

## FINGERPRINTING

### **§1-1. Legislative intent.**

This chapter is adopted for the purpose of establishing procedures and authorizing fees for noncriminal fingerprints taken at the request of Orangetown residents and nonresident individuals. Said fees are to be in addition to any fees mandated and charged by the New York State Department of Criminal Justice Services and are to apply to any request for fingerprints, whether voluntary or mandated by law or ordinance, except as provided below.

### **§1-2. Procedures.**

A. The Orangetown Police Department is authorized to take fingerprints at the request of Town residents and nonresident individuals during hours and under regulations promulgated by the Chief of Police.

B. The Chief of Police shall be responsible for establishing the Department's procedures to implement this chapter, which procedures shall include issuing receipts for all fees paid in accordance with this chapter and maintaining a proper account of such fees, which funds shall be forwarded to the Finance Director of the Town of Orangetown and placed in a special fund specifically and exclusively earmarked for the use of the Orangetown Police Department.

C. An applicant for noncriminal fingerprints must provide his name, home address and home telephone number to the Orangetown Police Department, and must present to the Orangetown Police Department at least one of the following forms of identification, which must contain a legible photograph of the applicant:

- (i) New York State Driver's License;
- (ii) Out-of-State Driver's License;
- (iii) U.S. Passport;
- (iv) Certificate of Citizenship;
- (v) Certificate of Naturalization;
- (vi) Permanent Resident Card.

D. In the event that the Orangetown Police Department does not receive from an applicant an acceptable proof of identification, as set forth in section 1-2(C) herein, with a legible photograph annexed thereto, or the Orangetown Police Department determines, in its sole discretion, that the photograph contained in the submitted proof of identification does not bear a reasonable likeness to the applicant, then the Orangetown Police Department shall refuse to issue the requested fingerprinting card or cards.

E. An applicant for noncriminal fingerprints must deliver to the Orangetown Police Department, in addition to the required fees as set forth in section 1-3 herein, the following:

- (i) An envelope for each fingerprinting card(s) to be issued, which shall contain the name and address of the recipient (corporation, governmental agency, organization, person, etc.) on the completed fingerprinting card; and
- (ii) Appropriate and sufficient postage for each envelope containing the fingerprinting card(s) to be delivered to the recipient(s) of said fingerprinting card(s).

F. In the event an applicant does not deliver to the Orangetown Police Department an appropriate envelope(s) (with the required recipient information) and/or appropriate or sufficient postage for the delivery of said envelope(s), then the Orangetown Police Department shall refuse to issue the requested fingerprinting card(s).

G. The Orangetown Police Department shall retain exclusive control of all issued fingerprinting card(s), until such time as the fingerprinting card(s) is/are placed in the envelope(s) provided by the applicant and delivered to, or picked up by, the appropriate postal or delivery service, for eventual delivery to the recipients of the fingerprinting card(s). At no time will the applicant be given physical custody, control or possession of any said fingerprinting card(s). Likewise, the Orangetown Police Department shall not retain any issued noncriminal fingerprinting cards and/or any copies thereof.

H. The Orangetown Police Department shall retain accurate records, in the form of a logbook or otherwise, with respect to noncriminal fingerprinting requests and issued fingerprinting cards. Said records and/or logbook shall contain at minimum the following information:

- (i) the date of the application;
- (ii) the name, home address and home telephone number of all applicants (whether or not fingerprinting cards were issued);
- (iii) a copy of the proof of identification (with photograph) provided by the applicant;

- (iv) the number of fingerprinting cards issued and the name(s) and address(es) of the recipients of all said fingerprinting cards;
- (v) the type and amount of the postage provided for each envelope delivered to the recipients of the fingerprinting cards;
- (vi) the date all envelopes containing the fingerprinting card(s) were delivered and/or picked up by any postal or delivery service provider;
- (vii) The name of all Orangetown Police Department officers who participated in the issuance of said fingerprinting cards; and
- (viii) The amount of fees collected, and the means of payment of said fees.

**§1-3. Fees.**

- A. All residents of Orangetown shall pay fees in the sum of \$10.00 per fingerprinting card issued by the Orangetown Police Department.
- B. All non-residents of Orangetown shall pay fees in the sum of \$20.00 per fingerprinting card issued by the Orangetown Police Department.
- C. Notwithstanding the foregoing sub-provisions, there will be no fee for fingerprints taken of children under the age of 16 for identification purposes upon written authorization of such child's parent or guardian.
- D. The fees for fingerprinting as set forth herein may be modified by the Town Board, at its sole discretion, by Town Board Resolution.
- E. All fees must be paid by applicants for noncriminal fingerprinting card(s) by cash or money orders.

