

AFFIDAVIT OF PUBLICATION
from
The Journal News

EXHIBIT
9-A-05 9/12/05

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

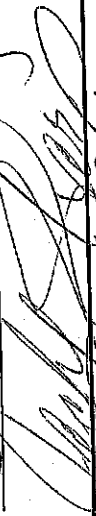
Note: The two-character code to the left of the run dates indicates the zone(s) that the ad was published. (See Legend below)

JN 08/29/05

Signed Nilma Avellar

Sworn to before me

This 31st day of August 2005



Notary Public, Westchester County

JACK L. SHARP
Notary Public, State of New York
No. 01SH6019087
Qualified in Rockland County
Term Expires Feb. 1, 2007

Legend:

- Northern Area (AN):**
Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Mount Kisco, North Salem, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincoln Dale, Millwood, Mohegan Lake, Montrose, Mount Pleasant, Spring Valley, Stony Point, Suffern, Tarrytown, Thornwood, Valhalla, White Plains, Greenburgh
- Central Area (AC):**
Ardley, 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, 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 (BWV):**
Bronxville, Eastchester, Scarsdale, Tuckahoe

At a regular meeting of the Board of Supervisors of the County of Rockland, New York, on the 18th day of July, 2005...

subdivision of Section 30 of the Town Law, a copy of this Order of the Board of Supervisors...

TOWNSHIP BOARD OF THE TOWN OF BRANTFORD

Further Ordered, that the Town Clerk file a certified copy of this Order...

ORDER CALLING PUBLIC HEARING TO BE HELD ON SEPTEMBER 12, 2005

WHEREAS, the Board of Trustees of the Village of Frankfort has adopted a resolution...

Subscribed and sworn to before me this 22nd day of July, 2005. Charles Madison, Town Clerk.

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<p>the town of Orangetown, the Town of Clarkstown, and the Town of Ramapo meet thence; (3) turning and running generally in a easterly direction along the division line between the Town of Orangetown and the Town of Clarkstown to a point which being the intersection of said division line and the westerly line of the Village of South Nyack thence; (4) turning and running generally in a northeasterly direction along the division line of the Town of Orangetown and the Town of Clarkstown which said line also being the westerly line of the Village of South Nyack thence; (5) turning and running generally in a northeasterly direction along the boundary of the Village of South Nyack and the Village of Nyack thence; (6) turning and running generally in a northeasterly direction along the boundary of the Town of Orangetown and the Town of Clarkstown through the Village of Nyack to a point on the boundary of the Village of Nyack and the Village of Upper Nyack which point is the dividing line of the Town of Clarkstown thence; (7) turning and running generally in a southeasterly direction along the division line of the Town of Orangetown and the Town of Clarkstown which said line is division line of the Village of Nyack and the Village of Upper Nyack to a point which is on the eastern boundary of the Village of Nyack and the Village of Upper Nyack; (8) turning and running generally in a southerly direction along the eastern boundary of the Village of Nyack to a point on the boundary of the Village of South Nyack and the Village of Upper Nyack thence; (9) turning and running generally in a southerly direction along the eastern boundary of the Village of South Nyack to a point on the boundary of the Vil-</p>	<p>Along land now or formerly of Gramwood Lumber Corp. the following two (2) courses and distances:</p> <ol style="list-style-type: none"> 1. North 42°-15'-00" West, a distance of 326.73 feet, thence; 2. North 42°-44'-00" West, a distance of 577.13 feet to the point or piece of BEGINNING. <p>Containing 2.689 Acres of Land</p> <p>Reserving to Orange and Rockland Utilities, Inc., its successors and assigns, forever, the right to enter upon, without notes, and use part of the premises herein conveyed as a right of way 100 feet in width for the purpose, from time to time, of constructing, reconstructing, altering, enlarging, repairing, removing, replacing, relocating, operating, maintaining, inspecting, excavating for, and laying one or more high voltage transmission and distribution lines, and erecting poles, H-Frames, and/or towers, pipe lines, including all necessary conductors, conduits, pipes, cables, grips, counterpoises, markers, vaults, manholes, and all necessary appurtenances thereto, upon, over, under and across that portion of property herein conveyed, described as follows: Beginning at a point in the easterly line of Route 303 (S.H. #1888), where same is intersected by the northerly line of lands now or formerly of Gramwood Lumber Corporation; and turning thence:</p> <p>Along the easterly line of Route 303, on a course North 14°-42'-07" East, a distance of 114.57 feet, thence;</p> <p>Partly through the parcel to be conveyed and along lands of the Rockland County Sewer District No. 1 on a course South 42°-37'-35" East, a distance of 367.70 feet, thence;</p> <p>Still along lands of the Rockland County Sewer District No. 1 on a course South 79°-30'-45" West a</p>	<p>along the same to a point; thence,</p> <ol style="list-style-type: none"> (4) S 44°-43'55" E 130.48' continuing along the same to a point; thence, (5) N 33°-46' 18" E 41.30' continuing along the same to a point; thence, (6) N 50°-13'42" E 16.00' continuing along the same to a point; thence, (7) S 39°-02'74" E 294.01' continuing along the same to a point; thence, (8) S 38°-42'-34" E 1100.41' continuing along the same to a point; thence, (9) S 34° 56' -20" E 474.78' continuing along the same to an iron pipe line, the same being a nearly line of land, the northerly line of grant; thence, (10) S 38°-46'18" E 49.94' continuing along the northeasterly line of lands now or formerly of the Erie-Lackawanna Railroad to a point; thence, (11) S 55° -54' -39" W 26.94' along the northerly line of Sunset Road (also known as Van Wyck Road) (41.25' wide) to a point of curvature; thence, (12) Westerly along a curve to the right, having a radius of 27.17', an arc distance of 38.39' to a point of tangency; thence, (13) N 43° -08'04" W 1151.98' along the northeasterly line of 5th Avenue (3.5' wide), to a concrete monument, thence, (14) N 41° -49' -11" W 483.87' continuing along the same to a point of curvature, thence, (15) Northwesterly along a curve to the left, having a radius of 718.64', an arc distance of 62.14' and a chord of N 44°-17'-49" W 62.12' continuing along 6th Ave- 	<p>(4) Leases, easements, licenses, privileges or other agreements for the use of the subject property;</p> <p>(5) Assessments, if any, for public improvement;</p> <p>ALSO TOGETHER WITH:</p> <p>All of Grantor's interest in the agreements mentioned in (4) above.</p> <p>TO HAVE AND TO HOLD the premises herein granted unto the Grantee and its successors and assigns, forever.</p> <p>The premises conveyed herein do not constitute all or substantially all of the assets of Erie Lackawanna Inc. The Erie-Lackawanna Railroad Company was the successor-in-interest of the Erie Railroad Company and its Western Railroad Company by virtue of the Joint Agreement of Merger made as of June 24, 1963. Interstate Commerce Commission Finance Docket No. 20797, recorded with the Secretary of State of the State of New York, October 17, 1960.</p> <p>The Erie Lackawanna Railroad Company was the successor-in-interest of the Erie-Lackawanna Railroad Company by virtue of Agreement and Plan of Merger as of April 1, 1968, recorded with the Secretary of State of the State of New York, April 1, 1968.</p> <p>Erie Lackawanna Railway Company filed its petition in the United States District Court, The Northern District of Ohio, Eastern Division, for reorganization under Section 77 of the Bankruptcy Laws of the United States on April No. 1, Case No. E72-2939, dated and filed June 26, 1972, by Order No. 1222 of said Court.</p> <p>Grantor, succeeded to the property of the Debtor and its Trustee's fees and clear of all liens.</p>	<p>plan and report: 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 \$244.00, and the cost to the typical two family home is \$343.14; compared to the current town annual sewer cost of \$230.85 and \$263.80, 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 is not above the Average Estimated Cost to Typical Properties for the establishment of similar types of establishments as set forth in the Schedule and be it further ORDERED that a meeting of the Town Board of the Town be held at the Town Hall, 26 Orangetown Road, Orangetown, New York in September, 2005, at Eight (8) o'clock P.M., to consider (i) the establishment of the proposed District, (ii) 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 (iii) the reconstruction of sewer facilities as described in the map, plan and report, all as hereinabove referred to, 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 Town of Orangetown News, a newspaper hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to</p>
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NOTICE OF POSTING: NOTICE OF PUBLIC HEARING TO ESTABLISH A SEWER DISTRICT & TRANSFER AND/OR REALLOCATE REAL AND PERSONAL PROPERTY OF THE TOWN OF ORANGETOWN'S SEWER COLLECTION & TREATMENT SYSTEM.

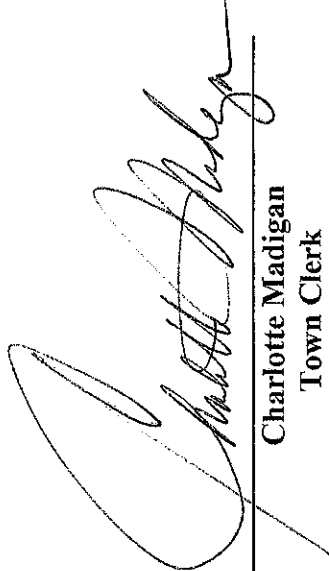
STATE OF NEW YORK }
COUNTY OF ROCKLAND }
TOWN OF ORANGETOWN } SS.

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 23rd day of August 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 23rd day of August, 2005

ROBERT R. SIMON
Notary Public, State of New York
No. 01515005857
Residing in Rockland County
Commission Expires December 21, 2 006



At a regular meeting of the Town Board of the Town of Orangetown, in the County of Rockland, New York, which was held at the Town Hall, in said Town, on the 18th day of July, 2005.

PRESENT:

Honorable Thom Kleiner, Supervisor

Denis O'Donnell, Councilperson

Denis Troy, Councilperson

Marie Manning, Councilperson

Thomas Morr, Councilperson

-----X

In the Matter

of the

Establishment of The Orangetown Sewer District, in

the Town of Orangetown, County of Rockland, New

York, pursuant to Article 12-A of the

Town Law and the Transfer and/or Reallocation of Real

and Personal Property of the Town of Orangetown's

Sewer Collection and Treatment System to The Orangetown:

Sewer District, pursuant to Article 12 of the Town Law

-----X

ORDER CALLING PUBLIC HEARING

TO BE HELD ON

SEPTEMBER 12, 2005

WHEREAS, the Board of Trustees of the Village of Grandview-on-Hudson has adopted a resolution, subject to permissive referendum, dated April 12, 2005 consenting to the establishment of a Town sewer district in said village; and

WHEREAS, the Board of Trustees of the Village of Nyack has adopted a resolution, subject to permissive referendum, dated January 27, 2005 consenting to the establishment of a Town sewer district in said village; and

WHEREAS, the Board of Trustees of the Village of Piermont has adopted a resolution, subject to permissive referendum, dated February 1, 2005 consenting to the establishment of a Town sewer district in said village; and

WHEREAS, the Board of Trustees of the Village of South Nyack has adopted a resolution, subject to permissive referendum, dated May 10, 2005 consenting to the establishment of a Town sewer district in said village; and

WHEREAS, the Town Board of the Town of Orangetown (herein called "Town Board" and "Town", respectively), in the County of Rockland, New York, has caused the Director of Environmental Management and Engineering, a competent engineer duly licensed by the State of New York, to prepare a general map, plan and report for the proposed establishment of The Orangetown Sewer District, in the Town (herein called "District") and 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 acquisition of sanitary sewer systems of the villages of Grandview-on-Hudson, Nyack, Piermont and South Nyack (collectively, the "Villages"), in the Town 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; (collectively, the "Improvements"); all as more fully described in the map, plan and report, which map, plan and report has been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, the Town Board has determined to proceed with the establishment and acquisition of such sewer system in the proposed District; and

WHEREAS, the proposed District is bounded and described as follows:

Beginning at a point which is the westernmost corner of the Town of Orangetown which point is also located on the dividing line between the State of New York and the State of New Jersey thence; (1) running generally in northeasterly direction along the division line between the Town of Orangetown and Town of Ramapo for approx. 5076' ± thence; (2) turning and running generally in a northwesterly direction along the division line between the Town of Orangetown and Town of Ramapo for approx. 4752' ± to a point where the boundaries of the Town of Orangetown, the Town of Clarkstown, and the Town of Ramapo meet thence; (3) turning and running generally in a easterly direction along the division line between the Town of Orangetown and the Town of Clarkstown to a point which being the intersection of said division line and the westerly line of the Village of South Nyack thence; (4) turning and running generally in a northwesterly direction along the division line of the Town of Orangetown and Town of Clarkstown which said line also being the westerly boundary of the Village of South Nyack thence; (5) turning and running generally in a northeasterly direction along the division line of the Town of Orangetown and Town of Clarkstown which said line also being the westerly boundary of the Village of South Nyack to a point on the boundary of the Village of South Nyack and Village of Nyack thence; (6) turning and running generally in a northeasterly direction along the division line of the Town of Orangetown and Town of Clarkstown through

the Village of Nyack to a point on the boundary of the Village of Nyack and Village of Upper Nyack which point is the dividing line of the Town of Orangetown and the Town of Clarkstown thence; (7) turning and running generally in a southeasterly direction along the division line of the Town of Orangetown and Town of Clarkstown which said line is division line of the Village of Nyack and the Village of Upper Nyack to a point which is on the eastern boundary of the of the Village of Nyack and Village of Upper Nyack thence; (8) turning and running generally in a southerly direction along the eastern boundary of the Village of Nyack to a point on the boundary of the Village of South Nyack and Village of Nyack thence; (9) turning and running generally in a southerly direction along the eastern boundary of the Village of South Nyack to a point on the boundary of the Village of Grand-View-On-Hudson and Village of South Nyack thence; (10) turning and running generally in a southerly direction along the eastern boundary of the Village of Piermont and the Village of Grand-View-On-Hudson to a point on the boundary of the Village of Piermont and Village of Grand-View-On-Hudson thence; (11) turning and running generally in a southeasterly direction along the boundary of the Village of Piermont for approx. 6988'± to a point on the Village of Piermont and the Town of Orangetown thence; (12) turning and running generally in a southeasterly direction for approx. 333'± along the boundary of the aforesaid boundary of the Village of Piermont and the Town of Orangetown thence; (13) turning and running generally in a southwesterly direction along the boundary of the Village of Piermont and the Town of Orangetown for approx. 3175± to a point on the boundary of the Town of Orangetown and Village of Piermont thence; (14) turning and running generally in a southerly direction along the boundary of the Town of Orangetown to a point on the division line between the State of New York and the State of New Jersey thence; (15) turning and running generally in a northwesterly direction along the dividing line between the State of New York and the State of New Jersey for approx. 47,514± to the point or place of beginning.

BUT EXCLUDING FROM THE ABOVE, AND FROM THE PROPOSED DISTRICT ALL OF THE FOLLOWING EIGHT (8) DESCRIBED PROPERTIES:

1) All that certain plot, piece, or parcel of land lying situate and being in the Town of Orangetown, County of Rockland, and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the southwesterly right-of-way line of Orangeburg Road, said point being the easternmost corner of lands n/f Abric (Tax Lot 78-763-9), and running thence;

1. Along said southwesterly right-of-way line of Orangeburg Road, the following two (2) courses and distances;
 - a. S 41° 50'52" E distance 0.60 feet to a point of curvature; thence
 - b. Southeasterly, on a curve to the left having a radius of 196.00 feet and an arc length of 98.46 feet; thence
2. Along the northwesterly line of lands formerly of Majeros (Tax Lot 78-763-7), S 41°14'45" W distance 122.65 feet; thence

3. Along the southwesterly line of said lands formerly of Majeros and lands formerly of Zacharakis (Tax Lot 78-763-6), S 71°33'30" E distant 433.61 feet; thence
4. Still along the southwesterly line of said lands formerly of Zacharakis, S 61°00'15" E distant 181.24 feet; thence
5. Still along said southwesterly line of lands former of Zacharakis, and along lands n/f Abbot (Tax Lot 78-763-5), land n/f Parsell (Tax Lot 78-763-5), land n/f Parsell (Tax Lot 78-763-4), and lands n/f Perez (Tax Lot 78-763-3), S 46°43'45" E distant 544.25 feet; thence
6. Along the southeasterly line of said lands n/f Perez, N 43°21'25" E distant 100.00 feet; thence
7. Along the southwesterly right-of-way of Orangeburg Road, S 46°43'45" E distant 33.00 feet; thence
8. Along the northwesterly line of land n/f Vega (Tax Lot 78-763-2), S 42°28'25" W 352.60 feet; thence
9. S 30°36'06" E distant 699.46 feet to a point on the common boundary line between the lands described herein and lands n/f Dominican Convent (Tax Lot 78-763-1); thence
10. S 62°16'00" W distant 480.17 feet to an iron pipe; thence
11. Along the northeasterly right-of-way line of land n/f Erie Railroad, N 42°44'00" W distant 923.04 feet to an iron pipe; thence
12. Along the southerly line of lands formerly of Grantwood Lumber (Tax Lot 78-763-12) and lands formerly of Mallon, (Tax Lot 78-763-11), N 79°30'45" E distant 215.41 feet; thence
13. Along the northeasterly line of said lands formerly of Mallon, N 42°37'38" W distant 715.84 feet; thence
14. N 14°02'07" E distant 88.12 feet; thence
15. N 25°14'37" W distant 221.20 feet; thence
16. Along the southerly line of said lands n/f Abric, N 41°14'15" E distant 333.68 feet, back to the point of place of BEGINNING

Said parcel described above is a portion of Tax Lots 8 of Block 763 in Section 78 as shown on the Town of Orangetown Tax Maps, and contains 25.0957 acres, more or less.

