

NOTICE OF POSTING: NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW  
ADDING CHAPTER 30D ENTITLED STORMWATER MANAGEMENT AND  
EROSION AND SEDIMENT CONTROL TO THE TOWN CODE.

# EXHIBIT

7-D-07, 7/11/07

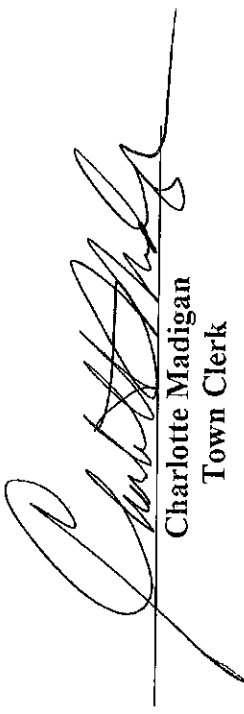
STATE OF NEW YORK            }  
COUNTY OF ROCKLAND        }  
TOWN OF ORANGETOWN        }        SS.

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 29th day of June  
2007, 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 29th day of June, 2007

ROBERT R. SIMON  
Notary Public, State of New York  
No. 019889857  
Residing in Rockland County  
Commission Expires December 21, 2010



## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Orangetown, at the Orangetown Town Hall, 26 Orangeburg Road, Orangeburg, New York, 10962, on the July 16, 2007 at 8:00 PM to consider a proposed local law amending the Town Code of the Town of Orangetown by adding Chapter 30D entitled Stormwater Management and Erosion and Sediment Control. The purpose of this local law is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety and welfare of the public residing within this jurisdiction.

A copy of the proposed Local Law may be examined by any interested party at the Office of the Town Clerk.

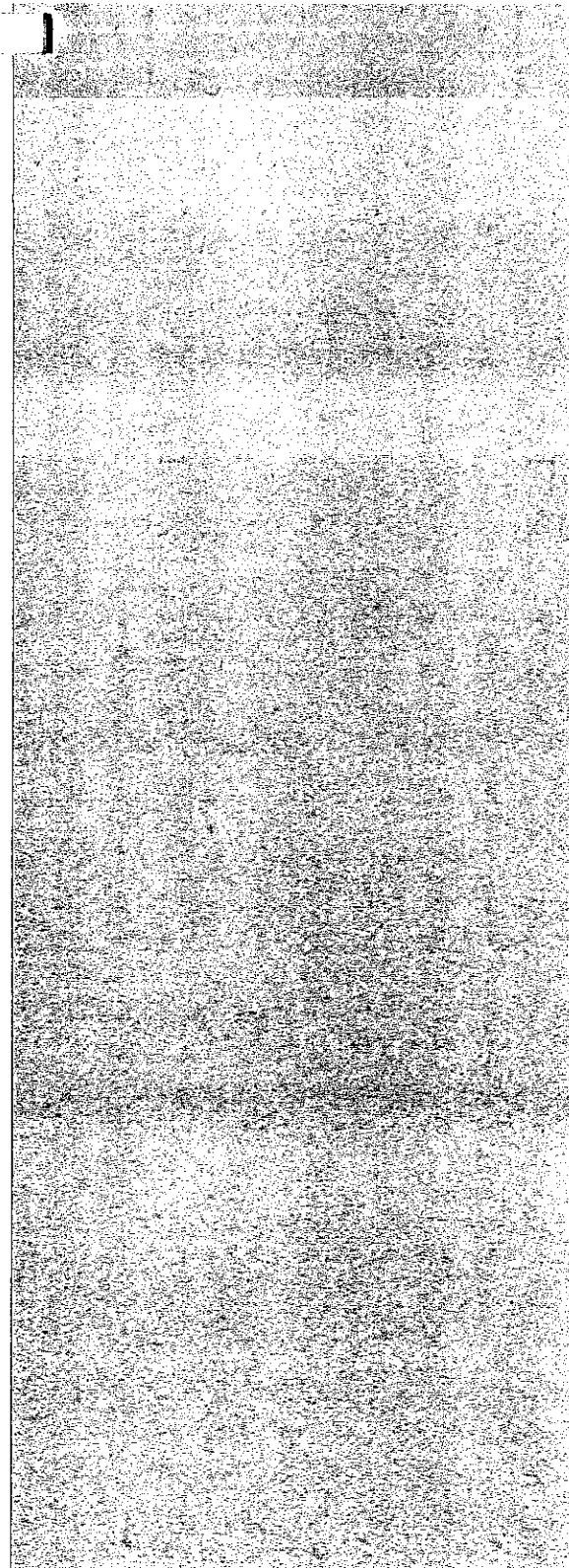
All interested persons will be given an opportunity to be heard.

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

Dated: May 30, 2007

TERESA M. KENNY, ESQ.  
Town Attorney  
Town of Orangetown

CHARLOTTE MADIGAN  
Town Clerk



**AFFIDAVIT OF PUBLICATION**  
from  
**The Journal News**

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

**Note:** The two-character code to the left of the run dates indicates the zone(s) that  
published. (See Legend below)

JN 07/05/07

Signed Celia Kennedy  
Sworn to before me

This 11<sup>th</sup> day of JULY 2007  
Jolan D

Notary Public, Westchester County

LOLA M. HALL  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01HA6112693  
QUALIFIED IN WESTCHESTER COUNTY  
TERM EXPIRES JULY 6, 2008

**NOTICE OF PUBLIC HEARING**  
NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Orangetown at the Orangetown Town Hall, 26 Orangetown Road, Orangetown, New York, 10962, on the July 16, 2007 at 8:00 PM to consider a proposed local law amending the Town Code of the Town of Orangetown by adding Chapter 307 entitled "Scramware Management" and "Session Management". The purpose of this local law is to establish minimum requirements for management requirements and controls to protect and safeguard the general health, safety and welfare of the public residing within the jurisdiction.  
A copy of the proposed Local Law may be examined by any interested party at the Office of the Town Clerk.  
All interested persons will be given an opportunity to be heard.  
By order of the Town Board of the Town of Orangetown.  
Dated: May 30, 2007.  
CHARLOTTE MADIGAN  
Town Clerk  
TERESA M. KENNY, ESQ.  
Town Attorney  
Town of Orangetown

**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, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains, Greenburgh

**Southern Area (AS):**

Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers

**Greater Westchester (GW):**

Includes Northern, Central and Southern Areas

**Rockland Area (JN or RK):**

Blauvelt, Congers, Gammerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, West Haverstraw, West Nyack, Pearl River, Piermont, Valley Cottage, Pomona

**Northern Westchester Express (XNW):**

Armonk, Bedford, Bedford Hills, Chappaqua, Katonah, Mount Kisco, Pleasantville, Thornwood.