## Option 1

Local Law No.        of 2006,  
of the Town of Orangetown

### A LOCAL LAW AMENDING LOCAL LAW NO. 11, 1997 (CHAPTER 34 OF THE CODE OF THE TOWN OF ORANGETOWN, ARTICLE IV ENTITLED "CHANGE IN VETERANS EXEMPTION")

Be it enacted by the Town Board of the Town of Orangetown that Local Law No. 11 of 1997 (Chapter 34 of the Town Code of the Town of Orangetown entitled "Taxation" is amended as follows:

*Section 1:* Chapter 34, Article IV of the Town Code of the Town of Orangetown, entitled "Change in Veterans Exemption is hereby amended to read as follows:

#### **34-17.1. Extent of exemption. [Adopted 6-16-1997 by L.L. No. 11-1997, as Amended by Local Law No.        of 2006]**

A. Legislative intent. Section 458-a of the Real Property Tax Law was ~~recently amended~~ enacted by the State of New York to permit counties and towns to increase the maximum allowable exemption for wartime, combat and disabled veterans. Initially, ~~Previously,~~ the exemption was ~~effectively~~ limited so that veterans whose homes were worth more than \$80,000 could not receive the full statutory percentage of the exemption. Municipalities offering the exemption could lower this home-value cap but could not increase it. Thereafter, further changes to Real Property Tax Law Section 458-a authorized local municipalities to increase the maximum allowable exemption under Section 458-a, Subdivision 2(a), (b) and (c) to \$18,000, \$12,000 and \$60,000, respectively, for wartime, combat and disability veterans, and, more recently, increased those values to still higher levels. ~~The recent amendment to the law would allow municipalities to increase the home value cap to up to \$120,000.~~ Consistent with those more recent changes to Section 458-a, it is the intent of this local law to further increase the home value cap applicable to qualified owners of qualifying residential real property in the Town of Orangetown to the amounts set forth in Subdivision B below, and to make such increase effective for the 2006 Town assessment roll. ~~except the option that the state permits to increase the veterans' tax exemption to \$120,000~~

B. In accordance with the authorization of § 458-a, Subdivision 2(d)(ii) of the Real Property Tax Law, the maximum allowable exemption of § 458-a, Subdivision 2(a), (b) and (c), of such law is hereby increased to \$36,000 (wartime), \$24,000 (combat) and \$120,000 (disability) ~~+\$8,000, \$12,000 and \$60,000, respectively.~~

*Section 2:* This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with § 27 of the Municipal Home Rule Law.

Option 2

Local Law No. \_\_\_ of 2006,  
of the Town of Orangetown

A LOCAL LAW AMENDING LOCAL LAW NO. 11, 1997 (CHAPTER  
34 OF THE CODE OF THE TOWN OF ORANGETOWN, ARTICLE  
IV ENTITLED “CHANGE IN VETERANS EXEMPTION”)

Be it enacted by the Town Board of the Town of Orangetown that Local Law No. 11 of 1997 (Chapter 34 of the Town Code of the Town of Orangetown entitled “Taxation” is amended as follows:

*Section 1:* Chapter 34, Article IV of the Town Code of the Town of Orangetown, entitle “Change in Veterans Exemption is hereby amended to read as follows:

**34-17.1. Extent of exemption. [Adopted 6-16-1997 by L.L. No. 11-1997, as Amended by Local Law No. \_\_\_ of 2006]**

- A. Legislative intent. Section 458-a of the Real Property Tax Law was ~~recently~~ ~~amended~~ enacted by the State of New York to permit counties and towns to increase the maximum allowable exemption for wartime, combat and disabled veterans. ~~Initially,~~ ~~Previously,~~ the exemption was ~~effectively~~ limited so that veterans whose homes were worth more than \$80,000 could not receive the full statutory percentage of the exemption. Municipalities offering the exemption could lower this home-value cap but could not increase it. Thereafter, further changes to Real Property Tax Law Section 458-a authorized local municipalities to increase the maximum allowable exemption under Section 458-a, Subdivision 2(a), (b) and (c) to \$18,000, \$12,000 and \$60,000 respectively, for wartime, combat and disability veterans, and, more recently, increased those values to still higher levels. ~~The recent amendment to the law would allow municipalities to increase the home value cap to up to \$120,000. Consistent with those more recent changes to Section 458-a, it is the intent of this local law to further increase the home value cap applicable to qualified owners of qualifying residential real property in the Town of Orangetown to the amounts set forth in Subdivision B below, and to make such increase effective for the 2006 Town assessment roll. ~~except the option that the state permits to increase the veterans tax exemption to \$120,000~~~~
- B. In accordance with the authorization of § 458-a, Subdivision 2(d)(ii) of the Real Property Tax Law, the maximum allowable exemption of § 458-a, Subdivision 2(a), (b) and (c), of such law is hereby increased to \$54,000 (wartime), \$36,000 (combat) and \$180,000 (disability) ~~18,000, \$12,000 and \$60,000, respectively.~~

*Section 2:* This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with § 27 of the Municipal Home Rule Law.