2) All that parcel of land situate lying and being in the Hamlet of Orangeburg, Town of Orangetown, County of Rockland, State of New York, more particularly described as follows; Beginning at a point on the easterly line of Rte. 303 (S.H. #1898), where same is intersected by the northerly line of lands now or formerly of Grantwood Lumber Corporation; and running thence:

Along the easterly line of Rte. 303 North $14^{\circ}-02'-07''$ East, a distance of 321.55 feet, thence;

Partly along lands now or formerly of Abric and partly along lands of the Rockland County Sewer District No. 1 South $25^{\circ}-14'-37''$ East, a distance of 332.36 feet, thence:

Along lands of the Rockland County Sewer District No. 1 the following three (3) courses and distances:

1. South $14^{\circ}-02'-07''$ West, a distance of 88.12 feet, thence:
2. South $42^{\circ}-37' 38''$ East, a distance of 715.84 feet, thence:
3. South $79^{\circ}-30'-45''$ West, a distance of 114.45 feet, thence:

Along land now or formerly of Grantwood Lumber Corp. the following two (2) courses and distances:

1. North $42^{\circ}-15'-00''$ West, a distance of 326.73 feet, thence:
2. North $42^{\circ}-44'-00''$ West, a distance of 517.13 feet to the point or place of BEGINNING.

Containing 2.699 Acres of Land

Reserving to Orange and Rockland Utilities, Inc., its successors and assigns, forever, the right to enter upon, without notice, and use part of the premises herein conveyed as a right of way 100 feet in width for the purpose, from time to time, of constructing, reconstructing, altering, enlarging, repairing, removing, replacing, relocating, operating, maintaining, inspecting, excavating for, and laying one or more electric transmission and distribution lines, and one or more gas pipe lines, including all necessary poles, H-Frames, and/or towers, conductors, conduits, pipes, cables, grips, counterpoises, markers, vaults, manholes, and all necessary appurtenances thereto, upon, over, under and across that portion of property herein conveyed, described as follows: Beginning at a point in the easterly line of Route 303 (S.H. #1898), where same is intersected by the northerly line of lands now or formerly of Grantwood Lumber Corporation; and running thence:

Along the easterly line of Route 303, on a course North $14^{\circ}-02'-07''$ East a distance of 114.57 feet, thence;

Partly through the parcel to be conveyed and along lands of the Rockland County Sewer District No. 1 on a course South $42^{\circ}-37'-38''$ East, a distance of 967.70 feet, thence;

Still along lands of the Rockland County Sewer District No. 1 on a course South 79°-30'-45" West a distance of 114.45 feet, thence;

Along lands now or formerly of Grantwood Lumber Corporation the following two courses and distances:

1. North 42°-15'-00" West, a distance of 326.73 feet, thence:
2. North 42°-44'-00" West, a distance of 517.13 feet to the point or place of BEGINNING.

Also together with the right to trim, cut, chemically treat, and/or remove all trees, branches and other vegetation and to keep free from and remove all buildings and obstructions within the above described 100 foot wide right of way area, and the right to have access to the right of way area at all time on foot or by vehicle for any of the aforesaid purposes.

Subject to easements of record.

3) All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Hamlet of Orangeburg, Town of Orangetown, County of Rockland and State of New York, and more particularly described as follows:

BEGINNING at the southwest corner of said premises which is also the northwest corner of lands belonging to Erie Railroad Company where the lands of Katherine L. Hassan, Mary E. Cunningham, Helen A. Loughlin and Eleanor G. MacDonnell and lands of Erie Railroad Company join on the easterly side of Route # 303 and running thence (1) along lands of Erie Railroad Company south 42 degrees 25 minutes east a distance of 708.61 feet to a point, and thence (2) north 78 degrees 58 minutes east a distance of 98 feet to a point; and thence (3) along lands of Rockland Light and Power Co. north 41 degrees 56 minutes west a distance of 299 feet to a point and thence (4) still along lands of Rockland Light and Power Co. north 42 degrees 25 minutes west a distance of 517.13 feet to the east side of Route #303 and thence (5) along the east side of Route #303 south 14 degrees 18 minutes west approximately 102.83 feet to the point of beginning.

TOGETHER with all right, title and interest of the parties of the first part, in and to any streets and roads abutting the above described premises, if any.

BEING shown as lot 12, in block 763 in section 78 on the Assessment Map of the Town of Orangetown.

4) All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, Rockland County, New York, more particularly bounded and described as follows:

BEGINNING at a point distant the following two courses from a monument marking the northeasterly corner of lands of Terwilliger:

- (a) S 89° 11' 30" E 240 feet;
- (b) S 0° 48' 30" W 89.65 feet;

And running thence from said beginning point

- (1) N 71° 28' 50" E 150 feet;
- (2) S 18° 31' 10" E 150 feet;
- (3) S 71° 28' 50" W 150 feet;
- (4) N 18° 31' 10" W 150 feet, to the point or place of beginning.

TOGETHER WITH a right of way 20 feet in width, and being more particularly described as follows:

BEGINNING at a point North 1° 26' 30" West 166.00 feet from a monument in the northerly boundary of the Erie Railroad. Said monument is 515 feet more or less easterly from the easterly side of Sickletown Road, as measured along the northerly boundary of the Erie Railroad; said point of beginning also being distant 186.55 feet on a course South 1° 26' 30" East from a monument in the southerly boundary of lands now or formerly of Kreisler and running thence (1) S 78° 15' 00" E. 176.11 feet to a point of curvature; thence (2) running easterly along a curve to the left with a radius of 197.38 feet an arc distance of 104.27 feet to a point in the fourth course in the above described parcel; thence (3) running N 18° 31' 10" W. 20 feet to a point in the arc of a curve; thence (4) running Westerly along a curve bearing to the right with a radius of 177.38 feet an arc distance of 93.71 feet to a point of tangency; thence (5) running N 78° 15' 00" West 180.79 feet to the easterly line of lands of Terwilliger; thence (6) running S 1° 26' 30" E. 20.54 feet to the point or place of beginning.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

5) BEGINNING at a point in the easterly line of Sickletown Road (41.25' wide), where the same is intersected by the southwesterly line of land now or formerly of the Erie-Lackawanna Railroad. Said point being distant 205.42' on a course of N 21° -11' -15" E along the easterly line of Sickletown Road from a concrete monument marking the northeasterly line of 5th Avenue; and running thence,

- (1) N 21° -11' -15" E 88.04' along the easterly line of Sickletown Road to a point in the northeasterly line of lands now or formerly of the Erie-Lackawanna Railroad; thence,

- (2) Southeasterly along a curve to the right having a radius of 1,086.14', an arc distance of 140.48' and a chord of S 63°-28'15" E 140.39' along the northeasterly line of said railroad to a non-tangent point of compound curvature; thence,
- (3) Southeasterly along a curve to the right having a radius of 1,203.68', an arc distance of 422.84' and a chord of S 54°-25'49" E 420.67' continuing along the same to a point; thence,
- (4) S 44°-43'55" E 130.49' continuing along the same to a point; thence,
- (5) N 39°-46' 18" E 41.90' continuing along the same to a point; thence,
- (6) N 50°-13'42" E 16.00' continuing along the same to a point; thence,
- (7) S 39°-02'14" E 234.01' continuing along the same to a point; thence,
- (8) S 38°-12'34" E 1100.41' continuing along the same to a point; thence,
- (9) S 34°-56'-20" E 474.78' continuing along the same to an iron pipe marking the southwesterly line of lands now or formerly of Gillen; thence,
- (10) S 39°-46'18" E 49.94' continuing along the northeasterly line of lands now or formerly of the Erie-Lackawanna Railroad to a point; thence,
- (11) S 55°-54'-30" W 26.94' along the northerly line of Sunset Road (also known as Van Wyck Road) (41.25' wide) to a point of curvature; thence,
- (12) Westerly along a curve to the right having a radius of 27.17', an arc distance of 38.39' to a point of tangency; thence,
- (13) N 43°-08'04" W 1151.98' along the northeasterly line of 5th Avenue (33' wide), to a concrete monument, thence,
- (14) N 41°-49'-11" W 493.87' continuing along the same to a point of curvature; thence,
- (15) Northwesterly along a curve to the left having a radius of 718.64', an arc distance of 62.14 and a chord of N 44°-17'-49" W 62.12' continuing along 5th Avenue to a point; thence,
- (16) N 40°-59'-45" W 123.48' along the southwesterly line of lands now or formerly of the Erie-Lackawanna Railroad to a point; thence,
- (17) N 50°-13'-42" E 21.00' continuing along the same to a point; thence,
- (18) N 39°-46'18" W 41.90' continuing along the same to a point; thence,

- (19) N 34° -48' -41" W 130.49' continuing along the same to a point; thence,
- (20) Northwesterly along a non-tangent curve to the left having a radius of 1,080.51', an arc distance of 380.17' and a chord of N 44° -34' -54" W 378.21' continuing along the same to a non-tangent point of compound curvature; thence,
- (21) Northwesterly along a curve to the left having a radius of 998.14', an arc distance of 126.59' and a chord of N 63° -23' -52" W 126.51' continuing along the southwesterly line of lands now or formerly of the Erie-Lackawanna Railroad to the point or place of beginning.

Containing 8.383 acres of land, more or less.

Together with the right, title and interest of Grantor in and to lands to the centerline of Van Wyck Road (Sunset Road), and being all of the lands of Grantor, whether or not included in the above description, between the centerline of Van Wyck Road (Sunset Road) and the easterly line of Sickletown Road; and

Being the premises conveyed by John J. Smith and Wife to New York and Erie Railroad Company by deed dated December 10, 1838 and recorded April 16, 1839 in Rockland County Book N, page 108, and part of the premises conveyed to said railroad company by deeds from Thomas Blanch and Wife dated April 25, 1846 and recorded May 5, 1846 in Book R, page 446; from Henry D. Bell and Wife dated October 1838 recorded November 20, 1838 in Book M, page 410; and from Cornelius Lydecker and Wife dated October 26, 1838 recorded November 23, 1838 in Book M, page 424.

There is also conveyed and assigned to Grantee any and all claims, if any, which may arise against the State of New York Department of Transportation in connection with the appropriation of an easement over said premises in connection with the construction of a new bridge carrying Fifth Avenue so-called over the Hackensack River.

EXCEPTING AND RESERVING from the above conveyance a perpetual easement and right to lay, construct, maintain, use, repair, relocate, replace and operate a certain water main or mains and appurtenances thereto, together with an easement for ingress and egress in, upon, across and under that part of the aforesaid property described as follows:

Beginning at a point in the easterly line of Sickletown Road (41.25' wide), where the same is intersected by the southwesterly line of lands now or formerly of the Erie-Lackawanna Railroad, said point being distant 205.42 feet on a course of North 21 degrees, 11 minutes, 15 seconds East along the easterly line of Sickletown Road from a concrete monument marking the northeasterly line of Fifth Avenue; thence

- (1) North 21 degrees, 11 minutes, 15 seconds East 88.04 feet along the easterly line of Sickletown Road to the northeasterly line of lands now or formerly of the Erie-Lackawanna Railroad; thence
- (2) Southeasterly along the northeasterly line of said railroad, on a curve to the right having a radius of 1,086.14 feet, an arc distance of 140.48 feet and a chord bearing of South 63 degrees, 28 minutes, 15 seconds East and a chord length of 140.39 feet to a non-tangent point of compound curve; thence
- (3) continuing southeasterly along the northeasterly line of said railroad, on a curve to the right having a radius of 1,203.68 feet, and arc distance of 159.52 feet and a chord bearing of South 60 degrees, 41 minutes, 51 seconds East and a chord length of 159.40 feet to a point; thence
- (4) southwesterly, crossing lands of said railroad, South 24 degrees, 51 minutes, 49 seconds West 120.29 feet to a point on the southwesterly line of lands nor or formerly of the said railroad; thence
- (5) [part of ¶5 description is missing]... railroad, on a curve to the left and having a radius of 1,080.51 feet, an arc distance of 173.11 feet and a chord bearing of North 50 degrees, 03 minutes, 59 seconds West and a chord length of 173.11 feet to a non-tangent point of compound curve; thence
- (6) continuing northwesterly along the southwesterly line of said railroad on a curve to the left having a radius of 998.14 feet and arc distance of 126.59 feet and a chord bearing of North 63 degrees, 23 minutes, 52 seconds West and a chord length of 126.51 feet to the easterly line of Sickletown Road and the point and place of beginning.

It is the intention of Grantor to convey said easement to Riverdale Realty, Inc., in the form and substance agreed to between Grantee and Rivervale, and Grantee by acceptance of this deed agrees to assume any obligations of Grantor in said easement agreement.

Together with the appurtenances and all the estate and rights of Grantor in and to said premises.

Title to the above-described property is being conveyed to:

- (1) Statutory and municipal requirements relating to the land and buildings;
- (2) Any state of facts that an accurate survey and an inspection of the premises would disclose;

- (3) Easements, covenants and restrictions of record, if any;
- (4) Leases, easements, license privileges or other agreement for the use of the subject property;
- (5) Assessments, if any, for public improvement;

ALSO TOGETHER WITH

All of Grantor's interest in the agreements mentioned in (4) above.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee and its successors and assigns, forever.

The premises conveyed herein do not constitute all or substantially all of the assets of Erie Lackawanna Inc.

The Erie-Lackawanna Railroad Company was the successor-in-interest of the Erie Railroad Company and The Delaware, Lackawanna and Western Railroad Company by virtue of a Joint Agreement of Merger made as of June 24, 1959, Interstate Commerce Commission Finance Docket No. 20707, recorded with the Secretary of State of the State of New York, October 17, 1960.

The Erie Lackawanna Railway Company was the success-in-interest of the Erie-Lackawanna Railroad Company by virtue of Agreement and Plan of merge as of April 1, 1968, recorded with the Secretary of State of the State of New York, April 1, 1968.

Erie Lackawanna Railway Company filed its petition in the United States District Court, The Northern District of Ohio, Eastern Division, for reorganization under Section 77 of the Bankruptcy laws of the United States and said petition was granted by Order No. 1 in Case No. B72-2838, dated and filed June 26, 1972.

By Order No. 1222 of said Court, Grantor succeeded to the property of the Debtor and its Trustees free and clear of all liens.

6) Said premises are more particularly described as follows:

All that certain plot, piece or parcel of land situate, lying and being in the Town of Orangetown, County of Rockland and State of New York. Being more fully bounded and described as follows:

BEGINNING at a point on the southerly line of Route 340 (Orangeburg Road), said point being the northeast corner of lands of Majoros; running thence:

1. Along the southerly line of Route 340 (Orangeburg Road) S 70°-37'-45" E, 137.63 feet; thence along a curve to the right having a radius of 546.36 feet an arc distance of 227.91 feet; thence S 46°-43'-45" E, 241.50 feet, thence
2. Along lands of Abbot S 43°-21'-25" W, 100.00 feet; thence

3. Along lands of the Rockland County Sewer District No. 1 N 46°-43'-45" W, 246.25 feet; thence N 61°-00'-15" W, 181.24 feet, thence N 71°-33'-30" W, 145.38 feet; thence
4. Along lands of Majoros N 18°-26'-30" E. 109.17 feet to the point of place of BEGINNING.

Containing 62,445 square feet of land.

The name of the condemnee of the real property described above, the only one known, is the following:

GUS ZACHARAKIS, residing at Christian Herald Road, Valley Cottage, New York, who is reputed to be the sole owner of the premises, as shown from a search of the records in the Office of the Clerk of the County of Rockland.

