 10:30 a.m. on December 21, 2011, and will be publicly opened and read aloud at 11:00 a.m. on that day for furnishing uniforms for the Town of Orangetown Police Department, in accordance with the contract documents on file with and which may be obtained at the Town Clerk's Office.

The Town Clerk and Chief of Police will submit a report to the Town Board of all bids received and their recommendations concerning the awarding of a contract at a meeting of the Town Board.

The successful bidder will be required to post a performance bond, or other acceptable security, in the amount of Two Thousand Five Hundred (\$2,500.00) Dollars.

The Town Board reserves the right to waive any informalities in the bidding and to reject any and all bids.

No bid will be accepted without a Non-collusion Statement, as required pursuant to Section 103d of the General Municipal Law.

No contract is deemed to have been created until approved by Town Board resolution and the Town Attorney, and until after it has been executed by the Supervisor of the Town of Orangetown, at the direction of the Town Board. All contracts are subject to appropriations approved by the Town Board, after having been provided for in the Town Budget.

By order of the Town Board of the Town of Orangetown.

Dated: December 6, 2011

CHARLOTTE MADIGAN  
TOWN CLERK

JOHN S. EDWARDS  
TOWN ATTORNEY  
TOWN OF ORANGETOWN



**AFFIDAVIT OF PUBLICATION**

FROM

**The Journal News**

*Florence Bonilla*

\_\_\_\_\_ being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: the code to the left of the run dates indicates the zone(s) that the ad was published. (See legend below)

**ZONE**                      **DATE**  
RK                              12/06/2011

Signed \_\_\_\_\_ *JS*

Sworn to before me *qr* \_\_\_\_\_ day of *December* 20 *11*

*Jessie L Araujo D'Souza*  
\_\_\_\_\_  
Notary Public, Westchester County

JESSIE L ARAUJO DSOUZA  
Notary Public, State of New York  
No. 01AR6083528  
Qualified in Westchester County  
Commission Expires November 18, 2014

**Legend:**  
**Northern Area (AN):**  
Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson  
**Central Area (AC):**  
Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains  
**Southern Area (AS):**  
Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers  
**Greater Westchester (GW or LGW):**  
Includes Northern area, Southern area and Central area. (See details below each area)  
**Westchester Rockland (WR):**  
Includes Greater Westchester area and Rockland area.  
**Rockland Area (JN or RK):**  
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

**Review Press Express (XBV):**  
Bronxville, Eastchester, Scarsdale, Tuckahoe  
**Sound Shore Express (XSS)**  
Purchase, Port Chester, Rye, Harrison, Mamaroneck, Larchmont, New Rochelle, Pelham  
**White Plains Express (XWP)**  
Elmsford, Hartsdale, Hawthorne, Valhalla, White Plains  
**Yorktown and Cortlandt Express (XYC)**  
Amawalk, Buchanan, Cortlandt Manor, Croton-on-Hudson, Granite Springs, Jefferson Valley, Mohegan Lake, Montrose, Ossining, Peekskill, Shrub Oak, Yorktown Heights  
**Northern Westchester Express (XNW)**  
Armonk, Bedford, Bedford Hills, Briarcliff Manor, Chappaqua, Cross River, Goldens Bridge, Katonah, Millwood, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Purdy's, Somers, South Salem, Thornwood, Waccabuc  
**Rockland Express (XRK)**  
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sparkill, Spring Valley, Tappan, Thiells, Tomkins Cove, Sloatsburg, Suffern, Stony Point, Valley Cottage, West Haverstraw, West Nyack  
**Express Putnam (LHPN)**  
Baldwin Place, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Putnam Valley, Patterson  
**Express Rivertowns (LHRT)**  
Ardsley, Dobbs Ferry, Hastings, Irvington, Tarrytown  
**Express Yonkers/Mount Vernon (LHYM)**  
Mount Vernon, Yonkers

Ad Number	Size	Start Date	End Date
3287176	60	12/6/2011	12/06/2011

Run dates: 12/06

Ad Text:

NOTICE TO BIDDERS  
SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, 26 Orangeburg Road, Orangeburg, New York 10962 until 10:30 a.m. on December 21, 2011, and will be publicly opened and read aloud at 11:00 a.m. on that day for furnishing uniforms for the Town of Orangetown Police Department, in accordance with the contract documents on file with and which may be obtained at the Town Clerk's Office.