NOTICE OF POSTING: NOTICE OF PUBLIC HEARING TO ESTABLISH A NEW CHAPTER FOR  
NONCRIMINAL FINGERPRINTING.

# EXHIBIT

3-E-06, 3/27/06


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 16th day of March 2006, 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.

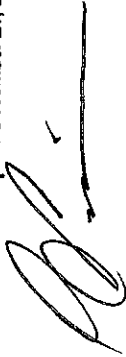
  
Charlotte Madigan  
Town Clerk

Subscribed and sworn to before me

This 16th day of March, 2006

**ROBERT R. SIMON**  
Notary Public, State of New York  
No. 0189005857

Residing in Rockland County  
Commission Expires December 21, 2 ~~006~~





**NOTICE OF 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, No. 26 Orangeburg Road, Orangeburg, New York 10962 on the 27<sup>th</sup> day of March, 2006 at 8:00 PM to establish a new Chapter for Noncriminal Fingerprinting for the Town of Orangetown to be entitled "Noncriminal Fingerprinting" and to be designated as part of Chapter 1, and to be specifically designated as Chapter 1E of the Code of the Town of Orangetown.

The new sections to be added are:

**NONCRIMINAL FINGERPRINTING**

- §1E-1 Legislative Intent.
- §1E-2 Procedures.
- §1E-3 Fees.

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:        March 14, 2006  
                  Orangeburg, New York

CHARLOTTE MADIGAN  
Town Clerk

TERESA M. KENNY  
Town Attorney  
Town of Orangetown

# AFFIDAVIT OF PUBLICATION

from

# The Journal News

Erick Murph

\_\_\_\_\_ being duly sworn says that 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 in area(s) on the date(s) below:

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

JN 03/17/06

Signed Erick Murph

Sworn to before me

This 20 day of March 2006

Jessie L. Murphy

Notary Public, Westchester County

**NOTICE OF 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, No. 26 Orangeburg Road, Orangetown, New York 10962 on the 27th day of March, 2006 at 8:00 PM to establish a new Chapter for Non-Criminal Fingerprinting for the Town of Orangetown to be entitled "Non-Criminal Fingerprinting" and to be designated as part of Chapter 1, and to be specifically designated as Chapter 1E of the Code of the Town of Orangetown. The new sections to be added are:

**NON-CRIMINAL FINGERPRINTING**

Section 1E-1 Legislative Intent.

Section 1E-2 Procedures.

Section 1E-3 Fees.

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: March 14, 2006  
Orangetown, New York

CHARLOTTE MADIGAN  
Town Clerk

JESSIE  
NOTARY PUBLIC, # \_\_\_\_\_ ik  
NO. 01, APPROVED  
QUALIFIED IN WESTCHESTER COUNTY  
TERM EXPIRES NOVEMBER 18, 2006

**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):**

Ardley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Ramapo, Ramapo Neck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains, Greenburgh

**Southern Area (AS):**

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

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

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

**Patent Trader (PT):**

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff, Chappaqua, Cortlandt Manor, Cross River, Croton Falls, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolndale, Millwood, Mohegan Lake, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Purdys, Shrub Oak, Somers, South Salem, Thornwood, Verplanck, Waccabuc, Yorktown Heights

**Review Press (BWV):**

Bronxville, Eastchester, Scarsdale, Tuckahoe

NOTICE OF POSTING: NOTICE OF PUBLIC HEARING TO CONSIDER AMENDING THE VETERAN'S EXEMPTION BENEFIT.

**EXHIBIT**

3-F-06, 3/27/06

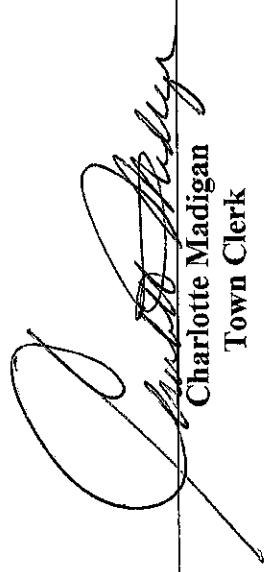
STATE OF NEW YORK            }  
COUNTY OF ROCKLAND        }  
TOWN OF ORANGETOWN        }            SS.