**Review Press (BVW):**

Bronxville, Eastchester, Scarsdale, Tuckahoe

Ad Number- H02275984      Account Number - 058523006

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**EXHIBIT**

7-E-07, 7/16/07

TOWN OF ORANGETOWN

COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING

JUL 13 09:53

Building T

50 Sanatorium Road  
Pomona, New York 10970  
(845) 364-3434  
Fax: (845) 364-3435

TOWN CLERKS OFFICE

SALVATORE CORALLO  
Commissioner

July 11, 2007

ARLENE R. MILLER  
Deputy Commissioner

SCOTT VANDERHOEF  
County Executive

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

**Re: GENERAL MUNICIPAL LAW REVIEW: 239(l&m) x 239(n)**  
**Date Review Received: 06/01/2007**

**Item: LOCAL LAW REGARDING STORMWATER MANAGEMENT AND EROSION CONTROL (O-2139)**

Local law regarding stormwater management and erosion control for the entire Town of Orangetown.  
Town of Orangetown

**Reasons for Referral:** County streams; County and State roads, parks and facilities; adjacent municipalities

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:**

1. The proposed law closely follows the model ordinances developed by the New York State Department of Environmental Conservation and the Stormwater Consortium. However, a table entitled "Stormwater Management Practices Acceptable for Water Quality" is included as Schedule A of both of these model ordinances, but is not included in the proposed law. We recommend that the Town consider including this table in the law.
2. We note that Section 2.2 on page 5 states, "No application for approval of a land development activity shall be reviewed until the appropriate board has received a Stormwater Pollution Prevention Plan prepared in accordance with the specifications in this Chapter." However, we also note that Article 4 and Article 5 on page 13 specify respectively that (a) a Stormwater Pollution Prevention Plan

DIST. TK, TB

consistent with the terms of preliminary plan approval shall be required for Final Subdivision Plat Approval and (b) a Stormwater Pollution Prevention Plan shall be required for Site Plan Approval.

We are in favor of the way that Article 4 and Article 5 have been written, as waiting until approval of a final subdivision plan and a site plan to require the Stormwater Pollution Prevention Plan avoids an unnecessary expense for developers during preliminary stages of plan review. We recommend that Section 2.2 be revised to be consistent with Article 4 and Article 5, at least so far as it would apply to subdivision plats and site plans.

3. Section 2.3.2 on page 6 refers to Condition A, which is defined as follows:

Stormwater runoff from land development activities discharging a pollutant of concern to either impaired water identified on the NYSDEC 303(d) list of impaired waters or a Total Maximum Daily Load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.

Based upon recent conversations with Patrick Ferracane of the NYSDEC White Plains office, there are currently no impaired waters or designated watersheds in Rockland County that are related to stormwater permits. However, since the lists are updated every two years, we suggest that the law be revised to note that, at the time adoption, no such impaired waters or designated watersheds had been identified in Orangetown, but that Condition A will be applicable if such impaired waters or designated watersheds are identified in the future.

Also the terms "NYSDEC 303(d) list of impaired waters" and "Total Maximum Daily Load designated watershed" should be added to the definitions section. It is our understanding that the definition of "NYSDEC 303(d) list of impaired waters" should note that these are waters that do not support appropriate uses and for which it is required that a water quality restoration plan be developed that identifies reductions of specific pollutants from each contributing source. The definition of "Total Maximum Daily Load designated watershed" should note that this is a watershed for which a water quality restoration plan has been established, which identifies reductions of specific pollutants from each contributing source.

3. We recommend that, if it has not already been done, the Town Board request review and recommendations from the Town Planning Board with regard to the proposed law.
4. Section 2.7.3 on page 8 states, "Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York (6NYCRR Part 703.2)."

Since the term "turbidity" is used but not explained in the text of the law, we recommend that the term be added to the definitions section to make the law more understandable to the general public.

5. We note that certain acronyms have been used in the body of the text but not included in the definitions section in Article 2. In order to make the law as understandable as possible to the general public, we recommend that acronyms be avoided wherever possible. The unexplained acronyms found in the proposed law are as follows:
  - a. SPDES (State Pollutant Discharge Elimination System) is used in Section 1.2 (1) on page 1, before it is subsequently spelled out in Section 1.2 (2) on page 2. We recommend that wherever this term is used prior to the definitions section that it be spelled out (with the acronym following, if desired) and that the term be added to the definitions section.
  - b. The term "Municipal Separate Stormwater Sewer Systems" is spelled out and the acronym (MS4s) provided in Section 1.2 (1). However, the only other time that Municipal Separate Stormwater Sewer Systems are referred to in the law is briefly in Article 6 on page 13. We recommend that the term "Municipal Separate Stormwater Sewer System" be added to the definitions section. We recommend that the acronym for this term be avoided altogether as there are only one subtitle and two sentences where the term is used in the law and no benefit is provided to the public by using the acronym.
6. The term "Stormwater Management Officer" is included in the definitions section without providing its acronym (SMO). However, the acronym is used at times in the text of the law. If the Town feels that the public will benefit from the use of this acronym in the law, it should be provided along with the term in the definitions section and used consistently throughout the law. Otherwise, we recommend that the acronym be removed from the law and the term "Stormwater Management Officer" be spelled out wherever it is used.

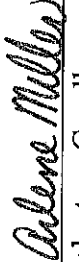
The following additional comments are offered strictly as observations and are not part of our General Municipal Law review. The board may have already addressed these points or may disregard them without any formal vote under the General Municipal Law process.

1. There appears to be a minor typographical error in Section 1.4 (2) on page 2 in that unneeded parentheses and a slash have been left around "Town Board."
2. There appear to be minor typographical errors in Section 3.3.4 (b) on page 12 in that selections should have been made between the two terms "Board of Trustees"

LOCAL LAW REGARDING STORMWATER MANAGEMENT AND EROSION  
CONTROL (O-2139)

Page 4 of 4

and "Town Council," or both replaced with "Town Board." In the same section, it appears that a selection should have been made between the terms "Village Clerk" and "Town Clerk."

