



*Grand*  
**OPENING**

**ORANGETOWN PICKLEBALL COURTS**



**TUESDAY, SEPTEMBER 19, 2023**

**11:30 AM**

**VETERANS MEMORIAL PARK**

**ORANGEBURG, NY**



# PEARL RIVER

## FARMERS MARKET

CENTRAL AVENUE FIELD-PEARL RIVER, NY 10965

# FALL HARVEST FESTIVAL 2023

***SATURDAYs 10am - 2pm***

**September 23 & 30/October 07 & 21**

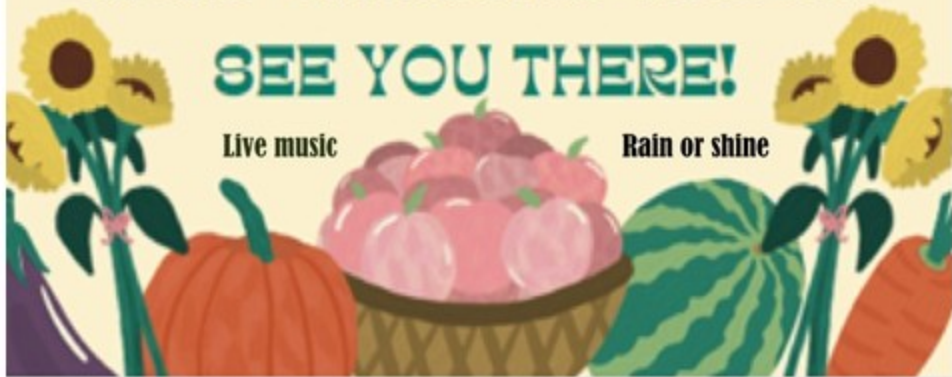
The 'Harvest Festival' is a four-week long fall festival promoting local farmers, chefs, artists and artisans curated by 'The SOUK'. The event features farm provisions, craft foods & beverages, artisan goods, live music by regional musicians, activities, special offerings, and more...

**Local Farms • Craft Food & Drink • Artisan Goods**

**SEE YOU THERE!**

Live music

Rain or shine



## TOWN OF ORANGETOWN

### PROPOSED LOCAL LAW # \_\_\_\_ - 2023

A LOCAL LAW TO AMEND CHAPTER 43 OF THE TOWN CODE ENTITLED ZONING TO PROVIDE FOR A USE BY SPECIAL PERMIT ISSUED BY THE TOWN BOARD OF AGRITOURISM, FARM WINERY AND FARM CIDERY

Be it enacted by the Town Board of the Town of Orangetown as follows: The Code of the Town of Orangetown, Chapter 43 shall be amended to incorporate revisions as described:

#### **Section 1. Title**

A Local Law to amend the General requirements for the R-80 Zoning District, and R-40 as applicable, in Chapter 43 (Zoning) of the Town Code of the Town of Orangetown.

#### **Section 2. Legislative Intent.**

The Town Board recognizes the importance of allowing for the sale of locally grown and New York produced agricultural products and as such seeks to allow this use as a legitimate zoning objective in the Town of Orangetown. The mechanism for achieving this balance is to permit a modification in the Town's use and bulk requirements in the R-80 Zone District. If an applicant meets the requirements below, the Town Board shall grant a special use permit, with reasonable conditions, allowing agricultural retail sales and cider production uses to be developed and operated on qualified sites in residential districts. The special use permit would remain in effect and run with the land until such time the use of the land changes or unless the permit was revoked for non-compliance of the conditions imposed during site plan approval.

**Section 3. §11.2 (Definitions), of Article XI (Definitions and Word Usage), of Chapter 43 (Zoning), of the Code of the Town of Orangetown, is amended to the extent only of adding new definitions, which new definitions shall read as follows:**

#### **AGRI-TOURISM**

As defined in Chapter 69, Article 25-AA, §301 of the New York Agriculture and Markets Law, means activities, including the production of maple sap and pure maple products made therefrom, conducted by a farmer on-farm for the enjoyment and/or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of farms and enhance the public's understanding and awareness of farming and farm life.

#### **FARM WINERY AND FARM CIDERY**

As defined by New York State Law Chapter 3-B, Article 6 § 76-a (Farm Winery License) and Article 4-A, §58-C (Farm Cidery License) of the New York State Alcoholic Beverage Control law as may be amended a farm winery or farm cidery is characterized by the conversion of fruit

and other edible products grown on the premises or in the state of New York, into wine or cider for sale in the wholesale market and to the public for on-site or off-site consumption at a duly licensed location as authorized by permit of the New York State Liquor Authority.

## **FOOD TRUCK**

Mobile trucks designed and maintained for the retail sales of food that is normally purchased and consumed on a to-go or on-site basis, as permitted and licensed under state and local health regulations.

## **AGRI-TOURISM ENTERTAINMENT**

Those activities not related to the regular production of food a farm, but provided as way to entertain and educate visitors on the premises about farm life, such as music and hay rides.