7) ALL that certain plot, piece of parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, County of Rockland, State of New York

Beginning at a point in the westerly line of the New York Central Railroad, West Shore Division, where the same is intersected by the assumed northeasterly line of Leber Road; and running thence,

- (1) N 29°-10'-57" W 125.00' Along the assumed northeasterly line of Leber Road to a point; thence,
 - (2) N 18°-11'-52" W 108.96' continuing along the same to a point; thence,
 - (3) N 02°-42'-52" W 168.17' continuing along the same to a point; thence,
 - (4) N 30°-30'-27" E 121.18' along lands now or formerly of Gibson to a point; thence,
 - (5) S 03°-50'-35" E 69.99' along the westerly line of the New York Central Railroad to a point; thence,
 - (6) S 05°-03'-21" E 416.81' continuing along the same to the point or place of beginning.
- Containing 25,200 square feet of land more or less

8) All that certain plot, piece or parcel of land situate, lying and being in the Town of Orangetown, County of Rockland and State of New York. Being more fully bounded and described as follows:
BEGINNING at a point on the southerly line of Route 340 (Orangeburg Road), said point being the northwest corner of lands of Zacharakis, running thence;

1. Along lands of Zacharakis S 18° 26' 30" W, 109.17 feet; thence
 2. Along lands of the Rockland County Sewer District Number One N 71° 33' 30" W, 288.23 feet; thence N 41° 14' 15" E, 122.65 feet; thence
 3. Along the southerly line of Route 340 (Orangeburg Road) S 70° 37' 45" E, 240.74 feet to the point or place of BEGINNING.
- Containing 29, 434 square feet of land.

The name of the condemnee of the real property described above, the only one known, is the following:

STEVE MAJOROS, c/o Union & Main Streets, Sparkill, New York, who is reputed to be the sole owner of the premises, as shown from a search of the records in the Office of the Clerk of the County of Rockland.

WHEREAS, the maximum amount proposed to be expended for the Improvements is \$22,100,000 which is planned to be financed by the issuance of \$22,100,000 serial bonds of the Town and shall be paid by 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, as further described in the map, plan and report;

WHEREAS, said village sewer systems, hereinabove described, are to be acquired by gift at no cost to the Town or the District; and

WHEREAS, said transfer and/or reallocation of real and personal property of the Town of Orangetown's Sewer Collection and Treatment System to the District, hereinabove described, is to be acquired by the District; and

WHEREAS, the expense of the establishment and maintenance of the District shall be paid by 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, as further described in the map, plan and report;

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 \$244.00, and the cost to the typical two family home is \$343.14; compared to the current town annual sewer cost of \$230.85 and \$263.80, 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 is not above the Average Estimated Cost to Typical Properties for the establishment of similar types of extensions 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, 26 Orangeburg Road, Orangeburg, New York, in the Town, on the 12th day of September, 2005, at Eight (8) o'clock P.M., to consider (i) the establishment of the proposed District, (ii) 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 (iii) the reconstruction of sewer facilities as described in the map, plan and report, all as hereinabove referred to, 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*," a newspaper 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 copy of this Order, certified by the Town Clerk, the first publication and said posting to be not less than ten (10) nor more than twenty (20) days before the day designated herein for said public hearing as aforesaid, and mail by first class mail to each owner of the taxable real property in the District, a notice of such public hearing in substantially the form attached hereto designated Exhibit "A"; and be it

FURTHER ORDERED, that the Town Clerk file a certified copy of this Order with the Comptroller of the State of New York on or about the date of publication of a copy of this Order.

DATED: JULY 18, 2005

TOWN BOARD OF THE TOWN OF ORANGETOWN

Thom Kleiner
Supervisor

Thomas Morr
Councilperson

Marie Manning
Councilperson

Denis O'Donnell
Councilperson

Denis Troy
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 22nd day of July, 2005, 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 22nd day of July, 2005.

(SEAL)

Charlotte Madigan
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 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 22nd day of July, 2005, 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 July 18, 2005, 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.

Charlotte Madigan
Town Clerk

Subscribed and sworn to before me
this 22nd day of July, 2005.

Harriet Marini
Notary Public, State of New York

EXHIBIT

9-8-05 9/12/05

617.20
Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Town of Orangetown - Dept. Environmental Man. & Eng.		2. PROJECT NAME Establishment of the Orangetown Sewer District	
3. PROJECT LOCATION: Municipality Town of Orangetown		County Rockland	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Town of Orangetown, both the unincorporated areas as well as the incorporated Villages of Piermont, Grandview-or-Hudson, South Nyack, Nyack, excluding the Rockland County sewer District No. 1 property located within the boundaries of the Town of Orangetown Sewer District, the Village of Upper nyack and certain individual properties in unincorporated Clarkstown.			
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: To share costs and services for providing sewage collection and treatment to the properties within the proposed boundaries of the Orangetown Sewer District. To provide a long term management tool with a dedicated funding mechanism for managing sewage and protecting public health, the environment, and our quality of life and economic vitality of our community.			
7. AMOUNT OF LAND AFFECTED: Initially <u>approx. 15,750</u> acres Ultimately <u>approx. 15,750</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? Describe: <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: SPDES No: NY 002 6051 - New York State Department of Environmental Conservation			
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>Ronald C. Delo, P.E., DEE</u> Date: <u>April 19, 2005</u> Signature: <u><i>Ronald C. Delo</i></u>			

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

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I 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 pattern, 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 - DEME

June 27, 2005

Name of Lead Agency

Date

Ronald C. Delo, P.E., DEE

Director

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Reset

EXHIBIT

9-C-05 9/12/05

EXTRACT OF MINUTES

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

September 12, 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, 26 Orangeburg Road, in said Town, on September 12, 2005, at 8 o'clock P.M.

There were present: Honorable Thom Kleiner, Supervisor;
and

Councilpersons: Marie Manning
Thomas Morr
Denis O'Donnell
Denis Troy

There were absent: None

Also present: * Charlotte Madigan, Town Clerk *

At 8 o'clock P.M. the Town Clerk stated that a Public Hearing had been called for this meeting at the Town Hall, 26 Orangeburg Road, in said Town, in the County of Rockland, New York, at 8:00 o'clock P.M., said hearing being continued from August 8, 2005, to consider the proposed establishment of The Orangetown Sewer District, in said 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, the acquisition of sanitary sewer systems of the villages of Grandview-on-Hudson, Nyack, Piermont and South Nyack (collectively, the "Villages") 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, all as described in a general map, plan and report prepared by the Town's Director of Environmental Management, at the estimated maximum cost of \$22,100,000, (collectively, the "Improvements"). The Town Clerk presented affidavits showing that certified copies of the Order Calling said Public Hearing had been published and posted pursuant to the provisions of Articles 12 and 12-A of the Town Law.

Councilperson Denis O'Donnell offered the following resolution which was seconded by Councilperson Marie Manning, and adopted on roll call

vote as follows:

Ayes: Councilperson O'Donnell, Manning, Troy, Morr
Supervisor Kleiner

Noes: None

The Public Hearing regarding (i) the establishment of the proposed Sewer District, (ii) the transfer and/or reallocation of real and personal property of the Town of Orangetown Sewer Collection and Treatment System to the District, and (iii) the reconstruction of sewer facilities as described in the map, plan and report, all as hereinabove referred to in the Public Hearing record, is continued from August 8, 2005, having been adjourned to September 12, 2005 pursuant to Town Board Resolution No. 513, duly adopted on August 8, 2005.

The following persons appeared in favor of the proposed establishment of said Sewer District, the acquisition of the sewer system to be reconstructed therein, the transfer and/or reallocation of the Town of Orangetown's Sewer Collection and Treatment System to the District and the construction of the Improvements:

Noel Haskell, Michael BryceLand and William Bosley

The following persons appeared in opposition to the proposed establishment of said Sewer District, the acquisition of the sewer system to be reconstructed therein, the transfer and/or reallocation of the Town of Orangetown's Sewer Collection and Treatment System to the District and the construction of the Improvements:

Ann McGuire, Andrew Wiley, Ruth Weber, Judy Goodrich, Henry Rand, Beth Riso,
Gail Raffaele, Saletto Decort, Fred Devan, Betsy Brenner, Eileen Larkin

The Town Clerk reported that the following pertinent written communications had been received: None

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon Councilperson, Troy offered the following resolution, which was seconded by Councilperson

Manning and adopted on roll call as follows:

Ayes: Councilpersons Troy, Manning, O'Donnell, Morr
Supervisor Kleiner

Noes: None

The Public Hearing is closed.

* * *

On motion of Councilman O'Donnell seconded by Councilwoman Manning,

the following resolution was adopted on roll call vote as follows:

AYES: Councilpersons O'Donnell, Manning, Troy, Morr
Supervisor Kleiner

NOES: None

RESOLUTION OF THE TOWN OF ORANGETOWN, NEW YORK,
ADOPTED SEPTEMBER 12, 2005, APPROVING THE
ESTABLISHMENT OF THE ORANGETOWN SEWER DISTRICT, IN
SAID TOWN, THE ACQUISITION AND RECONSTRUCTION OF THE
SEWER SYSTEM TO BE ACQUIRED AND RECONSTRUCTED
THEREIN, AND 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 PROVIDING THAT SUCH
RESOLUTION SHALL BE SUBJECT TO PERMISSIVE
REFERENDUM.

Recitals

WHEREAS, the Town Board of the Town of Orangetown (herein called "Town Board" and "Town", respectively), in the County of Rockland, New York, has heretofore caused the Director of Environmental Management and Engineering, a competent engineer duly licensed by the State of New York, to prepare a general map, plan and report for the proposed establishment of The Orangetown Sewer District (herein called "District"), in the Town, 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, pursuant to the Order duly adopted on July 18, 2005, the Town Board determined to proceed with the proposed establishment of the District and the acquisition of such 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, and adopted an Order reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the fact that the improvements are to be constructed and are to be acquired at no cost to the Town or the District, the method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying August 8, 2005, at 8:00 o'clock P.M. and, as continued, September 12, 2005, as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the proposed establishment of the District, the acquisition of such 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, 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 in relation thereto, as may be required by Law; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of Articles 12 and 12-A of the Town Law; and

WHEREAS, the Town Board has given due consideration to the impact that the establishment of the District, the acquisition of such sewer systems, 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 may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused by the establishment of such District; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly executed Full Environmental Assessment Form has been filed in the office of the Town Clerk; and

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said 8th day of August, 2005, commencing at 8 o'clock P.M. and concluding, as adjourned, on September 12, 2005 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;

Now, therefore, upon the evidence adduced at such Public Hearing, be it

**RESOLVED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN,
IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:**

Section 1. It is hereby determined that:

- (a) the notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;
- (b) all the property and property owners within the proposed District, hereinabove referred to in the recitals hereof, are benefited thereby;
- (c) all the property and property owners benefited are included within the limits of the proposed District; and
- (d) it is in the public interest to establish the District.

Section 2. It is hereby determined that it is in the public interest to construct the Improvements as hereinabove described, at the estimated maximum cost of \$22,100,000.

Section 3. The establishment of the District, the acquisition, transfer and/or reallocation of the sewer system and the construction of the Improvements therein are hereby approved as hereinafter described and as set forth in the said Order Calling Public Hearing and the District shall be designated and known as The Orangetown Sewer District, in the Town of Orangetown, and shall be bounded and described as follows:

ORANGETOWN SEWER DISTRICT

Beginning at a point which is the westernmost corner of the Town of Orangetown which point is also located on the dividing line between the State of New York and the State of New Jersey thence; (1) running generally in northeasterly direction along the division line between the Town of Orangetown and Town of Ramapo for approx. 5076'± thence; (2) turning and running generally in a northwesterly direction along the division line between the Town of Orangetown and Town of Ramapo for approx. 4752'± to a point where the boundaries of the Town of Orangetown, the Town of Clarkstown, and the Town of Ramapo meet thence; (3) turning and running generally in a easterly direction along the division line between the Town of Orangetown and the Town of Clarkstown to a point which being the intersection of said division line and the westerly line of the Village of South Nyack thence; (4) turning and running generally in a northwesterly direction along the division line of the Town of Orangetown and Town of Clarkstown which said line also being the westerly boundary of the Village of South Nyack thence; (5) turning and running generally in a northeasterly direction along the division line of the Town of Orangetown and Town of Clarkstown which said line also being the westerly boundary of the Village of South Nyack and Village of Nyack thence; (6) turning and running generally in a northeasterly direction along the division line of the Town of Orangetown and Town of Clarkstown through the Village of Nyack to a point on the boundary of the Village of Nyack and Village of Upper Nyack which point is the dividing line of the Town of Orangetown and the Town of Clarkstown thence; (7) turning and running generally in a southeasterly direction along the division line of the Town of Orangetown and Town of Clarkstown which said line is division line of the Village of Nyack and the Village of Upper Nyack to a point which is on the eastern boundary of the Village of Nyack and Village of Upper Nyack thence; (8) turning and running generally in a southerly direction along the eastern boundary of the Village of Nyack to a point on the boundary of the Village of Nyack and Village of Upper Nyack thence; (9) turning and running generally in a southerly direction along the eastern boundary of the Village of South Nyack to a point on the boundary of the Village of Grand-View-On-Hudson and Village of South Nyack thence; (10) turning and running generally in a southerly direction along the eastern boundary of the Village of Grand-View-On-Hudson to a point on the boundary of the Village of Piermont and Village of Grand-View-On-Hudson thence; (11) turning and running generally in a southeasterly direction along the boundary of the Village of Piermont for approx. 6988'± to a point on the Village of Piermont and the Town of Orangetown thence; (12) turning and running generally in a southeasterly direction for approx. 333'± along the boundary of the aforesaid boundary of the Village of Piermont and the Town of Orangetown thence; (13) turning and running generally in a southwesterly direction along the boundary of the Village of Piermont and the Town of Orangetown for approx. 3175± to a point on the boundary of the Town of Orangetown and Village of Piermont thence; (14) turning and running generally in a southerly direction along the boundary of the Town of Orangetown to a point on the division line between the State of New York and the State of New Jersey thence; (15) turning and running generally in a northwesterly direction along the dividing line between

the State of New York and the State of New Jersey for approx. 47,514± to the point or place of beginning.

BUT EXCLUDING FROM THE ABOVE ALL OF THE FOLLOWING EIGHT (8) DESCRIBED PROPERTIES:

1) All that certain plot, piece, or parcel of land lying situate and being in the Town of Orangetown, County of Rockland, and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the southwesterly right-of-way line of Orangeburg Road, said point being the easternmost corner of lands n/f Abrie (Tax Lot 78-763-9), and running thence;

1. Along said southwesterly right-of-way line of Orangeburg Road, the following two (2) courses and distances;
 - a. S 41° 50' 52" E distance 0.60 feet to a point of curvature; thence
 - b. Southeasterly, on a curve to the left having a radius of 196.00 feet and an arc length of 98.46 feet; thence
2. Along the northwesterly line of lands formerly of Majeros (Tax Lot 78-763-7), S 41° 14' 45" W distance 122.65 feet; thence
3. Along the southwesterly line of said lands formerly of Majeros and lands formerly of Zacharakis (Tax Lot 78-763-6), S 71° 33' 30" E distant 433.61 feet; thence
4. Still along the southwesterly line of said lands formerly of Zacharakis, S 61° 00' 15" E distant 181.24 feet; thence
5. Still along said southwesterly line of lands former of Zacharakis, and along lands n/f Abbot (Tax Lot 78-763-5), land n/f Parsell (Tax Lot 78-763-5), land n/f Parsell (Tax Lot 78-763-4), and lands n/f Perez (Tax Lot 78-763-3), S 46° 43' 45" E distant 544.25 feet; thence
6. Along the southeasterly line of said lands n/f Perez, N 43° 21' 25" E distant 100.00 feet; thence
7. Along the southwesterly right-of-way of Orangeburg Road, S 46° 43' 45" E distant 33.00 feet; thence
8. Along the northwesterly line of land n/f Vega (Tax Lot 78-763-2), S 42° 28' 25" W 352.60 feet; thence

9. S 30°36'06" E distant 699.46 feet to a point on the common boundary line between the lands described herein and lands n/f Dominican Convent (Tax Lot 78-763-1); thence
10. S 62°16'00" W distant 480.17 feet to an iron pipe; thence
11. Along the northeasterly right-of-way line of land n/f Erie Railroad, N 42°44'00" W distant 923.04 feet to an iron pipe; thence
12. Along the southerly line of lands formerly of Grantwood Lumber (Tax Lot 78-763-12) and lands formerly of Mallon, (Tax Lot 78-763-11), N 79°30'45" E distant 215.41 feet; thence
13. Along the northeasterly line of said lands formerly of Mallon, N 42°37'38" W distant 715.84 feet; thence
14. N 14°02'07" E distant 88.12 feet; thence
15. N 25°14'37" W distant 221.20 feet; thence
16. Along the southerly line of said lands n/f Abric, N 41°14'15" E distant 333.68 feet, back to the point of place of BEGINNING

Said parcel described above is a portion of Tax Lots 8 of Block 763 in Section 78 as shown on the Town of Orangetown Tax Maps, and contains 25.0957 acres, more or less.

