

**TOWN OF ORANGETOWN
TOWN BOARD MEETING MINUTES
February 21, 2023**

This meeting was opened at 7:00 PM. Supervisor Teresa M. Kenny presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:

Councilperson Paul Valentine
Councilperson Jerry Bottari
Supervisor Teresa M. Kenny
Councilperson Brian Donohue

Absent:

Councilperson Thomas Diviny

Also Present:

Denis Troy, Deputy Supervisor
Allison Kardon, Supervisor's Confidential Assistant
Carmel Reilly, Director of Economic Development & Tourism
Rosanna Sfraga, Town Clerk
Joseph Thomassen, Deputy Clerk
Robert Magrino, Town Attorney
Jeff Bencik, Finance Director
James Dean, Superintendent of Highways
Jane Slavin, Director of OBZPAE
Eamon Reilly, Commissioner of DEMA
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.
Bob Urban, Human Resource Coordinator
Matthew Lenihan, Computer Network Specialist
Brendon Carton, IT Department
Donald Butterworth, Police Chief

Pledge of Allegiance to the Flag

ANNOUNCEMENTS:

The following Public Hearings are scheduled for March 7, 2023 starting at 7:05 pm:

- **Request for Demapping of Second Street, Pearl River**
- **Consider Adopting the Orangetown Comprehensive Plan**

The following Public Hearing is scheduled for March 21, 2023 at 7:05 pm:

- **Food Trucks**

PRESENTATIONS: OVESC Dave Schnitzer

DISCUSSION:

Workshop of Agenda Items

RESOLUTION NO. 112

**OPEN PH / PROPOSED LOCAL LAW TO AMEND TOWN CODE CHAPTER 34,
TAXATION / SENIOR CITIZENS REAL PROPERTY TAX EXEMPTION AND
PARTIAL EXEMPTION FOR DISABLED PERSONS WITH LIMITED INCOME**

RESOLVED, that the Public Hearing regarding amending Town Code Chapter 34, Taxation / Senior Citizens Real Property Tax Exemption and Partial Exemption for Disabled Persons with Limited Income is hereby opened.

RESOLUTION NO. 112 – Continued

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication and Postings and South Orangetown Central School District Resolution of approval; which are labeled Exhibit 02-21-A and made a part of these minutes.

Summary of Public Comments:

Brian Kenney, Assessor, explained that this proposed Local Law is to provide an increase in the maximum income exemption eligibility level.

Eileen Larkin, Palisades, is in favor of this proposed Local Law. She also spoke against PILOT Programs, SALT programs and non-profit tax exempt properties.

RESOLUTION NO. 113

CLOSE PUBLIC HEARING / PROPOSED LOCAL LAW TO AMEND TOWN CODE CHAPTER 34, TAXATION / SENIOR CITIZENS REAL PROPERTY TAX EXEMPTION AND PARTIAL EXEMPTION FOR DISABLED PERSONS WITH LIMITED INCOME

RESOLVED, that the Public Hearing regarding amending Town Code Chapter 34, Taxation / Senior Citizens Real Property Tax Exemption and Partial Exemption for Disabled Persons with Limited Income is hereby closed.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 114

ADOPT / LOCAL LAW # 1 OF 2023 AMENDING CHAPTER 34, ARTICLES I AND VI, OF THE TOWN CODE TAXATION / SENIOR CITIZEN REAL PROPERTY TAX EXEMPTION AND PARTIAL EXEMPTION FOR DISABLED PERSONS WITH LIMITED INCOME

WHEREAS, the New York Real Property Tax Law authorizes municipalities to grant certain tax exemptions to senior citizens and/or disabled persons with limited income by resolution or local law, and

WHEREAS, on January 31, 2023 the Town Board adopted a resolution which scheduled a public hearing for local law to amend Chapter 34 of the Town Code regarding Taxation, and upon notice duly published and posted a public hearing was held on February 21, 2023, and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares itself to be Lead Agency under the New York State Environmental Quality Review Act , and finds that the adoption of the introductory Local Law to amend Chapter 34 of the Code of the Town of Orangetown entitled "Taxation", specifically related to Article 1 entitled "Senior Citizens Real Property Exemption" and Article VI entitled "Partial Exemption for Disabled Persons with

RESOLUTION NO. 114 – Continued

Limited Income” as more fully set forth therein, is a SEQR Type II action and is hereby determined not to have a significant adverse effect on the environment; and,

BE IT FURTHER RESOLVED, that the Town Board hereby adopts Local Law # 1 of 2023 amending Chapter 34, Articles I and VI, of the Town Code of the Town of Orangetown entitled “Taxation”, providing for an updated “Senior Citizen Real Property Tax Exemption” and “Partial Exemption for Disabled Persons with Limited Income” providing for tax exemptions as authorized by state law and set forth more fully therein.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**TOWN OF ORANGETOWN
LOCAL LAW NO. 1 OF 2023 OF THE
INCORPORATED TOWN OF ORANGETOWN, NEW YORK
AMENDING CHAPTER 34 OF THE TOWN CODE ENTITLED “TAXATION”**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN AS FOLLOWS:

Section 1. Chapter 34, Article I, entitled “Senior Citizens Real Property Exemption”, of the Code of the Town of Orangetown is hereby amended as follows (additions are underlined, deletions are strikethrough):

§34-3 Statutory qualifications.

D. Maximum exemption eligibility level.

(2). Additional qualifications. Notwithstanding any inconsistent provisions of § 467 of the Real Property Tax Law, the Town Code of the Town of Orangetown or any other provision of law for assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 1994 2023, and the Town of Orangetown having heretofore adopted a local law providing for an exemption from taxation and which local law has established a maximum income exemption eligibility as provided in § 467 of the Real Property Tax Law, the Town Board of the Town of Orangetown does hereby amend Chapter 34 of the Code of the Town of Orangetown and by this local law does hereby provide for such exemption so as to increase the maximum income exemption eligibility level of the unincorporated area within the Town of Orangetown (which maximum income exemption eligibility level is hereby designated as "M") to the extent as provided in the following schedule:

(The 2006 Schedule, 2008 Schedule, and 2009 Schedule as adopted by Local Law 16-2006 are hereby deleted in their entirety as obsolete and replaced with the following schedule):

EFFECTIVE JANUARY 1, 2024

Annual income of Applicant or Applicants	Percentage of Assessed Valuation Exempt from Taxation
\$50,000.00 or less	50%
More than \$50,000 but less than \$51,000	45%

More than \$51,000 but less than \$52,000t	40%
More than \$52,000 but less than \$53,000	35%
More than \$53,000 but less than \$53,900	30%
More than \$53,900 but less than \$54, 800	25%
More than \$54,800 but less than \$55,700	20%
More than \$56,600 but less than \$57,500	10%
More than \$57,500 but less than \$58,400	5%

~~The reduction, in any tax year commencing on or after the effective date of this section, of the maximum income exemption eligibility level established by the Town for assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 1984, and prior to January 1, 1985, for the purpose of granting exemptions for tax purposes shall preclude the Town from adopting a local law, ordinance or resolution providing for the exemptions provided for in this subsection in any tax year for which such reduction is in effect.~~

§34-4 Application for exemption.

A. Application for such exemption must be made by the owner or all of the owners of the property on forms prescribed by the State Board to be furnished by the Assessor and shall furnish the information and be executed in the manner required or prescribed in such forms and shall be filed in such Assessor's office on or before the appropriate taxable status date.

B. At least 60 days prior to the appropriate taxable status date, the Assessor shall mail, to each person who was granted exemption pursuant to this local law on the latest completed assessment roll, an application form and a notice that such application must be filed on or before the taxable status date and be approved in order for the exemption to be granted. The Assessor shall, within three days of the completion and filing of the tentative assessment roll, notify by mail any applicant who has included with his application at least one self-addressed, prepaid envelope of the approval or denial of the application; provided, however, that the Assessor shall, upon the receipt and filing of the application, send by mail notification of receipt to any applicant who has included two of such envelopes with the application. Where an applicant is entitled to a notice of denial pursuant to this subsection, such notice shall be on a form prescribed by the State Board and shall state the reasons for such denial and shall further state that the applicant may have such determination reviewed in the manner provided by law. Failure to mail any such application form or notices or the failure of such person to receive any of the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

C. An application for such exemption may be filed with the assessor after the appropriate taxable status date but not later than the last date on which a petition with respect to complaints of assessment may be filed, where failure to file a timely application resulted from: (a) a death of the applicant's spouse, child, parent, brother or sister; or (b) an illness of the applicant or of the applicant's spouse, child, parent, brother or sister, which actually prevents the applicant from filing on a timely basis, as certified by a licensed physician. The assessor shall approve or deny such application as if it had been filed on or before the taxable status date.

D. Where a renewal application for the exemption authorized by this section has not been filed on or before the taxable status date, and the owner believes that good cause existed for the failure to file the renewal application by that date, the owner may, no later than the last day for paying taxes or PILOT without incurring interest or penalty, submit a written request to the assessor asking him or her to extend the filing deadline and grant the exemption. Such request shall contain an explanation of why the deadline was missed, and shall be accompanied by a renewal application, reflecting the facts and circumstances as they existed on the taxable status date. The assessor may extend the filing deadline and grant the exemption if he or she is satisfied that (i) good cause existed for the failure to file the renewal application by the taxable status date, and that (ii) the applicant is otherwise entitled to the exemption. The assessor shall mail notice of his or her determination to the owner. If the determination states that the assessor has granted the

Local Law 1, 2023 - Continued

exemption, he or she shall thereupon be authorized and directed to correct the assessment roll accordingly, or, if another person has custody or control of the assessment roll, to direct that person to make the appropriate corrections. If the correction is not made before taxes are levied, the failure to take the exemption into account in the computation of the tax shall be deemed a "clerical error" for purposes of title three of article five of this chapter, and shall be corrected accordingly.

Section 2. Chapter 34, Article VI, entitled "Partial Exemption for Disabled Persons With Limited Income", Section 34-28 of the Code of the Town of Orangetown is hereby amended as follows (**additions are underlined, deletions are ~~strikethrough~~**):

§34-28 Amount of exemption.

Pursuant to § 459-c of the Real Property Tax Law, the percentage of the assessed valuation which is exempt from taxation will be determined on the basis of income in accordance with the following graduated schedule:

(The 2006 Schedule, 2008 Schedule, and 2009 Schedule as adopted by Local Law 16-2006 are hereby deleted in their entirety as obsolete and replaced with the following schedule):

EFFECTIVE JANUARY 1, 2024

<u>Annual income of Applicant or Applicants</u>	<u>Percentage of Assessed Valuation Exempt from Taxation</u>
\$50,000.00 or less	50%
More than \$50,000 but less than \$51,000	45%
More than \$51,000 but less than \$52,000	40%
More than \$52,000 but less than \$53,000	35%
More than \$53,00 but less than \$53,900	30%
More than \$53,900 but less than \$54,800	25%
More than \$54,800 but less than \$55,700	20%
More than \$55,700 but less than \$56,600	15%
More than \$56,600 but less than \$57,500	10%
More than \$57,500 but less than \$58,400	5%

Section 3. Severability Clause

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid parts.

Section 4. Effective Date.

This Local Law shall become effective immediately upon being filed with the Secretary of State.

**RESOLUTION NO. 115
OPEN PUBLIC HEARING / PROPOSED LOCAL LAW TO AMEND TOWN CODE
CHAPTER 34, TAXATION / VOLUNTEERS REAL PROPERTY TAX EXEMPTION**

RESOLVED, that the Public Hearing regarding amending Town Code Chapter 34, Taxation / Volunteers Real Property Tax Exemption is hereby opened.

Rosanna Sfraga, Town Clerk, presented the Affidavits of Publication and Postings and Orangeburg Volunteer Fire Association letter of comments; which are labeled Exhibit 02-21-B and made a part of these minutes.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

Summary of Public Comments:

Brian Kenney, Assessor, explained that the Real Property Tax Law has been amended, effective December 9, 2022. This amendment permits a Town to grant a partial tax exemption on property owned by an enrolled member of a Volunteer Fire Company or Ambulance Service. Steve Harris, SOAC, believes this exemption will help with recruitment but would like 2 years of service instead of 5 years.

**RESOLUTION NO. 116
CLOSE PUBLIC HEARING / PROPOSED LOCAL LAW TO AMEND TOWN CODE
CHAPTER 34, TAXATION / VOLUNTEERS REAL PROPERTY TAX EXEMPTION**

RESOLVED, that the Public Hearing regarding amending Town Code Chapter 34, Taxation / Volunteers Real Property Tax Exemption is hereby closed.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 117
ADOPT / LOCAL LAW # 2 OF 2023 / AMENDING CHAPTER 34, ARTICLE VII OF
THE TOWN CODE TAXATION / EXEMPTION FOR MEMBERS OF VOLUNTEER
FIRE COMPANIES OR AMBULANCE SERVICES**

WHEREAS, the New York Real Property Tax Law authorizes municipalities to grant certain tax exemptions to members of volunteer fire companies or ambulance services by resolution or local law, and

WHEREAS, on January 31, 2023 the Town Board adopted a resolution which scheduled a public hearing for local law to amend Chapter 34 of the Town Code regarding Taxation, and upon notice duly published and posted a public hearing was held on February 21, 2023, and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares itself to be Lead Agency under the New York State Environmental Quality Review Act, and finds that the adoption of the introductory Local Law to amend Chapter 34 of the Code of the Town of

RESOLUTION NO. 117 - Continued

Orangetown entitled "Taxation", specifically related to Article VII entitled "Exemption for Members of Volunteer Fire Companies or Ambulance Services" as more fully set forth therein, is a SEQR Type II action and is hereby determined not to have a significant adverse effect on the environment; and,

BE IT FURTHER RESOLVED, that the Town Board hereby adopts Local Law # 2 of 2023 amending Chapter 34, Article VII, of the Town Code of the Town of Orangetown entitled "Taxation", providing for an updated "Exemption for Members of Volunteer Fire Companies or Ambulance Services" providing for tax exemptions as authorized by state law and set forth more fully therein.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**TOWN OF ORANGETOWN
LOCAL LAW NO. 2 OF 2023 OF THE
INCORPORATED TOWN OF ORANGETOWN, NEW YORK
AMENDING CHAPTER 34 OF THE TOWN CODE ENTITLED "TAXATION"**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN AS FOLLOWS:

Section 1. Chapter 34, Article VII, entitled "Exemption for Members of Volunteer Fire Companies or Ambulance Services", of the Code of the Town of Orangetown is hereby amended as follows (**additions are underlined, deletions are ~~strikethrough~~**):

34-29 Legislative intent.

The Real Property Tax Law of the State of New York has been amended effective December 9, 2022 by the addition of a ~~new~~ revised § 466-a which permits a Town to grant a partial tax exemption on real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse. The intent of this local law is to continue and expand the partial real property tax exemption currently offered by the Town consistent with the terms of the newly amended State statute which was effective as of December 9, 2022.

§ 34-30 Grant of exemption.

~~An exemption from taxation of 10% of the assessed value of property owned by an eligible person as set forth below is hereby granted with respect to Town, part-Town and special-district charges. In no event shall the exemption exceed \$3,000 multiplied by the latest state equalization rate for the Town. Residential real property owned by an enrolled member of an incorporated volunteer fire company, volunteer fire department or incorporated voluntary ambulance service shall be exempt from taxation and assessments levied by the Town to the extent of 10 percent (10%) of the assessed value of such property, exclusive of special assessments, subject to the requirements set forth in this Article.~~

§ 34-35 Grant of exemption, Un-remarried spouse, line of duty death.

Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty. The property tax exemption authorized by this Article and granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service shall, upon application, be continued to such deceased enrolled member's un-remarried spouse if such member is killed in the line of duty, provided that:

Local Law 2, 2023 – Continued

- A. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of such enrolled member who was killed in the line of duty;
- B. such deceased volunteer had been an enrolled member for at least five (5) years; and
- C. such deceased volunteer had been receiving the exemption prior to his or her death.

34-36 Grant of Exemption, Un-remarried spouse, twenty-year service.

Un-remarried spouses of deceased volunteer firefighters or volunteer ambulance workers. The property tax exemption authorized by this Article and granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service shall, upon application, be continued to such deceased enrolled member's un- remarried spouse, provided that:

- A. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of such enrolled member;
- B. such deceased volunteer had been an enrolled member for at least twenty (20) years; and
- C. such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer

Section 2. Severability Clause

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid parts.

Section 3. Effective Date.

This Local Law shall become effective immediately upon being filed with the Secretary of State.

**RESOLUTION NO. 118
OPEN PUBLIC HEARING / PROPOSED ACQUISITION OF A PERMANENT
PROPERTY INTEREST / HNA TRAINING CENTER / 334 ROUTE 9W, PALISADES**

RESOLVED, that the Public Hearing regarding the proposed acquisition of a permanent property interest / HNA Training Center / 334 Route 9W, Orangetown, NY is hereby opened.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny,
Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication and Postings, Notice of Violations, Damage and Associated Cost, and Police Reports; which are labeled Exhibit 02-21-C and made a part of these minutes.

This Public Hearing transcript is labeled Exhibit 02-21-D and made a part of these minutes.

**RESOLUTION NO. 119
CONTINUE PH / PROPOSED ACQUISITION OF A PERMANENT PROPERTY
INTEREST / HNA TRAINING CENTER / 334 ROUTE 9W, PALISADES, NY**

RESOLVED, that the Public Hearing regarding the proposed acquisition of a permanent property interest / HNA Training Center / 334 Route 9W, Orangetown, NY is hereby continued to March 21, 2023 at 7:10 pm.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 120
OPEN PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby opened.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

Summary of Public Comments (RTBM):

Gerry Goggins, Orangeburg, is concerned about IET, therapy group for special needs children & young adults being on the same property as RCW.

Susan McWhinny, Orangeburg, spoke the 16 proposals from RCW to change the Town Code.

Eileen Larkin, Palisades, spoke about the CSX trains traveling though our neighborhoods and asked: What hazardous materials do they carry and if there is an emergency plan.

**RESOLUTION NO. 121
CLOSE PUBLIC COMMENT PORTION**

RESOLVED, that the public portion is hereby closed.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 122
APPLY FOR FUNDING FROM NEW YORK STATE ARCHIVES (STATE ARCHIVES)
2023-2024 LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT
FUND (LGRMIF) (RFP #GC23-006) FOR THE "TOWN CLERK & SOUTH NYACK
DOCUMENT CONVERSION & ACCESS PROJECT"**

WHEREAS, the Town of Orangetown, after due consideration, has determined that it is desirable and in the public interest to undertake the necessary activities for the submittal of a

RESOLUTION NO. 122 - Continued

grant application under the 2023-2024 State Archives LGRMIF RFP #GC23-006 for the Town Clerk & South Nyack Document Conversion & Access LGRMIF project; and

WHEREAS, the Town has a critical document conversion and access project underway for the Building Department; and

WHEREAS, the Town is seeking up to \$75,000 in funding for another high-priority records management project, the Town Clerk & South Nyack Document Conversion and Access project to execute urgent improvement to the preservation and storage capacities of Town Clerk records and other records recently acquired through the Village of South Nyack dissolution; and

WHEREAS, the dissolution of the Village of South Nyack and the absorption of its land and services into the Town, has placed significant strain on available Town resources with the Town Clerk now responsible for all the Village of South Nyack's records, including a backlog of aging records that need immediate preservation; and

WHEREAS, State Archives funding assistance will enable the Town to preserve and maintain inventory for vital Town Clerk records and South Nyack's records; and

WHEREAS, the Town Board has demonstrated municipal support for the project through the allocation of 2023 budget items to support Orangetown Records Management program and the hiring of two part-time assistant clerks to assist with document preparation for consultant, not to exceed \$15,000,

WHEREAS, the NYS Archives grant request will not exceed the maximum request of \$75,000 to complete the project; and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes and directs the Town Supervisor to submit an application to the NYS ARCHIVES LGRMIF program for the "Town Clerk Document Conversion & Access LGRMIF project" and to execute all documents necessary for the implementation of this work relating to the financial and/or administrative processes of the grant program.

BE IT FURTHER RESOLVED, that the Town of Orangetown is hereby committed to using municipal funds to provide a local cash match and in-kind support of the grant request; and

BE IT FURTHER RESOLVED, to the extent all or any actions hereby authorized have been executed and/or performed by the Supervisor all are hereby ratified and confirmed and this Resolution take effect immediately.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny,
Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 123

APPROVE / RATIFY GRADE CHANGE/ INFORMATION TECHNOLOGY COMPUTER OPERATOR

RESOLVED, that upon the recommendation of the Labor Management Committee, the position of Computer Operator, presently a grade 12 position in IT, is hereby reclassified to a grade 9 position.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny,
Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 124
APPROVE 2023 LICENSE AGREEMENT / TOWN OF RAMAPO / USE OF FIRING RANGE

RESOLVED, that upon the recommendation of the Town Attorney's Office, authorize the Supervisor to sign a 2023 License Agreement for the use of the Town of Ramapo Police Firing Range for calendar year 2023, at "NO COST" to the Town of Orangetown, subject to provisions of insurance and indemnification as in past years.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 125
APPROVAL OF 2023 CERTIFICATE OF SEWER REGISTRATIONS

RESOLVED, that upon the recommendation of the Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2023 Sewer Work is approved to:

- a. Bertussi Contracting, Inc., 60-70 Dexter Plaza, Pearl River, NY 10965
- b. Coppola Services, Inc., 28 Executive Parkway, Ringwood, NJ 07456
- c. First Rate Landscaping & Construction, Inc., 245 North Main Street, Unit 1212, New City, NY
- d. Hewitt Excavating, LLC, 18 Broad Street, Norwood, NJ 07648
- e. McM Paving & Excavation, Inc., 8 East Railroad Avenue, W. Haverstraw, NY 10993
- f. Paving Solutions, Inc., 548 Route 17M, Monroe, NY 10950

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 126
RE-APPOINT BRITTANY CORDERO / DEPUTY TOWN ATTORNEY

RESOLVED, that the Town Board hereby re-appoints Brittany Cordero as a less than full-time (minimum three days per week) Deputy Town Attorney, at a salary of \$85,000.00 per year, effective February 27, 2023, to serve at the pleasure of the Town Board.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 127
APPROVE / GRANT PERMISSION / HIGHWAY SCHOOL / JUNE 5-7, 2023**

RESOLVED, that permission is hereby granted for the following personnel: Jim Dean, Stephen F. Munno, Anthony Limandri & Karl Bohn, to attend the 2023 Association of Towns Annual Highway School, Ithaca, NY, from June 5-7, 2023, with the Town paying \$1,739.00 which includes the cost of courses and travel to be charged to appropriate departmental accounts.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0
Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue
Noes: None
Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 128
APPROVE/ AWARD CONTRACT/ BIGHT LANE / DRAINAGE REHABILITATION / EN-TECH CORP.**

WHEREAS, the Superintendent of Highways duly advertised for sealed bids for Drainage System, Rehabilitation, Bight Lane (from S. Broadway to River Rd), which were received and publicly opened on February 17, 2023; a copy of the Affidavit of Publication, Notice of Posting and Bid Sheet is labeled Exhibit 02-21-E, and made a part of these minutes. Now, Therefore, Be It

RESOLVED, that upon the recommendation from the Superintendent of Highways and the Commissioner of DEME, the bid of February 17, 2023 for the Bight Lane Drainage System Rehabilitation using (CIPP) is hereby awarded to En-Tech Corp., Closter, NJ the lowest qualified bidder in the amount of \$334,710 to be charged to Account # H.5110.200.08.

BE IT FURTHER RESOLVED, that the Supervisor or her designee is authorized to enter into an agreement with En-Tech Corp., in accordance with the bid award and terms of this resolution, subject to review and approval of the Town Attorney's Office.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0
Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue
Noes: None
Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 129
ACCEPT DONATION / MEMORIAL BENCH / DRESPEL**

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation accept with gratitude the donation of a memorial bench to be placed in the Freedom Park playground in Veterans Memorial Park. Engraving to read:

In Memory of
Michael and Joan Drespel
"To Thee I come; before Thee I stand"

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0
Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue
Noes: None
Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 130
AUTHORIZE AGREEMENT / NEW YORK CITY FOOTBALL CLUB / ACCESS TO
ORANGETOWN SOCCER COMPLEX**

WHEREAS, the Town of Orangetown is the owner of certain property located in the hamlet of Orangeburg known as the Orangetown Soccer Complex, located at 175 Old Orangeburg Road, Orangeburg, NY, and

WHEREAS, the Orangetown Metro Sports Club (OMSC), formerly known as OMM, has a license to use the facility for its sports related programs as set forth more fully in its license agreement with the Town, and

WHEREAS, New York City Football Club, LLC (NYCFC), has requested permission from the Town and OMSC to utilize a playing field at the complex during periods so as to not interfere with the use of said field by OMSC or the Town, and

WHEREAS, the Town and NYCFC have agreed that the field use under the terms presented would be at a fee of \$30,000.00 to be paid by NYCFC to the Town, provided NYCFC abides by the terms and conditions in a proposed written agreement for such field use,

NOW THEREFORE BE IT RESOLVED that the Town Board hereby agrees to permit NYCFC access to one playing field at the Orangetown Soccer Complex, on the terms and conditions as set forth more fully in an agreement to be executed between the parties and acknowledged by OMSC, for the period of February 1, 2023 through December 15, 2023, at a total fee of \$30,000.00, to be paid in one lump sum as per the written agreement, which is incorporated by reference herein.

BE IT FURTHER RESOLVED, that the Supervisor or her designee, including but not limited to the Superintendent of Parks and Recreation, is authorized to execute the agreement between the Town and NYCFC and any other documents necessary to effectuate the purposes of this resolution.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 131
GRANT PERMISSION / PETE STALLONE ATTEND BACKFLOW PREVENTION
DEVICE INSPECTOR /TESTER TRAINING**

RESOLVED, that the Town Board grants permission for Peter Stallone, DEME Sewer Inspector, to attend the Backflow Prevention Device Inspector/Tester Training, Syracuse, NY, from April 18, 2023 thru April 21,2023 at a total cost of \$825.00 to be charged to Account G.8110.441.00 and \$872.43 to be charged to Account G.8110.480.00.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 132
COMBINE / APPROVE AGENDA ITEMS #22 TO 23**

RESOLVED, the Town Board hereby combines and approves agenda items #22 to 23.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny,
Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 133
APPROVE / LEND ASSISTANCE / 2023 10TH ANNUAL FLYING DUTCHMEN 5K/
SATURDAY, MARCH 18, 2023**

RESOLVED, upon the recommendation from the Superintendent of Highways & Chief of Police, that the Town Board hereby authorizes the Town of Orangetown Highway & Police Departments to lend assistance which includes the use of barricades from the Highway Department & (5) Auxiliary Police Officers from the Police Department, for the 10th Annual Flying Dutchmen 5K to be held on Saturday, March 18, 2023, from 9am to 10am.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny,
Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 134
APPROVE/ LEND ASSISTANCE / 2023 ST. PATRICKS DAY PARADE/ SUNDAY,
MARCH 19, 2023**

RESOLVED, upon the recommendation from the Superintendent of Highways, Parks & Chief of Police, that the Town Board hereby authorizes the Town of Orangetown Highway, Parks & Police Departments to lend assistance which includes the use of barricades, trash barrels, message board & painting of the green stripe from the Highway Dept., the showmobile, sound system and port-o-sans for which the cost is to be shared with organization (Ancient Order of Hibernians) from the Parks Dept., & police detail from OPD, and a Highway Department event perimeter for the St. Patrick's Day parade to be held on Sunday, March 19, 2023, from 11 am - 5 pm.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny,
Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 135
ACCEPT / RECEIVE / FILE DOCUMENTS/TOWN CLERK'S OFFICE**

RESOLVED that the following documents are accepted, received and filed in the Town Clerk's Office:

RESOLUTION NO. 135 - Continued

- Town Board Meeting minutes: 1/10/23 Re-Organizational Meeting; 1/24/2023 & 2/7/2023 Police Commission Meeting; and 1/24/2023, 2/7/2023 Regular Town Board Meeting.
- Agreement & Contracts:
 1. Rockland Cty (ARPA Dept), Franklin Street Park Improvements.
 2. Rockland Cty (ARPA Dept), Elizabeth Place Park Improvements.
 3. Libraries: Palisades, Orangeburg, Blauvelt and Tappan
 4. Rockland Cty – W Washington Ave Bridge Replacement (Purchase Agreement)
 5. Precision Safe Sidewalks – Contract for Sidewalk Saw cutting
 6. Hudson Valley Humane Society

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 136**SET PUBLIC HEARING / AMEND TOWN CODE CHAPTER 34 TAXATION / ADD ARTICLE IX ENTITLED "ENERGY SYSTEM EXEMPTION OPT-OUT"**

RESOLVED that the Town Board will hold a public hearing on March 7, 2023 at 7:15 pm on a proposed Local Law, pursuant to New York Real Property Tax Law Section 487, amending Chapter 34 of the Town Code entitled Taxation, specifically by adding a new, Article IX to be entitled "Energy System Exemption Opt-Out"; and

BE IT FURTHER RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency pursuant to the relevant provisions of the New York State Environmental Quality Review Act (SEQRA).

Under new business, Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

RESOLUTION NO. 137**AUTHORIZE USE OF SICK LEAVE/EMPLOYEE No. 2334 / AGREEMENT**

RESOLVED, authorize employee no. 2334 to utilize earned accumulated sick leave credits, in accordance with the terms and conditions of a certain agreement dated February 21, 2023 and to be executed by and between the employee, the CSEA local Union, and the Town, and authorize the Town Director of Finance, any Town Board Member, and Town Attorney's Office to execute said agreement on behalf of the Town."

Under new business, Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and on a roll call was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, , Councilperson Brian Donohue

Noes: Supervisor Teresa M. Kenny

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 138
PAY VOUCHERS**

RESOLVED, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of four (4) warrants (attached) for a total of \$14,362,132.58

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 139
ENTER EXECUTIVE SESSION**

In attendance, at this Executive Session were Supervisor Kenny, Councilpersons Paul Valentine, Jerry Bottari and Brian Donohue, Denis Troy, Rob Magrino, and Jeff Bencik.

RESOLVED, at 8:34 pm, the Town Board entered Executive Session to discuss employment related matters.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny

**RESOLUTION NO. 140
RE-ENTER RTBM / ADJOURNED / MEMORY**

RESOLVED, at 9:50 pm, the Town Board re-entered the Regular Town Board Meeting and adjourned in memory of: **Barbara Gallagher**, *Resident of Blauvelt and Mother-in-Law to Orangetown Police Lt. Thomas Holihan*; **Joan Lediger**, *Resident of Pearl River*; and **Patti Walter**, *Resident of Blauvelt*.