**Section 4. §4.3 (Special permit uses; special findings and additional requirements and conditions for certain uses), of Article IV (Additional Use Regulations), of Chapter 43 (Zoning), of the Code of the Town of Orangetown, is amended to the extent only of adding a new subsection to be enumerated §4.32.(R) and entitled “Agri-tourism,” which new §4.32.(R) shall read as follows:**

### **4.32.(R). Agri-Tourism, Agri-tourism Entertainment, Farm Cidery/Winery.**

- i. Such uses, shall be permitted by special permit of the Town Board on lots of five (5) acres or more, in residential districts, as part of an otherwise permitted commercial agricultural operation, but only after due consideration of the underlying zoning district and surrounding uses. The Town Board shall be authorized to exclude uses from the list below if the Board finds that it is necessary to protect the surrounding neighborhood or the welfare of the public, and such reasons for exclusion for such use shall be documented in the resolution of approval of the special use permit. It shall be a condition of approval that the operator have obtained or shall be required to obtain the appropriate license from the State of New York to operate as a Farm Winery or Farm Cidery.
  - a. Agri-tourism, as defined in Article XI;
  - b. Farm Cideries or Farm Wineries as defined in Article XI;
  - c. Agri-tourism Entertainment as defined in Article XI;
- ii. Hours of Operation. The Town Board finds that it is in the interest to control those uses that create noise or attract the general public in association with the proposed uses above, and when proposed by the applicant shall only occur within the permitted time period:
  - a) Farm Cideries/Farm Wineries, for on-site consumption; Agri-tourism Entertainment:

Thursday: 3:00 p.m. to 6:00 p.m. (No live entertainment or music)  
Friday: 3:00 p.m. to 8:00 p.m. (No live entertainment or music)  
Saturday: 12:00 p.m. to 8:00 p.m.  
Sunday: 12:00 p.m. to 6:00 p.m.  
Any Federal holiday that occurs on a Monday: 12:00 p.m. to 7:00 p.m.

b) Retail Sales

Monday to Saturday: 9:00 a.m. to 8:00 p.m.  
Sunday: 9:00 a.m. to 6:00 p.m.

c) Food Truck:

Saturday: 2:00 p.m. to 7:00 p.m.  
Sunday: 2:00 p.m. to 5:00 p.m.  
Any Federal Holiday that occurs on a Monday 2:00 p.m. to 5:00 p.m.

iii. Permitted general accessory uses. All accessory uses shall be identified and approved as part of the site plan and may include:

- a. Accessory buildings and seasonal temporary structures for the use of patrons.
- b. Storage for on-site equipment and material used as part of the business operations.

iv. Site Plan Required

Application for the special permit shall be made to the Town Board in accordance with applicable provisions of §10.5 of this chapter. A petition for a special use permit shall be in a form sufficient to enable the Town of Orangetown to evaluate the applicant's proposal and its consistency with the intent, purposes and general design standards expressed herein. The petition for a special use permit shall also be accompanied by the following:

- a. A written description of the proposed special use.
- b. A concept plan including all the items listed below:
  - (1) The disposition of various land uses and the areas covered by each, in acres, including proposed parking, temporary and permanent structures
  - (2) A sketch of any and all existing and proposed rights-of-way and easements, whether public or private
  - (3) Delineation of any residences within 200 feet of the proposed special use.

- (4) Physical characteristics of the site, including topography, areas of slope in excess of 15%, soils, rock outcrops, streams, wetlands, lakes, ponds and floodplains and all proposed alterations of said physical characteristics.
  - (5) Estimates of peak-hour traffic generation derived from recognized traffic engineering source material or actual field counts, and its relation to surrounding development, including surrounding roads and intersections, including methods developed for mitigating any demonstrated adverse traffic impacts.
- c. The Town Board may retain professional consultants as deemed necessary in order to review any proposed concept plans, with funding for said consultants provided by the applicant for the development through the establishment of an escrow account. The amount of said escrow shall be determined by the Town Board in consultation with the applicant.
  - d. Concurrent site plan review. An applicant may submit a detailed site plan subject to site plan review procedures for the Town of Orangetown by the Planning Board review of said plans and related documentation. Approval of a site plan may not however, occur until the special use permit has been approved by the Town Board.
  - e. If the Director of OBZPAE determines that the proposed site plan may substantially deviate from the final concept plan or layout presented to and reviewed by the Town Board as part of the issuance of a special use permit, the Director may refer matter to the Town Board, prior to any preliminary approval issued by the Planning Board, to make the ultimate determination as to whether or not the proposed site plan substantially deviates from the plan reviewed by the Town Board.
  - f. The term "substantially deviate," as used herein, shall mean that the site development plan presented to the Planning Board for preliminary approval differs in a material manner from the final concept plan reviewed by the Town Board, and upon which the Town Board approved the special use, and that that material change or deviation that may have been made to the concept plan, in the Town Board's sole judgment and discretion, is not consistent with the goals sought to be achieved by the granting of the special use permit. The decision of the Town Board that the site development plan proposed for approval by the Planning Board substantially deviates shall require a majority vote of the Town Board plus one.
  - g. A special permit issued under this section shall be authorized for a period of up to three (3) years from the date of the decision of the Town Board issuing such permit. Such time period shall be set by the Town Board. The special permit may thereafter be renewed for a period of up to an additional three (3) years by the Town Board. The applicant shall apply to the Town Board for any such renewal. There is no limit to the amount of renewals that may be granted. No additional site development plan review shall be required unless there are changes to the conditions at the property that would necessitate an amendment to the plan.

