

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

1-J-05 1/24/05

Part 1 - PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR: Town of Orangetown	2. PROJECT NAME: Authorizing the Issuance of Serial Bonds in the amount of \$2,550,000.00 for recreational improvements at RPC.
3. PROJECT LOCATION: Rockland Psychiatric Center Municipality Orangetown	County Rockland
PRECISE LOCATION: (Street address and road intersections, prominent landmarks, etc., or provide map) Old Orangeburg Road	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: A Bond Resolution authorizing the original improvement of a recreational area at the RPC site. (See attached resolution papers).	
7. AMOUNT OF LAND AFFECTED: Initially <u>NA</u> acres Ultimately <u>NA</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agricultural <input type="checkbox"/> Park/Forest/Open space <input checked="" type="checkbox"/> Other	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) name and permit/approvals <u>BOND COUNCIL</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/Sponsor name: <u>Town of Orangetown</u> Date: <u>1/24/2005</u> Signature: <u>[Signature]</u> <u>DIRECTOR DEERPAE</u>	

If the action is in a Coastal Area, and you are a state agency, complete a Coastal Assessment Form before proceeding with this assessment

PART II-ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE 1 THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF. Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible.)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: NO

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: NO

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: NO

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: NO

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: NO

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: NO

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: NO

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? Yes No If Yes, explain briefly:

Part III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Town of Orangetown/ Town Board
Name of Lead Agency

1/24/2005
Date

Thom Kleiner
Print or Type Name of Responsible Officer in Lead Agency

Supervisor
Title of Responsible Officer


Signature of Responsible Officer in Lead Agency


Signature of Preparer (if different from responsible officer)

EXHIBIT

1-11-05 11:24:05

EXTRACT OF MINUTES

Meeting of the Town Board of the
Town of Orangetown, in the
County of Rockland, New York

January 24, 2005

* * *

A regular meeting of the Town Board of the Town of Orangetown, in the County of Rockland, New York, was held at the Town Hall, Orangeburg, New York, on January 24, 2005 at 7:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Thom Kleiner, Supervisor; and

Board Members:

Councilman Denis Troy
Councilwoman Marie Manning
Councilman Thomas Morr

There were absent: Councilman Denis O'Donnell

Also present: Charlotte Madigan, Town Clerk

* * *

Councilman Troy offered the following resolution and moved its adoption:

EXHIBIT

BOND RESOLUTION OF THE TOWN OF ORANGETOWN, NEW YORK,
ADOPTED JANUARY 24, 2005, AUTHORIZING THE ORIGINAL
IMPROVEMENT OF A RECREATIONAL AREA AT THE RPC SITE IN SAID
TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS
\$2,550,000, APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$2,550,000 SERIAL BONDS OF SAID
TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF ORANGETOWN, IN THE
COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Orangetown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to construct original recreational improvements
at the RPC site, in said Town, including the construction of athletic fields, and associated
drainage, sanitary, potable water and parking improvements; and all related equipment,
machinery, apparatus and ancillary or related site and other work required in connection
therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental
thereto and to the financing thereof, is \$2,550,000 and said amount is hereby appropriated
therefor. The plan of financing includes the issuance of \$2,550,000 serial bonds of the Town to
finance said appropriation, and the levy and collection of taxes on all the taxable real property in
the Town to pay the principal of said bonds and the interest thereon as the same shall become
due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$2,550,000 are
hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

- (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.
 - (b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
 - (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.
- Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the

Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
 - (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "*The Journal News*," a newspaper having a

general circulation within said Town and hereby designated the official newspapers of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town

Law, a Notice in substantially the following form:

TOWN OF ORANGETOWN, NEW YORK

PLEASE TAKE NOTICE that on January 24, 2005, the Town Board of the Town of Orangetown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Orangetown, New York, adopted January 24, 2005, authorizing the original improvement of a recreational area at the RPC site in said Town, stating the estimated maximum cost thereof is \$2,550,000, appropriating said amount therefor, and authorizing the issuance of \$2,550,000 serial bonds of said Town to finance said appropriation.”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct original recreational improvements at the RPC site, in said Town, including the construction of athletic fields, and associated drainage, sanitary, potable water and parking improvements; and all related equipment, machinery, apparatus and ancillary or related site and other work required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and to the financing thereof, is \$2,550,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$2,550,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$2,550,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: January 24, 2005

Charlotte Madigan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspapers for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

The adoption of the foregoing resolution was seconded by

Councilwoman Manning and duly put to a vote on roll call, which resulted as follows:

AYES: Councilpersons Troy, Manning, Morr
Supervisor Kleiner

NOES: None

The resolution was declared adopted.

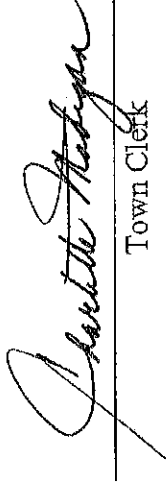
CERTIFICATE

I, CHARLOTTE MADIGAN, Town Clerk of the Town of Orangetown, in the County of Rockland, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Orangetown duly called and held on January 24, 2005, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Orangetown this

28th day of January, 2005.

(SEAL)



Town Clerk

STATE OF NEW YORK)
)
:ss:
COUNTY OF ROCKLAND)

CHARLOTTE MADIGAN, being duly sworn, deposes and says:

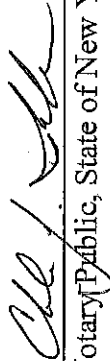
That she is and at all times hereinafter mentioned she was the duly elected, qualified and acting Town Clerk of the Town of Orangetown, State of New York;

That on January 28, 2005, she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond resolution duly adopted by the Town Board on January 24, 2005, a copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to the Town Law.