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 17th day of March 2006, 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 17th day of March, 2006

**ROBERT R. SIMON**  
Notary Public, State of New York  
No. 0152105557

Residing in Rockland County  
Commission Expires December 21, 2006



**NOTICE OF 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, No. 26 Orangeburg Road, Orangeburg, New York 10962 on the 27<sup>th</sup> day of March, 2006 at 8:10 PM to consider the adoption of a proposed local law amending Local Law No. 11, 1997 (Chapter 34 of the Code of the Town of Orangetown, Article IV entitled "Change in Veterans Exemptions") to modify Section 34-17.1A and by adding one of the following two options, as a new Section 34-17.1B as follows:

**OPTION 1**

**34-17.1 B** In accordance with the authorization of Section 458-a, Subdivision 2(d)(ii) of the Real Property Tax Law, the maximum allowable exemption of 458-a Subdivision 2 (a), (b) and (c), of such law is hereby increased to \$36,000 (Wartime), \$24,000 (Combat Zone) and \$120,000 (Disability), respectively.

**OR OPTION 2**

**34-17.1 B** In accordance with the authorization of Section 458-a, Subdivision 2(d)(ii) of the Real Property Tax Law, the maximum allowable exemption of 458-a Subdivision 2 (a), (b) and (c), of such law is hereby increased to \$54,000 (Wartime), \$36,000 (Combat Zone) and \$180,000 (Disability), respectively.

A copy of the proposed Local Law(s) 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: March 14, 2006  
Orangeburg, New York

CHARLOTTE MADIGAN  
Town Clerk

TERESA M. KENNY  
Town Attorney  
Town of Orangetown

# AFFIDAVIT OF PUBLICATION

from  
**The Journal News**

Florence Bonilla

being duly sworn to as the 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 in the following newspaper area(s) on the date(s) below:

is the State newspaper

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

JN 03/21/06

Signed FB

Sworn to before me

This 23<sup>rd</sup> day of March 20 06  
*Kathleen O'Brien*

Notary Public, Westchester County

**LEN**  
of New York  
343  
ter County  
21.2007

**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, Lincolnville, 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

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

Blauvelt, Congers, Garnerville, 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

**Patent Trader (PT):**

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff, Chappaqua, Cortlandt Manor, Cross River, Croton Falls, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolnville, Millwood, Mohegan Lake, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Purdys, Shrub Oak, Somers, South Salem, Thornwood, Verplanck, Waccabuc, Yorktown Heights

**Review Press (BW):**

Bronxville, Eastchester, Scarsdale, Tuckahoe

**NOTICE OF HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Orangeburg at the Orangeburg Town Hall, No. 26 Orangeburg Road, Orangeburg, New York 10992, on the 27th day of March 2006 at 8:10 PM to consider the adoption of a proposed local law amending Local Law No. 11, 1997 (Chapter 34 of the Code of the Town of Orangeburg, Article IV entitled "Change in Rates and Exemptions") to modify Section 34-17.1A and by adding Section 34-17.1B and by adding Section 34-17.1C as follows:

**OPTION 1**

34-17.1B In accordance with the authorization of Section 488-a, Subdivision 2(d)(ii) of the Real Property Tax Law, the maximum allowable exemption of 488-a Subdivision 2 (a), (b) and (c), of such law is hereby increased to \$36,000 (Wardtime), \$24,000 (Combat Zone) and \$120,000 (Disability), respectively.

**OR OPTION 2**

34-17.1B In accordance with the authorization of Section 488-a, Subdivision 2(d)(ii) of the Real Property Tax Law, the maximum allowable exemption of 488-a Subdivision 2 (a), (b) and (c), of such law is hereby increased to \$54,000 (Wardtime), \$36,000 (Combat Zone) and \$180,000 (Disability), respectively.

A copy of the proposed Local Law(s) will 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 Orangeburg.

Dated: March 14, 2006  
Orangeburg, New York

CHARLOTTE MADIGAN  
Town Clerk

TERESA M. KENNY  
Town Attorney  
Town of Orangeburg



consisting of the acquisition of sanitary sewer systems of the villages of Grandview-on-Hudson, Nyack, Piermont and South Nyack (collectively, the "Villages"), in the Town, the transfer and/or reallocation of real and personal property of the Town of Orangetown's Sewer Collection and Treatment System to the District, and the reconstruction and/or replacement of existing screening and grit removal systems, reconstruction of the administration/control/laboratory buildings, the installation of new drive mechanisms for primary and secondary clarifiers, conversion of gaseous chlorination systems to a liquid hypochlorite system and/or ultraviolet disinfection systems, reconstruction and/or replacement of odor control systems, improvements to the heating, ventilation, air conditioning and piping systems, roof and structural reconstruction, improvements to the security and drainage systems, landscape improvements; the installation and/or reconstruction of new pumps, motors, controls, emergency generators, telemetry systems at the Better Brands, Hunt Road, Pearl Street, Nyack and Upper Nyack pumping stations and the wastewater treatment plant, and the replacement and /or paralleling of the Better Brands force main, the Hunt Road force main, the Hunt Road siphon, the Pearl Street force main and the Pearl Street influent sewer, at the estimated maximum cost of \$22,100,000; (collectively, the "Improvements"); which map, plan and report has been duly filed in the office of the Town Clerk of the Town for public inspection, and