- v. Parking.
  - a. Required off-street parking spaces. Accessory off-street parking spaces, open or enclosed shall be provided and subject to Planning Board review and approval. Dimensions shall be in accordance with Article VI. Off Street Parking, 6.33 - 6.35.
  - b. All on-site parking shall be set back at least 50 feet from the property lines of neighboring residential lots and shall be separated from said residentially developed property by an opaque or semi-opaque barrier consisting of a wall, slatted fence, and/or evergreen planting sufficient to screen such residentially developed property in Planning Board's discretion as a part of site plan review,, provided that such barrier shall not be required where the actual setback is greater than 200 feet.
- vi. Parking Requirements:
  - a. There shall be at least one space per employee, and 1 space per 2.5 guests at permitted full capacity.
  - b. The Planning Board may permit as part of site plan approval a gravel or non-paved parking area, with exception of handicapped parking spaces which shall be paved and constructed in accordance with Article VI, Off-Street Parking.
- vii. Additional regulations.
  - a. A maximum of one (1) Food truck shall be permitted on site in an area that has been designated on the site plan, and provided with appropriate hook ups. In addition, one ice cream truck or cotton candy/popcorn truck that is not powered by generators may be permitted on site at the same time as a Food truck.
  - b. Food provided outside the food truck shall be prepackaged food and provided for guests in accordance with the Farm Cidery/Winery License. No commercial kitchen or restaurant service shall be permitted.
  - c. Noise generated by all uses shall be in compliance with Chapter 22 Noise, of the Town of Orangetown local laws. In any case, no amplified music shall be permitted after the close of the Winery/Cidery operations.
  - d. Fire pits shall be subject to applicable regulations and approval by the fire inspector.
  - e. The applicant shall submit a copy of the liquor license obtained for the Farm Winery or Farm Cidery business, and a copy of any reports required to demonstrate compliance with such license.
  - f. Except for what is necessary for safety and security, notwithstanding subsection 1 below, exterior lighting related to the operations shall be turned off between the hours

of 9:00 p.m. and 6:00 a.m., subject to review by the Planning Board of adequate lighting for security after hours.

- g. Notwithstanding anything to the contrary contained elsewhere in the Town Code, the following setbacks shall apply to structures authorized as part of any Special Permit issued pursuant to this section:
  - 1) all permanent principal or accessory buildings shall be set back at least 35 feet from any lot line.
  - 2) all outdoor dining areas, such as decks or patios shall be set back at least 35 feet from any lot line and shall be adequately screened with vegetation or other form acceptable to the Planning Board from adjoining residentially developed tax lots.
  - 3) all temporary facilities, such as tents, dance floors, sound systems, or location of live entertainment, shall be set back at least 35 feet from lot line, and shall be adequately screened with vegetation or other form acceptable to the Planning Board from adjoining residentially developed tax lots.
- h. All on-site lighting shall be shielded from residentially developed property. Outdoor moving or flashing lighting, including but not limited to spotlights, floodlights (other than safety lighting), searchlights, or strobe lights is not permitted at any time.
- i. Seasonal decorative lighting displays shall be permitted, provided that all such seasonal decorative lighting shall be located a minimum distance of 50 feet from the property lines of all residentially developed properties, shall not contain or include any bulbs, lamps, or light sources with an individual light output in excess of the equivalent of a one-hundred-watt incandescent bulb or 1800 lumens, and shall be extinguished no later than midnight.

Capacity: Taking in consideration of the potential lot size and number of residences that could be affected by noise and traffic generated by guests and to insure that surrounding residential uses in the R-40 and R-80 districts are not unduly disturbed, the maximum capacity of guests, exclusive of other uses on site, for the Farm Cidery or Farm Winery Use authorized by this special permit in the R-40 Residential district shall be 150 and the R-80 Residential district shall be 225, provided that the applicant can demonstrate to the Planning Board that sufficient parking is available on site. In the case that multiple uses exist on site, the applicant shall provide a breakdown of such uses and maximum parking needs for each use and employees to demonstrate that sufficient parking is available on site for all uses. If seasonal uses affect the layout of the site, the applicant shall demonstrate how parking is achieved during those seasons.



viii. Special Events.