  
for Salvatore Corallo  
Deputy Commissioner of Planning

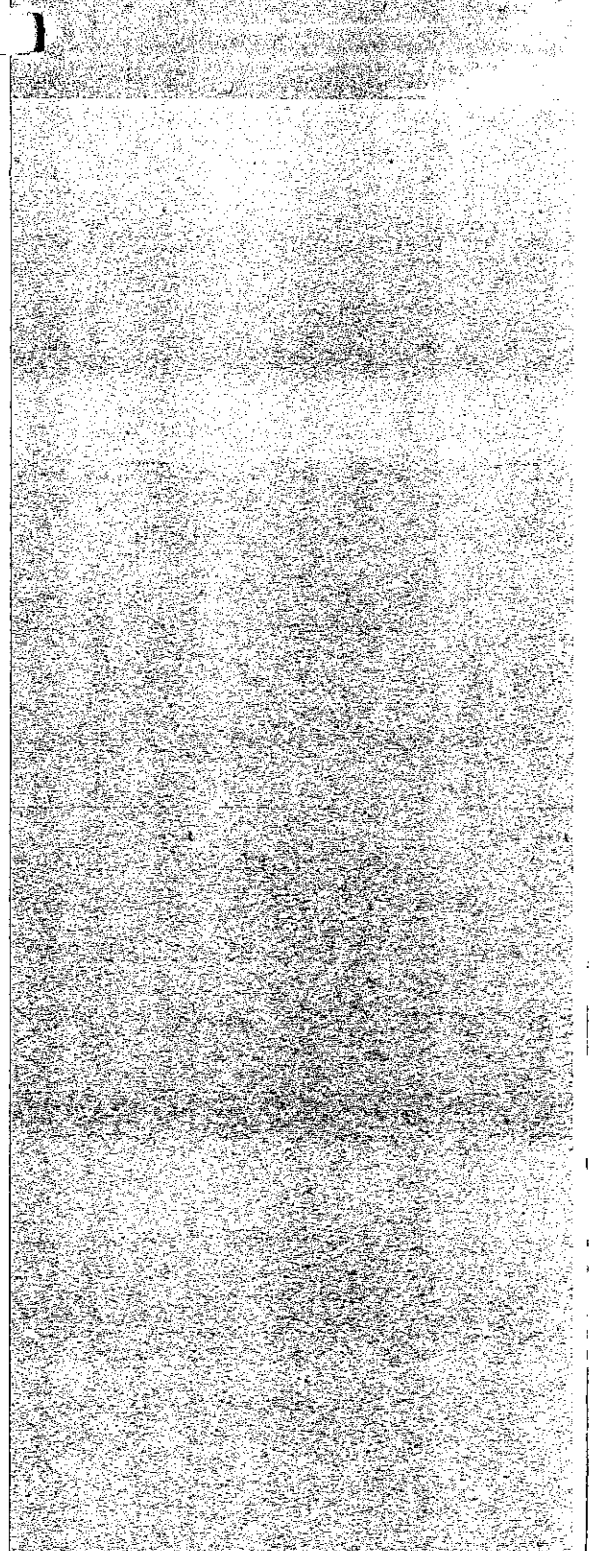
\* *The GML requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

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 preemptive 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 exemptions 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 Thom Kleiner, Town of Orangetown  
Orangetown Town Clerk  
Orangetown Planning Board  
New York State Department of Environmental Conservation  
Patrick L. Ferracane, NYSDEC, White Plains office  
Rockland County Division of Environmental Resources  
Robert V. Magrino, Deputy Orangetown Attorney





EXHIBIT

7-F-07, 7/16/07



COUNTY OF ROCKLAND  
DEPARTMENT OF PLANNING

Building T  
50 Sanatorium Road  
Pomona, New York 10970  
(845) 364-3434  
Fax: (845) 364-3435

C. SCOTT VANDERHOEF  
County Executive

July 16, 2007 *CS*

Orangetown Town Board  
Orangetown Town Hall  
21 Orangebush Road  
Orangetown, NY 10962

Re: GENERAL MUNICIPAL LAW REVIEW: 239(l&m) x 239(n)  
Date Review Received: 06/26/2007

Item: LOCAL LAW TO ALLOW COMMERCIAL TENNIS COURTS IN THE  
LIGHT INDUSTRIAL-OFFICE ZONING DISTRICT (O-2142)

Local law to amend the Light Industrial-Office (LIO) zoning district regulations to allow indoor commercial tennis and related racquet sports on sites of three acres or greater as a Conditional Use by the Town Planning Board and to specify parking requirements for these uses.

Light Industrial-Office zoning districts throughout the Town of Orangetown.

Reasons for Referral: County streams; County and State roads, parks and facilities; adjacent municipalities

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:

1. We recommend that, if it has not already been done, the Town Board request review and recommendations from the Town Planning Board with regard to the proposed law.
2. While we do not object to allowing indoor commercial tennis and related racquet sports in the Light Industrial-Office (LIO) zoning district, we are concerned that piecemeal revisions of the zoning code will undermine its integrity, meaningfulness and legal defensibility. Therefore, we recommend that the Town also review the Laboratory-Office (LO), Light Industrial-Office (LIO), Office-Park (OP),

NOTE: TB, SK

SALVATORE CORALLO  
Commissioner

ARLENE R. WILLER  
Deputy Commissioner

TOWN OF ORANGETOWN

JUL 16 P1 21

TOWN CLERKS OFFICE


**LOCAL LAW TO ALLOW COMMERCIAL TENNIS COURTS IN THE LIGHT INDUSTRIAL-OFFICE ZONING DISTRICT (O-2142)** Page 2 of 2

Community Shopping (CS), Retail-Commerce (CC), Commercial-Office (CO), and Light Industrial (LI) districts to evaluate whether:

- a. these districts have a clear rationale and goal that serves the Town's current and anticipated needs;
- b. the subject uses should also be allowed in these districts; and
- c. uses similar to indoor commercial tennis and related racquet sports should also be allowed in the LIO zone, e.g. bowling centers, sports clubs/health spas, indoor roller/skating rinks, indoor swimming clubs, dance halls, billiard parlors, electronic gaming centers.

If it is determined that other zoning districts would also meet the intent of adding the new use(s), then the local law should be rewritten to be more comprehensive.

- 3. The proposed law specifies the same parking standard for the subject uses that is specified for these uses in the RPC-R zone, except that the last phrase, "whichever is greater," is not included. For consistency, we recommend that the parking standard in the proposed law be consistent with that of the RPC-R zone.

  
 Salvatore Corallo  
 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 preemptive 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 exemptions 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 Thom Kleiner, Town of Orangetown  
 Orangetown Town Clerk  
 Orangetown Planning Board  
 Robert V. Magrino, Deputy Orangetown Attorney

NOTICE OF POSTING:

NOTICE TO BIDDERS FOR BUILDING CONSTRUCTION CONTRACTS RELATED TO CONSTRUCTION OF WASTEWATER TREATMENT PLANT AND HUNT ROAD PUMPING STATION IMPROVEMENTS: WWTP-06-2G, GENERAL, WWTP ADMINISTRATION BUILDING & WWTP-06-1HV

**EXHIBIT**

7-6-07, 7-16-07

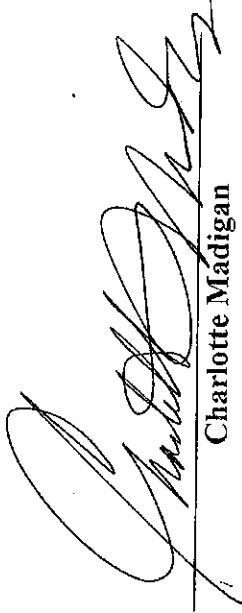
STATE OF NEW YORK                    }  
COUNTY OF ROCKLAND                }  
TOWN OF ORANGETOWN                }                    SS.