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said August 8, 2005 and as continued on September 12, 2005, commencing at 8:00 o'clock P.M. (Prevailing Time), at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed establishment of the District and the acquisition of the sewer system to be reconstructed therein, the transfer and/or



reallocation of real and personal property of the Town of Orangetown's Sewer Collection and Treatment System to the District and the construction of the Improvements;

WHEREAS, after said public hearing duly held by the Town Board at the time and place herein referred to, the Town Board, by resolution duly adopted September 12, 2005, determined that the notice of public hearing was published and posted as required by law and were otherwise sufficient, that all the property and property owners included within the proposed District are benefited thereby, that all the property and property owners benefited were included within the limits of the proposed District, that it was in the public interest to establish the District and approved the District and the construction of the Improvements, as hereinabove described; and that the proposed improvements shall be financed by the issuance of \$22,100,000 serial bonds of the Town and the levy and collection of assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, a portion of such benefit to be determined and ascertained by virtue of the assessed value of all real property within the District, to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, said resolution adopted September 12, 2005 was subject to permissive referendum and the notice setting forth the date of adoption of said resolution, which concisely stated the purpose and effect thereof, was duly posted and published as required by law; and

WHEREAS, no petition had been filed within thirty (30) days of adoption of said resolution after publishing and posting an abstract thereof in accord with the Town Law; and

WHEREAS, on October 24, 2005 the Town Board adopted the Final Order Establishing the Orangetown Sewer District at a cost not to exceed \$22,100,000; and

WHEREAS, due to higher capacity odor control facilities necessitated to be installed at the Wastewater Treatment Plant, increased equipment size at various pumping stations due to increased flow, additional improvements to the administrative/control/laboratory building and the construction of a new Hunt Road pumping station, the costs of Improvements have substantially increased; and

WHEREAS, by pursuant to a Report by Stearns & Wheeler, LLC, duly licensed engineers by the State of New York, dated March 22, 2006, it has been determined that the maximum amount proposed to be expended for the Improvements, including contingencies, administrative and legal expenses and costs of financing, be increased by \$4,700,000, so that the maximum amount proposed to be expended for the Improvements is to be increased to \$26,800,000, which is planned to be financed by the issuance of \$26,800,000 serial bonds of the Town, and the assessment, levy and collection of special assessments upon the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, a portion of such benefit to be determined and ascertained by virtue of the assessed value of all real property within the District, to pay the principal of and interest on said bonds as the same shall become due and payable, and

WHEREAS, the Town Board has given due consideration to the nature of the project described herein, and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), and that no further environmental review is necessary;

now therefore, be it

DETERMINED AND STATED that the estimated cost of hook-up fees is \$200.00 for new connections and the estimated cost of the establishment of the District to the Typical Property (as defined in Town Law) is \$271.62, and the cost to the typical two family home is \$374.71; compared to the current town annual sewer cost of \$250.37 and \$286.14, respectively, and that the Town Board has heretofore caused to be prepared and filed for public inspection with the Town Clerk, a detailed explanation of how such estimates were computed, and further that cost of the establishment to such typical property (as such maximum amount may be increased to \$26,800,000) is not above the Average Estimated Cost to Typical Properties for the establishment of similar types of district establishments as computed by the State Comptroller; and be it further


ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall in the Town, on the 24th day of April, 2006, at 8 o'clock P.M. (Prevailing Time) to consider the increase in maximum amount proposed to be expended for the Establishment of the Orangetown Sewer District as herein referred to, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of said Town Board with relation thereto as may be required by law; and be it


FURTHER ORDERED, that the Town Clerk publish at least once in "*The Journal News*," hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing; and that the Town Clerk shall mail, or cause to be mailed, by


standard mail to each owner of taxable real property in the District, a notice of such public hearing in substantially the form attached hereto in Exhibit A.