2) All that parcel of land situate lying and being in the Hamlet of Orangeburg, Town of Orangetown, County of Rockland, State of New York, more particularly described as follows; Beginning at a point on the easterly line of Rte. 303 (S.H. #1898), where same is intersected by the northerly line of lands now or formerly of Grantwood Lumber Corporation; and running thence:

Along the easterly line of Rte. 303 North $14^{\circ}-02'-07''$ East, a distance of 321.55 feet, thence;

Partly along lands now or formerly of Abric and partly along lands of the Rockland County Sewer District No. 1 South $25^{\circ}-14'-37''$ East, a distance of 332.36 feet, thence:

Along lands of the Rockland County Sewer District No. 1 the following three (3) courses and distances:

1. South $14^{\circ}-02'-07''$ West, a distance of 88.12 feet, thence;
2. South $42^{\circ}-37' 38''$ East, a distance of 715.84 feet, thence;
3. South $79^{\circ}-30'-45''$ West, a distance of 114.45 feet, thence:

Along land now or formerly of Grantwood Lumber Corp. the following two (2) courses and distances:

1. North $42^{\circ}-15'-00''$ West, a distance of 326.73 feet, thence;
2. North $42^{\circ}-44'-00''$ West, a distance of 517.13 feet to the point or place of BEGINNING.

Containing 2.699 Acres of Land

Reserving to Orange and Rockland Utilities, Inc., its successors and assigns, forever, the right to enter upon, without notice, and use part of the premises herein conveyed as a right of way 100 feet in width for the purpose, from time to time, of constructing, reconstructing, altering, enlarging, repairing, removing, replacing, relocating, operating, maintaining, inspecting, excavating for, and laying one or more electric transmission and distribution lines, and one or more gas pipe lines, including all necessary poles, H-Frames, and/or towers, conductors, conduits, pipes, cables, grips, counterpoises, markers, vaults, manholes, and all necessary appurtenances thereto, upon, over, under and across that portion of property herein conveyed, described as follows: Beginning at a point in the easterly line of Route 303 (S.H. #1898), where same is intersected by the northerly line of lands now or formerly of Grantwood Lumber Corporation; and running thence:

Along the easterly line of Route 303, on a course North $14^{\circ}-02'-07''$ East a distance of 114.57 feet, thence;

Partly through the parcel to be conveyed and along lands of the Rockland County Sewer District No. 1 on a course South 42°-37'-38" East, a distance of 967.70 feet, thence;

Still along lands of the Rockland County Sewer District No. 1 on a course South 79°-30'-45" West a distance of 114.45 feet, thence;

Along lands now or formerly of Grantwood Lumber Corporation the following two courses and distances:

1. North 42°-15'-00" West, a distance of 326.73 feet, thence;
2. North 42°-44'-00" West, a distance of 517.13 feet to the point or place of BEGINNING.

Also together with the right to trim, cut, chemically treat, and/or remove all trees, branches and other vegetation and to keep free from and remove all buildings and obstructions within the above described 100 foot wide right of way area, and the right to have access to the right of way area at all time on foot or by vehicle for any of the aforesaid purposes.

Subject to easements of record.

3) All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Hamlet of Orangeburg, Town of Orangetown, County of Rockland and State of New York, and more particularly described as follows:

BEGINNING at the southwest corner of said premises which is also the northwest corner of lands belonging to Erie Railroad Company where the lands of Katherine L. Hassan, Mary E. Cunningham, Helen A. Loughlin and Eleanor G. MacDonnell and lands of Erie Railroad Company join on the easterly side of Route # 303 and running thence (1) along lands of Erie Railroad Company south 42 degrees 25 minutes east a distance of 708.61 feet to a point, and thence (2) north 78 degrees 58 minutes east a distance of 98 feet to a point; and thence (3) along lands of Rockland Light and Power Co. north 41 degrees 56 minutes west a distance of 299 feet to a point and thence (4) still along lands of Rockland Light and Power Co. north 42 degrees 25 minutes west a distance of 517.13 feet to the east side of Route #303 and thence (5) along the east side of Route #303 south 14 degrees 18 minutes west approximately 102.83 feet to the point of beginning.

TOGETHER with all right, title and interest of the parties of the first part, in and to any streets and roads abutting the above described premises, if any.

BEING shown as lot 12, in block 763 in section 78 on the Assessment Map of the Town of Orangetown.

4) All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, Rockland County, New York, more particularly bounded and described as follows:

BEGINNING at a point distant the following two courses from a monument marking the northeasterly corner of lands of Terwilliger:

- (a) S 89° 11' 30" E 240 feet;
- (b) S 0° 48' 30" W 89.65 feet;

And running thence from said beginning point

- (1) N 71° 28' 50" E 150 feet;
- (2) S 18° 31' 10" E 150 feet;
- (3) S 71° 28' 50" W 150 feet;
- (4) N 18° 31' 10" W 150 feet, to the point or place of beginning.

TOGETHER WITH a right of way 20 feet in width, and being more particularly described as follows:

BEGINNING at a point North 1° 26' 30" West 166.00 feet from a monument in the northerly boundary of the Erie Railroad. Said monument is 515 feet more or less easterly from the easterly side of Sickletown Road, as measured along the northerly boundary of the Erie Railroad; said point of beginning also being distant 186.55 feet on a course South 1° 26' 30" East from a monument in the southerly boundary of lands nor or formerly of Kreisler and running thence (1) S 78° 15' 00" E. 176.11 feet to a point of curvature; thence (2) running easterly along a curve to the left with a radius of 197.38 feet an arc distance of 104.27 feet to a point in the fourth course in the above described parcel; thence (3) running N 18° 31' 10" W. 20 feet to a point in the arc of a curve; thence (4) running Westerly along a curve bearing to the right with a radius of 177.38 feet an arc distance of 93.71 feet to a point of tangency; thence (5) running N 78° 15' 00" West 180.79 feet to the easterly line of lands of Terwilliger; thence (6) running S 1° 26' 30" E. 20.54 feet to the point or place of beginning.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

5) BEGINNING at a point in the easterly line of Sickletown Road (41.25' wide), where the same is intersected by the southwesterly line of land nor or formerly of the Erie-Lackawanna Railroad. Said point being distant 205.42' on a course of N 21° -11' -15" E along the easterly line of Sickletown Road from a concrete monument marking the northeasterly line of 5th Avenue; and running thence,

- (1) N 21° -11' -15" E 88.04' along the easterly line of Sickletown Road to a point in the northeasterly line of lands now or formerly of the Erie-Lackawanna Railroad; thence,

- (2) Southeasterly along a curve to the right having a radius of 1,086.14', an arc distance of 140.48' and a chord of S 63°-28'15" E 140.39' along the northeasterly line of said railroad to a non-tangent point of compound curvature; thence,
- (3) Southeasterly along a curve to the right having a radius of 1,203.68', an arc distance of 422.84' and a chord of S 54°-25'49" E 420.67' continuing along the same to a point; thence,
- (4) S 44°-43'55" E 130.49' continuing along the same to a point; thence,
- (5) N 39°-46'18" E 41.90' continuing along the same to a point; thence,
- (6) N 50°-13'42" E 16.00' continuing along the same to a point; thence,
- (7) S 39°-02'14" E 234.01' continuing along the same to a point; thence,
- (8) S 38°-12'-34" E 1100.41' continuing along the same to a point; thence,
- (9) S 34°-56'-20" E 474.78' continuing along the same to an iron pipe marking the southwesterly line of lands now or formerly of Gillen; thence,
- (10) S 39°-46'18" E 49.94' continuing along the northeasterly line of lands now or formerly of the Erie-Lackawanna Railroad to a point; thence,
- (11) S 55°-54'-30" W 26.94' along the northerly line of Sunset Road (also known as Van Wyck Road) (41.25' wide) to a point of curvature; thence,
- (12) Westerly along a curve to the right having a radius of 27.17', an arc distance of 38.39' to a point of tangency; thence,
- (13) N 43°-08'04" W 1151.98' along the northeasterly line of 5th Avenue (33' wide), to a concrete monument, thence,
- (14) N 41°-49'-11" W 493.87' continuing along the same to a point of curvature; thence,
- (15) Northwesterly along a curve to the left having a radius of 718.64', an arc distance of 62.14 and a chord of N 44°-17'-49" W 62.12' continuing along 5th Avenue to a point; thence,
- (16) N 40°-59'-45" W 123.48' along the southwesterly line of lands now or formerly of the Erie-Lackawanna Railroad to a point; thence,
- (17) N50°-13'-42" E 21.00' continuing along the same to a point; thence,
- (18) N 39°-46'18" W 41.90' continuing along the same to a point; thence,

- (19) N 34° -48' -41" W 130.49' continuing along the same to a point; thence,
- (20) Northwesterly along a non-tangent curve to the left having a radius of 1,080.51', an arc distance of 380.17' and a chord of N 44° -34' -54" W 378.21' continuing along the same to a non-tangent point of compound curvature; thence,
- (21) Northwesterly along a curve to the left having a radius of 998.14', an arc distance of 126.59' and a chord of N 63° -23' -52" W 126.51' continuing along the southwesterly line of lands now or formerly of the Erie-Lackawanna Railroad to the point or place of beginning.

Containing 8.383 acres of land, more or less.

Together with the right, title and interest of Grantor in and to lands to the centerline of Van Wyck Road (Sunset Road), and being all of the lands of Grantor, whether or not included in the above description, between the centerline of Van Wyck Road (Sunset Road) and the easterly line of Sickletown Road; and

Being the premises conveyed by John J. Smith and Wife to New York and Erie Railroad Company by deed dated December 10, 1838 and recorded April 16, 1839 in Rockland County Book N, page 108, and part of the premises conveyed to said railroad company by deeds from Thomas Blanch and Wife dated April 25, 1846 and recorded May 5, 1846 in Book R, page 446; from Henry D. Bell and Wife dated October 1838 recorded November 20, 1838 in Book M, page 410; and from Cornelius Lydecker and Wife dated October 26, 1838 recorded November 23, 1838 in Book M, page 424.

There is also conveyed and assigned to Grantee any and all claims, if any, which may arise against the State of New York Department of Transportation in connection with the appropriation of an easement over said premises in connection with the construction of a new bridge carrying Fifth Avenue so-called over the Hackensack River.

EXCEPTING AND RESERVING from the above conveyance a perpetual easement and right to lay, construct, maintain, use, repair, relocate, replace and operate a certain water main or mains and appurtenances thereto, together with an easement for ingress and egress in, upon, across and under that part of the aforesaid property described as follows:

Beginning at a point in the easterly line of Sickletown Road (41.25' wide), where the same is intersected by the southwesterly line of lands now or formerly of the Erie-Lackawanna Railroad, said point being distant 205.42 feet on a course of North 21 degrees, 11 minutes, 15 seconds East along the easterly line of Sickletown Road from a concrete monument marking the northeasterly line of Fifth Avenue; thence

- (1) North 21 degrees, 11 minutes, 15 seconds East 88.04 feet along the easterly line of Sickletown Road to the northeasterly line of lands now or formerly of the Erie-Lackawanna Railroad; thence
- (2) Southeasterly along the northeasterly line of said railroad, on a curve to the right having a radius of 1.086.14 feet, an arc distance of 140.48 feet and a chord bearing of South 63 degrees, 28 minutes, 15 seconds East and a chord length of 140.39 feet to a non-tangent point of compound curve; thence
- (3) continuing southeasterly along the northeasterly line of said railroad, on a curve to the right having a radius of 1,203.68 feet, and arc distance of 159.52 feet and a chord bearing of South 60 degrees, 41 minutes, 51 seconds East and a chord length of 159.40 feet to a point; thence
- (4) southwesterly, crossing lands of said railroad, South 24 degrees, 51 minutes, 49 seconds West 120.29 feet to a point on the southwesterly line of lands nor or formerly of the said railroad; thence
- (5) [part of ¶5 description is missing]... railroad, on a curve to the left and having a radius of 1,080.51 feet, an arc distance of 173.11 feet and a chord bearing of North 50 degrees, 03 minutes, 59 seconds West and a chord length of 173.11 feet to a non-tangent point of compound curve; thence
- (6) continuing northwesterly along the southwesterly line of said railroad on a curve to the left having a radius of 998.14 feet and arc distance of 126.59 feet and a chord bearing of North 63 degrees, 23 minutes, 52 seconds West and a chord length of 126.51 feet to the easterly line of Sickletown Road and the point and place of beginning.

It is the intention of Grantor to convey said easement to Riverdale Realty, Inc., in the form and substance agreed to between Grantee and Rivervale, and Grantee by acceptance of this deed agrees to assume any obligations of Grantor in said easement agreement.

Together with the appurtenances and all the estate and rights of Grantor in and to said premises.

Title to the above-described property is being conveyed to:

- (1) Statutory and municipal requirements relating to the land and buildings;
- (2) Any state of facts that an accurate survey and an inspection of the premises would disclose;

- (3) Easements, covenants and restrictions of record, if any;
- (4) Leases, easements, license privileges or other agreement for the use of the subject property;
- (5) Assessments, if any, for public improvement;

ALSO TOGETHER WITH

All of Grantor's interest in the agreements mentioned in (4) above.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee and its successors and assigns, forever.

The premises conveyed herein do not constitute all or substantially all of the assets of Erie Lackawanna Inc.

The Erie-Lackawanna Railroad Company was the successor-in-interest of the Erie Railroad Company and The Delaware, Lackawanna and Western Railroad Company by virtue of a Joint Agreement of Merger made as of June 24, 1959, Interstate Commerce Commission Finance Docket No. 20707, recorded with the Secretary of State of the State of New York, October 17, 1960.

The Erie Lackawanna Railway Company was the success-in-interest of the Erie-Lackawanna Railroad Company by virtue of Agreement and Plan of merge as of April 1, 1968, recorded with the Secretary of State of the State of New York, April 1, 1968.

Erie Lackawanna Railway Company filed its petition in the United States District Court, The Northern District of Ohio, Eastern Division, for reorganization under Section 77 of the Bankruptcy laws of the United States and said petition was granted by Order No. 1 in Case No. B72-2838, dated and filed June 26, 1972.

By Order No. 1222 of said Court, Grantor succeeded to the property of the Debtor and its Trustees free and clear of all liens.

6) Said premises are more particularly described as follows:

All that certain plot, piece or parcel of land situate, lying and being in the Town of Orangetown, County of Rockland and State of New York. Being more fully bounded and described as follows:

BEGINNING at a point on the southerly line of Route 340 (Orangeburg Road), said point being the northeast corner of lands of Majoros; running thence:

1. Along the southerly line of Route 340 (Orangeburg Road) S 70°-37'-45" E, 137.63 feet; thence along a curve to the right having a radius of 546.36 feet an arc distance of 227.91 feet; thence S 46°-43'-45" E, 241.50 feet, thence
2. Along lands of Abbot S 43°-21'-25" W, 100.00 feet; thence

3. Along lands of the Rockland County Sewer District No. 1 N 46°-43'-45" W, 246.25 feet; thence N 61°-00'15" W, 181.24 feet, thence N 71°-33'-30" W, 145.38 feet; thence

4. Along lands of Majoros N 18°-26'-30" E. 109.17 feet to the point of place of BEGINNING.

Containing 62,445 square feet of land.

The name of the condemnee of the real property described above, the only one known, is the following:

GUS ZACHARAKIS, residing at Christian Herald Road, Valley Cottage, New York, who is reputed to be the sole owner of the premises, as shown from a search of the records in the Office of the Clerk of the County of Rockland.

7) ALL that certain plot, piece of parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, County of Rockland, State of New York

Beginning at a point in the westerly line of the New York Central Railroad, West Shore Division, where the same is intersected by the assumed northeasterly line of Leber Road; and running thence,

- (1) N 29°-10'-57" W 125.00' Along the assumed northeasterly line of Leber Road to a point; thence,
- (2) N 18°-11'-52" W 108.96' continuing along the same to a point; thence,
- (3) N 02°-42'-52" W 168.17' continuing along the same to a point; thence,
- (4) N 30°-30'-27" E 121.18' along lands now or formerly of Gibson to a point; thence,
- (5) S 03°-50'-35" E 69.99' along the westerly line of the New York Central Railroad to a point; thence,
- (6) S 05°-03'-21" E 416.81' continuing along the same to the point or place of beginning.