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 21st day of May 2007, 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.

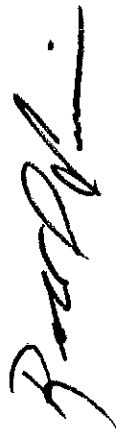
1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.

  
Charlotte Madigan  
Town Clerk

Subscribed and sworn to before me

This 21st day of May, 2007

**ROBERT R. SIMON**  
Notary Public, State of New York  
No. 0158035857  
Residing in Rockland County  
Commission Expires December 21, 2010



ADVERTISEMENT

ADVERTISEMENT FOR BIDS  
WASTEWATER TREATMENT PLANT AND  
HUNT ROAD PUMPING STATION IMPROVEMENTS  
TOWN OF ORANGETOWN, NEW YORK

Sealed proposals for building construction contracts related to construction of Wastewater Treatment Plant and Hunt Road Pumping Station Improvements Project for the Town of Orangetown, NY will be received by the Town Clerk in her office at Town Hall, 26 Orangeburg Road, Orangeburg, NY 10962 until 10:30 a.m. local time on June 28, 2007 and will be publicly opened and read aloud at 11:00 a.m. local time for each of the following contracts:

Contract No. WWTP-06-2G, General, WWTP Administration Building  
Contract No. WWTP-06-1HV, HVAC

The Town has awarded the following contracts:

Contract No. WWTP-06-1G, General, WWTP Improvements  
Contract No. WWTP-06-3G, General, Hunt Road Pumping Station  
Contract No. WWTP-06-1E, Electrical  
Contract No. WWTP-06-1P, Plumbing  
Contract No. WWTP-06-1C, Pipeline

The work consists of constructing upgrades to the Orangetown Wastewater Treatment Plant and Hunt Road Pumping Station in accordance with the plans and specifications heretofore prepared by Stearns & Wheeler.

The Contract Documents may be examined at the following locations:

Stearns & Wheeler, LLC  
One Remington Park Drive  
Cazenovia, NY 13035

Town Clerk's Office  
Town of Orangetown  
26 Orangeburg Road  
Orangeburg, NY 10962

F. W. Dodge  
6 Wembley Court  
Albany, NY 12205-3859

Eastern Contractors Association  
6 Airline Drive  
Albany, NY 12205

Construction Contractors Association of the Hudson Valley  
330 Meadow Avenue  
Newburgh, NY 12550

Copies of the plans and specifications may be obtained at the offices of Stearns & Wheeler upon submission of a plan deposit in

## ADVERTISEMENT

the form of a check or money order payable to the Town of Orangetown in the amount of \$125 per set. If mailing of documents is requested, a separate check payable to Stearns & Wheeler in the amount of \$25 per set must be included to cover handling and postage fees.

Each bid proposal must be accompanied by a Bid Bond payable to the Town of Orangetown in the amount of 5% of the Total Bid Price, the bid bond forms included in the Bid Proposal Division of the documents being utilized for this purpose.

If, upon acceptance of his bid, a Bidder fails to enter into a Contract with the Town of Orangetown, the bid security shall be forfeited to and become the property of the Town.

No bidder may withdraw his bid within forty-five (45) days after the date of the bid opening. The successful bidder must furnish a 100% Performance and Payment Bond with a surety company satisfactory to the Town of Orangetown and conforming to the prerequisite requirements of Article 5 of the General Conditions.

The Town Clerk and the Director of the Department of Environmental Management and Engineering will submit a report to the Town Board of all bids received and their recommendations concerning the awarding of a contract at a regular Town Board meeting.

The Town of Orangetown reserves the right to waive any informalities or to reject any or all bids.

A pre-bid meeting will be held at the Department of Environmental Management and Engineering office at the Orangetown WWTP, 127 Route 303, Orangeburg, NY on June 18, 2007. The meeting will start promptly at 11:00 a.m. local time. Prospective Bidders are strongly encouraged to attend.

Contractor warrants and represents that all employees and independent contractors affiliated with or employed by such contractors or any subcontractors shall be compensated at the prevailing wage, including, where applicable, wage rates mandated by the New York State Department of Labor for the work performed in connection with any project.

ADVERTISEMENT

Bidders are required to certify, under penalty of perjury, that bids have been prepared without collusion with other bidders, subcontractors, suppliers, etc. This certification is included with the Bid Proposal which each Bidder must sign in the space provided.

---

Charlotte Madigan, Town Clerk

Ronald C. Delo, P.E., DEE  
Director of the Department of  
Environmental Management and  
Engineering

Dated: \_\_\_\_\_

# AFFIDAVIT OF PUBLICATION from The Journal News

Florence Bonilla

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

**Note:** The two-character code to the left of the run dates indicates the zone(s) published. (See Legend below)

JN 05/23/07

Signed LB

Sworn to before me

This 30<sup>th</sup> day of May 2007

[Signature]  
Notary Public Westchester County

**Legend:**

**Northern Area (AN):**

Amawalk, Armonk, Baldwin Place, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolnville, Millwood, Mohawk, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Sale, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam

**Central Area (AC):**

Ardley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Harrison, Hartsdale, Hastings on Hudson, Hawthorne, 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):**

Includes Northern, Central and Southern Areas

**Rockland Area (JN or RK):**

Blauvelt, Congers, Gammerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, West Haverstraw, West Nyack, Valley Cottage, Pomona

**Northern Westchester Express (XNW):**

Armonk, Bedford, Bedford Hills, Chappaqua, Katonah, Mount Kisco, Pleasantville, Thornwood.

**Review Press (BWW):**

Bronxville, Eastchester, Scarsdale, Tuckahoe

ADVERTISEMENT FOR BIDS  
WASTEWATER TREATMENT  
PLANT AND HUNT  
ROAD PUMPING STATION  
IMPROVEMENTS  
TOWN OF ORANGETOWN,  
NEW YORK

Sealed proposals for building construction contracts related to construction of Wastewater Treatment Plant and Hunt Road Pumping Station Improvements Project for the Town of Orangetown, NY will be received by the Town Clerk in her office at 100 Orangetown Road, 10:30 a.m. local time daily, opened and will be publicly opened and read aloud at 1:00 a.m. local time for each of the following contracts:

- Contract No. WWTP-06-25, General, WWTP Administration Building, WWTP
- Contract No. WWTP-06-1C, General, WWTP Improvements
- Contract No. WWTP-06-36, General, Hunt Road Pumping Station
- Contract No. WWTP-06-1E, Electrical
- Contract No. WWTP-06-1P, Plumbing
- Contract No. WWTP-06-1C, Pipeline

The work consists of constructing upgrades to the Orangetown Wastewater Treatment Plant and Hunt Road Pumping Station in accordance with the plans and specifications heretofore prepared by Stearns & Wheeler.