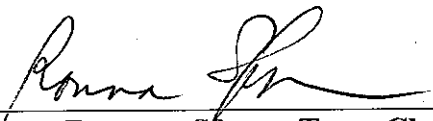
Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Thomas Diviny



Rosanna Sfraga, Town Clerk

Town of Orangetown

DATE: February 21, 2023

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	020623	\$ 12,713,802.00
	122622	\$ 152,027.50
	021023	\$ 146,376.92
	022123	\$ 1,349,926.16

The above listed claims are approved and ordered paid from the appropriations indicated.

APPROVAL FOR PAYMENT

AUDITING BOARD

Councilman Gerald Bottari

Councilman Paul Valentine

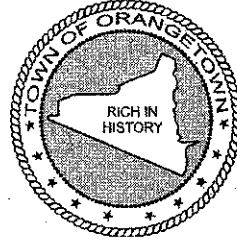
Councilman Thomas Diviny

Councilman Brian Donohue

Supervisor Teresa M. Kenny

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 2/16/2023
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 2/21/2023 consists of 4 warrants for a total of \$14,362,132.58.

The first warrant had 14 vouchers for \$12,713,802 and was for special district funding.

The second warrant had 22 vouchers for \$152,027 and had the following items of interest (2022 items).

1. Collier's Engineering & Design (p1) - \$21,645 for culvert design.
2. Commissioner of Finance (p1) - \$37,400 for Police Academy.
3. D&E Uniforms (p3) - \$30,425 for Police uniforms..
4. Eagle Point Gun (p4) - \$6,055 for Police ammunition.
5. Precision Electric Motor Works (p7) - \$14,865 for rebuild of sewer pump.
6. Siemen's Industry (p8) - \$11,068 for building maintenance contracts.
7. Zarin & Steinmetz (p8) - \$9,339 for HNA project.

The third warrant had 6 vouchers for \$146,376 and had the following items of interest.

8. Feerick, Nugent, Maccartney (p1) - \$40,000 for legal settlement.
9. JP Morgan Equipment Finance (p1) - \$53,828 for Energy performance contract.

The fourth warrant had 131 vouchers for \$1,349,926 and had the following items of interest.

10. All-Bright Electric(p2) - \$10,700 for street light maintenance contract.
11. Beckmann Appraisals (p8) - \$15,000 for tax certiorari defense.
12. Goosetown Enterprises (p20) - \$11,050 for Police equipment leases.
13. Hayden Building Maintenance (p21) - \$61,750 for Blue Hill roof repairs.
14. Johnson Controls (p23) - \$7,224 for HVAC service town hall.

15. Lothrop Associates (p27) - \$25,083 for new town hall.
16. NYPA (p29) - \$23,192 for streetlight project.
17. NYS Dept. of Civil Service (p32) - \$955,974 for healthcare benefits.
18. Orange & Rockland (p34) - \$6,897 for upgrade of power service at pump station.
19. Pace analytical services (p34) - \$5,545 for sewer chemical testing.
20. Pearl River School District (p34) - \$45,000 to return a duplicate payment for SRO.
21. Slack Chemical Company (p35) - \$17,020 for sewer chemicals.
22. SOS Fuels (p36) - \$6,321 for heating oil.
23. Trius Inc. (p44) - \$27,754 for Highway equipment (bonded).
24. Virtuit Systems (p47) - \$10,255 for IT consultant.

Please feel free to contact me with any questions or comments.

Jeffrey W. Bencik, CFA

845-359-5100 x2204

EXHIBIT

02-21-A

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

SS.

Rosanna Sfraga being duly sworn upon her oath deposes and says;

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

That, on the 1st day, February, 2023, 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.

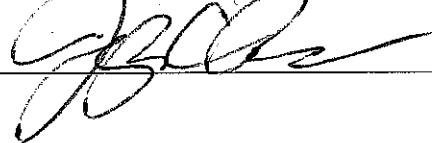
1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.

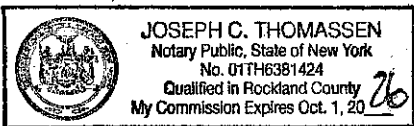


 Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 1st day of February, 2023





**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on January 24, 2023, a public hearing will be held by the Town Board on a proposed Local Law, pursuant to New York Real Property Tax Law Section 467, amending Chapter 34, Article I, Section 34-3 of the Town Code entitled "*Senior Citizens Real Property Tax Exemption*". This public hearing is scheduled for the 21st day of February, 2023 at 7:05 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

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

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

Dated: January 24, 2023

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney



**AFFIDAVIT OF PUBLICATION
FROM**

State of Wisconsin
County of Brown, ss.:

On the 6 day of February in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tuttt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

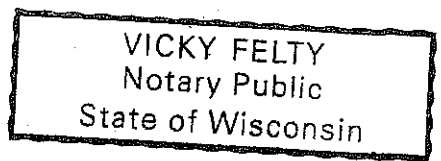
Linda Tuttt being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

Zone: Rockland Run Dates: 02/06/2023

Linda Tuttt
Signature

Sworn to before me, this 6 day of February, 2023

Vicky Felty
Notary Public, State of Wisconsin, County of Brown



91925

My commission expires

Legend:

WESTCHESTER: Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnale, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

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

Ad Number: 0005582693

**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on January 24, 2023, a public hearing will be held by the Town Board on a proposed Local Law, pursuant to New York Real Property Tax Law Section 467, amending Chapter 34, Article I, Section 34-3 of the Town Code entitled "Senior Citizens Real Property Tax Exemption". This public hearing is scheduled for the 21st day of February, 2023 at 7:05 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

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

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

Dated: January 24, 2023

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney

0005582693

**SOUTH ORANGETOWN CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION
160 VAN WYCK ROAD, BLAUVELT, NY 10913
EXTRACT OF MINUTES**

Board Members Present: Dana Stilley, Leon Jacobs, Steven Finn, Steve Peña, David Sansone
Board Members Absent: None

The following resolution was presented to the Board of Education on Thursday, February 16, 2023.

Motion by Mr. Steven Peña

Seconded by Mr. Steven Finn

Senior Citizen Tax Exemption

WHEREAS, the Board of Education has heretofore adopted the provisions of Section 467 of the Real Property Tax Law, as amended, regarding the granting of a partial exemption from taxation for school district purposes of real property situated in the South Orangetown Central School District and owned by a person or persons 65 years of age or older; and

WHEREAS, the Board desires to amend such previous resolution consistent with such law;

NOW, THEREFORE, BE IT RESOLVED, that the Board, after having conducted a public hearing and giving the public an opportunity to be heard, hereby establishes the maximum income eligibility limits for the partial real property tax exemption applicable to otherwise qualified taxpayers over the age of 65, regarding assessment rolls prepared on the basis of the taxable status date occurring on or after January 1, 2023, as follows:

Annual Income Range	Exemption Percentage
\$50,000 or less	50% exemption
\$50,001 to \$51,000	45% exemption
\$51,001 to \$52,000	40% exemption
\$52,001 to \$53,000	35% exemption
\$53,001 to \$53,900	30% exemption
\$53,901 to \$54,800	25% exemption
\$54,801 to \$55,700	20% exemption
\$55,701 to \$56,600	15% exemption
\$56,601 to \$57,500	10% exemption
\$57,501 to \$58,400	5% exemption
\$58,401 or more	Not Eligible

AND BE IT FURTHER RESOLVED, that the Board hereby provides that any individual, otherwise qualified pursuant to the provisions of Section 467 of the Real Property Tax Law, shall be entitled to such real property tax exemption if they become 65 years of age after the appropriate taxable status date and before December 31st of the same year;

AND BE IT FURTHER RESOLVED, that the District Clerk is directed to send a certified copy of this resolution to the Assessors of the Towns comprising the South Orangetown Central School District.

Motion to accept carried unanimously

I hereby certify that the foregoing annexed extract from the minutes of the Board of Education, South Orangetown Central School District, duly called and held on Thursday, February 16, 2023, has been compared by me with the original minutes as officially recorded in the District's Clerk's office in the Minute Book of said Board of Education and is true, complete and correct copy thereof and of the whole of said minutes so far as the same relate to the subject matters referred to in said Extract.



Kathleen Muscari
District Clerk

EXHIBIT

02-21-B

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

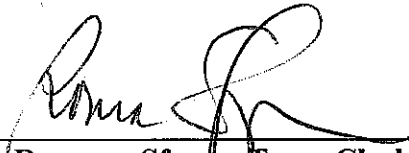
SS.

Rosanna Sfraga 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 2nd day, February, 2023, 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.

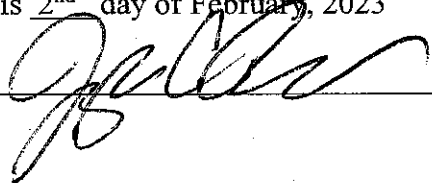
1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.

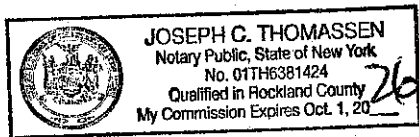


Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 2nd day of February, 2023





**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on January 31, 2023, a public hearing will be held by the Town Board on a proposed Local Law, pursuant to New York Real Property Tax Law Section 466-a, amending Chapter 34, Article VII, of the Town Code entitled "*Exemption for Members of Volunteer Fire Companies or Ambulance Services*". This public hearing is scheduled for the 21st day of February, 2023 at 7:07 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

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

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

Dated: January 31, 2023

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney



AFFIDAVIT OF PUBLICATION FROM

State of Wisconsin County of Brown, ss.:

On the 6 day of February, in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Felty, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

Linda Felty being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated:

Zone: Rockland Run Dates: 02/06/2023

Linda Felty Signature

Sworn to before me, this 6 day of February, 2023

Vicky Felty Notary Public, State of Wisconsin, County of Brown

VICKY FELTY Notary Public State of Wisconsin

9/19/25 My commission expires

Legend:

WESTCHESTER: Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnale, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thomwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

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

Ad Number: 0005583054

**TOWN OF ORANGETOWN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on January 31, 2023, a public hearing will be held by the Town Board on a proposed Local Law, pursuant to New York Real Property Tax Law Section 466-a, amending Chapter 34, Article VII, of the Town Code entitled "Exemption for Members of Volunteer Fire Companies or Ambulance Services". This public hearing is scheduled for the 21st day of February, 2023 at 7:07 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

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

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

Dated: January 31, 2023

Rosanna Sfraga, Town Clerk
Robert Magrino, Town Attorney

0005583054



Incorporated 1913

ORANGEBURG VOLUNTEER FIRE ASSOCIATION

23 SOUTH GREENBUSH ROAD
ORANGEBURG, NEW YORK 10962-2204

The Honorable Teresa M. Kenny
Supervisor, Town of Orangetown
26 West Orangeburg, Rd
Orangeburg, NY 10962

February 18, 2023

Dear Ms. Kenny,

On December 9, 2022, Governor Kathy Hochul signed legislation that creates an opt-in for all local governments to provide a 10% property tax exemption to volunteer firefighters and volunteer ambulance workers (L 2022, ch 670, § 1). The law took effect immediately and can be implemented by the Town of Orangetown today.

Real Property Tax Law § 466-a allows for an exemption of up to 10% of the assessed valuation of the primary residence of volunteer firefighters and/or volunteer ambulance workers [the property must be the primary residence of and owned by the volunteer(s)]. The law allows each entity of local government (e.g., county legislature, city council, school board, town board, village board, board of fire commissioners) to adopt a local law opting into the exemption. Localities that currently provide the exemption under the existing law would be required to adopt a local law to conform to the new law.

As noted, the Town's participation in this exemption for volunteers is not automatic, so it is on behalf of the members of the Orangeburg Volunteer Fire Association that I ask that you consider adopting an ordinance, law, or resolution in the Town of Orangetown which provides this exemption to Town volunteers.

Rockland County is comprised solely of volunteer fire departments and volunteer ambulance corps. The dedicated women and men of these organizations spend hundreds of uncompensated hours preparing for emergencies that we pray won't arise. The requisite training, in addition to answered alarms, take members away from their families and make recruitment difficult. Two-fold, this exemption will draw new members into our ranks and help us keep members who are having difficulty remaining in a Town as wonderful, yet expensive as ours.

On behalf of the members of the Orangeburg Volunteer Fire Association, I ask that the Town of Orangetown immediately consider and adopt this exemption for volunteers who are homeowners in the Town of Orangetown.

Respectfully,


John P. Yore, President

Orangeburg Volunteer Fire Association

EXHIBIT
02-21-C

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

SS.

Rosanna Sfraga being duly sworn upon her oath deposes and says;

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

That, on the 1st day, February, 2023, 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.

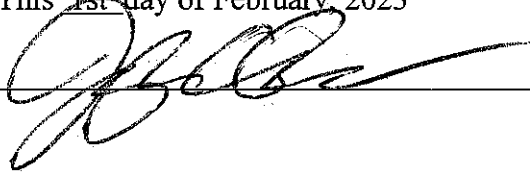
1. Town Hall Bulletin Boards
2. Town's Website (www.orangetown.com)
- 3.
- 4.
- 5.

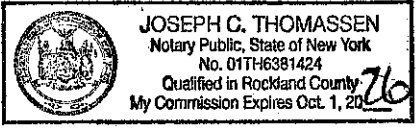


 Rosanna Sfraga, Town Clerk

Subscribed and sworn to before me

This 1st day of February, 2023





**NOTICE OF EDPL PUBLIC HEARING
FOR THE PROPERTY LOCATED AT
334 ROUTE 9W, ORANGETOWN, NEW YORK**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on January 24, 2023, the Town Board will hold a public hearing pursuant to **Article 2 of the New York State Eminent Domain Procedure Law** ("EDPL") on the proposed acquisition of a permanent fee interest in the property located at 334 Route 9W, Palisades, New York for the proposed Reveil Redevelopment Project ("Project"). The hearing will review the public uses, benefits, purposes, and location of the Project, the impact the Project may have on the environment and residents of the area, and will give the public an opportunity to comment on the Project and the proposed Property acquisition. Given the unique nature of the property, there are no alternative locations for the Project.

Description of the Project

The Reveil Redevelopment Project is a mixed-use project that will include a refurbished destination hotel and spa, various green facilities, a working farm and recording studio, co-working and creative workshop spaces, possible residential component, as well as catering and test kitchens. The Project has been designed to generate substantial economic benefits for the community, increase the tax base, provide public amenities and uses, remediate unsafe conditions and sources of contamination at the Property, and preserve key environmental features.

Hearing Information

Tuesday, February 21, 2023

Meeting begins at 7:00pm
Orangetown Town Hall
26 W. Orangeburg Rd.
Orangeburg, NY 10962

For questions about the Hearing, contact:

Robert V. Magrino, Town Attorney
(845) 359-5100
RMagrino@orangetown.com

Any property owner or other interested party who may wish to challenge the proposed property taking via judicial review may do so only on the basis of issues, facts, and objections raised at the EDPL public hearing.