The Town Clerk and Chief of Police will submit a report to the Town Board of all bids received and their recommendations concerning the awarding of a contract at a meeting of the Town Board. The successful bidder will be required to post a performance bond, or other acceptable security, in the amount of Two Thousand Five Hundred (\$2,500.00) Dollars. The Town Board reserves the right to waive any informalities in the bidding and to reject any and all bids.

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By order of the Town Board of the Town of Orangetown.  
Dated: December 6, 2011

CHARLOTTE MADIGAN  
TOWN CLERK  
JOHN S. EDWARDS  
TOWN ATTORNEY  
TOWN OF ORANGETOWN

BID OPENING TIME		11:00AM		DATE		December 21, 2011	
CONTRACTOR NAME & ADDRESS		Starr Uniform Center Scranton, Pa					
DATE RECEIVED	12/16/2011						
TIME RECEIVED	3:48						
NON COLLUSION STATEMENT	✓						
BID BOND or CERTIFIED CHECK							
(Item #1) Caps, Regular, Members							
PRICE	\$ 38.80	\$	\$	\$	\$	\$	
(Item #2) Caps, Auxiliary Members							
PRICE	\$ 22.50	\$	\$	\$	\$	\$	
(Item #3) Winter Shirt, Regular Members (Polyester/Cotton)							
PRICE	\$ 39 Bauer	\$	\$	\$	\$	\$	
(Item #4) Winter Shirt, Regular Members (Polyester/Rayon)							
PRICE	\$ 42	\$	\$	\$	\$	\$	
(Item #5) Summer Shirt, Regular Members (Polyester/Cotton)							
PRICE	\$ 34	\$	\$	\$	\$	\$	
(Item #6) Summer Shirt, Auxiliary Members (Polyester/Rayon)							
PRICE	\$ 39	\$	\$	\$	\$	\$	
(Item #7) Winter Shirt, Auxiliary Members (Polyester/Rayon)							
PRICE	\$ 42	\$	\$	\$	\$	\$	
(Item #8) Summer/Winter Trousers, Regular Members (4 Pocket)							
PRICE	\$ 65	\$	\$	\$	\$	\$	
(Item #9) Summer/Winter Trousers, Regular Members (Side Pocket)							
PRICE	\$ 51	\$	\$	\$	\$	\$	
(Item #10) Summer/Winter Trousers, Auxiliary Members (4 Pocket)							
PRICE	\$ 65	\$	\$	\$	\$	\$	
(Item #11) Raincoats, Regular Members							
PRICE	\$ 105	\$	\$	\$	\$	\$	
(Item #12) Raincoats, Auxiliary Members							
PRICE	\$ discontinued	\$	\$	\$	\$	\$	
(Item #13) Rubber Boots, All Members							
PRICE	\$ 25.55	\$	\$	\$	\$	\$	
(Item #14) Blazers, Regular Members: Tropical							
PRICE	\$ 101	\$	\$	\$	\$	\$	
(Item #15) Trousers, Civilian Style, Regular Members							
PRICE	\$ 16	\$	\$	\$	\$	\$	
(Item #16) Shirts, Civilian Style, Regular Members XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX							
(Item #16a) Long Sleeve							
PRICE	\$ 16	\$	\$	\$	\$	\$	
(Item #16b) Short Sleeve							
PRICE	\$ 15	\$	\$	\$	\$	\$	
TOTAL PRICE		\$	\$	\$	\$	\$	