Town Clerk

Subscribed and sworn to before me
this 28th day of January, 2005.



Notary Public, State of New York

CHARLES J. RICHARDSON
NOTARY PUBLIC, STATE OF NEW YORK
NO. 07R6106425
QUALIFIED IN ROCKLAND COUNTY
COMMISSION EXPIRES MARCH 1, 20 08

(NOTICE TO BE ATTACHED TO AND PUBLISHED WITH
SUMMARY OF BOND RESOLUTION UPON EXPIRATION OF
PERIOD OF PERMISSIVE REFERENDUM)

NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 24th day of January, 2005, and an abstract thereof has been published and posted as required by law and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF ORANGETOWN, in the County of Rockland, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

CHARLOTTE MADIGAN
Town Clerk

BOND RESOLUTION OF THE TOWN OF ORANGETOWN, NEW YORK, ADOPTED JANUARY 24, 2005, AUTHORIZING THE ORIGINAL IMPROVEMENT OF A RECREATIONAL AREA AT THE RPC SITE, IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,550,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,550,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Object or purpose: to construct original recreational improvements at the RPC site, in said Town, including the construction of athletic fields, and associated drainage, sanitary, potable water and parking improvements; and all related equipment, machinery, apparatus and ancillary or related site and other work required in connection therewith

Amount of obligations to be issued: \$2,550,000

Period of probable usefulness: fifteen (15) years

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 26 Orangeburg Road, Orangeburg, New York.

Dated: January 24, 2005
Orangeburg, New York

CERTIFICATE OF CLERK

I, CHARLOTTE MADIGAN, Town Clerk of the Town of Orangetown, in the County of Rockland, State of New York, HEREBY CERTIFY, as follows:

That a resolution of the Town Board of the Town of Orangetown, in the County of Rockland, State of New York, entitled:

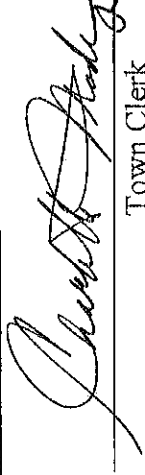
“BOND RESOLUTION OF THE TOWN OF ORANGETOWN, NEW YORK, ADOPTED JANUARY 24, 2005, AUTHORIZING THE ORIGINAL IMPROVEMENT OF A RECREATIONAL AREA AT THE RPC SITE, IN SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,550,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,550,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.”

was adopted January 24, 2005, and that the notice setting forth the date of adoption of the resolution and containing an abstract of said resolution which concisely stated the purpose and effect thereof, was duly posted and published as required by law.

That no petition signed and acknowledged by the electors of the Town protesting against said resolution and requesting that said resolution be submitted to the electors of the Town for their approval or disapproval has been filed with the Town Clerk within thirty days after the date of the adoption thereof, or at any other time since said adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 28th day of January, 2005.

(SEAL)


Town Clerk

**PUBLISH THE FOLLOWING TWO
PAGES IN THE TOWN'S OFFICIAL
NEWSPAPERS WITHIN TEN (10) DAYS
AFTER ADOPTION OF BOND
RESOLUTION**

TOWN OF ORANGETOWN, NEW YORK

PLEASE TAKE NOTICE that on January 24, 2005, the Town Board of the Town of Orangetown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Orangetown, New York, adopted January 24, 2005, authorizing the original improvement of a recreational area at the RPC site, in said Town, stating the estimated maximum cost thereof is \$2,550,000, appropriating said amount therefor, and authorizing the issuance of \$2,550,000 serial bonds of said Town to finance said appropriation.”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct original recreational improvements at the RPC site, in said Town, including the construction of athletic fields, and associated drainage, sanitary, potable water and parking improvements; and all related equipment, machinery, apparatus and ancillary or related site and other work required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and to the financing thereof, is \$2,550,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$2,550,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$2,550,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: January 24, 2005

Charlotte Madigan
Town Clerk

NOTICE OF POSTING: NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW AMENDING AND ADDING TO THE TOWN CODE CHAPTER 24C ENTITLED "PROPERTY MAINTENANCE" BY CHANGING SECTION 24C-3(F) AND ADDING A NEW SECTION 24C-3(G).

EXHIBIT

1-K-05, 1/24/05

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 12th day of January 2005, 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.

Subscribed and sworn to before me

This 12th day of January, 2005


Charlotte Madigan
Town Clerk

ROBERT R. SWANSON
Notary Public, State of New York
No. 0105000657
Residing in Rockland County
Commission Expires December 21, 2 06



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 24th day of January, 2005 at 8:00 p.m., to consider a proposed Local Law amending The Code of the Town of Orangetown, Chapter 24C entitled "Property Maintenance" by changing Section 24C-3(F) and adding a new Section 24C-3(G).

Section 24C-3(F) will read as follows:

F. The Town Board is hereby authorized to establish one or more temporary or permanent locations wherein residents of the unincorporated portion of the Town of Orangetown may bring green waste, such as yard waste, brush, leaves, and grass clippings or items constituting a nuisance, hazard, debris or litter (except garbage, toxic materials and chemicals, rubbish, tobacco products and packaging, large quantities of construction materials, bags of fertilizer, pet excrement, and bottles, cans and plastic containers) for disposal in containers provided for such purpose. The use of such containers by residents for personal noncommercial disposal of waste as enumerated above is deemed to be consistent with the purposes of this chapter and shall not constitute an offense. Any failure to abide by rules and regulations concerning the above, or concerning subsection G. below, or any use for commercial purposes or disposal by nonresidents shall be deemed an offense hereunder.