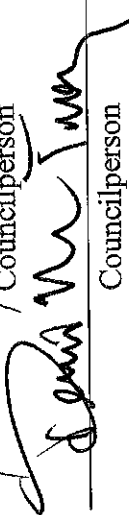
DATED: March 27, 2006

TOWN BOARD OF THE TOWN OF ORANGETOWN

  
\_\_\_\_\_  
Supervisor

  
\_\_\_\_\_  
Councilperson

  
\_\_\_\_\_  
Councilperson

  
\_\_\_\_\_  
Councilperson

  
\_\_\_\_\_  
Councilperson

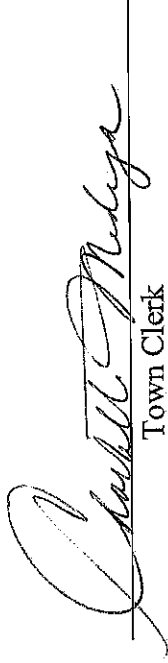
(SEAL)

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

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

I, Charlotte Madigan, Town Clerk of the Town of Orangetown, in the County of Rockland, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling Public Hearing with the original thereof filed in my office on the 28 day of March, 2006, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 28 day of March, 2006.

  
Town Clerk

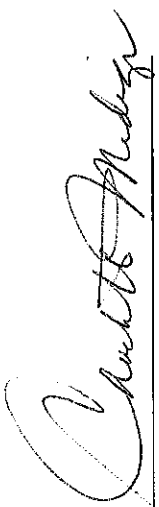
(SEAL)

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 he was the duly elected, qualified and acting Town Clerk of the Town of Orangetown, in the County of Rockland, State of New York;

That on the 4 day of April, 2006, she caused to be conspicuously posted and fastened up a certified copy of an Order Calling Public Hearing duly adopted by the Town Board of said Town on March 27, 2006, a true copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law.

  
\_\_\_\_\_  
Town Clerk

Subscribed and sworn to before me  
this 4<sup>th</sup> day of April, 2006.

  
\_\_\_\_\_  
Notary Public, State of New York

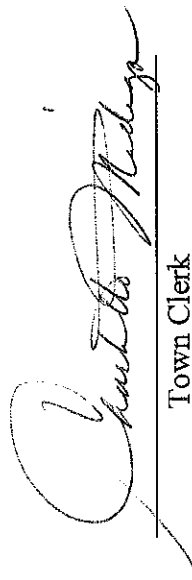
**DONNA MORRISON**  
Notary Public, State of New York  
Notary Public, Exp. 05/08/09  
Qualified in Rockland County  
Our Commission Expires June 30, 2007

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 he was the duly elected, qualified and acting Town Clerk of the Town of Orangetown, in the County of Rockland, State of New York;

That on the 4 day of April, 2006, she caused to be mailed, by standard mail, one copy of the enclosed Notice Calling Public Hearing to be held on April 24, 2006, to each owner of property benefitted by the improvements referred to in said Notice as shown upon the assessment roll of said Town.

  
Town Clerk

Subscribed and sworn to before me  
this 7<sup>th</sup> day of April, 2006.

  
Notary Public, State of New York

**DONNA A. MORRISON**  
Notary Public, State of New York  
No. 01MC5081099  
Qualified in Rockland County  
Commission Expires June 30, 2007

Exhibit A

NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Orangetown, in the County of Rockland, State of New York, will meet at the Town Hall, 26 Orangeburg Road, Orangeburg, New York, in the Town, at 8 o'clock P.M. on April 24, 2006, for the purpose of conducting a public hearing to consider the increase of the maximum amount to be expended for the establishment of the Orangetown Sewer District and the reconstruction of sewer facilities therein, in the Town, at a cost of \$26,800,000. The estimated cost of the District to the Typical Property (as defined in the Town Law) is \$271.62 (compared to the current town annual sewer cost of \$250.37) and \$286.14, (compared to the current town annual sewer cost of \$286.14) and the cost to the typical two-family home (as defined in the Town Law) is \$374.71, (compared to the current town annual sewer cost of \$286.14).

At said public hearing, the Town Board will hear all persons interested in said subject matter thereof.

Dated: March 27, 2006  
Orangeburg, New York

BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF ORANGETOWN, COUNTY OF  
ROCKLAND, STATE OF NEW YORK





walkways, gratings, weirs and collectors; clarifier wall reconstruction; the installation and/or construction of new chlorine tanks and dechlorination systems; installation of a new stand-by generator, the construction of a new sludge loading building; pumping station improvements, including new pumps, motors, controls, emergency generator, flow meters, screenings equipment, level sensing and building reconstruction and modification; odor controls, partial reconstruction of and/or construction of pumping stations; and the extension of new gravity and force sewer mains, all as more particularly described in the Report, all of the foregoing to include any equipment, furnishings, machinery or apparatus, and any ancillary or related work or expenses, including but not limited to legal and publication costs, required in connection therewith; and said map, plan and report have been filed with the Town Board; and

WHEREAS, the Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617; and that the project will not result in any significant adverse environmental impacts;

Now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 26 Orangeburg Road, Orangeburg, New York, on the 24th day of April, 2006 at 8 P.M. o'clock P.M. (Prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it,

FURTHER ORDERED, that the Town Clerk publish at least once in "*The Journal News*," hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing; and that the Town Clerk shall mail, or cause to be mailed, by standard mail to each owner of taxable real property in the District, a notice of such public hearing in substantially the form attached hereto in Exhibit A.