DIST: TB, Police, TA

BID OPENING TIME		11:00AM			DATE		December 21, 2011	
CONTRACTOR NAME & ADDRESS		STAFF UNIFORM CENTER						
DATE RECEIVED								
TIME RECEIVED								
NON COLLUSION STATEMENT								
BID BOND or CERTIFIED CHECK								
(Item #16c)Material -								
PRICE	\$	\$	\$	\$	\$	\$	\$	\$
(Item #17)Snap - On Ties, All Members								
PRICE	\$ 5	\$	\$	\$	\$	\$	\$	\$
(Item #18)Multi - Purpose Cruiser with Gore - Tex Fabric (Blauer GTX 9010Z)								
PRICE	\$ 220.80	\$	\$	\$	\$	\$	\$	\$
Exceptions:								
(Item #19)Caps, School Crossing Guard Female								
PRICE	\$ 26	\$	\$	\$	\$	\$	\$	\$
(Item #20)Caps, School Crossing Guard Male								
PRICE	\$ 26	\$	\$	\$	\$	\$	\$	\$
(Item #21)Blauer Commando Sweater #210 V Neck Dark Navy								
PRICE	\$ 63	\$	\$	\$	\$	\$	\$	\$
(Item #22)Turtleneck with OPD embroidered on Collar - (Dark Navy) - 6.5 oz. cotton/spandex								
PRICE	\$ 28	\$	\$	\$	\$	\$	\$	\$
(Item #23)Mock Turtle Neck with OPD embroidered on Collar - (Dark Navy) - 10 - 10.5 oz. cotton/spandex								
PRICE	\$ 28	\$	\$	\$	\$	\$	\$	\$
(Item #24)Rocky Boots - Model 7017								
PRICE	\$ discontinued	\$	\$	\$	\$	\$	\$	\$
(Item #25)Bates Shoes - Model 83 Lite								
PRICE	\$ 95.55	\$	\$	\$	\$	\$	\$	\$
(Item #26)Add charge for visor on Chief hat.								
PRICE	\$ 30.00	\$	\$	\$	\$	\$	\$	\$
(Item #27)Rain Jacket - Blauer 733 - Black yellow								
PRICE	\$ 105	\$	\$	\$	\$	\$	\$	\$
(Item #28)Sweater-Upgrade to Blauer #225								
PRICE	\$ 69	\$	\$	\$	\$	\$	\$	\$
(Item #29)Add Boot 5.11 ATAC Storm - #12004								
PRICE	\$ 85.75	\$	\$	\$	\$	\$	\$	\$
(Item #30)Add Boot 5.11 ATAC 6" - 12002								
PRICE	\$ 60.50	\$	\$	\$	\$	\$	\$	\$
(Item #31)Winter Jacket #99102								
PRICE	\$ 220.80	\$	\$	\$	\$	\$	\$	\$
TOTAL PRICE	\$	\$	\$	\$	\$	\$	\$	\$

**EXHIBIT**

1-D-12, 1/24/12

**NOTICE OF POSTING: NOTICE TO BIDDERS FOR THE DRY CLEANING, LAUNDERING, MINOR SEWING AND REPAIRS OF THE POLICE DEPT UNIFORMS.**

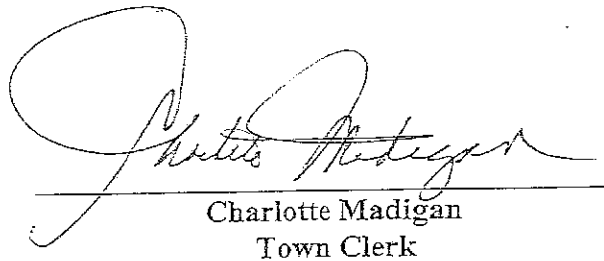
STATE OF NEW YORK }  
COUNTY OF ROCKLAND } SS.  
TOWN OF ORANGETOWN }

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That, on the 6th day of December 2011, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the *TOWN Of ORANGETOWN*, New York.

1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.



Charlotte Madigan  
Town Clerk

Subscribed and sworn to before me

This 6th day of December, 2011

ROBERT R. SIMON  
Notary Public, State of New York  
No. 01SI5005857  
Residing in Rockland County  
Commission Expires December 21, 2014



NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, 26 Orangeburg Road, Orangeburg, New York 10962, until 10:30 A.M. on December 21, 2011, and will be publicly opened and read aloud at 11:00 A.M., on that day for the dry cleaning, laundering, minor sewing and repairs of Orangetown Police Department Uniforms, in accordance with the Contract documents on file with, and which may be obtained at the Town Clerk's Office.

The Town Clerk and Chief of Police shall submit a report to the Town Board of all bids received and their recommendation concerning the awarding of a contract at a meeting of the Town Board.

The successful bidder will be required to post a Performance Bond in the amount of One Thousand Dollars (\$1,000.00).

The Town Board reserves the right to waive any informalities in the bidding and to reject any and all bids.

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By order of the Town Board of the Town of Orangetown.