Containing 25,200 square feet of land more or less

8) All that certain plot, piece or parcel of land situate, lying and being in the Town of Orangetown, County of Rockland and State of New York. Being more fully bounded and described as follows:
BEGINNING at a point on the southerly line of Route 340 (Orangeburg Road), said point being the northwest corner of lands of Zacharakis, running thence;

1. Along lands of Zacharakis S 18° 26' 30" W, 109.17 feet; thence
2. Along lands of the Rockland County Sewer District Number One N 71° 33' 30" W, 288.23 feet; thence N 41° 14' 15" E, 122.65 feet; thence
3. Along the southerly line of Route 340 (Orangeburg Road) S 70° 37' 45" E, 240.74 feet to the point or place of BEGINNING.

Containing 29, 434 square feet of land.

The name of the condemnee of the real property described above, the only one known, is the following:

STEVE MAJOROS, c/o Union & Main Streets, Sparkill, New York, who is reputed to be the sole owner of the premises, as shown from a search of the records in the Office of the Clerk of the County of Rockland.

Section 4. The said sewer system to be reconstructed, as hereinabove described, is to be acquired by gift at no cost to the Town or the District, and the expense of the establishment and maintenance of District shall be paid by 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.

Section 5. It is hereby determined that it is in the public interest to transfer and/or reallocate the real and personal property of the Town of Orangetown's Sewer Collection and

Treatment System to the District and the District shall reimburse an appropriate fund of the Town for such transfer and/or reallocation, and the expense of such transfer and/or reallocation shall be paid by 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 benefitted 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.

Section 6. This resolution is subject to permissive referendum and the Town Clerk of the Town is hereby authorized and directed within ten (10) days after the adoption of this resolution, to cause to be published at least once in "*The Journal News*" a newspaper hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town, a Notice which shall set forth an abstract of said foregoing resolution which shall be in substantially the following form:

TOWN OF ORANGETOWN, NEW YORK

PLEASE TAKE NOTICE that on September 12, 2005, the Town Board of the

Town of Orangetown, in the County of Rockland, New York, adopted a resolution entitled:

“RESOLUTION OF THE TOWN OF ORANGETOWN, NEW YORK, ADOPTED SEPTEMBER 12, 2005, APPROVING THE ESTABLISHMENT OF THE ORANGETOWN SEWER DISTRICT, IN SAID TOWN, THE ACQUISITION AND RECONSTRUCTION OF THE SEWER SYSTEM TO BE ACQUIRED AND RECONSTRUCTED THEREIN, AND 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 PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM,”

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

FIRST: RECITING that the Town Board of the Town of Orangetown (“Town Board” and “Town”, respectively), New York, has heretofore duly caused the preparation of a general map, plan and report relating to the proposed establishment of The Orangetown Sewer District (the “District”), in the Town, and the consisting of the transfer and/or reallocation of real and personal property of the Town of Orangetown’s Sewer Collection and Treatment System to the District, the acquisition of sanitary sewer systems of the villages of Grandview-on-Hudson, Nyack, Piermont and South Nyack (collectively, the “Villages”), in the Town 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, all as described in a general map, plan and report prepared by the Town’s Director of Environmental Management, , at the estimated maximum cost of \$22,100,000 (the “Improvements”); which map, plan and report has been duly filed in the office of the Town Clerk of the Town for public inspection; that an Order was adopted on July 18, 2005, reciting a description of the boundaries of the proposed District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the fact that the improvements are to be constructed and are to be acquired at no cost to the Town or the District, the proposed method of financing to be employed, the fact that a map, plan and report

describing the same are on file in the Town Clerk's office for public inspection, and specifying the time and place of a Public Hearing to hear all persons interested in the subject thereof concerning the same; that copies of such Order have been duly published and posted, and that such hearing has been duly held on August 8, 2005, and, as adjourned, September 12, 2005 at the time and place specified;

SECOND: RESOLVING AND DETERMINING that (a) the notice of public hearing was published and posted as required by Law and is otherwise sufficient, (b) all the property and property owners within the proposed District are benefited thereby, (c) all the property and property owners benefited are included within the limits of the proposed District, and (d) that it is in the public interest to establish the District;

THIRD: FURTHER RESOLVING AND DETERMINING that it is in the public interest to construct the Improvements at the estimated maximum cost of \$22,100,000, that the establishment of the District be approved, that the transfer and/or reallocation of the real and personal property of the Town of Orangetown's Sewer Collection and Treatment System to the District be approved, DESIGNATING such District as The Orangetown Sewer District, in the Town of Orangetown, and DESCRIBING the District by metes and bounds;

FOURTH: RESOLVING that the said sewer system to be constructed and/or reconstructed therein, as hereinabove described, is to be acquired by gift at no cost to the Town or the District, and the expense of the establishment and maintenance of the District shall be paid by 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;

FIFTH: DETERMINING that it is in the public interest to transfer and/or reallocate the real and personal property of the Town of Orangetown's Sewer Collection and Treatment System to the District and the District shall reimburse an appropriate fund of the Town for such transfer and/or reallocation, and the expense of such transfer and/or reallocation shall be paid by 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

SIXTH: STATING that this resolution is subject to permissive referendum.

The area included in the proposed District is bounded and described as follows:

ORANGETOWN SEWER DISTRICT

Beginning at a point which is the westernmost corner of the Town of Orangetown which point is also located on the dividing line between the State of New York and the State of New Jersey thence; (1) running generally in northeasterly direction along the division line between the Town of Orangetown and Town of Ramapo for approx. 5076'± thence; (2) turning and running generally in a northwesterly direction along the division line where the Town of Orangetown and Town of Ramapo for approx. 4752'± to a point where the boundaries of the Town of Orangetown, the Town of Clarkstown, and the Town of Ramapo meet thence; (3) turning and running generally in a easterly direction along the division line between the Town of Orangetown and the Town of Clarkstown to a point which being the intersection of said division line and the westerly line of the Village of South Nyack thence; (4) turning and running generally in a northwesterly direction along the division line of the Town of Orangetown and Town of Clarkstown which said line also being the westerly boundary of the Village of South Nyack thence; (5) turning and running generally in a northeasterly direction along the division line of the Town of Orangetown and Town of Clarkstown which said line also being the westerly boundary of the Village of Clarkstown thence; (6) turning and running generally in a northeasterly direction along the division line of the Village of South Nyack to a point on the boundary of the Village of South Nyack and Village of Nyack thence; (7) turning and running generally in a northeasterly direction along the division line of the Town of Orangetown and Town of Clarkstown through the Village of Nyack to a point on the boundary of the Village of Nyack and Village of Upper Nyack which point is the dividing line of the Town of Orangetown and the Town of Clarkstown thence; (8) turning and running generally in a southeasterly direction along the division line of the Town of Orangetown and Town of Clarkstown which said line is division line of the Village of Nyack and the Village of Upper Nyack to a point which is on the eastern boundary of the Village of Nyack and Village of Upper Nyack thence; (9) turning and running generally in a southerly direction along the eastern boundary of the Village of South Nyack to a point on the boundary of the Village of Grand-View-On-Hudson and Village of South Nyack thence; (10) turning and running generally in a southerly direction along the eastern boundary of the Village of Grand-View-On-Hudson and Village of Grand-View-On-Hudson thence; (11) turning and running generally in a southeasterly direction along the boundary of the Village of Piermont for approx. 6988'± to a point on the Village of Piermont and the Town of Orangetown thence; (12) turning and running generally in a southeasterly direction for approx. 333'± along the boundary of the aforesaid boundary of the Village of Piermont and the Town of Orangetown thence; (13) turning and running generally in a southwesterly direction along the boundary of the Village of Piermont and the Town of Orangetown for approx. 3175± to a point on the boundary of the Town of Orangetown and Village of Piermont thence; (14) turning and running generally in a southerly direction along the boundary of the Town of Orangetown to a point on the division line between the State of New York and the State of New Jersey thence; (15) turning and running generally in a northwesterly direction along the dividing line between

the State of New York and the State of New Jersey for approx. 47,514± to the point or place of beginning.

BUT EXCLUDING FROM THE ABOVE ALL OF THE FOLLOWING EIGHT (8) DESCRIBED PROPERTIES:

1) All that certain plot, piece, or parcel of land lying situate and being in the Town of Orangetown, County of Rockland, and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the southwesterly right-of-way line of Orangeburg Road, said point being the easternmost corner of lands n/f Abrie (Tax Lot 78-763-9), and running thence;

11. Along said southwesterly right-of-way line of Orangeburg Road, the following two (2) courses and distances;
 - a. S 41° 50' 52" E distance 0.60 feet to a point of curvature; thence
 - b. Southeasterly, on a curve to the left having a radius of 196.00 feet and an arc length of 98.46 feet; thence
12. Along the northwesterly line of lands formerly of Majeros (Tax Lot 78-763-7), S 41° 14' 45" W distance 122.65 feet; thence
13. Along the southwesterly line of said lands formerly of Majeros and lands formerly of Zacharakis (Tax Lot 78-763-6), S 71° 33' 30" E distant 433.61 feet; thence
14. Still along the southwesterly line of said lands formerly of Zacharakis, S 61° 00' 15" E distant 181.24 feet; thence
15. Still along said southwesterly line of lands former of Zacharakis, and along lands n/f Abbot (Tax Lot 78-763-5), land n/f Parsell (Tax Lot 78-763-5), land n/f Parsell (Tax Lot 78-763-4), and lands n/f Perez (Tax Lot 78-763-3), S 46° 43' 45" E distant 544.25 feet; thence
16. Along the southeasterly line of said lands n/f Perez, N 43° 21' 25" E distant 100.00 feet; thence
17. Along the southwesterly right-of-way of Orangeburg Road, S 46° 43' 45" E distant 33.00 feet; thence
18. Along the northwesterly line of land n/f Vega (Tax Lot 78-763-2), S 42° 28' 25" W 352.60 feet; thence

19. S 30°36'06" E distant 699.46 feet to a point on the common boundary line between the lands described herein and lands n/f Dominican Convent (Tax Lot 78-763-1); thence
20. S 62°16'00" W distant 480.17 feet to an iron pipe; thence
11. Along the northeasterly right-of-way line of land n/f Erie Railroad, N 42°44'00" W distant 923.04 feet to an iron pipe; thence
17. Along the southerly line of lands formerly of Grantwood Lumber (Tax Lot 78-763-12) and lands formerly of Mallon, (Tax Lot 78-763-11), N 79°30'45" E distant 215.41 feet; thence
18. Along the northeasterly line of said lands formerly of Mallon, N 42°37'38" W distant 715.84 feet; thence
19. N 14°02'07" E distant 88.12 feet; thence
20. N 25°14'37" W distant 221.20 feet; thence
21. Along the southerly line of said lands n/f Abric, N 41°14'15" E distant 333.68 feet, back to the point of place of BEGINNING

Said parcel described above is a portion of Tax Lots 8 of Block 763 in Section 78 as shown on the Town of Orangetown Tax Maps, and contains 25.0957 acres, more or less.

2) All that parcel of land situate lying and being in the Hamlet of Orangeburg, Town of Orangetown, County of Rockland, State of New York, more particularly described as follows; Beginning at a point on the easterly line of Rte. 303 (S.H. #1898), where same is intersected by the northerly line of lands now or formerly of Grantwood Lumber Corporation; and running thence:

Along the easterly line of Rte. 303 North $14^{\circ}-02'-07''$ East, a distance of 321.55 feet, thence;

Partly along lands now or formerly of Abric and partly along lands of the Rockland County Sewer District No. 1 South $25^{\circ}-14'-37''$ East, a distance of 332.36 feet, thence:

Along lands of the Rockland County Sewer District No. 1 the following three (3) courses and distances:

4. South $14^{\circ}-02'-07''$ West, a distance of 88.12 feet, thence:
5. South $42^{\circ}-37'-38''$ East, a distance of 715.84 feet, thence:
6. South $79^{\circ}-30'-45''$ West, a distance of 114.45 feet, thence:

Along land now or formerly of Grantwood Lumber Corp. the following two (2) courses and distances:

3. North $42^{\circ}-15'-00''$ West, a distance of 326.73 feet, thence:
4. North $42^{\circ}-44'-00''$ West, a distance of 517.13 feet to the point or place of BEGINNING.

Containing 2.699 Acres of Land

Reserving to Orange and Rockland Utilities, Inc., its successors and assigns, forever, the right to enter upon, without notice, and use part of the premises herein conveyed as a right of way 100 feet in width for the purpose, from time to time, of constructing, reconstructing, altering, enlarging, repairing, removing, replacing, relocating, operating, maintaining, inspecting, excavating for, and laying one or more electric transmission and distribution lines, and one or more gas pipe lines, including all necessary poles, H-Frames, and/or towers, conductors, conduits, pipes, cables, grips, counterpoises, markers, vaults, manholes, and all necessary appurtenances thereto, upon, over, under and across that portion of property herein conveyed, described as follows: Beginning at a point in the easterly line of Route 303 (S.H. #1898), where same is intersected by the northerly line of lands now or formerly of Grantwood Lumber Corporation; and running thence:

Along the easterly line of Route 303, on a course North $14^{\circ}-02'-07''$ East a distance of 114.57 feet, thence;

Partly through the parcel to be conveyed and along lands of the Rockland County Sewer District No. 1 on a course South 42°-37'-38" East, a distance of 967.70 feet, thence;

Still along lands of the Rockland County Sewer District No. 1 on a course South 79°-30'-45" West a distance of 114.45 feet, thence;

Along lands now or formerly of Grantwood Lumber Corporation the following two courses and distances:

3. North 42°-15'-00" West, a distance of 326.73 feet, thence:
4. North 42°-44'-00" West, a distance of 517.13 feet to the point or place of BEGINNING.

Also together with the right to trim, cut, chemically treat, and/or remove all trees, branches and other vegetation and to keep free from and remove all buildings and obstructions within the above described 100 foot wide right of way area, and the right to have access to the right of way area at all time on foot or by vehicle for any of the aforesaid purposes.

Subject to easements of record.

3) All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Hamlet of Orangeburg, Town of Orangetown, County of Rockland and State of New York, and more particularly described as follows:

BEGINNING at the southwest corner of said premises which is also the northwest corner of lands belonging to Erie Railroad Company where the lands of Katherine L. Hassan, Mary E. Cunningham, Helen A. Loughlin and Eleanor G. MacDonnell and lands of Erie Railroad Company join on the easterly side of Route # 303 and running thence (1) along lands of Erie Railroad Company south 42 degrees 25 minutes east a distance of 708.61 feet to a point, and thence (2) north 78 degrees 58 minutes east a distance of 98 feet to a point; and thence (3) along lands of Rockland Light and Power Co. north 41 degrees 56 minutes west a distance of 299 feet to a point and thence (4) still along lands of Rockland Light and Power Co. north 42 degrees 25 minutes west a distance of 517.13 feet to the east side of Route #303 and thence (5) along the east side of Route #303 south 14 degrees 18 minutes west approximately 102.83 feet to the point of beginning.

TOGETHER with all right, title and interest of the parties of the first part, in and to any streets and roads abutting the above described premises, if any.

BEING shown as lot 12, in block 763 in section 78 on the Assessment Map of the Town of Orangetown.

4) All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, Rockland County, New York, more particularly bounded and described as follows:

BEGINNING at a point distant the following two courses from a monument marking the northeasterly corner of lands of Terwilliger:

- (a) S 89° 11' 30" E 240 feet;
- (b) S 0° 48' 30" W 89.65 feet;

And running thence from said beginning point

- (5) N 71° 28' 50" E 150 feet;
- (6) S 18° 31' 10" E 150 feet;
- (7) S 71° 28' 50" W 150 feet;
- (8) N 18° 31' 10" W 150 feet, to the point or place of beginning.