Section 24C-3(G) is hereby added and will read as follows:

G. In order to use locations established pursuant to subsection F above, residents of the unincorporated portion of the Town of Orangetown must first obtain a permit from the Superintendent of Highways. No one is permitted to use these locations without possessing a duly issued and valid permit. The only persons eligible to obtain a permit are non-commercial residents of the unincorporated portion of the Town of Orangetown. Even if eligible for a permit, a person may not use a facility for commercial purposes in any respect, and permissible use is limited to the depositing of permissible materials derivative of the residential use of the permit holder's residence. Rules and regulations concerning the issuance and use of these permits shall be promulgated by the Superintendent of Highways, in a manner and substance not inconsistent with subsection F above, the remainder of the Code of the Town of Orangetown, and State and Federal Law. The Town Clerk, in addition to the Superintendent of Highways, may, at the discretion of the Town Clerk, also issue said permits. Permits issued by the Town Clerk are subject to all rules and regulations promulgated by the Superintendent of Highways.

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: December 13, 2004

CHARLOTTE MADIGAN
Town Clerk

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

AFFIDAVIT OF PUBLICATION

from

The Journal News

STATE OF NEW YORK
COUNTY OF WESTCHESTER

Northern Area	North Salem Ossining Peekskill Pound Ridge Purdy Stony Brook Strub Oak Somers South Salem Verplanck Westchester Yorktown Heights Brewster Carmel Cold Spring Garrison Lake Peekskill Mahopac Mahopac Falls Putnam Valley Patterson
Central Area	Pleasantville Port Chester Purchase Rye Staatsville Tarrytown Thornwood Valhalla White Plains Hastings on Hudson
Southern Area	Eastchester New Rochelle Pelham
Rockland Area	Pomona Stockton Sparta Spring Valley Storm Point Tallman Tappan Thru Tomkins Cove Valley Cottage West Haverstraw West Nyack

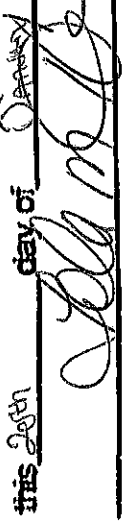
Clerence Gordon
 duly sworn, says that he/she is the principal
 News, a newspaper published in the County
 State of New York, and the notice of which is
 printed copy, was published in the newspaper
 left and on the dates checked below.

Ad# 164000

1	2	3	4	5	6	7	8	9	10	11
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19	20	21	22	23	24	25	26	27	28	29
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Signed 

Sworn to before me

this 20th day of ~~January~~ February


Notary Public, Westchester County

LOLA M. HALL
 NOTARY PUBLIC, STATE OF NEW YORK
 NO. 01HA6112698
 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 Orange town at the Orangeburg Road, Orangeburg, New York 10962, on the 24th day of January, 2005 at 8:00 p.m., to consider a proposed Local Law amending the Code of the Town of Orange town, Chapter 24C entitled "Property Maintenance" by changing Section 24C-3(f) and adding a new Section 24C-3(g). Section 24C-3(f) will read as follows:

F. The Town Board is hereby authorized to establish one or more temporary or permanent locations where residents of the unincorporated portion of the Town of Orange town may bring green waste, such as yard waste, brush, leaves, grass clippings or items constituting a nuisance, hazard, debris or fire risk, except garbage, toxic materials, chemicals, rubbish, tobacco products and packaging, large quantities of construction materials, bags of fertilizer, net excelsior, and bottles, cans and plastic containers for disposal in containers provided for such purpose. The use of such containers by residents for personal, non-commercial disposal of waste as enumerated above is deemed to be consistent with the purposes of this chapter and shall not constitute an offense. Any failure to abide by rules and regulations concerning the above, or concerning subsection G, below, or any use for commercial purposes or disposal by nonresidents shall be deemed an offense hereunder.

Section 24C-3(g) is hereby added and will read as follows:

G. In order to use locations established pursuant to subsection F above, residents of the unincorporated portion of the Town of Orange town must first obtain a permit from the Superintendent of Highways. No one is permitted to use these locations without possessing a duly issued and valid permit. The only persons eligible to obtain such permits are the commercial residents of the unincorporated portion of the Town of Orange town. Even if eligible for a permit, a person may not use a facility for commercial purposes in any respect, and permissible use is limited to the depositing of permissible materials derivative of the residential use of the permit holder's residence. Rules and regulations concerning the issuance and use of these permits shall be promulgated by the Superintendent of Highways, in a manner and substance not inconsistent with subsection F above, the remainder of the Code of the Town of Orange town, and State and Federal Law. The Town Clerk, in addition to the Superintendent of Highways, may, at the discretion of the Town Board, also issue said permits to persons subject to all rules and regulations promulgated by the Superintendent of Highways.

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 Orange town.

Dated: December 13, 2004
 CHARLOTTE MADIGAN
 Town Clerk

TERESA M. KENNY, ESQ.
 Town Attorney
 Town of Orange town

17 18

EXHIBIT

L-05, 1/24/05

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

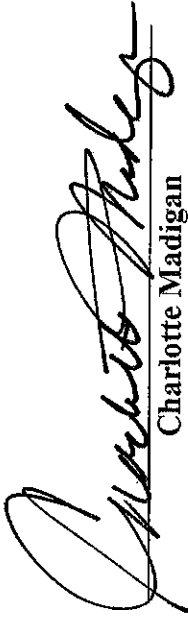
SS.