The Contract Documents may be examined at the following locations:

- Stearns & Wheeler, LLC  
One Remington Park Drive  
Cazenovia, NY 13815
- Town Clerk's Office  
Town of Orangetown  
26 Orangeburg Road  
Orangeburg, NY 10862
- E.W. Dodge  
5 Wembley Court  
Albany, NY 12205-9888
- Eastern Contractors Association  
Esplanade Drive  
Albany, NY 12205

**Note:** \_\_\_\_\_  
**Qualification:** \_\_\_\_\_

\_\_\_\_\_ City  
\_\_\_\_\_ State

\_\_\_\_\_ in Falls,  
\_\_\_\_\_ Mount  
\_\_\_\_\_ PUC,

\_\_\_\_\_ Richmond,  
\_\_\_\_\_

Copies of the plans and specifications may be obtained upon the submission of a cash deposit in the form of a check or money order payable to the Town of Orangetown in the amount of \$125 per set. The amount of \$25 per set must be included to cover handling and postage fees.

Each bid proposal must be accompanied by a bid bond payable to the Town of Orangetown in the amount of 5% of the total bid price. The bid bond must be included in the bid proposal. Diversion of the documents being prepared for this purpose.

If, upon acceptance of his bid, a Bidder fails to enter into a Contract with the Town of Orangetown, the bid security shall be forfeited to and become the property of the Town.

No bidder may withdraw his bid within forty-five (45) days after the date of the bid opening. A successful bidder must furnish a 100% Performance Company satisfactory to the Town of Orangetown and confirmations of Article 5 of the General Conditions.

The Town Clerk and the Director of the Department of Environmental Management and Engineering will submit a report to the Town Board of all bids received; and their recommendation concerning the awarding of a contract at a regular Town Board Meeting.

The Town of Orangetown reserves the right to waive any irregularities or to reject any or all bids.

A pre-bid meeting will be held at the Department of Environmental Management and Engineering offices at the Orangetown WWTP, 127 Route 903, Orangeburg, NY on June 19, 2007. The meeting will begin promptly at 1:00 a.m. and prospective Bidders are automatically encouraged to attend.

Contractor warrants and represents that all employees and independent contractors employed by or employed by contractors or any subcontractors shall be compensated in accordance with the prevailing wage rates mandated by the New York State Department of Labor for the work performed in connection with any project.

Bidders are required to certify under penalty of perjury that bids have been prepared without collusion with other bidders. This certification is included with the Bid Proposal which each Bidder must sign in the space provided.

Charlotte Madigan, Town Clerk  
Ronald C. DeLo, P.E., DEE, Treasurer of the

Ad Number- H02239135 Account Number - 058523006



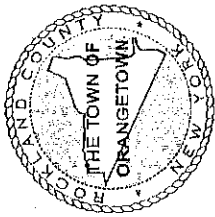




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Department of Environmental Management and Engineering  
Town of Orangetown

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

July 9, 2007

To: Thom Kleiner, Supervisor  
Town Board

From: Ronald C. Delo, P.E., BCEE  
Director

Re: **Capital Improvement Plan -  
Orangetown's Wastewater Infrastructure**

Bids were received for Contract Nos. WWTP-06-2G and WWTP-06-1HV on June 28, 2007, and Stearns & Wheeler, LLC and I are recommending award of these two contracts to the lowest bidders as denoted below:

<u>Contract</u>	<u>Lowest Bidder</u>	<u>Total Bid Amount</u>
WWTP-06-2G	Mitsubishi Construction Corp. New York, NY	\$1,541,000.00
WWTP-06-1HV	Pearl River Plumbing, Heating & Electric Inc. Pearl River, NY	\$1,568,200.00

The bid documents were checked and found to be complete.

References of the lowest bidders were checked and found to be satisfactory.

See attached two letters from Stearns & Wheeler, LLC, dated July 6 and 9, 2007, regarding these awards.

Should you have any questions on the above, please contact me.

Thank you for your consideration in this matter.

# Stearns & Wheler, LLC

Environmental Engineers and Scientists

One Remington Park Drive  
Cazenovia, NY 13035

tel. (315) 655-8161

fax. (315) 655-4180

web. [www.stearnswheler.com](http://www.stearnswheler.com)

July 6, 2007

Mr. Ronald C. Delo, P.E., Director  
Department of Environmental Management and Engineering  
Town of Orangetown  
Route 303  
Orangetown, NY 10962

Re: WWTP and Hunt Road Pumping Station Improvements Project  
WWTP Facilities Contract (WWTP-06-2G)  
Town of Orangetown  
Orangetown, New York  
S&W No. 50186.0

Dear Mr. Delo:

Five bids were received by the Town of Orangetown and opened for Contract No. WWTP-06-2G, Wastewater Treatment Plant and Hunt Road Pumping Station Improvements, WWTP Facilities Contract, on Thursday, June 28, 2007. All bids are listed on the enclosed Canvass of Bids. The low bid submitted is:

Contract No.	Low Bidder	Total Bid Amount
WWTP-06-2G	Mitsubishi Construction Corp 400 W 37th street- 10th Floor NY, NY 10018	\$1,541,000

Per the Contract Documents, the contracts are to be awarded based on the lowest responsive bid. This Contractor has submitted the required documents for bidding per Contract WWTP-06-2G. Stearns and Wheler have reviewed these documents for completeness and have found no errors. In addition, we have checked references submitted in the bid proposal for the low bidder. Based on our review, we recommend this contract be awarded to Mitsubishi Construction Corp. in the amount they bid. We have also contacted representatives of this contractor who have recognized that there is a significant difference between their bid and the next bidder, but have indicated to us they are willing to proceed with the project's scope of work.

Mr. Ronald C. Delo, P.E., Director  
Town of Orangetown

July 6, 2007  
Page 2

If you have any questions or concerns regarding this matter, please do not hesitate to contact us.