Location and type of property interest that may be acquired

Town	Section	Block	Lot	Property Address	Type of Interest
Orangetown	78.13	1	1	334 Route 9W	Permanent Full Taking



AFFIDAVIT OF PUBLICATION FROM

State of Wisconsin County of Brown, ss.:

On the 7 day of February in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tuttt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

Linda Tuttt being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

Zone: Rockland

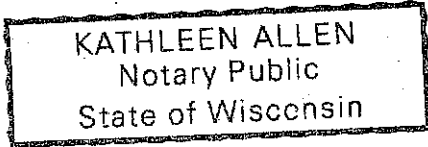
Run Dates: 02/07/2023

Linda Tuttt Signature

Sworn to before me, this 7 day of February, 2023

[Handwritten signature of Kathleen Allen]

Notary Public, State of Wisconsin, County of Brown



My commission expires

Legend:

WESTCHESTER:

Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnale, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

ROCKLAND:

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piemont, Pomona, Stoatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005582817

TOWN OF ORANGETOWN
NOTICE OF EDPL PUBLIC HEARING
FOR THE PROPERTY LOCATED AT
334 ROUTE 9W, PALISADES, NEW YORK

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on January 24, 2023, the Town Board will hold a public hearing pursuant to Article 2 of the New York State Eminent Domain Procedure Law ("ED-PL") on the proposed acquisition of a permanent fee interest in the property located at 334 Route 9W, Palisades, New York for the proposed Reveil Redevelopment Project ("Project"). The hearing will review the public uses, benefits, purposes, and location of the Project, the impact the Project may have on the environment and residents of the area, and will give the public an opportunity to comment on the Project and the proposed Property acquisition. Given the unique nature of the property, there are no alternative locations for the Project.

Description of the Project

The Reveil Redevelopment Project is a mixed-use project that will include a refurbished destination hotel and spa, various green facilities, a working farm and recording studio, co-working and creative workshop spaces, possible residential component, as well as catering and test kitchens. The Project has been designed to generate substantial economic benefits for the community, increase the tax base, provide public amenities and uses, remediate unsafe conditions and sources of contamination at the Property, and preserve key environmental features.

Hearing Information

Tuesday, February 21, 2023
Meeting begins at 7:00pm
Orangetown Town Hall
26 W. Orangeburg Rd.
Orangeburg, NY 10962

For questions about the Hearing, contact:
Robert V. Magrino, Town Attorney
(845) 359-5100
RMagrino@orangetown.com

Any property owner or other interested party who may wish to challenge the proposed property taking via judicial review may do so only on the basis of issues, facts, and objections raised at the EDPL public hearing.

Location and type of property interest that may be acquired

Town	Orangetown
Section	78.13
Block	1
Lot	1
Property Address	34 Route 9W
Type of Interest	Permanent Full Taking

0005582817



TOWN OF ORANGETOWN
TOWN CLERK
26 W ORANGEBURG ROAD
ORANGEBURG, NEW YORK 10962
www.orangetown.com

ROSANNA SFRAGA
TOWN CLERK

TEL: 845.359.5100 x 5004
FAX: 845.359.5126
email: townclerk@orangetown.com

February 1, 2023

HNA Training Center NY LLC
Palisades Premier Conf. Center
245 Park Ave 40th Floor
New York, NY 10167

"Re: Notice of Eminent Domain Procedure Law Hearing
Property: 334 Route 9W, Palisades, NY Tax Lot 78.13/1/1

To Whom it May Concern:

Enclosed for service on you please find the enclosed Notification of Public Hearing pursuant to Article 2 of the New York Eminent Domain Procedure Law, which hearing is scheduled for Tuesday, February 21, 2023 at 7:00 pm.

Respectfully,

Rosanna Sfraga
Town Clerk

RS:tap

**NOTICE OF EDPL PUBLIC HEARING
FOR THE PROPERTY LOCATED AT
334 ROUTE 9W, ORANGETOWN, NEW YORK**

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on January 24, 2023, the Town Board will hold a public hearing pursuant to **Article 2 of the New York State Eminent Domain Procedure Law ("EDPL")** on the proposed acquisition of a permanent fee interest in the property located at 334 Route 9W, Palisades, New York for the proposed Reveil Redevelopment Project ("Project"). The hearing will review the public uses, benefits, purposes, and location of the Project, the impact the Project may have on the environment and residents of the area, and will give the public an opportunity to comment on the Project and the proposed Property acquisition. Given the unique nature of the property, there are no alternative locations for the Project.

Description of the Project

The Reveil Redevelopment Project is a mixed-use project that will include a refurbished destination hotel and spa, various green facilities, a working farm and recording studio, co-working and creative workshop spaces, possible residential component, as well as catering and test kitchens. The Project has been designed to generate substantial economic benefits for the community, increase the tax base, provide public amenities and uses, remediate unsafe conditions and sources of contamination at the Property, and preserve key environmental features.

Hearing Information

Tuesday, February 21, 2023

Meeting begins at 7:00pm
Orangetown Town Hall
26 W. Orangeburg Rd.
Orangeburg, NY 10962

For questions about the Hearing, contact:

Robert V. Magrino, Town Attorney
(845) 359-5100
RMagrino@orangetown.com

Any property owner or other interested party who may wish to challenge the proposed property taking via judicial review may do so only on the basis of issues, facts, and objections raised at the EDPL public hearing.

Location and type of property interest that may be acquired

Town	Section	Block	Lot	Property Address	Type of Interest
Orangetown	78.13	1	1	334 Route 9W	Permanent Full Taking

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front, if space permits.

1. Article Addressed to:
**HNA TRAINING CTR NY LLC
 Palisades Premier Corp CTR
 245 PARK AVE 10TH FLOOR
 NEW YORK, NY 10167**



9590 9402 7630 2122 5822 06

2. Article Number (Transfer from service label)
7018 0360 0001 7592 2562

PS Form 3811, July 2020 PSN 7530-02-000-9053

A. Signature
X Agent Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt

CERTIFIED MAIL®



7018 0360 0001 7592 2562
 7018 0360 0001 7592 2562

Rosanna Sfraga, Town Clerk
 26 W. Orangeburg Road
 Orangeburg, NY 10962



U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____

Sent to _____
 Street and Apt. No. or PO Box No. _____
245 PARK AVE 10TH FLOOR
 City, State, ZIP+4® _____
NEW YORK NY 10167

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



Department of Environmental Management and Engineering Town of Orangetown

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

November 19, 2021

SENT VIA CERTIFIED MAIL and E-Mail

Abby Chen
Asset Management Division
Palisades Training Center NY LLC, formally known as HNA Training Center NY LLC
Palisade Premier Conference Center, formally known as HNA Palisades Premier Conference Center
245 Park Avenue, 40th Floor
New York, New York 10167

Re: Notice of Violations, Damage, and Associated Costs (Petroleum Spill)

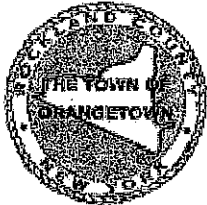
Dear Ms. Chen,

On August 31, 2021 the Orangetown Department of Environmental Management and Engineering (DEME) responded to a strong petroleum odor emanating from the Orangetown Wastewater Treatment Plant (WWTP). The Town established the root cause of the odor was due to a diesel spill that occurred on the Palisades Training Center property.

The Town's subsequent investigation revealed that the spill was caused by a mechanical failure of the generator and/or diesel holding tank located in the basement of Palisades Training Center. The spill ultimately made its way to a sump pump that was illicitly connected to the Town owned sewer main causing a direct discharge of diesel to the WWTP.

The illicit pump connection and spill are in direct violation of the Town Code. The specific sections violated were *30-25 Inflow Sources*, *30A-4 General Discharge Prohibitions* and *30A-5 Specific Discharge Prohibitions*.

- Section 30-25 Inflow Sources – Illicit connection first offense.
- Section 30A-4 General Discharge Prohibitions – Discharge of pollutant(s) that cause pass-through or interference with the WWTP
- Section 30A-5. B Specific Discharge Prohibitions – Any liquids, solids or gases which by reason of their nature or quantity are or may be sufficient either alone or by interaction with other substances to cause a fire or explosion hazard in the WWTP.
- Section 30A-5. F Specific Discharge Prohibitions – Any pollutant(s) which, either singly or by interaction with other wastes, result in the presence of toxic gases, vapors or fumes within the WWTP in a quantity that may cause WWTP worker health and safety problems, which create public nuisance or which create conditions sufficient to prevent entry into the sewers or other portion of the WWTP for maintenance and repair.



Department of Environmental Management and Engineering
Town of Orangetown

127 Route 303 Orangeburg New York 10962
Tel: (845) 359-6502 • Fax: (845) 359-6961

- Section 30A-5.M Specific Discharge Prohibitions – Petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass-through

Pursuant to the Town of Orangetown Town Code, as a result of these violations, you may be liable for penalties for each of the above noted violations.

Also, although Palisades Training Center took responsibility and measures to remedy the spill and the subsequent environmental cleanup the Town nevertheless suffered damages and incurred additional costs. The Town of Orangetown holds the Palisades Training Center responsible for these costs. We are submitting an invoice in the amount \$31,822.80 to cover the costs of labor, material, equipment, and other related damages incurred by the Town of Orangetown as a result thereof. A detailed accounting of the costs is attached for reference. Although we do not foresee any additional expenses at this time, we reserve the right to pass on any future costs that may arise and that are directly related to this incident.

Please remit payment in the amount of \$31,822.80 made payable to the Town of Orangetown within 30 days.

Yours Truly,

Eamon Reilly, P.E.
Commissioner

Encl: Invoices

Cc: T. Kenny, Town Supervisor
R. Magrino, Town Attorney
M. Weber, Chief Operator
C. Sheehan, Confidential Assistant
E. Fordham, Administrative Secretary 1
File



OFFICE OF BUILDING, ZONING, PLANNING,
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
20 GREENBUSH ROAD • ORANGETOWN, NEW YORK 10962

Jane C. Slavin, R.A.
Director

(845)359-8410

Fax: (845)359-8526

VIOLATION NOTICE

January 10, 2022

Abby Chen
Asset Management Division
HNA Training Center LLC.
245 Park Avenue 40th Floor
New York, NY 10167

Dear Mrs Chen:

I received a complaint involving your property located 334 Route 9W, Palisades, NY 10964. I did an inspection on December 17, 2021 and observed sinkholes at the entrance located at Route 9W, the entrance located at Route 340, and a large sinkhole in the middle of the roadway leading from Route 340 to the complex. I also received a complaint on January 7, 2022 concerning removal of snow from the roadway leading from the complex to the entrance on Route 340. This roadway is a means of ingress for the Sparkill Fire Department and the current condition of this roadway (unpassable) represents a safety and welfare issue. The sinkholes need to be addressed immediately and the roadway is required to be kept free of snow and ice. Failure to address these issues will result in legal action.

23A Parking Areas

23A-3 Scope.

(2) Keep all roads, driveways, means of ingress and egress and parking areas free of snow and ice in order to permit proper use thereof in addition to the duties imposed pursuant to Subsection A(1) above.
(3) Clear all roads, driveways, means of ingress and egress and parking areas of snow and ice within 10 hours after the snow has stopped falling and continuously maintain said areas so that they shall be continuously free of any accumulation of snow and ice.

24C-5 Maintenance of exterior of premises.

The exterior of all premises within the unincorporated portion of the Town of Orangetown shall be kept free of all nuisances. It shall be the duty of the owner or operator to keep the premises free of hazards, which may include but are not limited to the following:

D. All holes, excavations, breaks, trenches, and digging left open, which shall be filled and repaired.

Please contact me within five days at (845) 359-8410 extension 4320 so we can discuss this further.

Failure to do so will result in legal action by this office.

Very truly yours,

Michael Acheson
Assistant building inspector



TOWN OF ORANGETOWN | BUREAU OF FIRE PREVENTION
 20 GREENBUSH RD ORANGETOWN, NY 10962
 PHONE: (845) 365 - 0204 / FAX: (845) 365 -0241

HNA TRAINING CENTER NY LLC
 334 ROUTE 9W
 PALISADES NY, 10964

NOTICE OF VIOLATION

FAILURE TO CORRECT VIOLATIONS NOTED ON THIS REPORT OR ANY ATTACHEMENTS WITHIN THE TIME LIMIT STATED MAY RESULT IN APPROPRIATE LEGAL ACTION AGAINST YOU OR YOUR ESTABLISHMENT AS DIRECTED BY LAW

Tenant	HNA TRAINING CENTER NY LLC	Inspection Date	02/10/2022
Location	334 ROUTE 9W PALISADES 78.13-1-1	Parcel Number	78.13-1-1

Inspection findings:

Category	
Building Exterior	Emergency access road to rear of building is impassable for fire apparatus. Secondary access road is impassible with a large sink hole blocking the roadway.
Emergency Lighting	Submit emergency lighting inspection report.
Fire Protection Systems	Submit private hydrant inspection report for all on site hydrants. Only accessible private hydrant for the building is visibly damaged, leaking and unusable. Inspections for extinguisher's are expired. Multiple sprinkler heads have been covered on the 4th floor.
House keeping	Install ceiling tiles where missing. Replace doors removed on the 3rd floor. Close all hotel room doors propped open on 1st, 2nd, 3rd, 4th, and 5th floors. Remove all drapery across hallways and windows.
Mechanical Rooms	Repair/fill in large trench and holes in the slab in MER 6.
Basement	Doors must not be propped open.
Sprinkler/Standpipe	Sprinkler and standpipe inspections are expired.
Occupancy	Must obtain a Building Permit for filming sets built within the building.
Inspection Reports	Submit inspection reports for Fire Alarm, Sprinkler, Kitchen Hood Suppression System, Private Hydrants, Elevator and generator.

Recommended to the Orangetown Building Department that the building be deemed and posted UNSAFE.