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 15th day of January 2005, 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 15th day of January, 2005

Donna A. Morrison

DONNA A. MORRISON
Notary Public, State of New York
No. 01MC000189
Qualified in Rockland County
Commission Expires June 30, 2010

LEGAL NOTICE
Rockland County
CONSORTIUM OF
TOWNS AND VILLAGES

COMMUNITY DEVELOPMENT
CITIZEN VIEWPOINT
2005 PROGRAM

PUBLIC HEARING

- CLARKSTOWN TOWN HALL
January 25, 2005, 9:00 P.M.
- HAVERSTRAW TOWN HALL
January 24, 2005, 8:00 P.M.
- ORANGETOWN TOWN HALL
January 24, 2005 8:00 P.M.
- PANAMA TOWN HALL
January 26, 2005, 8:00 P.M.
- STONYPOINT TOWN HALL
February 8, 2005, 8:00 P.M.
- AHRMONT VILLAGE HALL
JANUARY 24, 2005, 8:00 P.M.
- CHESTNUT RIDGE VILLAGE
HALL
February 17, 2005, 8:00 P.M.
- HAVERSTRAW VILLAGE HALL
February 7, 2005, 8:05 P.M.
- HILLJURN VILLAGE HALL
February 9, 2005, 8:00 P.M.
- KASER VILLAGE HALL
February 7, 2005, 9:30 P.M.
- MONTEBELLO VILLAGE HALL
January 19, 2005, 8:00 P.M.
- NEW HEMSTEAD VILLAGE
HALL
January 27, 2005, 8:00 P.M.
- NYACK VILLAGE HALL
February 10, 2005, 8:00 P.M.
- TIEMONT VILLAGE HALL
January 19, 2005, 8:00 P.M.
- POMONA VILLAGE HALL
January 24, 2005, 8:00 P.M.
- SLOATSBURG VILLAGE HALL
January 25, 2005, 8:15 P.M.
- SOUTH NYACK VILLAGE HALL
January 25, 2005, 8:00 P.M.
- SPRING VALLEY VILLAGE HALL
February 8, 2005, 8:15 P.M.
- SUFFERN VILLAGE HALL
February 7, 2005, 7:45 P.M.
- WESLEY HILLS VILLAGE HALL
February 8, 2005, 8:00 P.M.
- WEST HAVERSTRAW VILLAGE
HALL
January 19, 2005, 7:00 P.M.

BLOCK GRANT ENTITLEMENT

A Consortium of Rockland
County Towns and Village has
joined together to file as an "Ur-
ban County" for 2005 Community
Block Grant funds under the US
Housing and Community Devel-

OP-05-10:08

will be approximately
\$2,110.00 including program
income. This ad is required by
Federal regulations and is obli-
gatory to the Federal Court.

C. SCOTT VANDERKOE,
COUNTY EXECUTIVE
ON BEHALF OF THE
ROCKLAND COUNTY
COMMUNITY DEVELOPMENT
CONSORTIUM

11

9%

P. 03

TEL-14 2005 10:05

ROCKLAND COUNTY TIMES

Rockland's Official Newspaper Since 1888™

PUBLISHED BY CITIZEN PUBLISHING CORPORATION

Offices: 119 Main Street (2nd Floor) • Nanuet, NY 10954-2882 • Tel (845) 627-1414 • Fax (845) 627-1411

Mailing Address: P.O. Box 510 • Pearl River, NY 10965 (For overnight deliveries please use Nanuet address)

Legal notice: Director: Rockland County Consortium of Towns and Villages,
Community Development Citizen Viewpoint 2005 Program, Public Hearings

(Ref. No.: 7026)

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK)
) ss:
COUNTY OF ROCKLAND)

MARGE FORMATO of the Town of Orangetown, County of Rockland, State of New York, being duly sworn says that she is the Principal Clerk of the ROCKLAND COUNTY TIMES, a newspaper published in the Town of Orangetown, County of Rockland, State of New York, and that the legal notice of which the annexed is a copy was published in the issue of January 20, 2005.

Marge Formato

MARGE FORMATO

Sworn to before me this
20 day of Jan 2005

Prudence L. ...
NOTARY PUBLIC, STATE OF NEW YORK

CONNA LOR ...
Notary Public, State of New York
No. ...
Commission Expires ...

TOWN OF ORANGETOWN

5 JAN 28 P2:59

TOWN CLERKS OFFICE

LEGAL NOTICE

Rockland County
CONSORTIUM OF
TOWNS AND VILLAGES

**COMMUNITY DEVELOPMENT
CITIZEN VIEWPOINT
2005 PROGRAM**

PUBLIC HEARING

CLARKSTOWN TOWN HALL, January 25, 2005, 8:00 P.M.
HAVERSTRAW TOWN HALL, January 24, 2005, 9:00 P.M.
ORANGETOWN TOWN HALL, January 24, 2005, 8:00 P.M. —
RAMAPO TOWN HALL, January 26, 2005, 8:00 P.M.
STONY POINT TOWN HALL, February 8, 2005, 8:00 P.M.
AJERMONT VILLAGE HALL, January 24, 2005, 8:00 P.M.
CHESTNUT RIDGE VILLAGE HALL, February 7, 2005, 8:00 P.M.
HAVERSTRAW VILLAGE HALL, February 7, 2005, 8:05 P.M.
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NYACK VILLAGE HALL, February 10, 2005, 8:00 P.M.
PIERMONT VILLAGE HALL, January 18, 2005, 8:30 P.M.
POMONA VILLAGE HALL, January 24, 2005, 7:30 P.M.
SLOATSBURG VILLAGE HALL, January 25, 2005, 8:15 P.M.
SOUTH NYACK VILLAGE HALL, January 25, 2005, 8:00 P.M.
SPRING VALLEY VILLAGE HALL, February 8, 2005, 8:15 P.M.
SUFFERN VILLAGE HALL, February 7, 2005, 7:45 P.M.
WESLEY HILLS VILLAGE HALL, February 8, 2005, 8:00 P.M.
WEST HAVERSTRAW VILLAGE HALL, January 19, 2005, 7:00 P.M.

BLOCK GRANT ENTITLEMENT

A Consortium of Rockland County Towns and Villages has joined together to file as an "Urban County" for 2005 Community Block Grant funds under the US Housing and Community Development acts and its amendments.