- a. Special Events for Agri-tourism or Agricultural Entertainment Uses. Subject to Town Board approval, and upon written application certain of the above-referenced regulations and restrictions may be expanded or loosened to accommodate on-site special events. All special event permits for Agri-tourism or agricultural entertainment shall be referred by the Town Board to the Planning Board for consideration of any special temporary site plan changes required with such permit. Special events may be approved if the applicant has provided information about the duration and type of the event, and such permit shall be subject to a public hearing. The following shall also apply:
  1. In no case, shall the special event cause noise to exceed noise levels off property.
  2. Patrons shall not be permitted to park on street.
  3. The anticipated number of guests shall be provided as part of the special events permit,
  4. Such Special Permit may be reapproved on an annual basis if activities have been conducted within the expected limits of the special use permit, and no incidents have occurred on site that have resulted in tangible losses to the neighborhood or have caused harm to guests as a result of the approval.

**Section 5. §3.11 (Use Table) of Article III (Use and Bulk Tables) of Chapter 43 (Zoning), of the Code of the Town of Orangetown, is amended as follows:**

1). Table of General Use Regulations, R-80 District, Column 3, “Uses by Special Permit” is amended by adding the following as a Use by Special Permit of the Town Board:

7. Agri-Tourism, Agri-tourism Entertainment, Farm Cidery/Winery on lots of 5 acres or more.

2). Table of General Use Regulations, R-22 District, Column 3, “Uses by Special Permit” is amended by adding the following as exception to a Use by Special Permit of the Town Board:

1. Same as R-80, except airports and Agri-Tourism, Agri-tourism Entertainment, Farm Cidery/Winery on lots of 5 acres or more.

**Section 6. Severability**

If any part or provision of this Local Law, or the application thereof to any person or circumstance, is adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law, or the application thereof to other persons or circumstances. The

Town Board of the Town of Orangetown hereby declares that it would have enacted the remainder of this Local Law even without any such invalid or unconstitutional part, provision or application.

**Section 7.     When effective.**

This local law shall take effect immediately upon filing with the Secretary of State.

McCULLOUGH, GOLDBERGER & STAUDT, LLP

*Attorneys at Law*

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SETH M. MANDELBAUM

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August 28, 2023

Honorable Supervisor Teresa Kenny  
and Members of the Town Board

Town of Orangetown  
26 West Orangeburg Road  
Orangeburg, NY 10962

Re: Proposed Zoning Text Amendment

Dear Hon. Supervisor Kenny & Members of the Town Board:

This firm represents Pearl River Campus, LLC (the “Applicant”), the owner of the property identified as Section 68.08, Block 1, Lot 1 on the Town of Orangetown Tax Map and commonly known as 401 North Middletown Road (the “Property”). The approximately 207-acre property is primarily located within the Light Industrial District (“LI District”). A portion of the Property’s frontage along North Middletown Road is also within the Laboratory-Office District (“LO District”).

As you know, the Applicant appeared before your Board on July 11, 2023 to make an initial presentation regarding its request for a zoning text amendment. At that meeting, your Board indicated that the Applicant could move forward with filing a formal Petition for Zoning Text Amendment. Accordingly, enclosed are 18 copies of the following documents:

1. Petition for Zoning Text Amendment and Proposed Local Law, which requests a text change to the Zoning Code of the Town of Orangetown, in order to permit the following alternative uses on parcels of greater than 150 acres in the LI District: i) hotels and ii) standalone fitness center uses. Attached to the Petition are a Planning Study prepared by Patrick Cleary, AICP of Cleary Consulting, dated August, 2023, which explains the planning rationale for the requested zoning text amendment and a Concept Plan for the Property prepared by Langan Engineering and Environmental Services, Inc., together with aerial photos of the campus from 2004 and today, and conceptual renderings of the contemplated hotel and fitness center; and
2. Short Environmental Assessment Form, prepared by Langan Engineering and Environmental Services, Inc., dated August 14, 2023.<sup>1</sup>

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<sup>1</sup> Please note that the enclosed SEAF addresses the proposed zoning text amendment. Should the requested zoning amendment be approved, any subsequent special permit application to this Board will include use-specific detailed information in connection with evaluating any potential environmental impacts related to such proposed use.

We respectfully request that this matter be placed on the September 12, 2023 Town Board agenda for formal consideration, referral out to the Orangetown Planning Board and Rockland County Planning Department, and to set a public hearing for the Board's November 14, 2023 meeting. If you have any questions or require additional information or materials, please do not hesitate to contact our office.

Very truly yours,



Seth M. Mandelbaum

SMM:tsr

Enc.

cc: Robert Magrino, Esq., Town Attorney  
Jane Slavin, RA, Director O.B.Z.P.A.E.  
Pearl River Campus, LLC (Jamie Schwartz)  
Patrick Cleary, AICP  
Langan Engineering and Environmental Services, Inc.