ALL VIOLATIONS MUST BE CORRECTED IMMEDIATELY. CALL 845-365-0204 FOR RE-INSPECTION BY 2/25/2022

David Majewski – Fire Inspector



Orangetown Police Department

Incident #: 210T12477

Reporting Officer: PO McNeill, T #166

Report Time: 05/28/2021 09:04:20

Incident

Incident Nature
Burglary

Address
334 ROUTE 9W; IBM Exec
Education Center
PALISADES, NEW
YORK 10964

Occurred From
05/28/2021 09:04:20

Occurred To
05/28/2021 09:05:11

Received By
PO Roeder, T #244

How Received
Telephone

Contact

Disposition
Investigation Pending

Disposition Date
05/28/2021

Case Status
21

Judicial Status

Cleared Date

Clearance
Report Required

Cargo Theft Related
N

Complainant

Address

Phone

DOB

Sex

Race

Responding Officer(s)

PO McNeill, T #166

SGT Holihan, R #224

D/SGT Costello, D #172

DET Maddalena, D #223

James Russell

Circumstances

Code

Comment

PPE - Surgical Mask and
Gloves

2/17/2023

Offenses**Burglary/Breaking and Entering**

Completed? C	Method Of Entry F	Gambling Motivated?
Premises Entered? 00	Location Type 22	Cargo Theft Related?
Statute PL140.20 DF3 (2129)	Description BURG-3:ILLEG ENTRY WITH INTENT	Category

Bias Motivation

99

Weapons

77

All Other Larceny

Completed? C	Method Of Entry X	Gambling Motivated?
Premises Entered? 00	Location Type 22	Cargo Theft Related?
Statute PL155.25 AM0 (2172)	Description PETIT LARCENY	Category

Bias Motivation

99

Destruct/Damage/Vandalism Prop

Completed? C	Method Of Entry X	Gambling Motivated?
Premises Entered? 00	Location Type 22	Cargo Theft Related?
Statute PL145.00 AM4 (2141)	Description CRIMINAL MISCHIEF-4TH	Category

Bias Motivation

99

Persons

2/17/2023

HNA PREMIERE CONFERENCE CENTER

Victim

Address	Phone	DOB
334 ROUTE 9W; 1050180 - HNA Premiere Conference Center PALISADES NEW YORK 10964	(845)365-2954	
Race	Sex	Ethnicity
	Unknown	
Height	Weight	
	0	

Complainant

Address	Phone	DOB
Race	Sex	Ethnicity
		Unknown
Height	Weight	

Property

House Plant

Stolen

Brand	Model	Serial Number
unknown	unknown	
Color	Quantity	Total Value
Green/Brown	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	
Stolen, Not Recovered	HNA PREMIERE CONFERENCE CENTER	

2/17/2023

House Plant

Damaged

Brand unknown	Model unknown	Serial Number
Color Brown/Green	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status Destroyed/Damaged/Vandalized	Owner HNA PREMIERE CONFERENCE CENTER	

Building

Damaged

Brand IBM/HNA	Model CONFERENCE CENT	Serial Number 334 RTE 9W
Color Brown/White	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status None	Owner HNA PREMIERE CONFERENCE CENTER	

Narratives

Original Narrative

05/28/2021 12:26:30

(CO), Security for (VI), states that when he entered the front hallway area about 0900 hours of today's date, he observed large plants that were disturbed and moved into the pathway. Upon checking the surveillance footage between 1600 - 2200 of 05/27/2021, he observed two White Males attempting to enter through the front entrance, then attempting to enter through the third floor employee entrance on the south side of building, then both parties were observed inside the building after entering from an unknown area. They were stealing a large plant and exiting through the third floor employee entrance door on the south side of building. Both suspects possibly in their thirties, both slender build, wearing dark mask: both wearing tee shirts and shorts, one suspect was bald headed wearing all gray, and the other suspect was wearing all black with a black baseball cap. There were beer cans, a missing plant and damaged vase near the front entrance of stated location. TOT Detective Bureau. County CSI responded and processed location.

Supplemental Narrative

05/28/2021 13:46:52 RO Joos, T #461

CAD Call info/comments

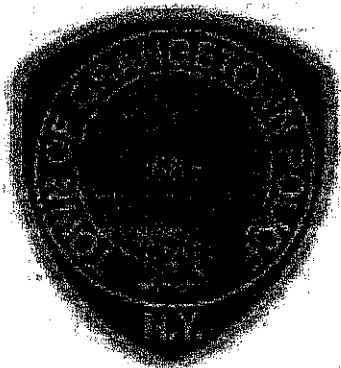
=====

09:05:09 05/28/21 -1

2/17/2023

POSS BURG OVERNIGHT
09:46:08 05/28/21
BCI BEING NOTIFIED

ing
2/17/2023



Orangetown Police Department

Incident #: 210T13972

Reporting Officer: PO Gonzalez, R #237

Report Time: 06/15/2021 11:26:45

Incident

Incident Nature
Burglary

Address
334 ROUTE 9W; IBM Exec
Education Center
PALISADES, NEW
YORK 10964

Occurred From
06/15/2021 11:26:45

Occurred To
06/15/2021 11:27:09

Received By
Jason Zelenka

How Received
Telephone

Contact
BILL

Disposition
Investigation Pending

Disposition Date
06/15/2021

Case Status
21

Judicial Status

Cleared Date

Clearance
Report Required

Cargo Theft Related
N

Responding Officer(s)

PO Makara, J #218

PO Yannazzone, M #215

LT Boysa, M #202

PO Gonzalez, R #237

Offenses

Burglary/Breaking and Entering

Completed? C	Method Of Entry F	Gambling Motivated?
Premises Entered? 00	Location Type 25	Cargo Theft Related?
Statute PL140.20 DF3 (2129)	Description BURG-3:ILLEG ENTRY WITH INTENT	Category

Bias Motivation

77

Weapons

77

Destruct/Damage/Vandalism Prop

Completed? C	Method Of Entry X	Gambling Motivated?
Premises Entered? 00	Location Type 25	Cargo Theft Related?
Statute PL145.00 AM4 (2141)	Description CRIMINAL MISCHIEF-4TH	Category

Bias Motivation

77

Persons

REAL HOSPITALITY GROUP Victim

Address	Phone	DOB
Race	Sex Nonbinary	Ethnicity
Height	Weight 0	

2/17/2023

Complainant

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	Unknown

Property

Bottle

Brand	Model	Serial Number
Color	Quantity	Total Value
Measurement	Amount Recovered	Date Recovered
Status	Owner	

1
\$1.00
\$0.00
Destroyed/Damaged/Vandalized

Damaged

None

Brand	Model	Serial Number
Color	Quantity	Total Value
Measurement	Amount Recovered	Date Recovered
Status	Owner	

\$1.00
\$0.00
Stolen, Not Recovered

Stolen

Narratives

Original Narrative

06/15/2021 14:37:31

AT THE ABOVE T/P/O CO WHO WORKS FOR VI (REAL HOSPITALITY GROUP) STATED THAT WHILE CHECKING THE BUILDING NOTICED THINGS MISPLACED AND GLASSES SHATTERED IN THE BAR AREA. CO THEN CALLED OPD PO MAKARA, PO YANNAZONE AND SGT. BOYSA ARRIVED ON SCENE. DET. SGT. COSTELLO AND DET. VERGINE ARRIVED ON SCENE SHORTLY AFTER. OFFICERS ON SCENE ALONG WITH CO VIEWED SURVELLIANCE VIDEOS AND OBSERVED FOUR YOUNG MALES AND ONE YOUNG FEMALE ENTER THE PREMISES AT 1700 HRS AND LEFT AT 1900 HRS ON 6/14/2021. UNDERSIGNED ARRIVED ON SCENE AND OBTAINED PEDIGREE INFORMATION FROM CO. ROCKLAND BCI WAS NOTIFED AND DET. READ ARRIVED TO PROCESS SCENE. THE

nil

2/17/2023

UNDERSIGNED CANVASSED OUTSIDE AREA WITH NEG. RESULTS PO MAKARA AND PO
YANNEZZONE CANVASSED THE INSIDE OF THE BUILDING WITH NEG. RESULTS. TOT DET. VEGINE.

**Supplemental
Narrative**

06/15/2021 14:12:16

CAD Call info/comments

=====

11:28:19 06/15/21 -

BURG OCCURED IN PAST

11:31:00 06/15/21

Law Dispatch Address change from 334 ROUTE 9W to 334 ROUTE 9W; IBM Exec
Education Center

2/17/2023



Orangetown Police Department

Incident #: 22OT01559

Reporting Officer: PO O'Connor, S #227

Report Time: 01/17/2022 05:57:18

Incident

Incident Nature
Fire Law Response

Address
334 ROUTE 9W; IBM Exec
Education Center
PALISADES, NEW
YORK 10964

Occurred From
01/17/2022 05:57:18

Occurred To
01/17/2022 05:57:42

Received By
PO Velez, J #274

How Received
Telephone

Contact
HQ

Disposition
False Alarm

Disposition Date
01/17/2022

Case Status

Judicial Status

Cleared Date

Clearance
Report Required

Cargo Theft Related

Responding Officer(s)
PO O'Connor, S #227

Circumstances
Code
PPE - Surgical Mask and
Gloves

Comment

Persons

2/17/2023

HNA PREMIERE CONFERENCE CENTER Business

Address	Phone	DOB
334 ROUTE 9W; 1050180 - HNA Premiere Conference Center PALISADES NEW YORK 10964	(845)365-2954	

Race	Sex	Ethnicity
	Unknown	
Height	Weight	
	0	

RADIO HEADQUARTERS Complainant

Address	Phone	DOB

Race	Sex	Ethnicity
Unknown	Unknown	Unknown
Height	Weight	
	0	

Narratives

Original Narrative

01/17/2022 09:02:11

On T/D/L undersign responded to a automatic fire alarm at (B). Sparkill FD arrived on scene. It appeared that a burst sewer pipe in the lower level of the building activated the alarm. Radio HQ's made a notification to owner of the property.

Supplemental Narrative

01/17/2022 06:17:05 PO O'Connor, S #227

CAD Call info/comments

=====

05:57:36 01/17/2022 - Velez, J
General fire alarm.
06:17:05 01/17/2022 - OConnor, S
false alarm

2/17/2023



Orangetown Police Department

Incident #: 22OT20416

Reporting Officer: PO Tuers, A #285

Report Time: 07/14/2022 14:25:33

Incident

Incident Nature
Burglary

Address
334 ROUTE 9W; HNA
Premiere Conference Center
PALISADES, NEW
YORK 10964

Occurred From
07/14/2022 14:25:33

Occurred To
07/14/2022 14:26:17

Received By
Jason Zelenka

How Received
Telephone

Contact

Disposition
Investigation Pending

Disposition Date
07/14/2022

Case Status
01

Judicial Status

Cleared Date

Clearance
Report Required

Cargo Theft Related
N

HNA PREMIER CONFERENCE CENTER

Complainant

Address
334 ROUTE 9W; 1050180 -
HNA Premiere Conference
Center
PALISADES NY 10964

Phone
(845)365-2954

DOB

Sex
U

Race

Responding Officer(s)
PO Tuers, A #285
PO Megdanis, M #246
SGT Sullivan, J #194

Offenses

nl 8/24/2022

Burglary/Breaking and Entering

Completed? C	Method Of Entry F	Gambling Motivated?
Premises Entered? 99	Location Type 18	Cargo Theft Related?
Statute PL140.20 DF3 (2129)	Description BURG-3:ILLEG ENTRY WITH INTENT	Category

Bias Motivation

77

Weapons

77

Persons

HNA PREMIER CONFERENCE CENTER Victim/Complainant

Address 334 ROUTE 9W; 1050180 - HNA Premiere Conference Center PALISADES NEW YORK 10964	Phone (845)365-2954	DOB
Race	Sex U	Ethnicity
Height	Weight 0	

Person Reporting

Address	Phone	DOB
Race	Sex	Ethnicity Unknown
Height	Weight	

8/24/2022

Arrested Suspect

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

**HNA PREMIER CONFERENCE CENTER
Complainant**

Address 334 ROUTE 9W; 1050180 - HNA Premiere Conference Center PALISADES NEW YORK 10964	Phone (845)365-2954	DOB
Race	Sex U	Ethnicity
Height	Weight 0	

Narratives

Original Narrative

07/14/2022 17:32:40

At above time, place, and location the undersigned responded to a radio run of a possible burglary at above stated location. Upon arrival, the undersigned spoke with (PR) who is an employee of (VICO). (PR) states that while doing his rounds he observed one of the interior doors to have visible damage and the lock was on the ground. (PR) further states that he reviewed video surveillance and observed 3 unknown individuals break into the location at approximately 1800 hours on 07/13/2022. Video was also observed by the undersigned and 3 males are observed breaking into the building from the front entrance. One male is observed to be wearing a black jersey with the numbers 38 on the back. 2 other males are also observed wearing hats. Unknown subjects arrive at approximately 1800 hours and attempt to gain access for approximately an hour. Entry is eventually gained by the use of a crow bar. Unknown subjects are in and out of the building from approximately 1800 to 2100 hours on 07/13/2022. (PR) states that he is not sure if anything was taken, however, 2 flashlights were in different locations. (PR) further states that there was also a partially smoked marijuana cigarette in front of the doors which was not there previously. (PR) also states that there was an opened box and a laundry bag in front of the building. (PR) does not know the contents of the box. (PR) states that he has to further review video surveillance to determine if anything was taken or any further damage occurred. Sgt. Sullivan on scene. Det. Ryan on scene. Deputy Sheriff Beckmann from Rockland County Sheriff's BCI on scene and collected above stated evidence.

**Supplemental
Narrative**

07/14/2022 17:06:50 PO Lopez, A #241

CAD Call info/comments
=====

14:26:11 07/14/22 - Zelenka, J 4299
POSSIBLE PAST BURG
14:54:14 07/14/22 - Makara, J
BCI NOTIFIED

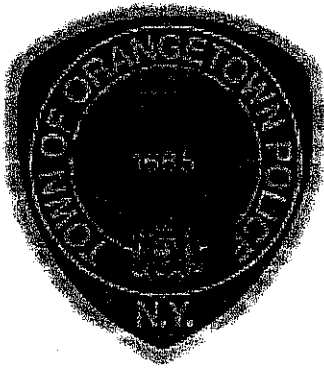
**Supplemental
Narrative**

08/24/2022 17:20:23 DET Ryan, D #225

08/24/2020
1520hrs

Jeffrey Bonilla came into OPD to surrender himself. Jeffrey was processed by Det. Vergine and the Undersigned. Arraigned in Orangetown Justice Court by Judge Finning and given a return date of 09/26/2022 at 0930hrs. Public Defender Amanda Doty. See Case Report.

8/24/2022



Orangetown Police Department

Incident #: 22OT20727

Reporting Officer: PO Gorczynski, B #267

Report Time: 07/18/2022 09:09:35

Incident

Incident Nature
Burglary

Address
334 ROUTE 9W; HNA
Premiere Conference Center
PALISADES, NEW
YORK 10964

Occurred From
07/18/2022 09:09:35

Occurred To
07/18/2022 09:12:04

Received By
PO Dooley, S #276

How Received
Telephone

Contact
-

Disposition
Investigation Pending

Disposition Date
07/18/2022

Case Status
21

Judicial Status

Cleared Date

Clearance
Report Required

Cargo Theft Related
N

Responding Officer(s)
PO Casey, P #247

PO Gorczynski, B #267

SGT Hutmacher, T #207

Circumstances

Burglary-Commercial

Offenses

7/19/2022

Burglary/Breaking and Entering

Completed? C	Method Of Entry F	Gambling Motivated?
Premises Entered? 00	Location Type 25	Cargo Theft Related?
Statute PL140.20 DF3 (2129)	Description BURG-3:ILLEG ENTRY WITH INTENT	Category

Bias Motivation

77

Weapons

77

Destruct/Damage/Vandalism Prop

Completed? C	Method Of Entry X	Gambling Motivated?
Premises Entered? 00	Location Type 25	Cargo Theft Related?
Statute PL145.10 DF2 (2149)	Description CRIMINAL MISCHIEF - 2ND	Category

Bias Motivation

77

Persons

HNA PREMIER CONFERENCE CENTER Victim

Address 334 ROUTE 9W; 1050180 - HNA Premiere Conference Center PALISADES NEW YORK 10964	Phone (845)365-2954	DOB
Race	Sex U	Ethnicity
Height	Weight 0	

7/19/2022

Person Reporting

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Person Reporting

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Property

Window

Damaged

Brand	Model	Serial Number
Color	Quantity 1	Total Value \$1,000.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status Destroyed/Damaged/Vandalized	Owner	

Fixture

Damaged

Brand	Model	Serial Number
Color	Quantity 2	Total Value \$1,000.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status Destroyed/Damaged/Vandalized	Owner	

Narratives

Original Narrative

07/18/2022 16:11:42

At the above time, date and location undersigned and PO Casey responded to a report of a burglary. Upon arrival undersigned spoke with site managers (PR -) and (PR -) who stated that multiple individuals entered (V) and damaged property.