DATED: March 27, 2006

TOWN BOARD OF THE TOWN OF  
ORANGETOWN

(SEAL)

The adoption of the foregoing Order was duly put to a vote on roll call, which

resulted as follows:

Supervisor Kleiner	voting	Aye
Councilman Denis O'Donnell	voting	Aye
Councilman Denis Troy	voting	Aye
Councilman Thomas Morr	voting	Aye
Councilwoman Marie Manning	voting	Absent

The Order was declared adopted.

\* \* \* \* \*

CERTIFICATE

I, CHARLOTTE MADIGAN, Town Clerk of the Town of Orangetown, in the County of Rockland, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling for a Public Hearing with the original thereof filed in the office of the Town Clerk on the 27th day of March, 2006, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town on this 27th day of

March, 2006.

(SEAL)

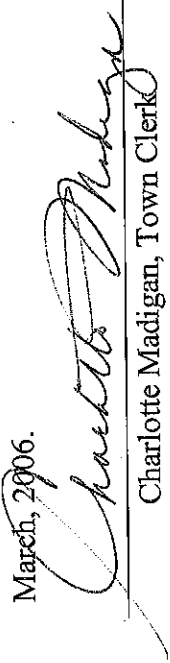
  
Charlotte Madigan, Town Clerk  
Town of Orangetown

Exhibit A

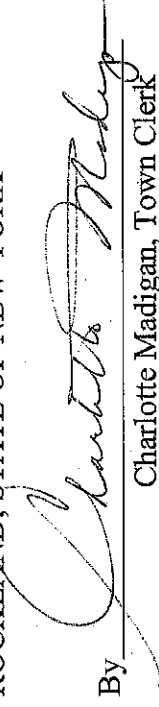
**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Orangetown, in the County of Rockland, State of New York, will meet at the Town Hall, 26 Orangeburg Road, Orangeburg, New York, on April 24, 2006, at 8 P.M. o'clock P.M. (Prevailing Time), for the purpose of conducting a public hearing in relation to the increase and improvement of facilities of Orangetown Sewer District, at the aggregate estimated maximum cost of \$8,100,000, consisting of replacement of clarifier walkways, gratings, weirs and collectors; clarifier wall reconstruction; the installation and/or construction of new chlorine tanks and dechlorination systems; installation of a new stand-by generator, the construction of a new sludge loading building; pumping station improvements, including new pumps, motors, controls, emergency generator, flow meters, screenings equipment, level sensing and building reconstruction and modification; odor controls, partial reconstruction of and/or construction of pumping stations; and the extension of new gravity and force sewer mains, all as more particularly described in the Report, all of the foregoing to include any equipment, furnishings, machinery or apparatus, and any ancillary or related work or expenses, including but not limited to legal and publication costs, required in connection therewith.

At said public hearing, the Town Board will hear all persons interested in the subject matter thereof.

Dated: March 27, 2006  
Orangeburg, New York

BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF ORANGETOWN, COUNTY OF  
ROCKLAND, STATE OF NEW YORK

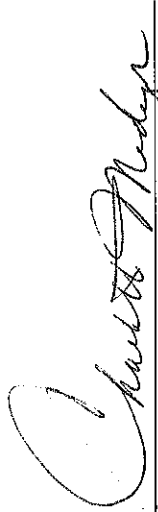
By   
Charlotte Madigan, Town Clerk  
Town of Orangetown

STATE OF NEW YORK )  
                                  ) SS  
COUNTY OF ROCKLAND )

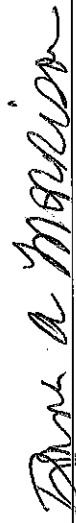
AFFIDAVIT OF POSTING

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

That she is and at all the times hereinafter mentioned she was the duly qualified and acting Town Clerk of the Town of Orangetown, in the County of Rockland, State of New York; that on the 4th day of April, 2006, she caused to be posted on the official bulletin board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of the Notice of Public Hearing to be held on April 24, 2006, a copy of which is attached hereto and made a part hereof.

  
Charlotte Madigan, Town Clerk  
Town of Orangetown

Subscribed and sworn to before me  
this 4th day of April, 2006.