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

-----X

Petition of

Pearl River Campus, LLC

**PETITION FOR  
AMENDMENT TO  
TOWN OF ORANGETOWN  
ZONING CODE**

For Amendment to the Town of Orangetown  
Zoning Code

-----X

TO THE HONORABLE TOWN BOARD OF THE TOWN OF ORANGETOWN

PETITIONER, Pearl River Campus, LLC (“Petitioner”) hereby petitions the Town Board of the Town of Orangetown for amendments to the Zoning Code of the Town of Orangetown as follows:

**INTRODUCTION**

1. Petitioner is the owner of land totaling approximately 207 acres of real property located at 401 North Middletown Road, Pearl River (Town of Orangetown), County of Rockland, State of New York (hereinafter referred to as the “Property”) and is commonly known as the Hudson Valley iCampus. The Property is shown and designated on the Orangetown Tax Map as Section 68.08, Block 1, Lot 1.

2. The Property is primarily located within the Light Industrial District (“LI District”) on the Town of Orangetown Zoning Map. A portion of the Property with frontage along North Middletown Road is also located within the Laboratory-Office District (“LO District”).

3. The Property is located on the western side of North Middletown Road, directly north of Route 304. North Middletown Road contains a variety of commercial and residential uses, including single and multi-family residential dwellings, restaurants, service stations, offices, and places of worship. To the north of the Property are residential dwellings and the Town of

Clarkstown. Residential dwellings are also located to the south of the Property, across from Route 304. The eastern property line is bounded by a railroad crossing. Pfizer, Inc., which once owned the entire campus, owns and occupies approximately 30 acres adjacent to the Property.

4. The Property is developed with 20 commercial and industrial buildings available for rent comprising over two million square feet of development space, together with nearly 4,200 parking spaces. The Property also features a cafeteria and numerous support and utility buildings.

5. For the reasons set forth in detail below, Petitioner is requesting a text change to the Zoning Code of the Town of Orangetown (the “Zoning Text Amendment”), in order to permit the following alternative uses on large parcels of greater than 150 acres in the LI District: i) hotels and ii) standalone fitness center uses. A copy of the proposed Local Law effectuating the proposed Zoning Text Amendment is attached hereto as Exhibit A. No changes are proposed for the current zoning classification of the Property, or any other properties within the LI District.

#### **CURRENT AND PROPOSED USES**

6. The Property has a prominent history dating back to 1907 regarding the research, development, and manufacture of healthcare products, including pharmaceuticals and vaccines. The Property was historically owned and occupied by Lederle Laboratories of the American Cyanimid Company, which was the largest employer in Rockland County and the world’s largest supplier of vaccines and blood plasma to the U.S. armed forces during World War II. Since then, the Property has been home to modern pharmaceutical giants including Wyeth, LLC and Pfizer, Inc. See Campus View as of 2004, attached hereto as Exhibit B, with buildings that were subsequently removed highlighted.

7. In 2015, Petitioner purchased the Property from Pfizer, Inc. after the latter downsized its operations in Pearl River. Today, the Property continues to attract and retain technology and pharmaceutical tenants, including Pfizer, Sanofi, Profectus, Biosciences, Urban Electric Power and NuBiyota, and RK Pharma. Petitioner has also recently leased space to Momentive Performance Materials, Inc., a global silicon and chemical products research and production company.

8. Nearly eight years after Petitioner purchased the Property and despite Petitioner's aggressive marketing efforts, the Property is still vastly underutilized. Approximately 60% of the Property's nearly two million square feet of development space is unoccupied, and 4 buildings are vacant and unused. This problem has been exacerbated by the COVID-19 pandemic, which caused a downturn in commercial leasing rates across the country. See Current Campus View, attached hereto as Exhibit C.

9. To address this issue, Petitioner proposes to revitalize the campus through the adaptive reuse of existing buildings, some of which were constructed during World War II, and the construction of new facilities. See Concept Plan prepared by Langan Engineering attached hereto as Exhibit D. Specifically, Petitioner proposes the adaptive reuse of an existing approximately 105,000 square foot building (commonly known as "Building 140") formerly used by Pfizer as office space, for use as an approximately 100-110 room hotel. See Photo of Existing Building 140 & Hotel Rendering prepared by Newman Design, attached hereto as Exhibit E. Petitioner also is in discussions for the potential development of a multi-level best-in-class standalone fitness center. See Renderings of Potential Fitness Facility, attached hereto as Exhibit F. Finally, Petitioner proposes to preserve as a greenspace buffer the approximately 11 acres of the Property within the LO District that runs along the frontage of North Middletown Road. Together, these combined improvements will attract new tenants to the existing buildings and previously disturbed areas on the Property, which will create jobs and generate significant tax revenues for the Town and attract visitors to the region who may patronize other nearby businesses.

#### **PROPOSED TEXT AMENDMENTS TO THE ZONING CODE**

10. Petitioner requests a Zoning Text Amendment to permit hotels and standalone fitness center uses within the LI District. The specific proposed Zoning Text Amendment as set forth in the proposed Local Law is attached hereto as Exhibit A.