(PR -) and (PR -) provided security camera footage showing what appeared to be four males and one female entering (OT) from the lower restaurant entrance without authorization at approximately 1700 hours on July 17, 2022 and departing through the same entrance at approximately 1830 hour on July 17, 2022.

(PR -) and (PR -) stated that the individuals cause property damage throughout the building including breaking a an exterior window, toppling and breaking furniture, smashing glassware and breaking glass fixtures.

Undersigned observed multiple broken furniture items. broken glass and a broken exterior window. SGT Hutmacher, OPD Detective Bureau and BCI on scene. BCI conducted detailed investigation and photographed the scene.

Investigation turned over to the OPD Detective Bureau. No further action taken by undersigned.

Supplemental Narrative

07/18/2022 13:04:51 RO Kugler, J #465

CAD Call info/comments

=====

09:12:02 07/18/22 - J
SOMEONE BROKE IN OVERNIGHT AND DAMAGED/TOOK PROPERTY
10:14:21 07/18/22 -
D/SGT COSTELLO AND DET MYERS RESPONDING
10:16:34 07/18/22 - I
BCI REQUESTED

7/19/2022



Orangetown Police Department

Incident #: 22OT20760

Reporting Officer: PO Tuers, A #285

Report Time: 07/18/2022 17:59:02

Incident

Incident Nature
Burglary

Address
334 ROUTE 9W; IBM Exec
Education Center
PALISADES, NEW
YORK 10964

Occurred From
07/18/2022 17:59:20

Occurred To
07/18/2022 17:59:39

Received By
PO Taylor, C #278

How Received
Telephone

Contact

Disposition
Cleared By Arrest - Adult

Disposition Date
07/19/2022

Case Status
01

Judicial Status

Cleared Date

Clearance
Report Required

Cargo Theft Related
N

Responding Officer(s)

PO Tuers, A #285

PO Megdanis, M #246

PO Makara, J #218

PO Raimone, A #265

PO Fisher, J #257

PO Verdicchio, A #281

SGT Whalen, N #212

PO Wentland, R #249

Offenses

7/20/2022

Burglary/Breaking and Entering

Completed? C	Method Of Entry F	Gambling Motivated?
Premises Entered? 99	Location Type 18	Cargo Theft Related?
Statute PL140.20 DF3 (2129)	Description BURG-3:ILLEG ENTRY WITH INTENT	Category

Bias Motivation

77

Destruct/Damage/Vandalism Prop

Completed? C	Method Of Entry X	Gambling Motivated?
Premises Entered? 00	Location Type 18	Cargo Theft Related?
Statute PL145.05.02 EF3 (7006)	Description CRIM MISCHIEF 3:PROPERTY> \$250	Category

Bias Motivation

77

Destruct/Damage/Vandalism Prop

Completed? C	Method Of Entry X	Gambling Motivated?
Premises Entered? 00	Location Type 18	Cargo Theft Related?
Statute PL145.60.02 AM0 (5507)	Description MAKING GRAFFITI	Category

Bias Motivation

77

All Other Offenses

Completed? C	Method Of Entry X	Gambling Motivated?
Premises Entered? 00	Location Type 18	Cargo Theft Related?
Statute PL145.65 BM0 (5530)	Description POSSESSION OF GRAFFITI INST	Category

Bias Motivation

77

Persons

HNA PREMIER CONFERENCE CENTER Victim/Complainant

Address 334 ROUTE 9W; 1050180 - HNA Premiere Conference Center PALISADES NEW YORK 10964	Phone (845)365-2954	DOB
Race	Sex U	Ethnicity
Height	Weight 0	

Complainant

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

7/20/2022

Vehicles

Observed

Lic	State	Color
VIN	Owner	License Type
Value	Amount Recovered	

Narratives

Original Narrative

07/19/2022 01:39:51

At above time, place, and location the undersigned was conducting a CPOL at above stated location. (VEH) was observed parked in front of the location. Upon further investigation, there was sounds of things being broken from inside the building. Through OPD dispatch, the code to enter location was received and entry was gained. Upon entry, all listed arrested suspects were observed in location and placed under arrest without incident. American Flag was observed to be damaged and laying on top of the ground at the top of the stairwell. A white board was also observed in the location with a penis drawn on it and stated "Keep on, Break on!" There were also numerous red arrows observed to be written on the walls. (O) who is the caretaker of the location was interviewed and stated that he had been to the location earlier in the morning and observed the penis to be drawn on the board, however, the statement "Keep on, Break on?" was not on the board previously. Various markers were also observed at location. () was observed to have a pack of markers in her front sweatshirt pocket. A baseball bat was also observed in (AS) hands. (AS) stated the baseball bat was his. Sgt. Whalen and Sgt. went and on scene. BCI notified and Det. Bauer responded. Det. Sullivan and Det. Myers notified. Above listed vehicle was towed to the OPD impound lot. (AS) was placed in marked RMP # 3338 to be transported to OPD and while in route did suffer a medical episode. See OPD incident # 22OT20765. (AS) was placed in marked RMP # 3315 and transported to OPD without incident. (AS) was placed in marked RMP # 3330 and transported to OPD without incident. (AS I) was placed in marked RMP # 3343 and transported to OPD without incident and placed in the juvenile room. (AS) and (AS) were both processed at OPD without incident and given a return date of 08/09/2022 at 0930 hours returnable to the Orangetown Justice Court. (AS) was processed at OPD without incident and given a return date of 07/19/2022 at 1400 hours returnable to Rockland County Youth Court. (AS) was cleared by Nyack Hospital and transported to OPD in marked RMP 3338 without incident. (AS) was processed at OPD without incident and given a return date of 07/28/2022 at 1100 hours at Probation Service of Rockland County. RCDA notification completed.

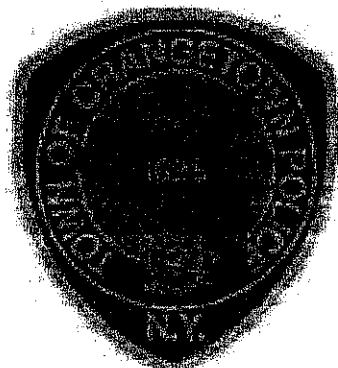
Supplemental Narrative

07/18/2022 23:55:44 RO Tracey, C #467

CAD Call info/comments

=====

7/20/2022



Orangetown Police Department

Incident #: 22OT25910

Reporting Officer: PO Dooley, S #276

Report Time: 09/09/2022 19:16:13

Incident

Incident Nature
Fire Law Response

Address
334 ROUTE 9W; IBM Exec
Education Center
PALISADES, NEW
YORK 10964

Occurred From
09/09/2022 19:16:13

Occurred To
09/09/2022 19:17:14

Received By
Thomas Stevens Jr

How Received
Telephone

Contact

Disposition
Closed by Investigation

Disposition Date
09/09/2022

Case Status

Judicial Status

Cleared Date

Clearance
Report Required

Cargo Theft Related

Responding Officer(s)
PO Dooley, S #276

Persons

Not Interviewed

Address
116 LA

Phone

DOB

Race

Sex

Ethnicity

Height

Weight

Narratives

Original Narrative

09/09/2022 20:21:25

ON ABOVE STATED DAT TIME AND PLACE UNDERSIGNED RESPONDED FOR A FIRE ALARM. MET WITH FD ON SCENE WITH NO ISSUES. THE POWER WAS SHUT OFF EARLIER IN THE DAY BY ORANGE AND ROCKLAND AND APPEARS THE BACK UP BATTERY ON THE FIRE ALARM WAS DYING OFF. I ATTEMPTED TO MAKE CONTACT WITH (NI) IN REGARDS WITH NO SUCCESS.

**Supplemental
Narrative**

09/09/2022 19:53:25 PO Dooley, S #276

CAD Call info/comments

=====

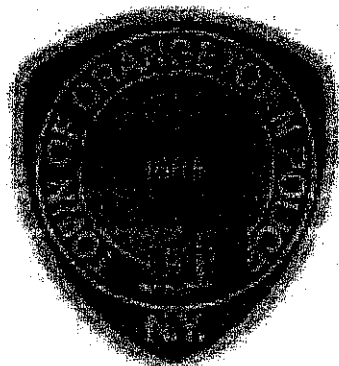
19:17:08 09/09/2022 - Stevens, T
GEN FIRE

19:31:10 09/09/2022 - Lenihan, J
alarm co ntfd

19:34:02 09/09/2022 - Lenihan, J
building has bin condemned power shut to the building by o and r earlier
today system running off back up battery only

19:53:04 09/09/2022 - Lenihan, J
alarm company redden alarm re contacted requesting the on call tech land
line asap

2/17/2023



Orangetown Police Department

Incident #: 22OT29195

Reporting Officer: PO Megdanis, M #246

Report Time: 10/12/2022 09:46:24

Incident

Incident Nature
Suspicious Person,
Circumstnce

Address
334 ROUTE 9W; IBM Exec
Education Center
PALISADES; NEW
YORK 10964

Occurred From
10/12/2022 09:46:24

Occurred To
10/12/2022 09:49:16

Received By
Jason Zelenka

How Received
Telephone

Contact

Disposition
Closed by Investigation

Disposition Date
10/12/2022

Case Status

Judicial Status

Cleared Date

Clearance
Report Required

Cargo Theft Related

Responding Officer(s)
PO Megdanis, M #246

Persons

HNA PREMIER CONFERENCE CENTER Business

Address
334 ROUTE 9W; 1050180 -
HNA Premiere Conference
Center
PALISADES NEW
YORK 10964

Phone
(845)365-2954

DOB

Race

Sex
Unknown

Ethnicity

Height

Weight
0

Person Reporting

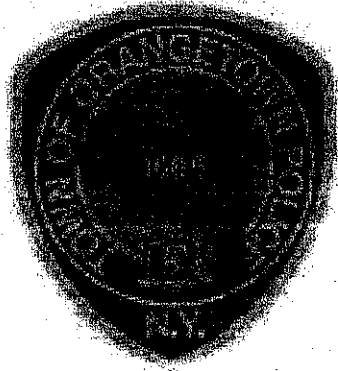
Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Narratives

Original Narrative

11/01/2022 19:19:47

At the above time, date and location, the Undersigned responded to a radio run for a Suspicious Incident. (PR) is the property manager for (B) and states he noticed someone has been dumping dirt and debris in the upper parking lot. (PR) would just like the incident documented.



Orangetown Police Department

Incident #: 22OT29329

Reporting Officer: PO Casey, P #247

Report Time: 10/13/2022 09:53:08

Incident

Incident Nature
Illegal Dumping

Address
334 ROUTE 9W; HNA
Premiere Conference Center
PALISADES, NEW
YORK 10964

Occurred From
10/13/2022 09:53:08

Occurred To
10/13/2022 09:53:50

Received By
RO Kugler, J #465

How Received
Telephone

Contact

Disposition
Investigation Pending

Disposition Date
10/13/2022

Case Status

Judicial Status

Cleared Date

Clearance

Cargo Theft Related

Responding Officer(s)
PO Casey, P #247

Persons

Person Reporting

Address

Phone

DOB

Race

Sex

Ethnicity

Height

Weight

Narratives

Original Narrative

01/05/2023 19:02:26

2/17/2023

PR advised that more material had been added to the pile of rocks and sand that was dumped the day prior. Ref 22OT29195.

**Supplemental
Narrative**

10/13/2022 10:27:29 RO Kugler, J #465

CAD Call info/comments

=====

09:53:50 10/13/22 - Kugler, J
DUMPING AT HNA CENTER

2/17/2023

02-21-D; 2/21/23

STATE OF NEW YORK : COUNTY OF ROCKLAND.
TOWN OF ORANGETOWN TOWN BOARD

1

----- x

In the Matter of

PROPOSED ACQUISITION OF A PERMANENT PROPERTY
INTEREST - HNA TRAINING CENTER,
334 ROUTE 9W, ORANGETOWN, NY

----- x

Orangetown Town Hall
Orangeburg, New York
February 21, 2023
7:10 p.m.

B E F O R E:

TERESA KENNY,	SUPERVISOR
JERRY BOTTARI,	MEMBER
THOMAS DIVINY,	MEMBER (absent)
BRIAN DONOHUE,	MEMBER
PAUL VALENTINE,	MEMBER

ROSANNA SFRAGA,	TOWN CLERK
ROBERT MAGRINO,	DEPUTY TOWN ATTORNEY

Anne Marie Ambrose
Court Reporter

1
2 SUPERVISOR KENNY: Okay, can I get a
3 motion to open the public hearing of the
4 proposed acquisition of a permanent property
5 interest in HNA Training Center?

6 MR. VALENTINE: I'll make a motion.

7 MR. BOTTARI: I'll second.

8 SUPERVISOR KENNY: All in favor, aye?

9 MR. DONOHUE: Aye.

10 MR. BOTTARI: Aye.

11 SUPERVISOR KENNY: Aye.

12 MR. VALENTINE: Aye.

13 MR. MAGRINO: We have a stenographer so
14 I am going to ask you to speak a little
15 slowly.

16 SUPERVISOR KENNY: Okay, you know how I
17 talk fast, I'll try. So this is certainly a
18 first for this Town Board, and hopefully the
19 last.

20 Anyway, just by way of a little history
21 on this matter, when I took office, I started
22 in January of 2020, I came in knowing that
23 the HNA property had previously been for
24 sale, and it had actually had a buyer that
25 had fallen through. I came in, and within

1
2 weeks I was being approached by a lot of
3 people interested in the property that needed
4 zone changes. They were coming in with every
5 kind of thing you could possibly imagine.
6 So, it got me thinking that, you know,
7 working with HNA would be the best way for
8 this to move forward because we could work
9 with the developer, that they knew they had
10 the Town's support, and yet HNA would know
11 the buyer was be getting what they needed,
12 and it would be, what I used to say was a
13 win-win to get a good price for the property.

14 So, I had approached HNA from the early
15 days, and we did, we entered into a kind of a
16 tentative arrangement. They were
17 participants in the whole process to the
18 extent they wanted to be, because we all
19 realized that this property offered
20 significant redevelopment opportunities for
21 the Town. You know with Covid, obviously the
22 hotel was closed for two years. They are now
23 upwards of over \$5 million dollars in tax
24 arrears. Since the property has been closed,
25 we had all sort of problems. We had an oil

1
2 leak. We had an oil spill. We may still
3 have a sink hole in the road. We had the
4 utilities turned off. There was water in the
5 basement. We had all sorts of vandalism and
6 our police have been very active with going
7 to the property. So it's really the property
8 sadly has fallen into some bit of a blight, I
9 guess is the word we like to use, but the
10 Town, we always had a vision for this
11 property for redevelopment. We see increased
12 tax revenue, job growth, and community uses,
13 trails, bikes, paths, open space.

14 So we took the action, again, in part
15 with HNA being on board to attract
16 redevelopment. We went out, we did a request
17 for special interest. We got upwards of 12-
18 15 applicants, we narrowed them down. We had
19 interviews. Many of you sat through the one
20 that was virtual, and we narrowed it down to
21 picking a chosen developer, we selected
22 Reveil, LLC as the preferred developer.

23 To be clear, the parties entered into
24 negotiations in good faith, I would say in
25 good faith, and they have been continuing.