  
Notary Public, State of New York  
**DONNA A. MORRISON**  
Notary Public, State of New York  
No. 01M05081099  
Qualified in Rockland County  
Commission Expires June 30, 2007

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

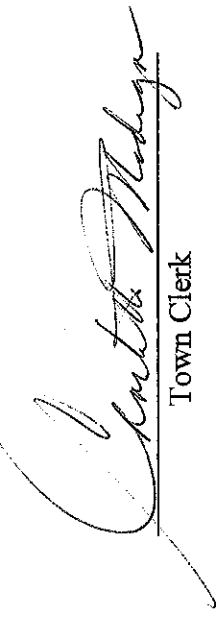
AFFIDAVIT OF MAILING

Charlotte Madigan, being duly sworn, deposes and says:

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

That on the 4<sup>th</sup> day of April 2006, she caused to be mailed, by first class mail, one copy of the enclosed Notice Calling Public Hearing to be held on April 24, 2006, to each owner of property benefitted by the improvements referred to in said Notice as shown upon the assessment roll of said Town.

Subscribed and sworn to before me  
this 4<sup>th</sup> day of April 2006.

  
Town Clerk

  
Notary Public, State of New York

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



NOTICE OF POSTING: NOTICE TO BID FOR FURNISHING ONE NEW MEDIUM DUMP TRUCK.

**EXHIBIT**

3-F-06, 3/27/06

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 8th day of February 2006, 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 8th day of February, 2006

**ROBERT R. SIMON**  
Notary Public, State of New York  
No. 0151505857  
Residing in Rockland County  
Commission Expires December 21, 2006



## 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 February 23, 2006 and will be publicly opened and read aloud at 11:05 a.m. for furnishing One (1) New Medium Duty Dump Truck, 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 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: February 8, 2006

JAMES J. DEAN  
SUPERINTENDENT OF HIGHWAYS

CHARLOTTE MADIGAN  
TOWN CLERK

# AFFIDAVIT OF PUBLICATION

from

# The Journal News

Florence Bonilla

being duly sworn sa  
 the  
 tate  
 aper

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 in the area(s) on the date(s) below:

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

JN 02/08/06

Signed FB

Sworn to before me

This 9<sup>th</sup> day of February 20 06

LOL  
 NOTARY PUBLIC  
 NO. 01  
 QUALIFIED IN WESTCHESTER COUNTY  
 TERM EXPIRES

DATED: February 8, 2006  
 JAMES J. DEAN  
 SUPERINTENDENT  
 OF HIGHWAYS

CHARLOTTE MADIGAN  
 TOWN CLERK

Notary Public, Westchester County

**Legend:**

**Northern Area (AN):**

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincoln Dale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson

**Central Area (AC):**

Ardley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Amaratoneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains, Greenburgh

**Southern Area (AS):**

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

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

Blauvelt, Congers, Garnerville, 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

**Patent Trader (PT):**

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff, Chappaqua, Cortlandt Manor, Cross River, Croton Falls, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincoln Dale, Millwood, Mohegan Lake, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Purdys, Shrub Oak, Somers, South Salem, Thornwood, Verplanck, Waccabuc, Yorktown Heights

**Review Press (BVW):**

Bronxville, Eastchester, Scarsdale, Tuckahoe

**NOTICE TO BIDDERS**

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangeburg at the Town Clerk's Office at the Town Clerk's Office, No. 26 Orangeburg Road, Orangeburg, New York until 10:30 A.M. on February 23, 2006 and will be publicly opened and read aloud at 11:05 a.m. for furnishing One (1) New Medium Duty Pump Truck, 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 Orangeburg.

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 Orangeburg, 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 Orangeburg.



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  
Hwy. Superintendents' Assoc. of Rockland County



HIGHWAY DEPARTMENT  
TOWN OF ORANGETOWN  
119 Route 303 • Orangeburg, NY 10962  
(845) 359-6500 • Fax (845) 359-6062  
E-Mail - [www.highway@orangetownny.org](mailto:www.highway@orangetownny.org)

# Memorandum

**Date:** 3/6/2006  
**To:** Town Board  
**From:** James J. Dean, Superintendent of Highways  
**RE:** Bid Award-Medium Duty Dump Truck w/Accessories

Please be advised that I recommend that the bid for a Medium Duty Dump Truck with Accessories be awarded to Deluxe International Trucks, Hackensack, New Jersey in the amount \$61,251.00, the lowest qualified bidder to meet our required specifications.

The apparent low bid submitted by Route 23 Auto Mall was \$375.00 less than Deluxe International Trucks. Unfortunately, they did not comply with 14 items of our specifications, of which three (3) major items are engine, cab corrosion warranty and remote power module (six pack).

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

kj