DATED: December 6, 2011

CHARLOTTE MADIGAN  
TOWN CLERK

JOHN S. EDWARDS  
TOWN ATTORNEY  
TOWN OF ORANGETOWN

**AFFIDAVIT OF PUBLICATION**

FROM

**The Journal News**

Florence Bonilla

\_\_\_\_\_ being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: the code to the left of the run dates indicates the zone(s) that the ad was published. (See legend below)

**ZONE**                      **DATE**  
RK                              12/06/2011

Signed \_\_\_\_\_ *fs*

Sworn to before me  
\_\_\_\_\_ *gn* day of *December* 20 *11*

*Jessie L Araujo D'Souza*  
\_\_\_\_\_  
Notary Public, Westchester County

JESSIE L ARAUJO DSOUZA  
Notary Public, State of New York  
No. 01AR6083528  
Qualified in Westchester County  
Commission Expires November 18, 2014

- Legend:**
- Northern Area (AN):**  
Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson
  - Central Area (AC):**  
Ardsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains
  - Southern Area (AS):**  
Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers
  - Greater Westchester (GW or LGW):**  
Includes Northern area, Southern area and Central area. (See details below each area)
  - Westchester Rockland (WR):**  
Includes Greater Westchester area and Rockland area.
  - Rockland Area (JN or RK):**  
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, Haverstraw, West Nyack
  - Review Press Express (XBV):**  
Bronxville, Eastchester, Scarsdale, Tuckahoe
  - Sound Shore Express (XSS)**  
Purchase, Port Chester, Rye, Harrison, Mamaroneck, Larchmont, New Rochelle, Pelham
  - White Plains Express (XWP)**  
Elmsford, Hartsdale, Hawthorne, Valhalla, White Plains
  - Yorktown and Cortlandt Express (XYC)**  
Amawalk, Buchanan, Cortlandt Manor, Croton-on-Hudson, Granite Springs, Jefferson Valley, Mohegan Lake, Montrose, Ossining, Peekskill, Shrub Oak, Yorktown Heights
  - Northern Westchester Express (XNW)**  
Armonk, Bedford, Bedford Hills, Briarcliff Manor, Chappaqua, Cross River, Goldens Bridge, Katonah, Millwood, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Purdy's, Somers, South Salem, Thornwood, Waccabuc
  - Rockland Express (XRK)**  
Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sparkill, Spring Valley, Tappan, Thiells, Tomkins Cove, Sloatsburg, Suffern, Stony Point, Valley Cottage, West Haverstraw, West Nyack
  - Express Putnam (LHPN)**  
Baldwin Place, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Putnam Valley, Patterson
  - Express Rivertowns (LHRT)**  
Ardsley, Dobbs Ferry, Hastings, Irvington, Tarrytown
  - Express Yonkers/Mount Vernon (LHYM)**  
Mount Vernon, Yonkers

AD# 3287173

Ad Number	Size	Start Date	End Date
3287173	60	12/6/2011	12/06/2011

Run dates: 12/06

Ad Text:

**NOTICE TO BIDDERS**  
SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, 26 Orangeburg Road, Orangeburg, New York 10962, until 10:30 A.M. on December 21, 2011, and will be publicly opened and read aloud at 11:00 A.M., on that day for the dry cleaning, laundering, minor sewing and repairs of Orangetown Police Department Uniforms, in accordance with the Contract documents on file with, and which may be obtained at the Town Clerk's Office.

The Town Clerk and Chief of Police shall submit a report to the Town Board of all bids received and their recommendation concerning the awarding of a contract at a meeting of the Town Board.

The successful bidder will be required to post a Performance Bond in the amount of One Thousand Dollars (\$1,000.00).

The Town Board reserves the right to waive any informalities in the bidding and to reject any and all bids.

No bid will be accepted without a Non-collusion Statement as required pursuant to Section 103d of the General Municipal Law.

No contract is deemed to have been created until approved by Town Board Resolution and the Town Attorney, and until after it has been executed by the Supervisor of the Town of Orangetown, at the direction of the Town Board. All contracts are subject to appropriations approved by the Town Board, after having been provided for in the Town Budget.

By order of the Town Board of the Town of Orangetown.