TOGETHER WITH a right of way 20 feet in width, and being more particularly described as follows:

BEGINNING at a point North 1° 26' 30" West 166.00 feet from a monument in the northerly boundary of the Erie Railroad. Said monument is 515 feet more or less easterly from the easterly side of Sickletown Road, as measured along the northerly boundary of the Erie Railroad; said point of beginning also being distant 186.55 feet on a course South 1° 26' 30" East from a monument in the southerly boundary of lands nor or formerly of Kreisler and running thence (1) S 78° 15' 00" E. 176.11 feet to a point of curvature; thence (2) running easterly along a curve to the left with a radius of 197.38 feet an arc distance of 104.27 feet to a point in the fourth course in the above described parcel; thence (3) running N 18° 31' 10" W. 20 feet to a point in the arc of a curve; thence (4) running Westerly along a curve bearing to the right with a radius of 177.38 feet an arc distance of 93.71 feet to a point of tangency; thence (5) running N 78° 15' 00" West 180.79 feet to the easterly line of lands of Terwilliger; thence (6) running S 1° 26' 30" E. 20.54 feet to the point or place of beginning.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

5) BEGINNING at a point in the easterly line of Sickletown Road (41.25' wide), where the same is intersected by the southwesterly line of land nor or formerly of the Erie-Lackawanna Railroad. Said point being distant 205.42' on a course of N 21° -11' -15" E along the easterly line of Sickletown Road from a concrete monument marking the northeasterly line of 5th Avenue; and running thence,

- (1) N 21° -11' -15" E 88.04' along the easterly line of Sickletown Road to a point in the northeasterly line of lands now or formerly of the Erie-Lackawanna Railroad; thence,

- (2) Southeasterly along a curve to the right having a radius of 1,086.14', an arc distance of 140.48' and a chord of S 63°-28'15" E 140.39' along the northeasterly line of said railroad to a non-tangent point of compound curvature; thence,
- (3) Southeasterly along a curve to the right having a radius of 1,203.68', an arc distance of 422.84' and a chord of S 54°-25'49" E 420.67' continuing along the same to a point; thence,
- (4) S 44°-43'55" E 130.49' continuing along the same to a point; thence,
- (5) N 39°-46' 18" E 41.90' continuing along the same to a point; thence,
- (6) N 50°-13'42" E 16.00' continuing along the same to a point; thence,
- (7) S 39°-02'14" E 234.01' continuing along the same to a point; thence,
- (8) S 38°-12'-34" E 1100.41' continuing along the same to a point; thence,
- (9) S 34°-56'-20" E 474.78' continuing along the same to an iron pipe marking the southwesterly line of lands now or formerly of Gillen; thence,
- (10) S 39°-46'18" E 49.94' continuing along the northeasterly line of lands nor or formerly of the Erie-Lackawanna Railroad to a point; thence,
- (11) S 55°-54'-30" W 26.94' along the northerly line of Sunset Road (also known as Van Wyck Road) (41.25' wide) to a point of curvature; thence,
- (12) Westerly along a curve to the right having a radius of 27.17', an arc distance of 38.39' to a point of tangency; thence,
- (13) N 43°-08'04" W 1151.98' along the northeasterly line of 5th Avenue (33' wide), to a concrete monument, thence,
- (14) N 41°-49'-11" W 493.87' continuing along the same to a point of curvature; thence,
- (15) Northwesterly along a curve to the left having a radius of 718.64', an arc distance of 62.14 and a chord of N 44°-17'-49" W 62.12' continuing along 5th Avenue to a point; thence,
- (16) N 40°-59'-45" W 123.48' along the southwesterly line of lands now or formerly of the Erie-Lackawanna Railroad to a point; thence,
- (17) N50°-13'-42" E 21.00' continuing along the same to a point; thence,
- (18) N 39°-46'18" W 41.90' continuing along the same to a point; thence,

- (19) N 34° -48' -41" W 130.49' continuing along the same to a point; thence,
- (20) Northwesterly along a non-tangent curve to the left having a radius of 1,080.51', an arc distance of 380.17' and a chord of N 44°-34' -54" W 378.21' continuing along the same to a non-tangent point of compound curvature; thence,
- (21) Northwesterly along a curve to the left having a radius of 998.14', an arc distance of 126.59' and a chord of N 63° -23' -52" W 126.51' continuing along the southwesterly line of lands now or formerly of the Erie-Lackawanna Railroad to the point or place of beginning.

Containing 8.383 acres of land, more or less.

Together with the right, title and interest of Grantor in and to lands to the centerline of Van Wyck Road (Sunset Road), and being all of the lands of Grantor, whether or not included in the above description, between the centerline of Van Wyck Road (Sunset Road) and the easterly line of Sickletown Road; and

Being the premises conveyed by John J. Smith and Wife to New York and Erie Railroad Company by deed dated December 10, 1838 and recorded April 16, 1839 in Rockland County Book N, page 108, and part of the premises conveyed to said railroad company by deeds from Thomas Blanch and Wife dated April 25, 1846 and recorded May 5, 1846 in Book R, page 446; from Henry D. Bell and Wife dated October 1838 recorded November 20, 1838 in Book M, page 410; and from Cornelius Lydecker and Wife dated October 26, 1838 recorded November 23, 1838 in Book M, page 424.

There is also conveyed and assigned to Grantee any and all claims, if any, which may arise against the State of New York Department of Transportation in connection with the appropriation of an easement over said premises in connection with the construction of a new bridge carrying Fifth Avenue so-called over the Hackensack River.

EXCEPTING AND RESERVING from the above conveyance a perpetual easement and right to lay, construct, maintain, use, repair, relocate, replace and operate a certain water main or mains and appurtenances thereto, together with an easement for ingress and egress in, upon, across and under that part of the aforesaid property described as follows:

Beginning at a point in the easterly line of Sickletown Road (41.25' wide), where the same is intersected by the southwesterly line of lands now or formerly of the Erie-Lackawanna Railroad, said point being distant 205.42 feet on a course of North 21 degrees, 11 minutes, 15 seconds East along the easterly line of Sickletown Road from a concrete monument marking the northeasterly line of Fifth Avenue; thence

- (1) North 21 degrees, 11 minutes, 15 seconds East 88.04 feet along the easterly line of Sickletown Road to the northeasterly line of lands now or formerly of the Erie-Lackawanna Railroad; thence
- (2) Southeasterly along the northeasterly line of said railroad, on a curve to the right having a radius of 1,086.14 feet, an arc distance of 140.48 feet and a chord bearing of South 63 degrees, 28 minutes, 15 seconds East and a chord length of 140.39 feet to a non-tangent point of compound curve; thence
- (3) continuing southeasterly along the northeasterly line of said railroad, on a curve to the right having a radius of 1,203.68 feet, and arc distance of 159.52 feet and a chord bearing of South 60 degrees, 41 minutes, 51 seconds East and a chord length of 159.40 feet to a point; thence
- (4) southwesterly, crossing lands of said railroad, South 24 degrees, 51 minutes, 49 seconds West 120.29 feet to a point on the southwesterly line of lands now or formerly of the said railroad; thence
- (5) [part of ¶5 description is missing]... railroad, on a curve to the left and having a radius of 1,080.51 feet, an arc distance of 173.11 feet and a chord bearing of North 50 degrees, 03 minutes, 59 seconds West and a chord length of 173.11 feet to a non-tangent point of compound curve; thence
- (6) continuing northwesterly along the southwesterly line of said railroad on a curve to the left having a radius of 998.14 feet and arc distance of 126.59 feet and a chord bearing of North 63 degrees, 23 minutes, 52 seconds West and a chord length of 126.51 feet to the easterly line of Sickletown Road and the point and place of beginning.

It is the intention of Grantor to convey said easement to Riverdale Realty, Inc., in the form and substance agreed to between Grantee and Rivervale, and Grantee by acceptance of this deed agrees to assume any obligations of Grantor in said easement agreement.

Together with the appurtenances and all the estate and rights of Grantor in and to said premises.

Title to the above-described property is being conveyed to:

- (6) Statutory and municipal requirements relating to the land and buildings;
- (7) Any state of facts that an accurate survey and an inspection of the premises would disclose;

- (8) Easements, covenants and restrictions of record, if any;
- (9) Leases, easements, license privileges or other agreement for the use of the subject property;
- (10) Assessments, if any, for public improvement;

ALSO TOGETHER WITH

All of Grantor's interest in the agreements mentioned in (4) above.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee and its successors and assigns, forever.

The premises conveyed herein do not constitute all or substantially all of the assets of Erie Lackawanna Inc.

The Erie-Lackawanna Railroad Company was the successor-in-interest of the Erie Railroad Company and The Delaware, Lackawanna and Western Railroad Company by virtue of a Joint Agreement of Merger made as of June 24, 1959, Interstate Commerce Commission Finance Docket No. 20707, recorded with the Secretary of State of the State of New York, October 17, 1960.

The Erie Lackawanna Railway Company was the success-in-interest of the Erie-Lackawanna Railroad Company by virtue of Agreement and Plan of merge as of April 1, 1968, recorded with the Secretary of State of the State of New York, April 1, 1968.

Erie Lackawanna Railway Company filed its petition in the United States District Court, The Northern District of Ohio, Eastern Division, for reorganization under Section 77 of the Bankruptcy laws of the United States and said petition was granted by Order No. 1 in Case No. B72-2838, dated and filed June 26, 1972.

By Order No. 1222 of said Court, Grantor succeeded to the property of the Debtor and its Trustees free and clear of all liens.

6) Said premises are more particularly described as follows:

All that certain plot, piece or parcel of land situate, lying and being in the Town of Orangetown, County of Rockland and State of New York. Being more fully bounded and described as follows:

BEGINNING at a point on the southerly line of Route 340 (Orangeburg Road), said point being the northeast corner of lands of Majoros; running thence:

5. Along the southerly line of Route 340 (Orangeburg Road) S 70°-37'-45" E, 137.63 feet; thence along a curve to the right having a radius of 546.36 feet an arc distance of 227.91 feet; thence S 46°-43'-45" E, 241.50 feet, thence
6. Along lands of Abbot S 43°-21'-25" W, 100.00 feet; thence

7. Along lands of the Rockland County Sewer District No. 1 N 46°-43'-45" W, 246.25 feet; thence N 61°-00'-15" W, 181.24 feet, thence N 71°-33'-30" W, 145.38 feet; thence

8. Along lands of Majoros N 18°-26'-30" E. 109.17 feet to the point of place of BEGINNING.

Containing 62,445 square feet of land.

The name of the condemnee of the real property described above, the only one known, is the following:

GUS ZACHARAKIS, residing at Christian Herald Road, Valley Cottage, New York, who is reputed to be the sole owner of the premises, as shown from a search of the records in the Office of the Clerk of the County of Rockland.

7) ALL that certain plot, piece of parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Orangetown, County of Rockland, State of New York

Beginning at a point in the westerly line of the New York Central Railroad, West Shore Division, where the same is intersected by the assumed northeasterly line of Leber Road; and running thence,

- (7) N 29°-10'-57" W 125.00' Along the assumed northeasterly line of Leber Road to a point; thence,
- (8) N 18°-11'-52" W 108.96' continuing along the same to a point; thence,
- (9) N 02°-42'-52" W 168.17' continuing along the same to a point; thence,
- (10) N 30°-30'-27" E 121.18' along lands now or formerly of Gibson to a point; thence,
- (11) S 03°-50'-35" E 69.99' along the westerly line of the New York Central Railroad to a point; thence,
- (12) S 05°-03'-21" E 416.81' continuing along the same to the point or place of beginning.

Containing 25,200 square feet of land more or less

8) All that certain plot, piece or parcel of land situate, lying and being in the Town of Orangetown, County of Rockland and State of New York. Being more fully bounded and described as follows:
BEGINNING at a point on the southerly line of Route 340 (Orangeburg Road), said point being the northwest corner of lands of Zacharakis, running thence;

4. Along lands of Zacharakis S 18° 26' 30" W, 109.17 feet; thence
5. Along lands of the Rockland County Sewer District Number One N 71° 33' 30" W, 288.23 feet; thence N 41° 14' 15" E, 122.65 feet; thence
6. Along the southerly line of Route 340 (Orangeburg Road) S 70° 37' 45" E, 240.74 feet to the point or place of BEGINNING.

Containing 29, 434 square feet of land.

The name of the condemnee of the real property described above, the only one known, is the following:

STEVE MAJOROS, c/o Union & Main Streets, Sparkill, New York, who is reputed to be the sole owner of the premises, as shown from a search of the records in the Office of the Clerk of the County of Rockland.

By order of the Town Board of the
Town of Orangetown, in the County of
Rockland, New York.

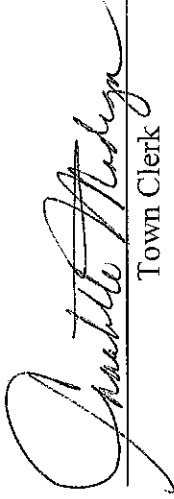
Dated: September 12, 2005

Charlotte Madigan
Town Clerk

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, duly called and held on September 12, 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 this 14th day of September, 2005.



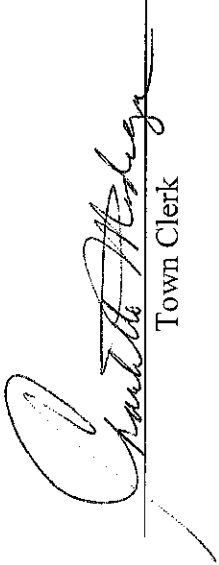
Town Clerk

(SEAL)

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

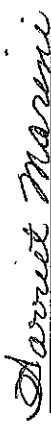
CHARLOTTE MADIGAN, being duly sworn upon her oath, deposes and says:

That she is and at all times hereinafter mentioned was the duly elected, qualified and acting Town Clerk of the Town of Orangetown, in the County of Rockland, New York; that on the 14th day of September, 2005, he caused to be conspicuously posted a certified copy of an abstract of a resolution duly adopted by the Town Board of said Town on September 12, 2005, 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 14th day of September, 2005.



Notary Public, State of New York

HARRIET MARINI
Notary Public, State of New York
No. 01MA5081081
Qualified in Rockland County
Commission Expires June 30, 2007

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared.**

B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***

C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**



*A Conditioned Negative Declaration is only valid for Unlisted Actions

Construction of Detention Basin and Ancillary Items

Town of Orangetown, Town Board

Thom Kleiner
Name of Lead Agency Supervisor, Town of Orangetown

Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer


Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

August 17, 2005
Date

PART 1 --PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Construction of Detention Basin and Ancillary Items

Location of Action (include Street,Address, Municipality and County)

110 East Crooked Hill Road, Pearl River NY 10965

Name of Applicant/Sponsor Town of Orangetown

Address Town Hall, Orangeburg Road

City / PO Orangeburg State NY Zip Code 10962

Business Telephone 845-359-6502 ext. 111

Name of Owner (if different) Wyeth Pharmaceuticals

Address 401 North Middletown Road

City / PO Pearl River State NY Zip Code 10965

Business Telephone 845-602-5000

Description of Action:

Construction of a detention basin and ancillary items including excavation, berm, outlet control structure, outlet pipe, fencing, etc.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other Commercial Office (OO)

2. Total acreage of project area: 5.1 acres.

APPROXIMATE ACREAGE

	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	<u>0.0</u> acres	<u>0.1</u> acres
Other (Indicate type) <u>Grass Lawn</u>	<u>5.1</u> acres	<u>5.0</u> acres

3. What is predominant soil type(s) on project site? Wethersfield WUC

- a. Soil drainage: Well drained 100 % of site Moderately well drained _____ % of site.
 Poorly drained _____ % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth to bedrock >5 ft (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0-10% 100 % 10- 15% _____ % 15% or greater _____ %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? >5 (in feet)

9. Is site located over a primary, principal, or sole source aquifer? Yes No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

According to:

None believed to exist.

Identify each species:

N/A

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

N/A

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

N/A

14. Does the present site include scenic views known to be important to the community? Yes No

N/A

15. Streams within or contiguous to project area:

Piped Storm Drainage System - No Stream

a. Name of Stream and name of River to which it is tributary

Cherry Brook
Hackensack River

16. Lakes, ponds, wetland areas within or contiguous to project area:

None believed to exist.

b. Size (in acres):

N/A

17. Is the site served by existing public utilities? Yes No
- a. If YES, does sufficient capacity exist to allow connection? Yes No
- b. If YES, will improvements be necessary to allow connection? Yes No

18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No

19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No

20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).

- a. Total contiguous acreage owned or controlled by project sponsor: 5.1 acres.
- b. Project acreage to be developed: 0 acres initially; 0 acres ultimately.
- c. Project acreage to remain undeveloped: 5.1 acres.

d. Length of project, in miles: N/A (if appropriate)

e. If the project is an expansion, indicate percent of expansion proposed. N/A %

f. Number of off-street parking spaces existing 0; proposed 0

g. Maximum vehicular trips generated per hour: 0 (upon completion of project)?

h. If residential: Number and type of housing units:

Initially	One Family	Two Family	Multiple Family	Condominium
Ultimately				

i. Dimensions (in feet) of largest proposed structure: 10 height; 10 width; 10 length.

j. Linear feet of frontage along a public thoroughfare project will occupy is? 440 ft.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 32,000 cy tons/cubic yards.