Very truly yours,

STEARNS & WHEELER, LLC



Michael E. Tamblin, P.E., BCEE  
Vice President

MET/gwb

Enclosure

cc: Thom Kleiner, Town of Orangetown (w/enc.)  
Timothy Burns, P.E., NYSEFC (w/enc.)  
Manju Cherian, NYSDEC (w/enc.)  
Robert Butterworth, P.E., Stearns & Wheeler, LLC (w/o enc.)  
Charles Prior, P.E., Stearns & Wheeler, LLC (w/o enc.)



**Stearns & Wheler, LLC**  
Environmental Engineers and Scientists

PROJECT NAME: WTP & Hunt Road Pumping Station Improvements  
CONTRACT NO.: WTP-06-2G  
TITLE: WTP Facilities  
S&W JOB NO: 50186.30

CANVASS OF BIDS  
RECEIVED FOR:  
Town of Orangetown  
BIDS OPENED: 6/28/2007

CONTRACT NO. WTP-06-2G

Item No.	Bid Item Description	Est. Qty.	Units	Rate	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total
9A	Removal of Asbestos, Floor, wall, and ceiling tile in Administration Building,	6000	Square feet	\$8.00	\$48,000.00	\$6.83	\$41,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$60,000.00
9B	Removal of Asbestos, Existing Ductwork and piping insulation	500	Square feet	\$15.00	\$7,500.00	\$10.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,000.00	\$15,000.00
9C	Control and Hydrone Piping, Existing Odor	500	Linear feet	\$15.00	\$7,500.00	\$7.00	\$3,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30,000.00	\$30,000.00
9D	Removal of Asbestos, Existing Boiler Discharge Piping	75	Linear feet	\$15.00	\$1,125.00	\$100.00	\$7,500.00	\$60.00	\$4,500.00	\$0.00	\$0.00	\$22,000.00	\$3,750.00
10	Rehabilitation/Demolition, General, WWT Administration Building		Lump Sum	\$331,000.00		\$0.00	\$10,000.00	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$2,000.00	\$2,000.00
11	General Construction, WWT Administration Building		Lump Sum	\$1,040,875.00		\$0.00	\$1,829,000.00	\$1,848,000.00	\$1,848,000.00	\$0.00	\$0.00	\$2,100,000.00	\$1,673,138.00
12	Record Drawings		Lump Sum	\$5,000.00		\$0.00	\$5,000.00	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$5,000.00	\$5,000.00
13	Miscellaneous Additional Work		Lump Sum	\$100,000.00		\$0.00	\$100,000.00	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$100,000.00	\$100,000.00
<b>Total Bid Price:</b>													<b>\$1,883,888</b>

Note: Nikko Construction Corp has quoted a total of \$2,063,500, while the spreadsheet calculates their bid total to \$1,967,500. This difference of \$96,000 can primarily be due to the omission of pages describing the quotes for Item no. 9A, 9B, 9C in the bid proposal submitted by them.

# Stearns & Wheeler, LLC

Environmental Engineers and Scientists

One Remington Park Drive  
Cazenovia, NY 13035

tel. (315) 655-8161

fax. (315) 655-4180

web. [www.stearnswheler.com](http://www.stearnswheler.com)

July 6, 2007

Mr. Ronald C. Delo, P.E., Director  
Department of Environmental Management and Engineering  
Town of Orangetown  
Route 303  
Orangetown, NY 10962

Re: WWTP and Hunt Road Pumping Station Improvements Project  
HVAC Contract (WWTP-06-1HV)  
Town of Orangetown  
Orangetown, New York  
S&W No. 50186.0

Dear Mr. Delo:

Five bids were received by the Town of Orangetown and opened for Contract No. WWTP-06-1HV, Wastewater Treatment Plant and Hunt Road Pumping Station Improvements, HVAC Contract, on Thursday, June 28, 2007. All bids are listed on the enclosed Canvass of Bids. The low bid submitted is:

Contract No.	Low Bidder	Total Bid Amount
WWTP-06-1HV	Pearl River Plumbing Heating & Electric Inc. d/b/a BERTUSSIS 60-70 Dexter Plaza Pearl River, NY 10965	\$1,568,200

Per the Contract Documents, the contracts are to be awarded based on the lowest responsive bid. This Contractor has submitted the required documents for bidding per Contract WWTP-06-1HV. Stearns and Wheeler have reviewed these documents for completeness and have found no errors. In addition, we have checked references submitted in the bid proposal for the low bidder. Based on our review, we recommend this contract be awarded to Pearl River Plumbing Heating & Electric Inc. in the amount they bid. We have also contacted representatives of this contractor and have indicated to us they are willing to proceed with the project's scope of work.

J:\50000\50186\Word Prose\Letters\Delo\DELMET20.doc



Stearns & Wheeler  
Companies

Connecticut Maryland Massachusetts New York North Carolina Virginia


Mr. Ronald C. Delo, P.E., Director  
Town of Orangetown

July 6, 2007  
Page 2

If you have any questions or concerns regarding this matter, please do not hesitate to contact us.

Very truly yours,

STEARNS & WHEELER, LLC



Michael E. Tamblin, P.E., BCEE  
Vice President

MET/gwb

Enclosure

cc: Thom Kleiner, Town of Orangetown (w/enc.)  
Timothy Burns, P.E., NYSEFC (w/enc.)  
Manju Cherian, NYSDEC (w/enc.)  
Robert Butterworth, P.E., Stearns & Wheeler, LLC (w/o enc.)  
Charles Prior, P.E., Stearns & Wheeler, LLC (w/o enc.)





**Stearns & Wheeler, LLC**  
Environmental Engineers and Scientists

**PROJECT NAME:** WWTP & Hunt Road Pumping Station Improvements  
**CONTRACT NO.:** WWTP-06-1HV  
**TITLE:** HVAC  
**S&W JOB NO:** 50186.30