DATED: December 6, 2011  
CHARLOTTE MADIGAN  
TOWN CLERK  
JOHN S. EDWARDS  
TOWN ATTORNEY  
TOWN OF ORANGETOWN



and Repairs of Orangetown Police Department Uniforms

BID OPENING TIME		11:00AM		DATE		December 21, 2011	
CONTRACTOR NAME & ADDRESS		<i>Washing Board Lauderomax Pearl River NY</i>					
DATE RECEIVED	12/20/11						
TIME RECEIVED	12:47						
NON COLLUSION STATEMENT	✓						
BID BOND or CERTIFIED CHECK							
(Item #1)Pants, Dry Clean - Approximate Amount Per Year (100)							
UNIT PRICE - 2012	\$ 3.80	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 3.90	\$	\$	\$	\$	\$	
(Item #2)Shirts, Dry Clean - Approximate Amount Per Year (100)							
UNIT PRICE - 2012	\$ 3.80	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 3.90	\$	\$	\$	\$	\$	
(Item #3)Pants, Launder - Approximate Amount Per Year (4,500)							
UNIT PRICE - 2012	\$ 2.75	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 2.80	\$	\$	\$	\$	\$	
(Item #4)Shirts, Launder - Approximate Amount Per Year (6000)							
UNIT PRICE - 2012	\$ 1.50	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 1.55	\$	\$	\$	\$	\$	
(Item #5)Blazers, Dry Clean - Approximate Amount Per Year (20)							
UNIT PRICE - 2012	\$ 5.25	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 5.30	\$	\$	\$	\$	\$	
(Item #6)Two - Piece Suits - Approximate Amount Per Year (100)							
UNIT PRICE - 2012	\$ 8.65	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 8.70	\$	\$	\$	\$	\$	
(Item #7)Ike Jackets, Dry Clean - Approximate Amount Per Year (10)							
UNIT PRICE - 2012	\$ 3.00	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 3.00	\$	\$	\$	\$	\$	
(Item #8)Overcoats, Dry Clean - Approximate Amount Per Year (25)							
UNIT PRICE - 2012	\$ 8.65	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 8.70	\$	\$	\$	\$	\$	
(Item #9)Winter Jackets, Dry Clean - Approximate Amount Per Year (100)							
UNIT PRICE - 2012	\$ 5.25	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 5.30	\$	\$	\$	\$	\$	
(Item #10)Bulletproof Vest Liners, Launder - Approximate Amount Per Year (10)							
UNIT PRICE - 2012	\$ 3.00	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 3.00	\$	\$	\$	\$	\$	
(Item #11)Blankets, Dry Clean - Approximate Amount Per Year (25)							
UNIT PRICE - 2012	\$ 5.00	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 5.00	\$	\$	\$	\$	\$	
TOTAL	\$	\$	\$	\$	\$	\$	

DIST: TB, Police, TA

and Repairs of Orangetown Police Department Uniforms

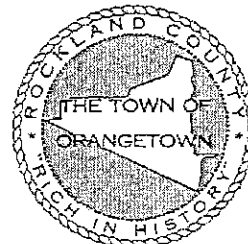
BID OPENING TIME		11:00AM		DATE		21-Dec-11	
CONTRACTOR NAME & ADDRESS		<i>Washing Board Laundromat</i>					
DATE RECEIVED	12/20/11						
TIME RECEIVED	12:47						
NON COLLUSION STATEMENT	✓						
BID BOND or CERTIFIED CHECK							
<b>(Item #12) Civilian Trousers - Approximate Amount Per Year (125)</b>							
UNIT PRICE - 2012	\$ 2.75	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 2.80	\$	\$	\$	\$	\$	
<b>(Item #13) Raincoats, Clean, Waterproof - Approximate Amount Per Year (25)</b>							
UNIT PRICE - 2012	\$ 2.75	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 2.80	\$	\$	\$	\$	\$	
<b>(Item #14) Wool Sweaters, Dry Clean - Approximate Amount Per Year (125)</b>							
UNIT PRICE - 2012	\$ 4.35	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 4.40	\$	\$	\$	\$	\$	
<b>(Item #15) Jumpsuits, Launder - Approximate Amount Per Year (25)</b>							
UNIT PRICE - 2012	\$ 2.75	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 2.80	\$	\$	\$	\$	\$	
<b>(Item #16) Sew Jackets - Approximate Amount Per Year (25)</b>							
UNIT PRICE - 2012	\$ <del>3.25</del> 5.75	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ <del>3.25</del> 5.75	\$	\$	\$	\$	\$	
<b>(Item #17) Sew Shirts - Approximate Amount Per Year (25)</b>							
UNIT PRICE - 2012	\$ <del>3.25</del> 5.75	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ <del>3.25</del> 5.75	\$	\$	\$	\$	\$	
<b>(Item #18) Sew Small Holes, Belt Loops, Etc. - Approximate Amount Per Year (75)</b>							
UNIT PRICE - 2012	\$ 2 <sup>10</sup> - 3 <sup>68</sup>	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 2 <sup>10</sup> - 3 <sup>68</sup>	\$	\$	\$	\$	\$	
<b>(Item #19) Sew Zipper - Approximate Amount Per Year (25)</b>							
UNIT PRICE - 2012	\$ <del>3.25</del> 5.25	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ <del>3.25</del> 5.25	\$	\$	\$	\$	\$	
<b>(Item #20) Replace Zipper - Approximate Amount Per Year (15)</b>							
UNIT PRICE - 2012	\$ 10.50	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ 10.50	\$	\$	\$	\$	\$	
<b>(Item #21) Sew Patches - Approximate Amount Per Year (50)</b>							
UNIT PRICE - 2012	\$ <del>3.68</del> 5.25	\$	\$	\$	\$	\$	
UNIT PRICE - 2013	\$ <del>3.68</del> 5.25	\$	\$	\$	\$	\$	
TOTAL	\$	\$	\$	\$	\$	\$	
<p>* pu + delivery 3 times/week \$ 10 per pu</p>							