PROGRAM OBJECTIVES

The primary objective of the US Act is the development of viable urban communities through the elimination of blight and improvement of community facilities and expanding economic activities principally for low and moderate-income persons.

CITIZEN PARTICIPATION

The Act provides for the participation of the cooperating communities. Our Citizen's Participation Plan primarily calls for citizens to be involved at the local government level. Every Consortium Town and Village with activities will hold hearings on this program as scheduled in the above announcement. Program performance and new activities will be discussed. Attend the hearings and give your opinion on Community Development and housing needs. The program can be greatly aided by your ideas or comments to be responded to in writing write to C. Scott Vanderhoef, County Executive, Allison-Parris County Office Building, New City, New York 10956. Funding for the 2005 Program will be approximately \$2,412,110.00 including program income. This aid is acquired by Federal regulations and is chargeable to the Federal Grant.

**C. SCOTT VANDERHOEF,
COUNTY EXECUTIVE
ON BEHALF OF THE ROCKLAND COUNTY
COMMUNITY DEVELOPMENT CONSORTIUM**

141-2007026

Town of Orangetown Procurement and Travel Policy (January 2005)

Summary

The procurement of goods and services by the departments is governed by General Municipal Law sections 103 and 104b and the policies and procedures of the Town of Orangetown.

It shall be the policy of the Orangetown departments to competitively secure goods and services to assure the prudent and economic use of public monies in the best interest of the citizens of the Town of Orangetown and to acquire goods and services of maximum quality at the lowest possible costs under the circumstances.

It is the intention of this policy to guard against favoritism, improvidence, extravagance, fraud and corruption, and whenever possible within existing laws, to promote and support local business and industry.

The key aspects of the Town's purchasing policy follow. **Items that represent a change from past practices are in bold.**

a. All orders over \$1,000 must always be sent to the Finance Director prior to an order being placed by Purchase Order and prior to committing to a purchase. For purchase orders and claims under \$1,000, department head discretion is acceptable, but department heads must attach adequate back up documents.

All personal computers and software purchases should be coordinated with the Supervisor of Fiscal Services in order to standardize equipment and reduce costs.

b. Purchases over \$1,000 and less than \$5,000 always require at least 3 verbal or written quotes (and said quotes must be noted and attached to the purchase order documentation). **Departments with internet access should use the Orangetown portion of the Hudson Valley Municipal Purchasing Group (HVMPG) web site which is linked to Orangetown.com.**

c. Purchases over \$5,000 must have at least 3 written quotes from vendors. These responses must be attached to the purchase order, along with a copy of the RFP sent to vendors.

d. Public bidding is required when annual purchases of any type of supplies or equipment exceeds \$10,000 in a fiscal year, or when a public works contract is to exceed \$20,000 in any year.

e. If items can be purchased under **Federal/State/any New York County/HVMPG contract**, or are "sole source" supplies, they do not require public bid, but such information is required on the purchase orders. Items that normally require competitive bidding (as opposed to quotes) can only be declared sole source with a resolution of the Town Board.

f. Bidding is not required for professional services and true leases, **however, departments should receive multiple quotes when possible and issue formal requests for proposals periodically for on-going professional services.**

h. Overnight travel must be approved in advance by the Town Board. Receipts must be kept for payment. **The mileage reimbursement rate for 2005 is 40.5 cents per mile. Meals for overnight travel cannot exceed \$40.** Receipts must be kept for reimbursement.

COMPETITIVE BIDDING

General Municipal Law, S.103: Monetary Threshold for Competitive Bids

Section 103 of General Municipal Law requires competitive bidding for purchase contracts in excess of \$10,000 and all contracts for public work involving expenditures in excess of \$20,000.00. The term "Purchase" applies to the purchase of equipment, supplies and materials. The term "contract of public work" applies to contracts for services, labor or construction.

When a contract involves acquisition of both goods and services, the contract should be viewed as a purchase for purposes of competitive bidding if the services are minor, incidental or customarily provided by the vendor as a component of the purchase.

Conversely, if the services are extensive, substantial, or involve specialized skills so that the acquisition of the commodity is incidental to the work, the contract should be treated as a contract for public work.

In determining the necessity for competitive bidding, the aggregate amount to be expended for an item or commodity to be purchased in a fiscal year must be considered.

Contracts may not be split or broken up into lesser agreements to avoid the competitive bidding requirements.

Authority to Purchase and Contract

The Supervisor is the sole authorized signature for all Orangetown contracts.

The Department Director shall serve as the principal public purchasing official for the his or her department, and shall be responsible for the procurement of supplies, services, equipment and public works projects, **with whatever assistance is required from the Finance Department.**

The Department Director is authorized to make expenditures for the procurement of supplies, services, equipment and public works projects included within the approved annual operating and capital budgets for amounts up to \$10,000. Amounts in excess of \$1,000 require the signature of the Director of Finance for budget compliance.

Bid Specifications

It is through the use of bid specifications that all bidders are provided a common standard by which to be measured and provide assurance that they will be competing on a common and equal basis.

Specifications must be drafted to allow vendors supplying reasonably equivalent items to compete on an equal basis.

Specifications may not be restrictive or be fixed or manipulated so as to stifle competition.

Brand Name Specifications

If a brand name product represents an industry-wide standard, a brand name may be listed in the specifications as long as the specifications provide an "equivalency clause".

Where a brand name or equal specification is used, the solicitation shall contain explanatory language that the use of a brand name is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to limit or restrict competition.

Advertisement of Bids

Adequate public notice of the invitation for bids shall be given, normally thirty (30) calendar days prior to the date set forth therein for the opening of bids, unless it is determined by the Director that less than thirty (30) days is adequate. In no instance shall the public notice be less than five (5) business days.