**CANVASS OF BIDS**

**RECEIVED FOR:** Town of Orangetown  
**BIDS OPENED:** 6/28/2007

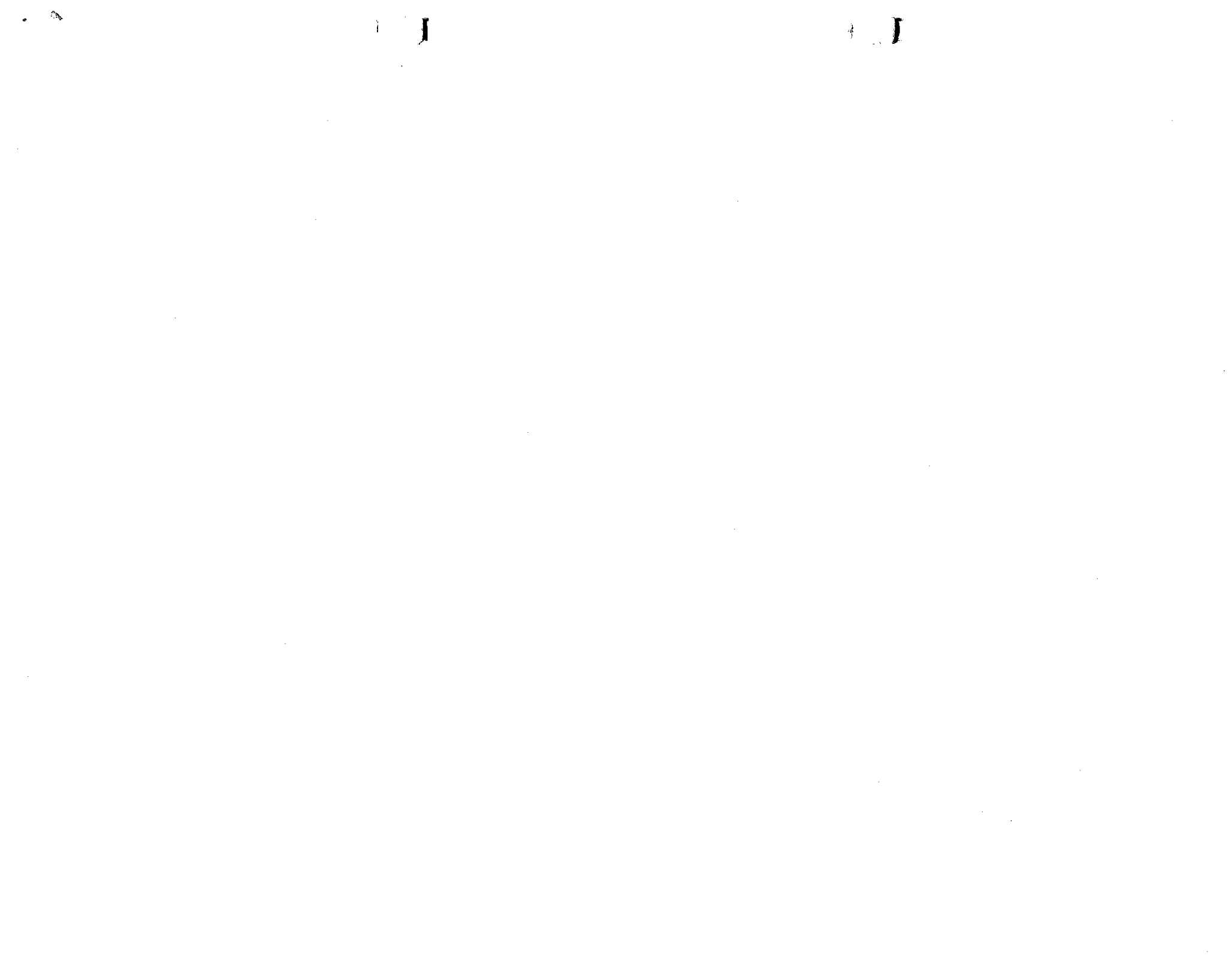
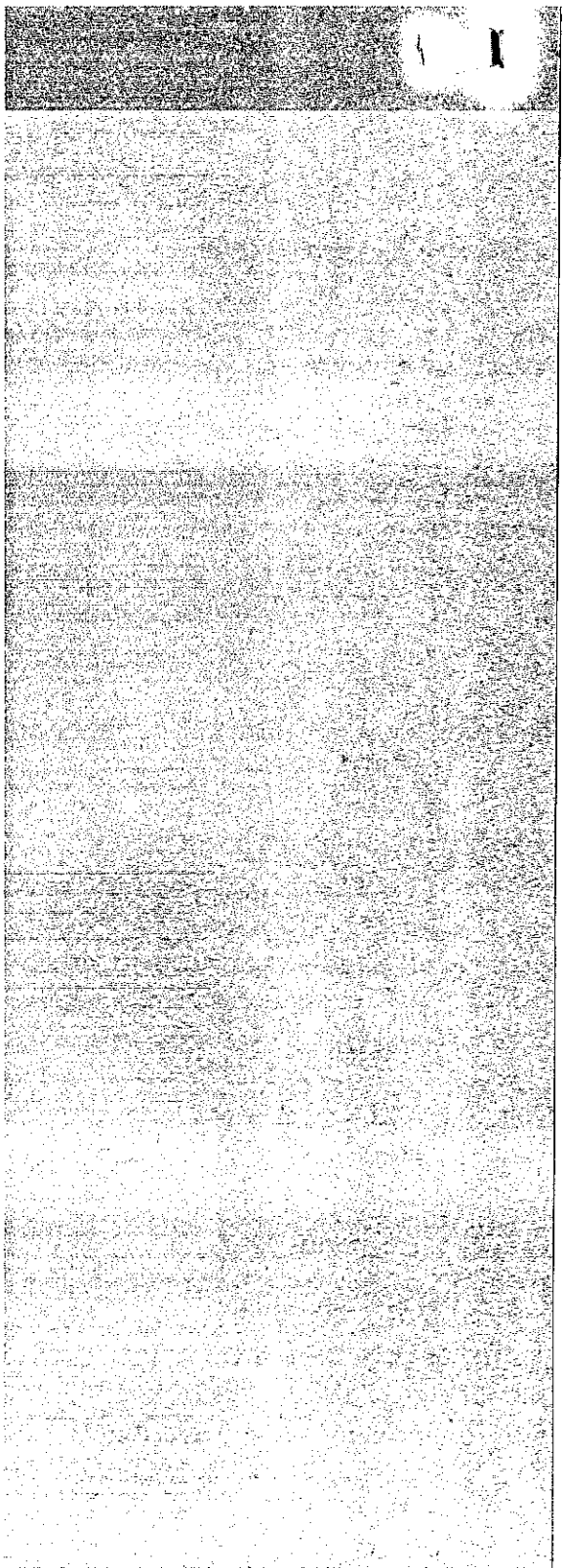
**CONTRACT NO.** WWTP-06-1HV

Item No.	Bid Item Description	Est. Qty.	Units	Rate	Total	Rate	Total	Rate	Total
25	Heating and Ventilating	Lump sum		1,513,200.00	1,513,200.00	1,533,998.00	1,533,998.00	1,573,000.00	1,573,000.00
26	Operation and Maintenance Manuals	Lump sum		5,000.00	5,000.00	5,000.00	5,000.00	10,000.00	10,000.00
27	Miscellaneous and additional Work	Lump sum		50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00
<b>Total Bid Price:</b>						\$ 1,568,200	\$ 1,588,998	\$ 1,633,000	\$ 1,633,000

Reiter Group Inc.  
11-07 River Road  
PO Box 1128  
Fair Lawn, NJ 07410-8128

Peart River Plumbing  
d/b/a BRRFLUSSTIS  
60-70 Dexter Plaza  
Peart River, NY 10965