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TOWN OF ORANGETOWN  
FINANCE OFFICE MEMORANDUM

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TO: THE TOWN BOARD  
FROM: CHARLIE RICHARDSON, FINANCE DIRECTOR *CR*  
SUBJECT: TONIGHT'S AUDIT MEMO  
DATE: 1/24/2012  
CC: ANN MAESTRI, CHARLOTTE MADIGAN, DEPARTMENT HEADS



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The audit for tonight has four warrants that total to \$1,111,442.09

The first three are for 2012 costs.

The first warrant is \$50.00 for a lobbying report fee paid to the State ethics board.

The second warrant is \$1,680 for a Highway mailer on snow removal.

The third warrant for \$872,063 for 148 unpaid invoices. These include:

1. Beckmann Appraisals (p2) - \$5,000 for appraisal work on commercial property adjacent to Blue Hill plaza.
2. Berry Burners (p3) - \$8,200 for air conditioning an equipment closet for the Police and \$8,400 for emergency boiler replacement at the Broadacres golf course.
3. CSEA Employee Benefits (p6) - \$26,045 for January dental and vision benefits for non-police.
4. Steven Gentile (p13) - \$8,572 for 207c benefits for two pay periods.
5. Goosetown (pp13-14) - \$62,260 for semi-annual lease costs of communications equipment.
6. Graphic Service Bureau (p14) - \$11,772 for printing Town tax bills.
7. HP Direct (p15) - \$7,350 for computer equipment needed for camera replacement in Town Hall.
8. Keane and Beane (p18) - \$2,306 for police litigation costs for cases involving Gentile (article 78 petition) and Wetzel v Orangetown.
9. Metropolitan Life (p20) - \$11,909 for January dental insurance for the police.

10. NYS Unemployment (p22) - \$25,550 for 4<sup>th</sup> quarter 2011 unemployment costs including roughly \$18,100 for the two golf courses.
11. NYS Department of Civil Service (p22)- \$512,084 for January health insurance costs.
12. Orange and Rockland Utilities (p24) - \$16,022 for energy transmission costs for January.
13. United Water (pp35-36) - \$8,485 for January water for Town Hall and the sewer plant.
14. Vermont Systems (p37) - \$5,884 for annual maintenance for Golf trac financial and reservation software for the golf courses.
15. W. Harris and Sons (p38) - \$8,800 for a sewer spur replacement at 501 Blauvelt Road.
16. Wilson Elser et al. (p40) - \$5,500 for lobbying fees for January.

The fourth warrant is \$237,648 for 116 unpaid 2011 invoices. These include:

1. Charles Capasso (p9) - \$48,564 for December recycling costs.
2. Chemung Supply (pp10-11) \$7,359 for parts for Highway vehicles.
3. Environmental Construction (pp12-13) - \$22,985 consisting of \$13,725 for two sewer line repairs and \$9,260 for brush removal for the Highway department.
4. Fairgame Goose Management (p13) - \$5,700 for geese removal service at Town parks for three months.
5. Keane and Beane (p18)- \$4,885 for police legal services for November.
6. Rockland County Police Academy (p25) - \$21,070 for police training costs for 2011.
7. Rockland County Solid Waste Management (p26) - \$7,398 for December tipping fees.
8. Slack Chemical (p28) - \$11,664 for sewer plant chemicals.
9. Sprague Energy (p28) - \$13,613 for vehicle fuel.
10. Vermont Systems (p32) - \$4,417 for ID equipment for the golf courses and parks.
11. W. Harris and Sons (p33) - \$14,880 for two sewer spur repairs.

If you have any questions, please let me know. Thanks

*Mark Dean*