Such notice shall include publication in the newspaper(s) of general circulation as designated by the Town of Orangetown. In 2005, the designated newspaper is the Journal News.

Department Heads are strongly encouraged to place all bids in the Orangetown sections of the Hudson Valley Municipal Purchasing Group's web site.

Bid Deposits

Bid and performance bonds or other security may be requested for supply, service or construction contracts to protect the Town of Orangetown's interests. Any such bonding requirement shall be clearly set forth in the solicitation. Bid or Performance Bonds shall not be used as a substitute for a determination of a bidder or offeror's responsibility.

Opening and Awarding of Bids

Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the Invitation for Bids. General policy is for the bids to be opened by the Town Clerk or her staff. **State law, at this time does not allow bids to be received electronically, although quotes can be sent electronically.**

The bid and such other relevant information as the department director deems appropriate, together with the name of each bidder shall be recorded; the record and each bid shall be open to public inspection. The bid or contract shall be awarded to the lowest responsible and responsive bidder whose bid meets the requirements set forth in the specifications.

Rejection of Low Bid

There are two grounds for not awarding a contract to an apparent low bidder:

- Non-compliance to bid specifications
- Determining the bidder Non-Responsible

"Responsibility" generally involves a bidder's qualifications and ability to perform in accordance with the terms and conditions of the contract. Factors such as financial responsibility, accountability, reliability, skill, capacity, ability, judgement, integrity and moral worth can also be considered.

If determining a bidder "non-responsible" the Town must give the bidder due process by holding a Board of Responsibility Hearing.

Exceptions to Bidding

The major exceptions to bidding requirements are existing New York State and County contracts, sole source specifications, emergencies, true leases, and professional services.

- State Contracts and Contracts from any New York County.

The department director is authorized to purchase goods and services which are on State contracts or contracts from any New York County for which funds are included in the department's annual budget and the department director determines meets the needs of the department at a fair and reasonable cost. The Hudson Valley Municipal Purchasing Group typically issues contacts under the auspices of a county government so that all jurisdictions will be able to take advantage of their contracts.

- Sole Source

In making a sole source determination the Town of Orangetown shall document at a minimum: the unique benefits to the Town of Orangetown of the item as compared to other products available in the marketplace; that no other product provides substantially equivalent or similar benefits; and that considering the benefits received, the cost of the item is reasonable, in comparison to other products in the marketplace. In addition, there should be documentation that there is no possibility of competition for the procurement. A Town Board resolution is needed declare a purchase as sole source where competitive bidding would otherwise be required.

- Emergencies

The Director, with the approval of the Supervisor and the Town Board, may make or authorize others to make emergency procurements when there exists a threat to public health, welfare, or safety of Town property. These situations must arise out of an accident or unforeseen occurrence or condition;

The circumstances must affect public buildings, public property, or the life, health, safety or property of the Town of Orangetown's residents; and the situation must require immediate action which cannot await competitive bidding.

- True Leases

True Leases are neither purchase nor contracts for public work and, thus are not subject to competitive bidding. A True Lease shall not contain a purchase option. Although true leases are exempt from competitive bidding, the Town departments should obtain competitive quotations for leases whenever possible.

Professional Services

Generally, professional services involve specialized skill, training and expertise, use of professional judgment or discretion, and/or a high degree of creativity.

Professional Service contracts up to \$10,000 will be awarded at the discretion of the Director of Orangetown Departments, with amounts in excess of \$1,000.00 requiring the signoff of the Finance Director for budget compliance.

Professional Service contracts in excess of \$10,000 may require the issuing of a formal request for proposal and the approval of the Town Board with awards will be made to the company offering the best value to the Town. Adequate public notice will be given of all solicitations for professional services provided the minimum time shall be thirty (30) calendar days.

The solicitation shall state the importance of price and other evaluation factors.

Qualified Suppliers Lists

Qualified supplier lists may be created for those Professional Services used on an on-going basis throughout the fiscal year.

A single RFP may be issued on an annual basis to review both supplier qualifications and contract rates.

A list of qualified suppliers would be developed that a using agency can go to each time they require a contract. The using agency would obtain at least three price quotes from suppliers on the list.

Designated Professional Services

For the purpose of procuring the services of accountants, architects, engineers, physicians, and lawyers dentists any using agency requiring such services may procure them on its own behalf, in accordance with the selection process stated in this policy.

Some form of Request for Proposal (can be in letter form) shall describe the services required, list the types of information and data required from each vendor and state the relative importance of particular qualifications.

Award shall be made by the department director who shall send a contract request to the Town Board for approval and processing.

Appeals and Protests

Any actual or prospective bidder, vendor, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the Director and/or the Town Board.

The protest shall be filed prior to the opening of Request of Proposals or Bids unless the person did not know the facts prior to the solicitation opening. In such case, the protest shall be submitted within three (3) calendar days after such aggrieved person knows or should have known of the facts giving rise to the protest.

In event of a timely protest, the department director shall not proceed further with the solicitation or award of the contract until all administrative and judicial remedies have been exhausted or until the Town Board makes a determination on the record that the award of the contract without delay is necessary to protect substantial interests of the Town of Orangetown.

The department director's decision shall be final and conclusive unless, within, 5 calendar days from the date of receipt of the decision, the contractor mails or otherwise delivers a written appeal to the Town Board and commences an action in a court of competent jurisdiction.

SMALLER PURCHASES

As indicated in the summary, formal competitive bidding is not required for purchases of \$10,000 or less for commodities, equipment and materials, and purchases of \$20,000 or less for public works projects

Purchases shall be evaluated with attention given to cumulative dollar amounts expected in a given fiscal year.