3. Will disturbed areas be reclaimed Yes No N/A

a. If yes, for what intended purpose is the site being reclaimed?

N/A

b. Will topsoil be stockpiled for reclamation? Yes No

c. Will upper subsoil be stockpiled for reclamation? Yes No

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.1 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No

6. If single phase project: Anticipated period of construction: N/A months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated 2 (number)

b. Anticipated date of commencement phase 1: Oct. month 2005 year, (including demolition)

c. Approximate completion date of final phase: AUG. month 2006 year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction 10; after project is complete 0

10. Number of jobs eliminated by this project 0.

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

Existing Storm Drain System will be removed or modified.

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount N/A

b. Name of water body into which effluent will be discharged N/A

13. Is subsurface liquid waste disposal involved? Yes No Type N/A

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

N/A

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? N/A tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name N/A; location N/A

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No N/A

e. If yes, explain:

N/A

17. Will the project involve the disposal of solid waste? Yes No
- a. If yes, what is the anticipated rate of disposal? N/A tons/month.
- b. If yes, what is the anticipated site life? N/A years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s)

Basin dewatering pumps will require small amount of electrical energy.

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.
23. Total anticipated water usage per day N/A gallons/day.
24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

Project will be funded by the Town of Orangetown.

25. Approvals Required:

	Yes	No	Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
City, Town, Village Planning Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
City, Town Zoning Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
City, County Health Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Test Pit Permit	8/17/05
Other Local Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Other Regional Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
State Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stormwater NOI (DEC)	
Federal Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- Zoning amendment Zoning variance New/revision of master plan Subdivision
 Site plan Special use permit Resource management plan Other

2. What is the zoning classification(s) of the site?

Commercial Office

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

44,431 SF Office Building based on 5.1 acre site and max FAR of 0.20.

4. What is the proposed zoning of the site?

Commercial Office (no change)

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

No change

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?

Yes No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

Commercial Office (CO)
Light Industrial (LI)
Multi-Family Residence (MFR)
General Residence (RG)

8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? N/A

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

N/A

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

N/A

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

N/A


D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Town of Orangetown Date August 17, 2005

Signature 
Ron DeLo

Title Director, Department of Environmental Management and Engineering

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

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- ! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

	1	2	3
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	Yes	No
- Construction on land where the depth to the water table is less than 3 feet.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	Yes	No
- Construction of paved parking area for 1,000 or more vehicles.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	Yes	No
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	Yes	No
- Construction that will continue for more than 1 year or involve more than one phase or stage.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	Yes	No
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	Yes	No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a sanitary landfill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction in a designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
None			

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

NO YES

• Specific land forms:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
None			

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

- Developable area of site contains a protected water body. Yes No
- Dredging more than 100 cubic yards of material from channel of a protected stream. Yes No
- Extension of utility distribution facilities through a protected water body. Yes No
- Construction in a designated freshwater or tidal wetland. Yes No
- Other impacts: Yes No

None			
------	--	--	--

4. Will Proposed Action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. Yes No
- Construction of a body of water that exceeds 10 acres of surface area. Yes No
- Other impacts: Yes No

None			
------	--	--	--

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

5. Will Proposed Action affect surface or groundwater quality or quantity?

NO YES

Examples that would apply to column 2

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.

• Other impacts:

None

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

3

Can Impact Be Mitigated by Project Change

2

Potential Large Impact

1

Small to Moderate Impact

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff? NO YES

Examples that would apply to column 2

- Proposed Action would change flood water flows Yes No
- Proposed Action may cause substantial erosion. Yes No
- Proposed Action is incompatible with existing drainage patterns. Yes No
- Proposed Action will allow development in a designated floodway. Yes No
- Other impacts: Yes No

This project will mitigate existing drainage problems.

IMPACT ON AIR

7. Will Proposed Action affect air quality? NO YES

Examples that would apply to column 2

- Proposed Action will induce 1,000 or more vehicle trips in any given hour. Yes No
- Proposed Action will result in the incineration of more than 1 ton of refuse per hour. Yes No
- Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. Yes No
- Proposed Action will allow an increase in the amount of land committed to industrial use. Yes No
- Proposed Action will allow an increase in the density of industrial development within existing industrial areas. Yes No
- Other impacts: Yes No

None

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species? NO YES

Examples that would apply to column 2

- Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. Yes No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
None			

9. Will Proposed Action substantially affect non-threatened or non-endangered species?
 NO YES

Examples that would apply to column 2

- Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species. Yes No
- Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation. Yes No
- Other impacts: Yes No

None

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?
 NO YES

Examples that would apply to column 2

- The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.) Yes No
- Construction activity would excavate or compact the soil profile of agricultural land. Yes No
- The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land. Yes No

	1	2	3
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
None			

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

NO YES

Examples that would apply to column 2

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural. Yes No
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. Yes No
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area. Yes No
- Other impacts: Yes No

None

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

NO YES

Examples that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places. Yes No
- Any impact to an archaeological site or fossil bed located within the project site. Yes No
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory. Yes No

	1	2	3
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
None			

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

NO YES

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity. Yes No
- A major reduction of an open space important to the community. Yes No
- Other impacts: Yes No

None

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

NO YES

List the environmental characteristics that caused the designation of the CEA.

N/A

Examples that would apply to column 2

- Proposed Action to locate within the CEA? Yes No
- Proposed Action will result in a reduction in the quantity of the resource? Yes No
- Proposed Action will result in a reduction in the quality of the resource? Yes No
- Proposed Action will impact the use, function or enjoyment of the resource? Yes No
- Other impacts: Yes No

None

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

NO YES

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Other impacts:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

None

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?

NO YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Proposed Action will conflict with officially adopted plans or goals.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Proposed Action will cause a change in the density of land use.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	1	2	3
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Other impacts:

None

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?

NO YES

If Any Action in Part 2 is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions: (if you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.

EXHIBIT

PE-05 9/12/05

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Orangetown, in the

County of Rockland, New York

September 12, 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, within said Town, on September 12, 2005 at 8 o'clock P.M. (Prevailing Time).

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

Board Members: Denis O'Donnell
Denis Troy
Marie Manning
Thomas Morr

There were absent: None

Also present: Charlotte Madigan, Town Clerk

* * *

Councilman O'Donnell offered the following resolution and moved its

adoption:

BOND RESOLUTION OF THE TOWN OF ORANGETOWN, NEW YORK, ADOPTED SEPTEMBER 12, 2005, AUTHORIZING THE CONSTRUCTION OF VARIOUS DRAINAGE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$650,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$650,000 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 various drainage improvements, including the acquisition of real property, site clearing, site excavation, removal of topsoil, construction of a berm and a rock dam, the installation of fencing and any ancillary or related work required in connection therewith; all as further described in a report entitled "Engineer's Report, Project I Phase I, Cherry Brook Drainage Improvements." The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$650,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$650,000 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 \$650,000 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 serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years from the date of original issuance of said bonds or notes.

(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 on or 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 not 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish a summary of this bond resolution, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Journal News", a newspaper hereby designated the official newspaper of said Town for such publication.

* * *

The adoption of the foregoing resolution was seconded by

Councilman Morr and duly put to a vote on roll call, which resulted as follows:

AYES: Councilpersons O'Donnell, Morr, Troy, Manning
Supervisor Kleiner

NOES: None

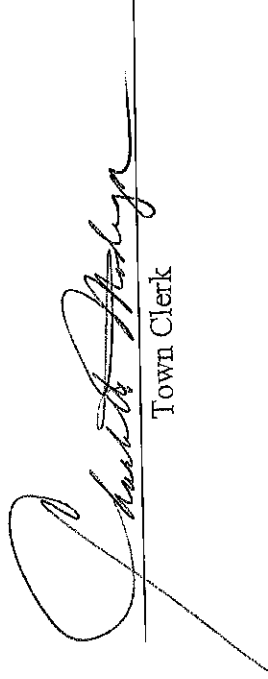
The resolution was declared adopted.

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 September 12, 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

12th day of September, 2005.


Town Clerk

(SEAL)

**(NOTICE TO BE ATTACHED TO AND TO BE PUBLISHED
WITH RESOLUTION AFTER ADOPTION)**

NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 12th day of September, 2005, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF 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 publication of this 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 SEPTEMBER 12, 2005, AUTHORIZING THE CONSTRUCTION OF VARIOUS DRAINAGE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$650,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$650,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

Object or purpose: to construct various drainage improvements, including the acquisition of real property, site clearing, removal of topsoil, site excavation, construction of a berm and a rock dam, the installation of fencing and any ancillary or related work required in connection therewith; all as further described in a report entitled "Engineer's Report, Project I Phase I, Cherry Brook Drainage Improvements."

Amount of obligations to be issued: \$650,000

Period of probable usefulness: five (5) 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: September 12, 2005
Orangeburg, New York

9-E-05, 9/12/05

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

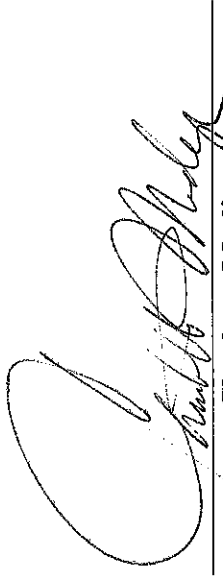
SS.

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 4th day of August 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 4th day of August, 2005

ROBERT R. SIMON
Notary Public, State of New York
No. 01519005857
Residing in Rockland County
Commission Expires December 21, 2 006



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 August 17, 2005 and will be publicly opened and read aloud at 11:00 A.M. for furnishing CAST IRON CURB INLETS, in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office.

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

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

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

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

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

DATED: August 3, 2005

JAMES J. DEAN
SUPERINTENDENT OF HIGHWAYS

CHARLOTTE MADIGAN
TOWN CLERK

AFFIDAVIT OF PUBLICATION

from

The Journal News

Clearence Bansen being duly sworn says that he is 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 the ad published. (See Legend below)

JN 08/03/05

Signed 

Sworn to before me

This 4th day of August 2005

LOLA M. HALL
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01H46112693
QUALIFIED IN WESTCHESTER
TERM EXPIRES JULY 6, 2008

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, Lincolnale, 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):

Alsley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Maratonck, 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, Lincolnale, Millwood, Mohegan Lake, Mount Kisco, North Salem, Pleasantville, Pound Ridge, Purdys, Shrub Oak, Somers, South Salem, Thornwood, Verplanck, Waccabuc, Yorktown Heights

Review Press (BWW):

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, No. 26 Orangeburg Road, Orangeburg, New York until 10:30 A.M. on August 17, 2005 and will be publicly opened and read at 11:00 A.M. on August 17, 2005 at the Town Board Office, 103rd Street, Orangeburg, New York. BIDDERS MUST BE ACCOMPANIED BY CONTRACT DOCUMENTS ON FILE WITH THE TOWN CLERK'S OFFICE. CONTRACT DOCUMENTS ON FILE WITH THE TOWN CLERK'S OFFICE.

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

The 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 its has been executed by the Supervisor of the Town of Orangeburg, at the direction of the Town Board. All contracts are subject to appropriate provisions 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.

DATED: August 1, 2005

JAMES J. DEAN
SUPERINTENDENT
OF HIGHWAYS

CHARLOTTE MADIGAN
TOWN CLERK

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**
1:9 Route 303 • Orangeburg, NY 10962
(845) 359-6500 • Fax (845) 359-6662
E-Mail - www.highway@orangetown.ny.us

MEMORANDUM

TO: Suzanne Barclay, Executive Assistant

FROM: James J. Dean, Superintendent of Highways

DATE: August 19, 2005

RE: Bid Recommendation-Cast Iron Curb Inlets

Please be advised that it is my recommendation that the bid for the purchase of Cast Iron Curb Inlets be awarded to Campbell Foundry Company, the lowest bidder.

Please place this on the September 6, 2005 Workshop agenda.

JJD/sfm

BID OPENING TIME:

11:00 AM

DATE

08/17/05

CONTRACTOR
NAME
&
ADDRESS

*Process Contract
Cody, Utah
Baker Construction
151
Homer, Nevada
81001
8/17/05*

DATE RECEIVED	8/17/05	8/16/05	8/16/05
TIME RECEIVED	9:30am	1:52pm	2:38pm
NON-COLLISION STATEMENT	✓	✓	✓
BID BOND OR CERTIFIED CHECK	NA	NA	NA

Manhole Frame and Cover, Heavy Duty, Campbell Foundry Co. Pattern No. 10128 or equal.

The Word "SEWER" shall be cast in letters at least 1 1/2" in Height.

Price	\$ 368.00	\$ 272.00	\$ 270.00	\$
Leaching Basin Flat Frame and Flat Grate, 26 x 26, Campbell Foundry Co. Pattern No. 1396 or equal.				
Price	\$ 183.00	\$ 168.00	\$ 185.00	\$

Manhole Manhole Frame and Cover, Heavy Duty, Locking Type. The word "SEWER" shall be cast in letters at least 1 1/2" in height.

Campbell Foundry Co. Pattern No. 14608 or equal.

Price	\$ 408.00	\$ NB	\$ 345.00	\$
Highway Catch Basin with Curb Inlet, 27 1/2" x 25 1/2", Campbell Foundry Co. Pattern No. 2618 or equal.				
Price	\$ 535.00	\$ NB	\$ 434.00	\$
Highway Catch Basin with Curb Inlet, 42" x 48", with Modified Type A-1 Curb Iron, Campbell Foundry Co. Pattern No. 2548 or equal.				
Price	\$ 585.00	\$ NB	\$ 434.00	\$

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

2548, 27/8" opening.

Price	\$ 585.00	\$ NB	\$ 364.00	\$
Square Frame and Cover, Light Duty Solid, 25 1/4" x 25 1/4", Campbell Foundry Co. Pattern, No. 1341 or equal.				
Price	\$ 173.00	\$ 175.00	\$ 185.00	\$
Drop Inlet, Single Frame and Flat Grate, Heavy Duty, 48" x 22", Campbell Foundry Co. Pattern No. 3405 or equal.				
Price	\$ 335.00	\$ NB	\$ 264.00	\$

Drop Inlet, Single Frame and Flat Grate, Heavy Duty, 49 1/2" x 30 1/4", Campbell Foundry Co. Pattern No. 3408 or equal.

Price	\$ 490.00	\$ NB	\$ 354.00	\$
Drop Inlet, Double Frame and Flat Grate, Heavy Duty, 48" x 45", Campbell Foundry Co. Pattern No. 3425 or equal.				
Price	\$ 605.00	\$ NB	\$ 494.00	\$

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

Price	\$ 595.00	\$ NB	\$ 494.00	\$
Water-tight Frame and Cover, Heavy Duty, Square Flange, Campbell Foundry Co. Pattern No. 1564 or equal.				
Price	\$ 1,068.00	\$ NB	\$ 494.00	\$

NOTICE OF POSTING: NOTICE TO BIDDERS: GENERAL CONSTRUCTION & ELECTRICAL OF
BASEBALL FIELDS

EXHIBIT

96-05 9/12/05

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

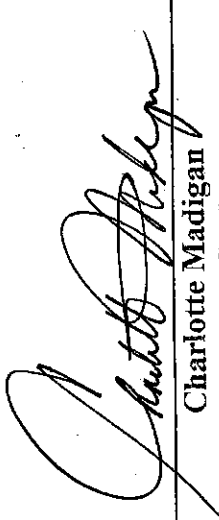
SS.

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 29th day of June 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.

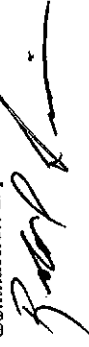

Charlotte Madigan
Town Clerk

Subscribed and sworn to before me

This 29th day of June 2005

ROBERT R. SIMON
Notary Public, State of New York
No. 01515005657

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



NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, 26 Orangeburg Road, Orangeburg, New York, 10962 until 10:30 a.m. on August 3, 2005 and will be publicly opened and read aloud at 11:00 a.m. for the

**TOWN OF ORANGETOWN
BASEBALL FIELDS****Contract 1 - General Construction
and****Contract 2 - Electrical****TOWN OF ORANGETOWN, ORANGEBURG, NEW YORK,**

in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office. Copies of the Contract Documents will be on file after July 5, 2005 and may be examined during the usual business hours at the Office of the Town Clerk. A non-refundable fee of seventy-five (\$75.00) payable by check to the order of the Town of Orangetown will be required for each set of Contract Documents.

A pre-bid meeting will be held at the Department of Environmental Management and Engineering office at the Orangetown Wastewater Treatment Plant, 127 Route 303, Orangeburg, New York on July 15, 2005. The meeting will start promptly at 10:00 am. Prospective bidders are strongly encouraged to attend.