Hauser Bros Inc.  
127 Route 303  
Orangetown, NY 10962



**EXHIBIT**

7-H-07 7/16/07

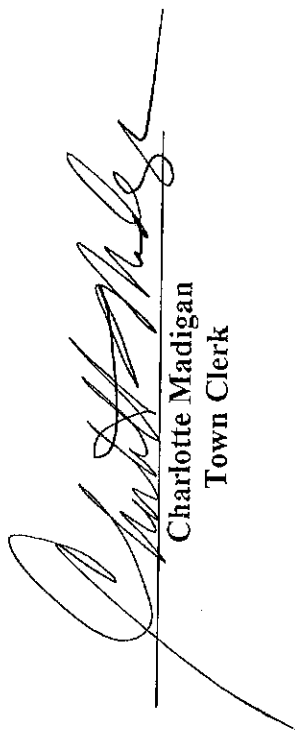
STATE OF NEW YORK        }  
COUNTY OF ROCKLAND    }  
TOWN OF ORANGETOWN     }        SS.

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 21st day of June 2007, 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.

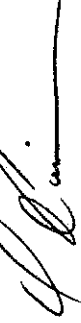
1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.

  
 Charlotte Madigan  
 Town Clerk

Subscribed and sworn to before me

This 21st day of June, 2007

**ROBERT R. SIMON**  
 Notary Public, State of New York  
 No. 0156305857  
 Residing in Rockland County  
 Commission Expires December 21, 2012



## NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, No. 26 Orangeburg Road, Orangeburg, New York until 10:30 A.M. on July 11, 2007 and will be publicly opened and read aloud at 11:00 A.M. for furnishing CAST IRON CURB INLETS, in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office.

The Superintendent of Highways will submit a report to the Town Board of all bids received and his recommendation concerning the awarding of a Contract at a meeting of the Town Board of the Town of Orangetown.

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 a 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: June 27, 2007

JAMES J. DEAN  
SUPERINTENDENT OF HIGHWAYS

CHARLOTTE MADIGAN  
TOWN CLERK



BID OPENING TIME:

11:00 AM

DATE

06/11/07

**CONTRACTOR NAME & ADDRESS**

Nixbourt  
 Winwats  
 Works - Wades rd  
 Campbell  
 Foundry  
 Harrison MS

<b>DATE RECEIVED</b>	7/10/07	7/10/07	
<b>TIME RECEIVED</b>	10:20 AM	1:37 PM	
<b>NON CONCLUSION STATEMENT</b>	✓	✓	
<b>BID BOND OR CERTIFIED CHECK</b>	—	—	

Manhole Frame and Cover, Heavy Duty, Campbell Foundry Co. Pattern No. 1012B or equal. The word "SEWER" shall be cast in letter at least 1 - 1/2" in height.

PRICE ~~176.65~~ Y 176.65 294.00 Y

Leaching Basin Flat Frame and Flat Grate, 26 x 26, Campbell Foundry Co. Pattern No. 1386 or equal.

PRICE Y 174.47 192.00 N

Sewer Manhole Frame and Cover, Heavy Duty, Locking Type. The word "SEWER" shall be cast in letters at least 1 - 1/2" in height. Campbell Foundry Co. Pattern No. 1460B or equal.

PRICE N 207.45 371.00 Y

Highway Catch Basin with Curb Inlet, 27 1/2" x 25 1/2", Campbell Foundry Co. Pattern No. 2518 or equal.

PRICE N/A 463.00 Y

Highway Catch Basin with Curb Inlet, 42" x 48", with Modified Type A - 1 Curb Iron, Campbell Foundry Co. Pattern No. 2548 or equal.

PRICE N 385.11 463.00 Y

Highway Catch Basin with Curb Inlet, 30" x 48", Campbell Foundry Co. Pattern No. 2617 or equal, with 8" or 6" curb piece Pattern No. 2548, 2 - 7/8" opening.

PRICE N 312.77 412.00 Y

Square Frame and Cover, Light Duty Solid, 25 1/4" x 25 1/4", Campbell Co. Pattern No. 1341 or equal.

PRICE N/A 197.00 N

Drop Inlet, Single Frame and Flat Grate, Heavy Duty, 48" x 22", Campbell Foundry Co. Pattern No. 3405 or equal.

PRICE Y 226.87 314.00 Y

Drop Inlet, Single Frame and Flat Grate, Heavy Duty, 48 1/2" x 30 1/4", Campbell Foundry Co. Pattern No. 3408 or equal.

PRICE Y 286.54 401.00 Y

Drop Inlet, Single Frame and Flat Grate, Heavy Duty, 48" x 45", Campbell Foundry Co. Pattern No. 3425 or equal.

PRICE Y 410.90 524.00 Y

Water-tight Frame and Cover, Heavy Duty, Round Flange, Campbell Foundry Co. Pattern No. 6545 or equal.

PRICE N 478.72 486.00 Y

Water-tight Frame and Cover, Heavy Duty, Square Flange, Campbell Foundry Co. Pattern No. 6564 or equal.

PRICE N/A 486.00 Y

Dist: TB, TK, Jim Dean, TA



**JAMES J. DEAN**  
Superintendent of Highways  
Roadmaster II

*Orangetown Representative*  
R. C. Soil & Water Conservation Dist. - Chairman  
R. C. Water Quality Commission  
Member  
American Public Works Association NY Metro Chapter  
NYS Assoc. of Town Superintendents of Highways  
N.Y. Superintendents' Assoc. of Rockland County



**HIGHWAY DEPARTMENT  
TOWN OF ORANGETOWN**  
119 Route 303 • Orangeburg, NY 10962  
(845) 359-6508 • Fax (845) 359-6062  
E-Mail - [www.highway@orangetownny.org](mailto:www.highway@orangetownny.org)

# Memorandum

**Date:** 7/12/2007  
**To:** Town Board  
**From:** James J. Dean, Superintendent of Highways *[Signature]*  
**RE:** Bid Award - Cast Iron Curb Inlets

Please be advised it is recommended that the above noted bid be awarded to Campbell Foundry, Harrison, New Jersey, the only qualified bidder to meet specifications. The total amount of this bid will vary based on materials to be ordered during the contract period.

If you have any questions regarding this bid award, please contact me at your earliest convenience.

kj

TOWN OF ORANGETOWN  
7 JUL 12 04:28  
TOWN CLERKS OFFICE

PLAULETS: PEARL RIVER • BLAUVELT • ORANGEBURG • TAPPAN • SPARKILL • PALISADES • UPPER GRANDVIEW

CLEAN STREETS = CLEAN STREAMS