Small Purchases Methods of Procurement

Purchases of commodities, supplies, equipment and some services:

- Up to \$1,000 - Single Quote Required
- \$1,000 - \$5,000 - Three Verbal Quotes Required
- \$3,000 - \$10,000 - Three Written Quotes Required
- Over \$10,000 - Competitive Bid

Purchases/Contracts defined as Public Works Projects:

- Under \$1000 - Single Quote Required
- \$,1000 - \$5000 Three Verbal or Written Quotes
- \$5000 - \$20,000 - Three Written Quotes Required
- Over \$20,000 - Competitive Bid

All awards on small purchase contracts shall be made to the supplier offering the best value to the Town.

In determining the best value for the Town the purchase price and whether the goods or services meet the

specifications are the most important considerations. However, the Town may consider other relevant factors, including:

- Installation Costs;
- Life Cycle Costs;
- The quality and reliability of the goods and services;
- The delivery terms;
- Indicators of probable supplier performance such as supplier performance and supplier experience.
- The cost of any employee training associated with the purchase.
- The effect of a purchase on agency productivity.

Vouchers

All claims, services and bills for miscellaneous expenditures, including petty cash must be accompanied by receipts attached to the claim voucher signed by the department head. The claimant should sign the voucher.

The department must note whether there is any contract number or any applicable Town Board resolution. Also, they should indicate that pricing has been verified.

If a professional service is planned for over \$1,000 per year, the department must first provide a draft contract to the Finance Director, who, once received, will submit to the Town Attorney for legal review. Every professional services contract over \$1,000 must be submitted for Town Board approval, but contracts must first go through this financial/legal review. Once approved by the Town, work may commence and all invoices submitted under approved contracts must be accompanied by a voucher, a copy of Town Board Resolution and signed off indicating contract terms have been complied with.

Manual Checks

Manual checks will only be issued in emergency situations. If a department cannot wait for the normal payment/audit process, the following procedure must take place.

A purchase order or claim voucher must still be filled out. Multiple quotes must be obtained consistent with normal procedure

Send the P.O. or claim to the Finance Director and explain the emergency nature of the purchasing approval desired (if approved verbally, claim shall still be sent in for signature by Finance Director).

If any emergency request is over \$5,000, the Finance Director must obtain the approval of the Town Supervisor before giving Department authorization.

Travel

Overnight travel and lodging for conferences and training must be approved by the Town Board in advance. Reimbursement for meals for overnight stay cannot exceed \$40 per day. Receipts for all reimbursements must be included. Mileage reimbursement or 2005 is 40.5 cents per mile, the amount set by the Internal Revenue Service.

Fixed Assets

Fixed Asset Records will only be kept for items that individually total over \$5,000 (i.e. our Fixed Asset Capitalization threshold will be \$5,000). All items below \$5,000 are to be charged to office supplies

ETHICS IN PUBLIC CONTRACTING

All individuals involved in the procurement of goods and services for the Town of Orangetown shall comply with the "Ethics in Government Law of the Town of Orangetown", including but not limited to the following:

- Protection of confidential information in relation to proposals and offers.
- Employee Conflict of Interest.
- Gratuities and Kickbacks.

Each successful bidder or vendor under this Policy who will supply the department with goods, work, equipment, or services shall submit to the department, prior to acceptance of the contract relative thereof, a statement on a department standard form indicating that the contractor, its officers and employees do not have a conflict of interest relative to supplying the work, equipment or services to be provided. Pursuant to the "Ethics Law of the Town of Orangetown", it shall be a misdemeanor for any member of the governing body or any officer, agent, servant or employee of the Town to be in any way or manner interested, directly or indirectly, in the furnishing of work, materials, supplies or labor, or in any contract therefore which the Town is empowered to enter into.

COMPLIANCE WITH REGULATION ANG LAWS

Grant Funds

Any procurement procedures required to be followed by the departments as a condition of the receipt of any federal, state or county grant awarded to the Town shall supercede any provision to the contrary set forth in this Policy.

The MacBride Principals

In conducting its procurements, the Town has voted to support and encourage adherence to the MacBride Principals, as applicable. These principals prohibit doing businesses that tolerate discrimination in hiring in Northern Ireland

Compliance with Laws

The contractor shall comply with all the provisions of laws in the Town of Orangetown, County of Rockland, the State of New York and of the United States of America which affect municipal contracts, and provide at his expense, any and all permits, licenses and registrations required for the fulfillment of this agreement, and more particularly the Labor Law, the Immigration and Naturalization Laws and Regulation, the General Municipal Law, the Workers' Compensation Law, the Lien Law, Personal Property Law, State Unemployment Insurance Law, Federal Social Security Law, State, Local and Municipal Health Laws, Rules and Regulation, and any and all regulations promulgated by the State of

New York and of amendments and additions thereto, insofar as the same shall be applicable to any contract awarded hereunder with the same force and effect as if set forth at length herein.

A key component of State law is a Certification of Non-Collusive Bidding. Any exceptions to this requirement shall only be made pursuant to Section 103-d of Article 5-A of General Municipal Law or any other applicable area of law.

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition."

A bid shall not be considered for award nor shall any award be made where (1),(2) and (3) above have not been complied with.

ANNUAL REVIEW

The Finance Director shall annually review this Policy and make recommendations to the Town Board relating thereto as he or she deems appropriate.