11. Section 10.521 of the Zoning Code sets forth areas of inquiry with respect to a request for a zoning text amendment. Those considerations, and Petitioner's responses, are as follows:

*(a) Whether such change is consistent with the aims and principles embodied in the code as to the particular districts concerned.*

Petitioner respectfully submits that the requested Zoning Text Amendment is consistent with the spirit of the LI District. The LI District intends to foster a mix of commercial and industrial uses and currently permits a variety of commercial uses, including theatres, business and professional offices, service establishments, and commercial recreation establishments such as bowling alleys, dance halls, billiard parlors, driving ranges, and miniature golf courses. The proposed alternative uses are commercial in nature and are not inconsistent with the current commercial uses within the LI District. See Memorandum prepared by Patrick Cleary, AICP of Cleary Consulting, dated August, 2023, setting forth the planning rationale for the requested Zoning Text Amendment, attached hereto and made a part hereof as Exhibit G.

*(b) Which areas and establishments in the Town will be directly affected by such change and in what way they will be affected.*

Petitioner proposes a Zoning Text Amendment to permit hotels and standalone fitness center uses on large parcels of land greater than 150 acres in size within the LI District. However, Petitioner respectfully submits that this proposal will have a minimal impact on the existing properties within the LI District. First, to ensure that development is only on parcels having sufficient land to allow for adequate parking and required infrastructure to support such uses, the two alternative uses are limited to properties in the LI District that are at least 150 acres in size. In addition, the proposed Zoning Text Amendment would not change the zoning designation of the existing properties within the LI District, nor would it alter any of the currently permitted uses. See Memorandum by Patrick Cleary, Exhibit G.

*(c) The indirect implications of such change in its effect on other regulations.*



The Petitioner respectfully submits that its request for a Zoning Text Amendment will have a minor indirect impact, if any, on other regulations. See Memorandum by Patrick Cleary, Exhibit G.

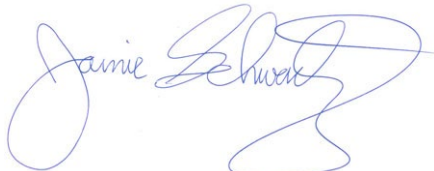
12. For all the foregoing reasons, it is respectfully submitted that the proposed Zoning Text Amendment should be granted.

**WHEREFORE**, Petitioner respectfully requests that the Town Board of Orangetown amend the Zoning Code of the Town of Orangetown as set forth above.

Dated: Pearl River, New York  
August 28, 2023

Respectfully submitted,

PEARL RIVER CAMPUS, LLC

By:  \_\_\_\_\_  
President

**TOWN OF ORANGETOWN  
LOCAL LAW NO. \_\_\_ OF 2023 OF THE  
INCORPORATED TOWN OF ORANGETOWN, NEW YORK  
AMENDING CHAPTER 43 OF THE TOWN CODE ENTITLED “ZONING”**

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

**Section 1.** Chapter 43, Section 11.2 of the Town of Orangetown Zoning Code, entitled “Definitions” shall be amended by adding a new term entitled “Standalone Fitness Center”, which shall be defined as follows:

**STANDALONE FITNESS CENTER**

A private membership facility designed, intended and used for physical conditioning activities, located within a single occupant building. Such uses may include traditional athletic training facilities, athletic performance analyses, cafes, childcare centers and spas, as well as the sales of necessary equipment used in the activities provided, together with other appropriate accessory uses.

**Section 2.** Chapter 43 Attachment 7 of the Town of Orangetown Zoning Code entitled “Table of General Use Regulations (§ 3.11) LI District” is hereby amended to revise Column 3, “Uses by Special Permit” to permit two additional uses subject to Town Board approval, as follows:

4. Hotels, provided that the minimum lot area is 150 acres.
5. Standalone fitness center, provided that the minimum lot area is 150 acres.

**Section 3.** Chapter 43 Attachment 7 of the Town of Orangetown Zoning Code entitled “Table of General Use Regulations (§ 3.11) LI District” is hereby amended to add two new rows to Column 6, entitled “Minimum Required Off-Street Parking Spaces”, as follows:

18. Hotels – Same as CC
19. Standalone fitness center - 6 per each 1,000 square feet of floor area (not including any floor area devoted exclusively to tennis courts), plus 4 per each tennis court.

**Section 4.** Chapter 43, Section 4.3 of the Town of Orangetown Zoning Code entitled “Special permit uses; special findings and additional requirements and conditions for certain uses” is hereby amended to include one additional use, as follows:

- 4.32.(R).** Standalone fitness center:
- (i) Standalone fitness centers are permitted in the LI District on lots having a minimum lot area of 150 acres, subject to the following criteria:

- (a) Every application for a stand-alone fitness center use shall include a circulation plan, indicating all internal roadways, all roadways, intersections and driveways bounding the site, all off-street parking and truck loading areas and pedestrian accessways on the site; and also, a traffic survey and analysis, with estimates of on-site traffic generation and its impact, if any, on existing and projected traffic volumes, roadway capacity and highway safety in critical highway locations in the vicinity and proposals related to accommodating such traffic generation in each location, as well as any required on-site or off-site mitigation measures, as may be required by the Town Board.
- (b) Off-street parking and truck loading areas shall be designed pursuant to the requirements of Article VI of the Zoning Code of the Town of Orangetown, and, further, they shall include provisions for landscaping and screening and for landscaped islands within the parking areas in the proportion of 15 square feet for each parking space. Shared parking is encouraged where the peak parking demands of different uses occur at various times of the day.
- (c) The entrance to all off-street parking and truck loading spaces shall be from an internal driveway system and not from a public street.
- (d) On-site bicycle storage racks shall be provided with at least 1 bicycle space per 10,000 square feet of gross building floor area. Where feasible, some or all of this bicycle storage shall be provided within a secure, enclosed bicycle storage space.
- (e) Every application for a stand-alone fitness center use shall include a detailed and specific landscape plan, incorporating native species wherever feasible, showing the proposed treatment of all open areas on the site and, more specifically, analyzing the need for the screening of service areas, outdoor use areas and buffer strip landscaping and how such need will be met on a year-round basis.
- (f) Site lighting shall be restricted to the minimum necessary to allow for the appropriate and safe operation of the facility, and shall include automatic controls to turn off exterior lighting when sufficient daylight is available and when lighting is not required during nighttime hours, include fixture integrated lighting controls such as motion sensors to reduce light levels, use cut-off and shielded luminaries to prevent light trespass beyond property lines and unnecessary glare, among other measures.
- (g) All intensive outdoor activities shall be set back at least 100 feet from any property line and shall be so located that they shall be reasonably screened from view as denoted in a site plan submitted pursuant to Chapter 21A of the Code of the Town of Orangetown and compatible with the existing or potential use of neighboring properties.

**Section 5.** Chapter 43 Attachment 18, entitled “Notes to Use and Bulk Tables” is hereby amended to add an additional note, as follows:

Note 19: Lots within the LI District having a minimum lot area of 150 acres may contain multiple permitted uses on a single parcel.