1
2 It is our hope that they are going to
3 actually reach some kind of agreement before
4 this process ends, and I don't mean by
5 tonight. It's a much longer process that we
6 have to go through, but it does now involve
7 legal actions of other people. There is SL
8 Green, if anyone that keeps up with it knows,
9 there is another party that brought a lawsuit
10 basically to intervene themselves into this
11 process.

12 So, our attorneys, and we do have one
13 here tonight, that's going to follow-up and
14 make sense of everything I am verbalizing
15 about, did reach out and has been in touch
16 with SL Green, and they are very well aware
17 of the process that we are going through.

18 So, we basically, through Reveil and we
19 have this concept vision, again, for those of
20 you who saw their presentation, you know, a
21 refurbished branded destination hotel. I
22 think they called it glamping, a restaurant,
23 a bar, a gym, a spa, event space, with a
24 conference center, a working farm, a test
25 kitchen, co-working spaces. There is the

1
2 possibility of an additional 20 to 30
3 townhouses, and again to preserve some open
4 space of the environmentally sensitive areas.

5 So, we basically went through a process
6 with Reveil, and we entered into an MOU, a
7 Memorandum of Understanding for them to buy
8 the property. And again, it's been 16 months
9 we have been involved, somewhat on the
10 outskirts. We did actually meet with both of
11 the parties so I could get a personal feel of
12 who was not being necessarily cooperative.
13 So we have been somewhat involved, but not
14 sitting at the table.

15 So at this point we really do expect a
16 written purchase and sale agreement in the
17 near future, but I also thought that for the
18 last year. So we are moving forward. We are
19 hoping that we don't need to have to get to
20 the final test, and just in case we're going
21 to move forward.

22 At this point, we intend to continue
23 with the process until there is a closing,
24 and our proposed purchaser can start with the
25 redevelopment of the property.

1
2 So on that note, I guess I just want to
3 add, one of the reasons why it's coming to
4 somewhat of a head, as I described, some of
5 the issues of the property, it's really
6 becoming a public safety risk. Again, I know
7 some of the neighbors have complained. We
8 had the police over there and there have been
9 several police reports. I know there was one
10 arrest for vandalism. So it's really at this
11 point, it's on us to do what we need to do
12 for public safety.

13 So tonight we're going to hear your
14 comments, and again, we're not going to be
15 taking any firm action tonight. But on that
16 note, I am going turn it over to our special
17 Counsel David Cooper, who is from Zarin and
18 Steinmetz to just give more information on
19 it.

20 MR. COOPER: Thank you, Supervisor and
21 Members of the Board. For the record, my
22 name is David Cooper. I am a partner with
23 the law firm of Zarin and Steinmitz serving
24 as Town Special Counsel in this matter,
25 particularly in the condemnation matter.

1
2 Before we open it up for public
3 comment, the main procedural law in New York
4 State requires that we set forth some ground
5 rules, and also explain the purpose of the
6 hearing tonight, and the procedure should
7 just move forward. Bear with me a little
8 bit, and I will try to be as slow as I can,
9 but we will turn it over to public comment in
10 a couple of minutes.

11 So the purpose of the public hearing,
12 before the Town can initiate a formal
13 acquisition proceeding, it must determine
14 that the acquisition or the condemnation
15 itself serves a public purpose. The New York
16 State law requires that the Town outline to
17 the public at the start of the public
18 hearing, which we are doing tonight, the
19 anticipated purpose, the location or the
20 alternative locations for the condemnation,
21 as well as a receipt of public input. Once
22 the public hearing process is concluded by
23 the Town Board closes the public hearing
24 itself, which may not occur tonight, but upon
25 the public hearing itself being closed, the

1
2 Town Board has 90 days to adopt what are
3 called Findings and Determinations. Those
4 Findings will lay out the reasoning or the
5 basis of the public purpose for the actual
6 acquisition of the property. Upon adopting
7 the Findings, the Town will then have three
8 years to actually go forward with the formal
9 acquisition of the property by commencing the
10 proceeding in the Rockland County Supreme
11 Court.

12 So I start with that just to show there
13 are more steps that need to be taken before
14 the acquisition itself can occur. Tonight
15 we're kicking that process off with the
16 public hearing.

17 The first thing I want to do is
18 identify the property. I am sure everybody
19 in the room knows it, but I want to make sure
20 that we cover our bases here. So as you can
21 see up on the screen, there is an aerial view
22 of the property. The property which is known
23 as the HNA Palisades Premier Conference
24 Center, 334 Route 9W. The property itself is
25 bounded to the north by the Rockland Country

1
2 Club, to the east by Route 9W, to the west by
3 the Palisades Interstate Parkway, and to the
4 south by the Esplanade at the Palisades, and
5 a single family residential development as
6 well.

7 Just to show you the tax map, it is
8 identified as Section 78.13, Block 1, Lot 1
9 and the current survey of the site shows that
10 it is currently developed with -- its 106
11 acres currently zoned in the Office Park
12 District developed with a 206 room hotel and
13 conference center, about 460,000 square feet.
14 As the Supervisor just mentioned, the
15 property itself is underutilized. The hotel
16 and conference center closed in 2020. It has
17 not been in use since that time.

18 With respect to the public purpose, you
19 heard the Supervisor speak a little about it,
20 but the Town has long seen the property as a
21 significant redevelopment opportunity to
22 bring in increased tax revenue. Currently
23 there are somewhere about \$5.5 million
24 dollars in tax arrears on the site. This
25 property is underutilized and it is closed

1
2 right now. The Town does believe that
3 redevelopment of the property with mixed uses
4 could bring significant revenue, tax
5 revenues, significant job creation and
6 significant community uses to the property.

7 There is an MOU that's been entered
8 into with a preferred developer since 2021.
9 It's been 16 months since that MOU has been
10 adopted. It contemplated there being a sale,
11 a private sale by the current owners to the
12 preferred redeveloper. As you heard those
13 negotiations are still in process. Our
14 information is that it is moving along, and
15 so potentially there would be a sale. But
16 due to the time that it's taking to get to
17 this point, the Town has determined that in
18 order to really revitalize this property, it
19 may need to exercise it's imminent domain and
20 authority and take the property so it can
21 spur the redevelopment. I would note the MUO
22 has always contemplated the potential for the
23 Town to use its imminent domain authority, so
24 that's one of the reasons we are here
25 tonight.

1
2 In addition, the property is in what I
3 would characterize as a deteriorating
4 condition. There are several public safety
5 hazards and concerns at the site. I will
6 give a review quickly, and I am then going to
7 enter into the record a series of violations
8 and police reports that have been documented
9 since 2020 at the site. They include a
10 November 19, 2021 a petroleum spill that
11 occurred at the site due to a mechanical
12 failure of a generator which discharged the
13 petroleum into the Town's wastewater
14 treatment plant, that's how it was
15 identified. In January of 2022, sinkholes
16 were observed and found at the entrance ways
17 or access ways to the property making
18 emergency access very difficult. In February
19 of 2022, a fire department inspection
20 revealed additional public safety hazards,
21 including emergency access roads which were
22 virtually impassable, fire hydrants that were
23 leaking and not usable, and basement doors
24 that had been propped open and allowing
25 trespass essentially. On the topic of the

1
2 trespass, the police have been called to the
3 site numerous times between 2021 and 2022.
4 Various break-ins and vandalism and fire
5 alarms have been set off. In May and June of
6 2021, there were several break-ins and
7 vandalism to the property. In January of
8 2022, a fire alarm was discharged because
9 there was a burst pipe at the property. In
10 July of 2022, various individuals were found
11 at this site breaking in and destroying
12 property, and several other reports going all
13 the way through to January of this year of
14 people dumping materials at the site, rocks,
15 fill, etc.

16 So, as the Town is waiting to see this
17 site redeveloped, unfortunately conditions
18 are becoming worse and worse at the site, and
19 public safety hazards are increasing. So
20 one, not only is there a redevelopment
21 opportunity at the site, but the Town also
22 views that the public safety concerns are
23 increasing, also adds to the public purpose
24 of potentially acquiring the site through
25 imminent domain, should we move forward.

1
2 With respect to alternatives, the EDPL
3 does require the Town to identify alternative
4 sites. Obviously this is a unique site
5 because the redevelopment opportunity and
6 public safety concerns are unique to the
7 site, so there are no alternative locations
8 for this acquisition or for any potential
9 redevelopment on this property.

10 We did Notice, the Town did publish
11 notification in the newspaper as well as
12 serve notice on the public, I'm sorry, on the
13 property owner. I will enter into the record
14 at the end of the hearing, the Notice
15 themselves, the Affidavit of Publication as
16 well as the letter that was sent to the
17 property owner.

18 I am sorry, that is Slide 4. That is
19 part of the -- the building itself is now
20 been deemed unsafe and dangerous by the
21 Building Department. This is from 2022.
22 This is photos of the actual posters that are
23 on the doors.

24 With respect to the public comment,
25 public comment will be accepted tonight on

1
2 the proposed potential acquisition, as well
3 as written comments may be submitted to the
4 Town. I am giving the Town Clerk's e-mail
5 and address on the screen. It is also
6 available on the website if anyone wants to
7 submit written comments. Written comments
8 will be accepted either if we close the
9 public hearing tonight for 10 days after we
10 close the public hearing, or if the public
11 hearing remains open, and of course the Town
12 will continue to accept written comment as
13 well.

14 With that, unless there is any
15 questions from the Board, I am happy to turn
16 it over to the public to take comment, and
17 then we can discuss or adjourn or take the
18 next step and enter everything into the
19 record.

20 SUPERVISOR KENNY: Perfect. Any
21 questions from anybody?

22 Okay, we do have some people signed up,
23 Eileen Larkin.

24 MS. LARKIN: I never miss a chance. I
25 think back when the property was owned by a

1
2 gentleman from Nyack, and we used to have the
3 Orangetown summer programs over there for the
4 kids, and he maintained it beautifully. Then
5 IBM came into the Town, and we were all so
6 proud of what they built over there, and the
7 conferences and meetings. President Clinton
8 was there I think in 1997, and everybody was
9 very proud of that facility, and now what it
10 has turned into is really rather, rather sad
11 for the Town. I hope that we can get the
12 site for sale or the transfer to Reviel, I
13 think is what you called it, and that
14 something good will come out of it. I saw
15 it's 115 acres, I could be wrong, but anyway,
16 it could be a beautiful site. The
17 suggestions and the ideas they have for this
18 site are certainly very interesting.

19 While I was upstate this weekend at
20 North Creek the woman that is known for the
21 mural on the wall in the Town of North Creek,
22 and now she built it out, and now people used
23 to say, you should have a store. So she
24 opened up a store, and now what she has
25 turned it into is that local craft people

1
2 have a space. They can come and can do her
3 stone work, and other people have other
4 crafts there too, and I think that's part of
5 what is planned for this site. That there
6 would be certain sections available to people
7 that have a certain craft or certain what
8 they want to do, plus the conferences and
9 what have you. I am glad you are doing this,
10 where ever it takes us. It might take
11 awhile, but hopefully in the meantime HNA
12 will decide to sell the property and start to
13 pay off some of the people they owe money
14 too. It's a long haul. I think it's worth
15 waiting to get it done because the site is 15
16 minutes from the George Washington Bridge.
17 One hundred and ten acres, it's a very
18 available piece of property. We want it to
19 go to in the right direction and paying
20 property taxes, sales taxes and all of those
21 wonderful things that help everybody, thank
22 you.

23 SUPERVISOR KENNY: Thank you. Okay,
24 that's it for the sign up sheet. Is there
25 anybody else who would like to speak on this

1
2 matter? Would you like to come up and state
3 your name? We actually have a court
4 reporter, we don't normally do that but
5 because of the imminent domain we do. So if
6 you wouldn't mind stating your name?

7 MR. VALENTINE: And your town.

8 MS. BAILEY: My name is Liz Bailey and
9 I am from Palisades, New York. I see that in
10 the past, and I don't know how recent, but
11 there's been a lot of commercials and things
12 being filmed in HNA, and I was curious who
13 was in charge of that? Is that still
14 occurring and was there an income that was
15 generated from that, and is that an
16 opportunity if we were to fix the sinkhole to
17 at least make it safe enough, and is that
18 something you would continue to do in the
19 near future until the sale is final?

20 SUPERVISOR KENNY: Okay, thank you. I
21 think we'll wait until the end to see if
22 anybody has any more questions. Anybody else
23 wish to speak that didn't have a chance to
24 speak? Carol?

25 MS. BAXTER: Carol Baxter, Palisades,

1
2 New York. Thank you for all what the Town
3 has done to watch over this property. It's
4 been a very challenging project process. You
5 know we been involved in it longer than you
6 have been here, and it means a lot to the
7 community of Palisades, and of course the
8 greater good of Orangetown. It can serve
9 Orangetown in many ways as far as revenue,
10 taxes, all that stuff. I am not really sure
11 about what is happening here tonight. I
12 guess it was just kind of, I have more
13 questions than I do actually comments. I
14 don't know if I should ask these as questions
15 and then --

16 SUPERVISOR KENNY: Why don't you ask
17 them, they are going to be part of the
18 record. We might not answer all of them
19 tonight but at least get your questions.

20 MS. BAXTER: That's okay. Ninety days
21 to adopt the Findings of the public purpose.
22 I guess that is to say why, what they want to
23 do on the property is something that's a
24 benefit to the public, but the three years to
25 go forward to the acquisition of the

1
2 property. So there is a three-year period of
3 time, I guess. At that time is it a limbo or
4 is it frozen? Does HNA still own the
5 property? Is it like a frozen period of time
6 where no one really owns it? And during that
7 three years, who is in possession of the
8 property? Who would maintain the property?
9 How is the fair market price determined? And
10 I read somewhere that HNA could reject that
11 fair market price, would that tie everything
12 now into more lawsuits or whatever. I
13 understand that SL Green is now aware of this
14 process which they were supposed know, if HNA
15 or if any property was going to be selling
16 because they want their \$185 million dollars
17 back. Since they are aware of the process,
18 can they stop the imminent domain proceedings
19 because they probably want more money than
20 they can get out of the fair market value? I
21 don't know. Who will maintain the property
22 during the three-year period? Especially the
23 dam, I think the dam is something that needs
24 annual maintenance. It's a problem because
25 of flooding that's below, and I don't know

1
2 who is maintaining that. And last question,
3 will the imminent domain when it is solid,
4 can a conservation easement be identified and
5 set into the logistics of the property or
6 whatever the rules of the property, something
7 like that.

8 So anyway, onward and upward, thank you
9 so much. We are all rooting for you and we
10 are rooting for the property. We want
11 everything to go well. It can be an
12 incredible, incredible place, and thank you
13 for everything you are doing.

14 SUPERVISOR KENNY: Thank you, Carol.
15 Okay, anybody else wish to be heard?

16 MS. MEYER: Barbara Meyer, Palisades.
17 Again I want to reiterate what Carol said,
18 you guys are taking on a daunting task, and
19 it's amazing. I don't think you ever would
20 assume you were going to walk into this.

21 Two questions, with the imminent domain
22 and the back taxes that are owed on it, what
23 happens to that? Do the residents of
24 Orangetown have to pick up the slack of those
25 taxes that were needed? Does that work

1
2 against -- if we have imminent domain does
3 that mean we just take it over, or does HNA
4 still have to get paid, does SL Green still
5 get paid, and how does that work? And what
6 happens to the taxes, and all of the
7 maintenance that goes into maintaining it,
8 the security, the cops and everything that's
9 going on there. Those are all on the books
10 now, that's going to change the price. How
11 do we protect ourselves and make sure that it
12 stays on the tax roles, and that we don't get
13 into a situation where somebody comes in and
14 tries to swoop it up for a tax exempt
15 property? Thank you.