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

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

The Town Board requires each bid to be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, or a bond with sufficient

Notice to Bidders-1

OS&#172005 0007-ContractNo.237-037 Proj Manual Notice to Bidders

**CHARLOTTE MADIGAN
TOWN CLERK****RONALD C. DELO, P.E.,
DIRECTOR OF ENVIRONMENTAL MANAGEMENT AND ENGINEERING**

CONTRACT 2

8/31/05

BID OPENING TIME:

11:00 AM

DATE

08/08/05

CONTRACTOR

NAME

**&
ADDRESS**

Transhawe Inc
 Roddard Electric
 P.O. Box 649
 Naber Elec Corp
 Stony Pt. NY
 Eagle Elec.
 Pearl River NY

DATE RECEIVED	8/31/05	8/31/05	8/31/05
TIME RECEIVED	10:19 AM	10:16 AM	10:04 AM
NON COLLUSION STATEMENT	✓	✓	✓
BID BOND OR CERTIFIED CHECK	✓	✓	✓

Bid Item No. 1

The Contractor shall provide all labor, materials, and equipment necessary for the construction of new ball fields including roads, parking areas infrastructure and site work in accordance with the Specifications and Contract Drawings for the following total lump sum amount.

TOTAL	\$ 378,700	\$ 620,000	\$ 413,395	\$
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Bid Item No. 2

ance No. 2 - Miscellaneous Additional Work

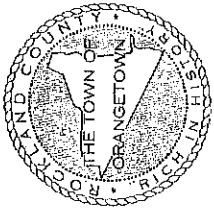
TOTAL	\$ 10,000	\$ 10,000	\$ 10,000	\$
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TOTAL BID AMOUNT (Bid Item No. 1 and No. 2)

TOTAL	\$ 388,700	\$ 630,000	\$ 423,395	\$
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ALTERNATE No. 1

TOTAL	\$	\$	\$	\$
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**Department of Environmental Management and Engineering
Town of Orangetown**

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

September 2, 2005

To: Thom Kleiner
Supervisor

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

**Re: Town of Orangetown Baseball Fields
Contract 2 – Electrical**

Please place on the agenda for the Town Board Workshop/Meeting award of the above referenced contract.

Three bids were received on August 31, 2005 as follows:

\$388,700.00 Fanshawe, Inc.

\$423,395.00 Eagle Electric

\$630,000.00 Naber Electric Corp.

The bids are currently being evaluated and a recommendation regarding award of this contract will be ready for the workshop on Tuesday, September 6, 2005.

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

Thank you for your assistance in this matter.

PRIMARY DAY - SEPTEMBER 13, 2005

District #1 & 33 - Piermont Village Hall, 478 Piermont Avenue, Piermont
 Ruth Jessup 28 Ash St., Piermont 359-0041
 Ted Jessup 28 Ash St., Piermont 359-0041

District #2 - Depew Manor, 60 Depew Avenue, Nyack
 Margaret Horton 36 S. Broadway, Apt. 1F, Nyack 358-0536
 Irene Hollands 820 Depew Manor, Nyack 353-0799

District #3 & 40 - Blauvelt Fire House, 548 Western Highway, Blauvelt
 LeyRoy F. Holmes 581 Western Highway, Blauvelt 359-0690
 Harry Landou 10 Dogwood Lane, Orangeburg 359-2464

District #4 - Simpson Memorial Church, 150 Piermont Ave., So Nyack
 Josephine Urban 6F Contempra Circle, Tappan 359-3074
 Mike Savino 21 Eimer Street, Tappan 359-5453

District #5 - Pilgrim Baptist Church, 80 No. Franklin, Nyack
 William Urban 6F Contempra Circle, Tappan 359-3074
 Lynn Tobin 223 N. Middletown Rd., Apt E, P.R. 920-8147

District #6 & 42 - John Paulding Engine Co., 520 Rte 340, Sparkill
 Jean DeLongis 2 Salisbury Ct., Apt 6E, Nyack 353-4833
 Angela M. Benicasa Box 3, 337 Rte. 340, Sparkill 359-2245

District #7 - Highland Hose, 288 Main St., Nyack
 Eileen Colarell 278 Upper Depew Ave., Nyack 358-1319
 Joan Kney 110 Gedney St., Apt PH, Nyack 348-0331

District #8 - Jackson Fire Engine Co., 13 Park Avenue, Nyack
 Bruce Pizzimenti 41 Rolfe Place, Pearl River 624-4925
 Louisa Palermo 7 Independence Ave., Orangeburg 359-8533

District #9 & 17 & 44- Franklin Avenue School, 48 Franklin Ave., Pearl River
 Winifred G. Ehrlich 126 Martin Place, Pearl River 735-4695
 Richard Liberth 155 Braunsdorf Road, Pearl River 735-4420

District #10 & 29 - St. Margarets School, 34 No. Magnolia St., Pearl River
 James Curtin 257 Crooked Hill Road, Pearl River 735-2860
 Irene Jozwiak 44 Elm Street, Pearl River 735-6577

District #11 - Orangetown Fire Co. #1, 90 Depot Place, So. Nyack
 Eileen Murphy 10 Isabel Rd., Orangeburg 398-8173
 Martha Graham 19 Vine St., Central Nyack 358-4153

District #12 - Palisades Public School, 680 Oak Tree Rd., Palisades
 David Guiney 812 Rte. 340, Palisades 359-5834
 Robert Hirt 2 Jones Place, Tappan 359-5464

District #13 & 47 - Manse Barn, 32 Old Tappan Road, Tappan
 Mary D. Weinman 92 Campbell Ave., Tappan 359-0736
 Madeline Taccetta 6 Bennington Drive, Tappan 359-4258

District #14 - St. John's Catholic Church, 895 Piermont Ave., Piermont
 Ingeborg Seebach 382 Washington Ave., Tappan 365-1220
 Helen Koza 255 Liberty Road, Tappan 365-3072

District #15 - Jackson Hose #3, Box #6, 63 Catherine St., Nyack
 Harry Koch P.O Box 11, Tappan 359-8082
 Robert Hoover 101 Gedney Street, Nyack 353-2333

EXHIBIT

9-11-05 9/12/05

District #16 – Thorpe Village, 6 Thorpe Drive, Sparkill
 Louise Gallagher 20 Van Terrace, Sparkill 359-1483
 Mildred Noonan 4 Thorpe Village, Sparkill 365-4509

District #18 – Community Ambulance Hdqtrs, 251 N. Midland Ave., Nyack
 Sr. Evelyn Morahan 175 Rte.340, Dominican Convent, Sparkill 365-0988
 Thomas Mooney 51 Parkway Drive South, Orangeburg 359-4187

District #19 & 31 – P. R. Middle School Cafeteria, 520 Gilbert Ave., Pearl River
 Constanti DeFelice 9 Grany Ct., Pearl River 735-6477
 Patricia O’Connor 74 Bogart Ave, Pearl River 735-9287

District #20 & 37 – Good Shepherd Lutheran Church, 112 N. Main St., Pearl River
 Marilyn Dennis 856 E. Crooked Hill Rd., Pearl River 735-6477
 Robert Masur 113 E. Washington Ave., Pearl River 735-4918

District #21 & 39 – William O. Schaefer School, 140 Lester Ave., Tappan
 Sylvia Donato 3 Bennington Drive, Tappan 359-2142
 Diane Kayser 32 Sickletown Road, Pearl River 735-4157

District #22 & 52 – So. Orangetown Jr. High School, 160 Van Wyck Rd., Blauvelt
 Veronica Blaine 11 Milton Grant Drive, Blauvelt 359-0842
 Agnes Cacciola 47 Cedar Street, Tappan 359-1174

District #23 & 30 & 53 – P. R. High School Pirate Cove Area, 275 E. Central Ave.,
 Use Holt Drive Entrance to Pirate Cove Parking
 Wilhelmina C. Sheridan 58 Colonial Ct., Pearl River 735-3383
 Margaret Veraja 63 South Naurashaun Rd., Pearl River 735-5681

District #24 & 43 – Evans Park School, 40 Marion Place, Pearl River
 Margaret C. Reilly 30 Arlene Court, Pearl River 735-5449
 Maryann Frascino 19 Violet Drive., Pearl River 623-8446

District #25– Naurashaun Presbyterian Church, 51 Sickletown Rd., Pearl River
 Marie DeFelice 9 Grancy Court, Pear River 735-6477
 Rudy Hanson 240 Ehrhardt Rd., Pearl River 735-8873

District #26 – Blauvelt Fire House, 548 Western Highway, Blauvelt
 Judith Scandiffio 78 Yale Terrace, Blauvelt 359-1023
 Adelaide Klomburg 54 McKenna St., Blauvelt 359-0522

District #27,35,55,56– Orangetown Town Hall, 26 Orangeburg Road, Orangeburg
 Mary E. McCloskey 12 Renie Lane, Blauvelt 359-3166
 Robert Crane 37 Bluefields Lane, Blauvelt 359-5817

District #28 – Pearl River Public Library, 80 Franklin Ave., Pearl River
 Joan Yeaton 90 Bogert Avenue, Pearl River 735-6810
 Mae Kreider 366 E. Crooked Hill Rd., Pearl River 735-7875

District #32 – Hilltop Intermediate School, 13A Dickinson Avenue. South Nyack
 Josephine Madden 63 North Williams, Pearl River 735-9133
 Ruth Clarkston 31 Wright St. Pearl River 735-9133

District #34– St. Margarets School, 34 No.Magnolia St., Pearl River
 Thomas Gallagher 69 Meadow St., Pearl River 735-3789
 Joan Curtin 257 Crooked Hill Rd. Pearl River 735-2860

District #36 – Rockland Psychiatric Hospital, Bldg. 58 Triage/Security, Orangeburg
 Timothy Finn 13 Lester Drive, Orangeburg 359-4054

District #38 – So. Orangetown Comm. Amb. Hqtrs., 70 Independence Ave.
Mario Donato 3 Bennington Drive, Tappan 359-2142

District #41 – St. Catharine’s School, 148 Western Highway, Blauvelt
Jessica Lee 34 Andre Hill, Tappan 359-6839
Philomena McGrory 107 Old Pascack Rd. Pearl River 735-7709

District #45 – Naurashaun Presbyterian Church, 51 Sicklwtown Rd., Pearl River
Dorothy Hansen 240 Ehrhardt Road, Pearl River 735-8873
Yvonne Ciraletta 43 Van Zandt Dr., Pearl River 623-5694

District #46 – St. Ann’s School Religious Education Rm., 33 Jefferson St, Nyack
Edward R. Matero 103 Gedney St. Apt. 1P, Nyack 353-9348
Frances Roth 103 Gedney St. Apt. 6N, Nyack 358-2137

District #48 – So. Nyack Village Hall, 282 So. Bway, So. Nyack
Ruth Davidson 39 Rowan Rd., Pearl River 735-4323
Elizabeth Dempsey 4 Salisbury Pt. Nyack 358-8492

District #49 & 51 – William O’Schaefer School, 140 Lester Drive, Tappan
Peggy B. Finn 13 Lester Drive, Orangeburg 359-4054
Kathleen O’Hara 30 Swannekin Rd., Blauvelt 359-8783

District #50 – American Legion Hall, Perry Post, 691 Rte 340, Sparkill/Palisades
Marie Guiney 812 Route 340, Palisades 359-5834
Eileen Larkin 15 Horne Tooke Road, Palisades 359-6589

District #54 – St. Margarets School, 34 No. Magnolia St., Pearl River
Charlotte Fallon 183 N. Magnolia St., Pearl River 735-3358
Frank Henn 36 Griffith Place, Pearl River 735-4577

District #57 – Greenbush School Auditorium, 21 Greenbush Rd., Orangeburg
Richard Nelson P.O. Box 34, Orangeburg 359-2721
Roman Galang 10 Sterling Place, Blauvelt 680-0058

District #16 – Thorpe Village, 6 Thorpe Drive, Sparkill
 Regina Gobbo 3 Thorpe Drive, Apt. 2C Sparkill 359-1995
 Mary A Brennan 4 Thorpe Dr., Apt. 3N Sparkill 365-6653

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 Ira T. McNeil 106 First Ave., Nyack 358-1276
 Elizabeth M. Minford 290 N. Midland Ave., Nyack 358-0570

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 Diane McCarthy 15 Rowan Road, Pearl River 735-4193
 Tanya Dmitruk 8 Michael Drive, Blauvelt 365-1513

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 Lillian Shorter 174 S. Middletown Rd., Pearl River 735-7891
 Alexander Finger 63 Turner Rd., Pearl River 735-9846

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 Donald Gallo 156 Austin Ave., Tappan 359-8194
 Kathie Cudlitz 11 Jones Place, Tappan 359-4857

District #22 & 52 - So. Orangetown Jr. High School, 160 Van Wyck Rd., Blauvelt
 Delores Doyle 43 Coolidge St., Blauvelt 359-3698
 Ada Barbieri 397 Blauvelt Rd. Blauvelt 359-0561

District #23, 30 & 53 – P.R.High School Pirate Cove, 275 E. Central Ave., Use Holt Drive Entrance to Pirate Cove Parking Area,
 Diane M. St. Jacques 40 Haven Terrace, Pearl River 735-6572
 Roslyn Wallace 27 N. Pearl Street, Pearl River 735-6383

District #24 & 43 – Evans Park School, 40 Marion Place, Pearl River
 David Freundlich 6 Nancy Rd., Nanuet 623-1732
 Lucille Nowak 44 Oriole St., Pearl River 735-5972

District #25 –Naurashaun Presbyterian Church, 51 Sickletown Rd.,P.R.
 Maureen Agosti 26 Washington Pl., Pearl River 215-5147
 Donald Marlette 4 Duryea Place, Nanuet 623-3860

District #26 – Blauvelt Fire House, 548 Western Highway, Blauvelt
 Anne M. Baer 361 Blauvelt Road, Blauvelt 359-0726
 Mary Reilly 43 Buttonwood, Blauvelt 359-0392

District #27,35,55,56
Orangetown Town Hall – 26 Orangeburg Rd., Reception Area (N)
 Joseph Pollack 18 Chestnut Oval, Orangeburg 359-0175
 Sidney Singer 14 Parkway Dr., S. Orangeburg 359-3248

District #28 – Pearl River Public Library, 80 Franklin Avenue
 Sheila Weiss 122 Bogert Avenue, Pearl River 735-3948
 Albert W. Ciarletta 43 Van Zandt Dr., Pearl River 623-5694

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 Everett Swann 18 Hillside Ave., Nyack 358-4337
 John Cunningham 31 Dickinson Ave., Nyack 358-8394

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 Elizabeth M.A. Stewart 96 Lincoln Ave, Pearl River 735-3989

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 Kurian V. George 54 Cypress Lane, Orangeburg 359-9251

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 John Mahoney 55 Christine Lane, Tappan 359-1449
 Aaron Newman 23 Chestnut Oval, Orangeburg 359-2581

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 Loretta Fitzgibbons 72 Hoffman Lane, Blauvelt 359-0619
 Eleanore Jurasek 193 Howard Ave., Orangeburg 359-5436

District #45 – Naurashaun Church, 51 Sickletoen Rd., Pearl River
 Joseph Braziller 9 Violet Dr., Pearl River 623-2240
 Joyce Braziller 9 Violet Dr., Pearl River 623-2240

District #46 – Roces-St. Ann’s Campus-Religious Educ. Rm, 33 Jefferson St, Nyack
 Nancy P. Cochran 52 Gedney St, Nyack 358-1159
 Rosemary McPhillips 103 Gedney St., Apt.6N, Nyack 358-4005

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 Kelsey Graham 279 Piermont Ave., So. Nyack 353-0816
 Juliann J. Colt 145 First Ave., Nyack 358-2872

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 Madeline Roimisher 25 Revere Place, Tappan 359-4846
 Rosemary Nolan 2 Thorpe Dr. Apt.3F, Sparkill 365-3421

District #50- American Legion Hall, Perry Post, 691 Rte.340 Sparkill, Palisades
 Nick Georgis 2 Thorpe Drive, Apt. 2M Sparkill 359-4186
 Joseph Vandemark 318 N. Ash St., Piermont 359-7073

District #54 – St. Margarets School, 34 Magnolia St., Pearl River
 Susan Freundlich 6 Nancy Rd., Nanuet 623-6112
 Eileen Quinn 1 Hillaire Pl., Nanuet 623-8393

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 Raymond E. Smith 56 Swanekin Rd, Blauvelt 359-4520
 Stanley Perlowitz 107 Princeton Drive, Tappan 359-4390