EXHIBIT

1-N-05 1/24/05

Attachment 1 (FINAL)

2004 Budget Transfers for the January 24 Town Board Meeting

Item Fund	Department	Line Item	Dept #	Account #	Change
1	General Fund	Town Board	Salaries	A1010001	50100 \$ 1
			Office Supplies	A1010004	50440 \$ (1)
2	Town Justice	Salaries	A1110001	50011 \$ 2,500	
		Maintenance Agreements	A1110004	50443 \$ (2,500)	
3	Supervisor	Maintenance Agrrements	A1220004	50443 \$ 200	
		Overtime	A1220001	50012 \$ (200)	
4	Finance	Conferences	A1310004	50440 \$ 230	
		Salaries	A1310001	50011 \$ (230)	
5	Receiver	Salaries (Seasonal)	A1300001	50013 \$ 150	
		Adverstising	A1330004	50407 \$ 1,400	
		Office supplies	A1300004	50440 \$ 900	
		Contracts	A1330004	50457 \$ 2,000	
		Salaries	A1310001	50011 \$ (4,450)	
7	Town Clerk	Office Supplies	A1410004	50440 \$ 3,440	
		Utilities	A1410004	50455 \$ 2,000	
		Salaries	A1410001	50011 \$ (5,440)	
8	Traffic Control On Street Parking	Contracts	A331004	50457 \$ 7,000	
		Contracts	A332004	50457 \$ (7,000)	
9	Highway Supt.	Salaries	A5010001	50011 \$ 2,000	
		Contracts	A5010004	50457 \$ 1,500	
	Garage	Utilities	A5132004	50455 \$ 6,500	
		Buiding repair	A5132004	50453 \$ 3,000	
		Contracts	A5130004	50457 \$ 3,000	
Animal Control	Contracts	A3510004	50457 \$ (16,000)		
10	Parks	Water	A7110004	50473 \$ 8,000	
		Utilities	A7110004	50455 \$ 5,000	
		Vehicle Repair	A7110004	50447 \$ 6,000	
	Special Rec	Double Time	A7110001	50020 \$ (5,000)	
		Maintenance Agreements	A7180004	50443 \$ (14,000)	
11	Community Programs Town Museum Town Museum	Contracts	A7320004	50457 \$ 3,200	
		Salaries	A7520001	50013 \$ 1,000	
		Capital outlay	A7520002	50200 \$ (4,200)	

NOTICE OF POSTING: NOTICE TO BIDDERS: ONE (1) NEW AERIAL LIFT WITH INSTALLATION

EXHIBIT

10-05, 1/24/05

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

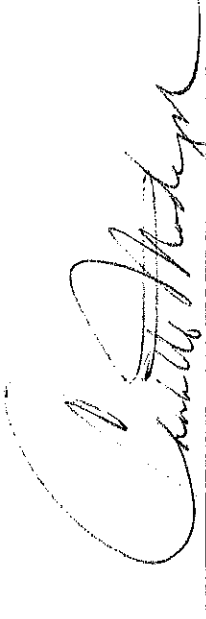
SS.

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 1st day of December 2004, she catstid 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 1st day of December, 2004



DONNA A. MORRISON
Notary Public, State of New York
No. 01MO5081099
Qualified in Rockland County
Commission Expires June 30, 2007

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 December 15, 2004, and will be publicly opened and read aloud at 11:00 A.M. for furnishing One (1) New Aerial Lift with Installation, 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: December 1, 2004

JAMES J. DEAN
SUPERINTENDENT OF HIGHWAYS

CHARLOTTE MADIGAN
TOWN CLERK

AFFIDAVIT OF PUBLICATION

from

The Journal News

STATE OF NEW YORK
COUNTY OF WESTCHESTER

Northern Area	Central Area	Southern Area	Rockland Area
Aranzack Aronok Baldwin Place Bedford Bedford Hills Bedford Manor Chatham Chappaqua Crompond Cross River Crotton Falls Crotton on Hudson Goldens Bridge Granite Springs Jefferson Valley Katonah Lincolndale Millwood Mohagan Lake Morosse Mount Kisco	Pleasantville Port Chester Purchase Rye Scarsdale Tarrytown Thornwood Valhalla White Plains Hastings on Hudson	Eastchester New Rochelle Palham	Pomona Sleepy Hollow Sparta Spring Valley Stony Point Tallman Tappan Thebes Tomkins Cove Valley Cottage West Haverstraw West Nyack

X

Charles B. Swanson
 I, Charles B. Swanson, says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester, State of New York, and the notice of which the annexed printed copy, was published in the newspaper indicate left and on the dates checked below.

Ad # 1000003 Yes No

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Dec	X													
19	20	21	22	23	24	25	26	27	28	29	30	31		

Signed *[Signature]*

Sworn to before me

this 9th day of December 2004

[Signature]

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 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, Orangetown, New York, at 10:30 A.M. ON December 15, 2004. Bids will be publicly opened and read at the Town Board Room, Room 117, for furnishing One (1) New Aerial Lift with installation, 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 irregularities in the bidding and to reject any and all bids.

No bid will be accepted without a Non-Collision Statement as required pursuant to Section 1087 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: December 1, 2004
 JAMES L DEAN
 SUPERINTENDENT OF HIGHWAYS

CHARLOTTE MADIGAN
 TOWN CLERK

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Dec	X													
19	20	21	22	23	24	25	26	27	28	29	30	31		

JAMES J. DEAN

Superintendent of Highways
Roadmaster II

Orangetown Representatives:
R.C. Soil & Water Conservation Dist. - Chairman
R.C. Water Quality Commission

Member:
American Public Works Association
Assoc. of Town Superintendents of Hwys.
Hwy. Superintendents Assoc. of R.C. - Chairman



**HIGHWAY DEPARTMENT
TOWN OF ORANGETOWN**
119 Route 303 • Orangetown, NY 10962
(845) 359-6500 • Fax (845) 359-6062
E-Mail • www.highway@townofhwy.org

Memorandum

Date: 1/13/2005

To: Town Board

From: James J. Dean, Superintendent of Highways

RE: Bid Award - One (1) New Aerial Lift with Installation

Please be advised that it is my recommendation that the above noted bid be awarded to Aerial Lift, Inc. of Milford, CT, in the amount of \$76,300 the only qualified bidder to meet specifications.

kj

Attachments