16 SUPERVISOR KENNY: Thank you, anybody
17 else? Mike?

18 MR. MANDEL: Michael Mandel,
19 M-A-N-D-E-L, Pearl River. It's a great
20 project. I think it's very good that the
21 Town is proceeding on to the imminent domain.
22 If we do follow that process to the end, what
23 would be the cost to the Town, and how would
24 we fund it? Thank you.

25 SUPERVISOR KENNY: Thank you. Anybody

1
2 else that would like to speak on this matter?

3 MS. GEORGE: Lisette George, I own one
4 of the homes that butts up against the
5 property on the south side. My question is
6 basically on the security, and what sort of
7 security the property is getting now. I
8 fear, like I said my property butts right up
9 to it. I hear race cars going through it.
10 Sometimes I can see actual people walking
11 through. I don't know if the Town is doing
12 anything aside from just answering phone
13 calls of people that have called to actually
14 patrol the area. That's all.

15 SUPERVISOR KENNY: Thank you. Anybody
16 else who would like to speak? This is for
17 the record even if we don't have the answers
18 immediately. It will be part of the record.
19 No? Okay, sure as long as you will state
20 your name for the record.

21 MS. TRASTER: Tina Traster from Valley
22 Cottage. Okay, I have a couple of questions.
23 The first is, this is the first time I have
24 heard the word glamping, that's interesting.
25 I know that I read every iteration of the

1
2 proposals and I have been reporting on this,
3 and glamping that was a new one. Can you
4 address that tonight maybe? And also I guess
5 I wanted to just understand the process of
6 where the developer fits in terms of while
7 this is going through eminent domain, are
8 they still in the picture? Can this be, in
9 other words, will the Town have to bond and
10 then potentially flip the cost over to the
11 developer? I would really like to understand
12 potentially what can happen financially.

13 SUPERVISOR KENNY: Okay. Anybody else
14 like to speak or ask any questions? Should
15 we have David handle some?

16 MR. MAGRINO: Sure if you want to
17 answer some, maybe I can answer some.

18 SUPERVISOR KENNY: I think I can answer
19 about a third of them.

20 MR. COOPER: Well, before we do that.
21 We do have an option of adjourning this
22 hearing for a date certain, and keeping it
23 open and perhaps answering them at the next
24 meeting, if you want to take that step. I
25 know we were considering potentially keeping

1
2 the hearing open anyway. It might be better
3 for the record to compile all of the
4 questions and than answer them at the same
5 time. I will leave it to the Board, and how
6 they want to handle it.

7 MR. MAGRINO: I might want to answer
8 some of them tonight.

9 MR. VALENTINE: I would answer some
10 now. It's a rainy night, give them something
11 to mull over.

12 MR. COOPER: Do you want to start?

13 SUPERVISOR KENNY: I will start to the
14 extent I know. I will be done pretty
15 quickly. Just to the point of taxes, just so
16 you know, Rockland County actually has made
17 us whole. So when we say they owe \$5
18 million, it's technically not to us, it's to
19 the County because they have paid us. I
20 guess it's not like -- all of their debts get
21 paid at the closing. They are going to owe
22 the County \$5 million, so it's not like they
23 get to walk away from that. What was some of
24 the other questions that I can answer?

25 MR. MAGRINO: What I was going to

1
2 suggest some of Ms. Traster's questions, the
3 MOU with Reveil requires that, if the Town
4 proceeds, that they, you know, bear the cost,
5 if you will, and back stop it. So what
6 happens, and this may answer a few questions,
7 if this proceeds an appraisal, we have to get
8 an appraisal, and that would be what you know
9 the Town would pursue, and the amount would
10 be the cost, which ultimately at the end of
11 the day would be borne by the preferred
12 developer. I don't want to say at the end of
13 the day, at the end of many days from now.

14 In terms of what's going on there now,
15 it's still a property, you know, we don't
16 send police for necessarily regular patrols,
17 not any different than anybody else's
18 property, but the police and the building
19 department is aware of the condition of the
20 property, as is our Engineering Department
21 due to that spill. So the Town is aware of
22 it, but again it's still owned by HNA, and as
23 this process proceeds, it's still owned by
24 HNA, as far as we are concerned. Whatever is
25 happening beyond you know, with the

1
2 bankruptcy and things are things that are
3 beyond our control. I am losing track of
4 some of the questions.

5 MR. COOPER: I got them.

6 SUPERVISOR KENNY: Thank you.

7 MR. COOPER: Let me to kind of close
8 the loop there, there was a question about
9 the timing, 90 days and 3 years. Ninety days
10 is the deadline by which once the public
11 hearing is closed, the Board has to adopt
12 Findings which lays out the public purpose,
13 you've heard a lot of it already tonight. It
14 will be in writing based on everything we
15 heard from you. Everything we know about the
16 site and the redevelopment potential. Those
17 Findings are required under the law. The
18 Town can not move forward with trying to
19 acquire the property before Findings are
20 done. Once those Findings are adopted, there
21 is a three year deadline. So I might have
22 misspoke or you misunderstood me, it won't
23 take three years to acquire the property.
24 The law says if you don't acquire the
25 property within that three year period, you

1
2 have to start over. So the timing is to when
3 the acquisition would occur is sometime
4 within that three year period.

5 The actual acquisition occurs by filing
6 what is called an Acquisition Map with the
7 County, which essentially says, we, the Town,
8 are exercising our Imminent Domain Authority.
9 This property is now titled to the Town. The
10 prior owner at that point is entitled to what
11 is called just compensation. You probably
12 heard that term before. It's in the US and
13 the New York State Constitution. The amount
14 of just compensation would be set based on
15 appraisals and if the property owner does not
16 agree with that just compensation, they have
17 the ability to challenge it in a proceeding
18 with the State Court.

19 That is, I am like ten steps ahead of
20 where we are. Tonight, we're dealing with
21 the public purpose, but those are all
22 legitimate questions and should be answered.

23 MR. VALENTINE: The one question which
24 I don't think you answered was, they own the
25 property. They still have the right up to we

1
2 close on the imminent domain to sell the
3 property.

4 MR. COOPER: That's correct, that's
5 correct. Title will not transfer.

6 MR. VALENTINE: We don't own it.

7 AUDIENCE MEMBER: No freezing?

8 MR. VALENTINE: No freezing. So we're
9 hoping they make a deal with the right
10 developer, and we are sort of hoping to force
11 their hand a little bit too.

12 SUPERVISOR KENNY: I will say this,
13 because I still occasionally do get people
14 e-mailing that they are interested in the
15 property. They all need zone changes. So
16 unless somebody is going to go in and buy it,
17 and hope this Town gives them a zone change
18 down the road, I don't imagine that it would
19 be sold without us. Again, there is no legal
20 reason they can't.

21 MR. COOPER: Right, let me answer that.
22 The issue for the Board though, irrespective
23 of whether or not the potential redeveloper
24 would move forward, it's whether or not there
25 would be a benefit to the Town to see, to

1
2 acquire it so you can then facilitate a
3 redevelopment, whether it's with the MOU
4 redevelopment or anyone else, that's really
5 the public purpose issue.

6 MS. TRASTER: Is there -

7 MR. COOPER: Let me call a time out.
8 In order for this to get on the record, is
9 the Board okay if she speaks again?

10 SUPERVISOR KENNY: Yes.

11 MS. TRASTER: Should I stand up there?

12 SUPERVISOR KENNY: Yes, we need it for
13 the record.

14 MS. TRASTER: If the Town -- if and
15 when the Town files an Acquisition Map, does
16 that tie HNA hands from that moment forward
17 for being able to sell the property? When is
18 it they can no longer sell the property? I
19 am not clear on that.

20 MR. COOPER: You want me to answer it?
21 I'm happy to.

22 SUPERVISOR KENNY: If you can answer
23 it, answer it, otherwise we can come back and
24 answer them all.

25 MR. COOPER: Here's what I suggest

1
2 after answering this question. I think
3 rather than keep going back and forth, I
4 would rather adjourn it and set a date
5 certain.

6 Let me answer the question. Until such
7 time as title is transferred to the Town,
8 which happens when you file the Acquisition
9 Map, HNA or the current property owner would
10 own the property. They, as the property
11 owner, are free to do whatever they want with
12 the property until they don't own title any
13 more. It's the filing of the Acquisition Map
14 which transfers title.

15 MS. TRASTER: Okay.

16 MR. COOPER: So let me suggest rather
17 than going back and forth if the Board would
18 set a date certain to continue the public
19 hearing, we can move forward from that.

20 MR. MAGRINO: David, I will just
21 confirm and I don't know if it was on the
22 record. Counsel for HNA was aware of or
23 acknowledged they were aware of this hearing
24 tonight, is that correct?

25 MR. COOPER: Yes, that's correct. What

1
2 I will do in a second is put into the record
3 one, a letter that we sent to HNA. I also
4 e-mailed HNA's Counsel with the same notice,
5 and the notice was published in the
6 newspapers as required as well under the
7 EDPL.

8 MR. MAGRINO: Do you want to do that
9 now?

10 MR. COOPER: Sure.

11 MR. MAGRINO: While that's being filed
12 in the record, is there a motion to continue
13 the public hearing to the 7th or the 21st?

14 SUPERVISOR KENNY: I think the March 21
15 at 7:10.

16 MR. COOPER: Okay, thank you very much,
17 see you then.

18 MR. VALENTINE: Thank you.

19 SUPERVISOR KENNY: Can I get motion to
20 continue the public hearing until March 21 at
21 7:10?

22 MR. VALENTINE: I'll make the motion.

23 MR. BOTTARI: Second.

24 SUPERVISOR KENNY: All in favor, aye?

25 MR. DONAHUE: Aye.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
16
17
18
19
20
21
22
23
24
25

MR. BOTTARI: Aye.

SUPERVISOR KENNY: Aye.

MR. VALENTINE: Aye.

SUPERVISOR KENNY: Okay, thank you.

* * * *

I hereby certify that the foregoing transcript is a true and accurate record of the proceedings to the best of my ability.



Anne Marie Ambrose
Court Reporter



EXHIBIT
02-21-E



**AFFIDAVIT OF PUBLICATION
FROM**

**State of Wisconsin
County of Brown, ss.:**

On the 13 day of February, in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tuttt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

Linda Tuttt being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

Zone:
Rockland

Run Dates:
02/13/2023

Linda Tuttt
Signature

Sworn to before me, this 13 day of February, 2023

Vicky Felty
Notary Public, State of Wisconsin, County of Brown
91925

VICKY FELTY
Notary Public
State of Wisconsin

My commission expires
Legend:

WESTCHESTER:
Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnale, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

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

Ad Number: 0005591684

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 February 17, 2023 and will be publicly opened and read aloud at 11:00 a.m. for the 2023 BIGHT LANE (FROM SOUTH BROADWAY TO RIVER ROAD) DRAINAGE SYSTEM REHABILITATION USING CURED-IN-PLACE PIPE LINER, TOWN OF ORANGETOWN, NEW YORK in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office.

The project involves rehabilitation of approximately 645 linear feet of 6 inch existing corrugated metal storm sewers using cured-in-place pipe lining. The work required is of an emergency nature and shall commence in accordance with Section 33 "Time of Commencement and Completion" of the General Contract Conditions, and progress with due diligence and in the order in which the Town or its Engineer may reasonably require.

The Town Clerk and the Commissioner 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 informality in the bidding and to reject any and all bids.

The Town Board of the Town of Orangetown reserves the right to select the most advantageous offer to the Town through "best value" procurement. "Best value" selection will be based on the evaluation and comparison of factors in addition to cost or price.

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 sureties to be approved by the Town Attorney, in a sum equal to five percent (5%) of the amount bid, conditioned that if his/her proposal is accepted, he/she will execute such further security as may be required for the faithful performance of the Contract as set forth in these contract documents.

The successful bidder will be required to post a Performance Bond in the amount of one hundred percent (100%) of the Contract Price.

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

Contractor warrants and represents that all employees and independent contractors affiliated with or employed by such contractors or any subcontractors shall be compensated at the prevailing wage mandated by the New York State Department of Labor.

It is understood that there must be a written contract executed by the Supervisor of the Town of Orangetown, pursuant to Town Board Resolution. This is subject to appropriations approved by the Town Board.

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

ROSANNA SFRAGA
TOWN CLERK

EAMON REILLY, P.E.,
COMMISSIONER OF ENVIRONMENTAL MANAGEMENT AND ENGINEERING

FEBRUARY 10, 2023

0005591684

BID ITEM

2023 Bight Lane (from South Broadway to

SHEET

1 OF 2

River Road) Drainage System, Rehabilitation using Cured-In-Place Pipe Liner

BID OPENING TIME

11:00AM

DATE

February 17, 2023

**CONTRACTOR
NAME
&
ADDRESS**

*ENVIRONMENTAL
CONSTRUCTION
Stony Point, NY*
*PRECISION TRENCHES
Schenectady, NY*
*GREEN MOUNTAIN
PIPELINE SYS
Bethel, VT*
*NATIONAL WATER MAIN
CLEANING CO.
KEATNY, NJ*
*TAM ENTERPRISES
Goshen, NY*

DATE RECEIVED

2/16/23

2/17/23

2/17/23

2/17/23

2/17/23

TIME RECEIVED

4:38pm

8:08AM

9:24AM

9:55AM

10:01AM

**NON COLLUSION
STATEMENT**

✓

✓

✓

✓

✓

**BID BOND or
CERTIFIED CHECK**

✓

✓

✓

✓

✓

ITEM #1 - Estimated Quantity - 615 / Lin. Ft. cured-in-place pipe liner (Partially Deteriorated Design), furnished & installed into existing 60 inch sewers complete as specified

UNIT BID PRICE

\$ 1637.90

\$ 1197.77

\$ 1060.00

\$ 747.50

\$ 886.00

TOTAL

\$ 1,007,385.00

\$ 736,628.55

\$ 681,900.00

\$ 489,712.50

\$ 544,890.00

ITEM #2 - Estimated Quantity - 30 / Lin. Ft. cured-in-place pipe liner (Fully Deteriorated Design), furnished & installed into existing 60 inch sewers complete as specified

UNIT BID PRICE

\$ 1712.35

\$ 1197.77

\$ 1060.00

\$ 898.50

\$ 772.00

TOTAL

\$ 51,370.50

\$ 35,933.10

\$ 31,800.00

\$ 26,955.00

\$ 23,160.00

ITEM #3 - Estimated Quantity - 3 / Cutting of each existing protruding lateral that obstructs proper installation of liner found during Pre-TV

UNIT BID PRICE

\$ 4500.00

\$ 47.00

\$ 1000.00

\$ 1500.00

\$ 577.00

TOTAL

\$ 13,500.00

\$ 141.00

\$ 3000.00

\$ 4500.00

\$ 1731.00

ITEM #4 - Maintenance and Protection of Traffic

UNIT BID PRICE

\$

\$

\$

\$

\$

TOTAL

\$ 9500.00

\$ 2500.00

\$ 13200.00

\$ 8609.50

\$ 24489.00

Total of Items 1-4

\$ 1,081,671.00

\$ 775,202.65

\$ 699,900.00

\$ 499,777.00

\$ 594,270.00