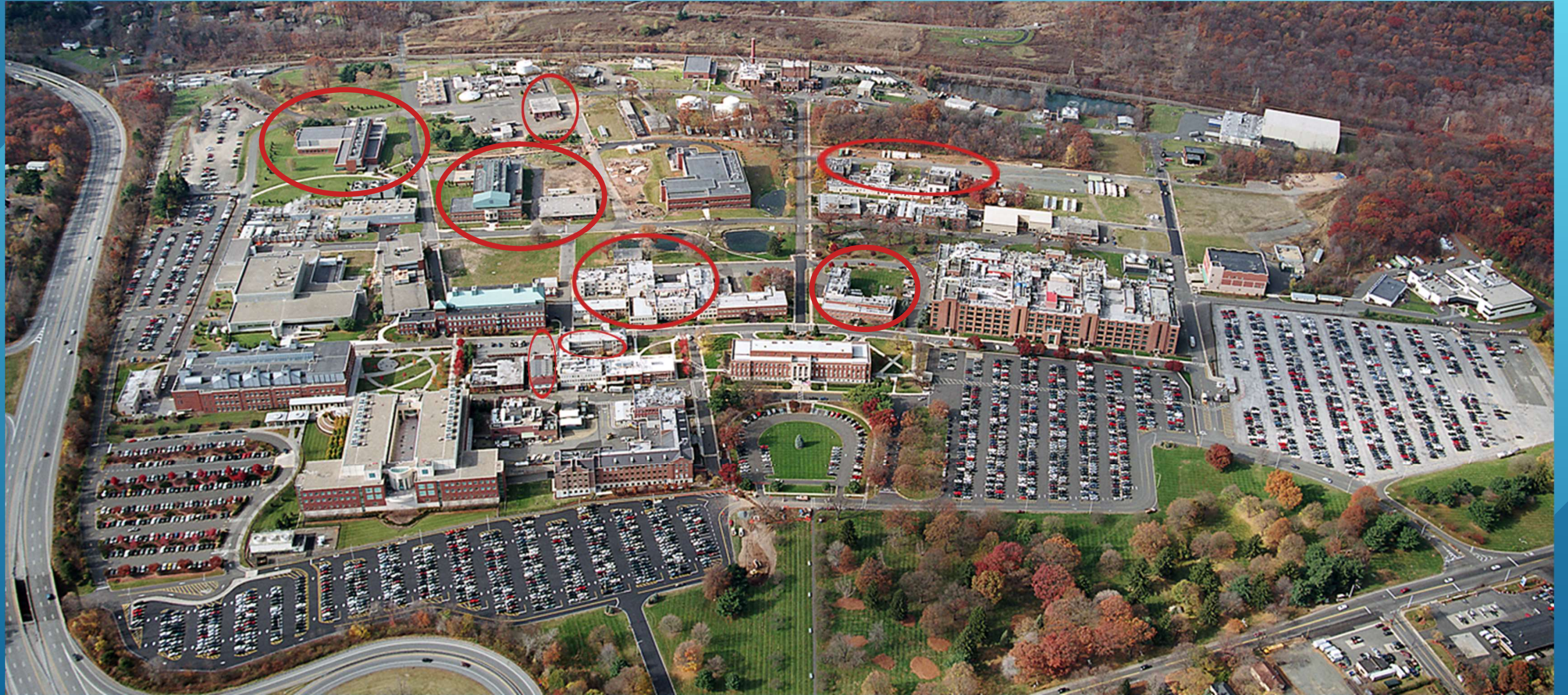
**Section 6.** Severability Clause

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 7.** Effective Date

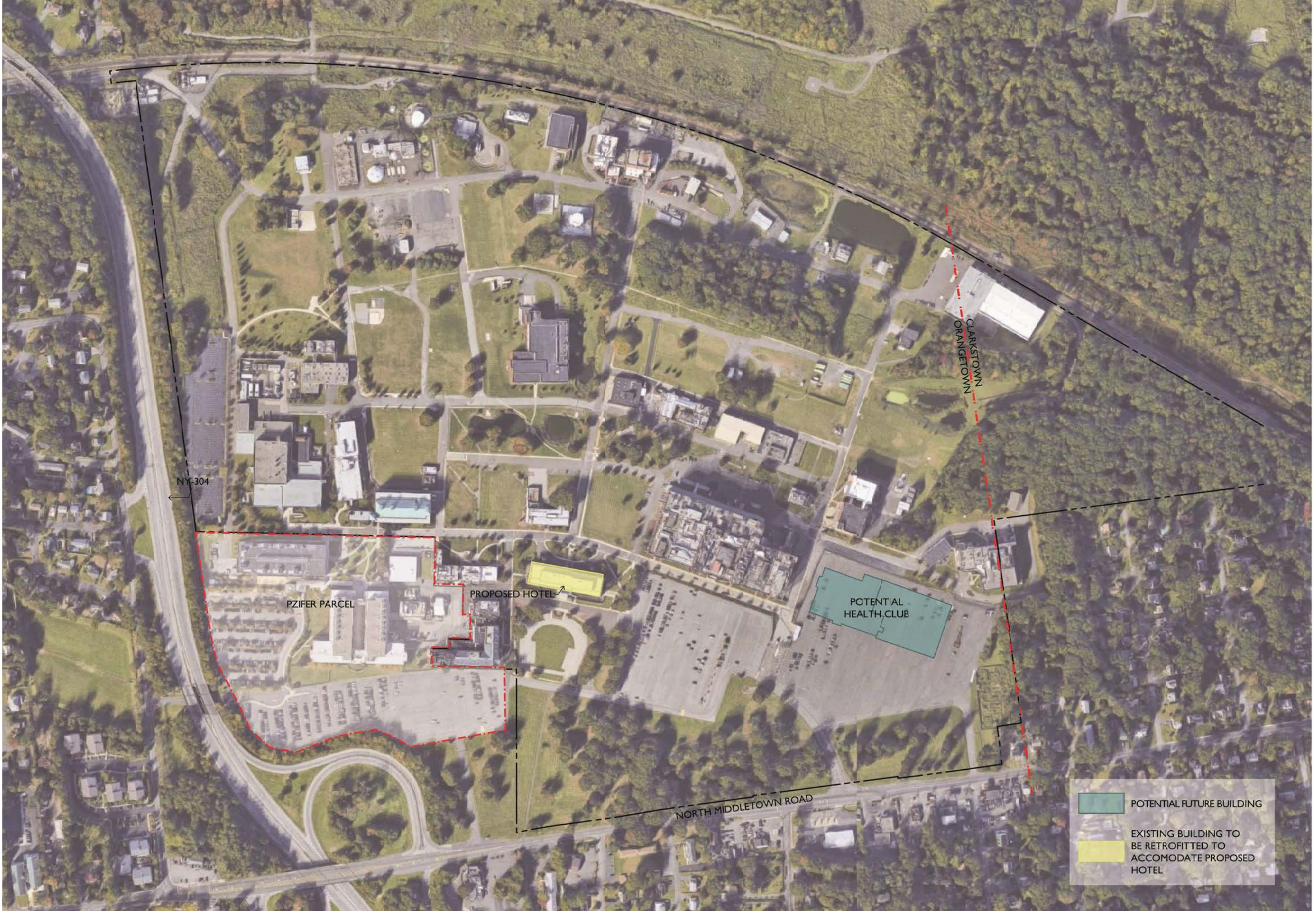
This Local Law shall become effective immediately upon being filed with the Secretary of State

# CAMPUS VIEW AS OF 2004



# CURRENT CAMPUS VIEW





100 0 50 300

SCALE IN FEET

REVISED AUGUST 1, 2023

# HUDSON VALLEY ICAMPUS

CONCEPT PLAN

**LANGAN**



Hudson Valley iCampus  
innovation ingenuity industry®

**BUILDING 140 CURRENT VIEW**





# BUILDING 140 HOTEL RENOVATION



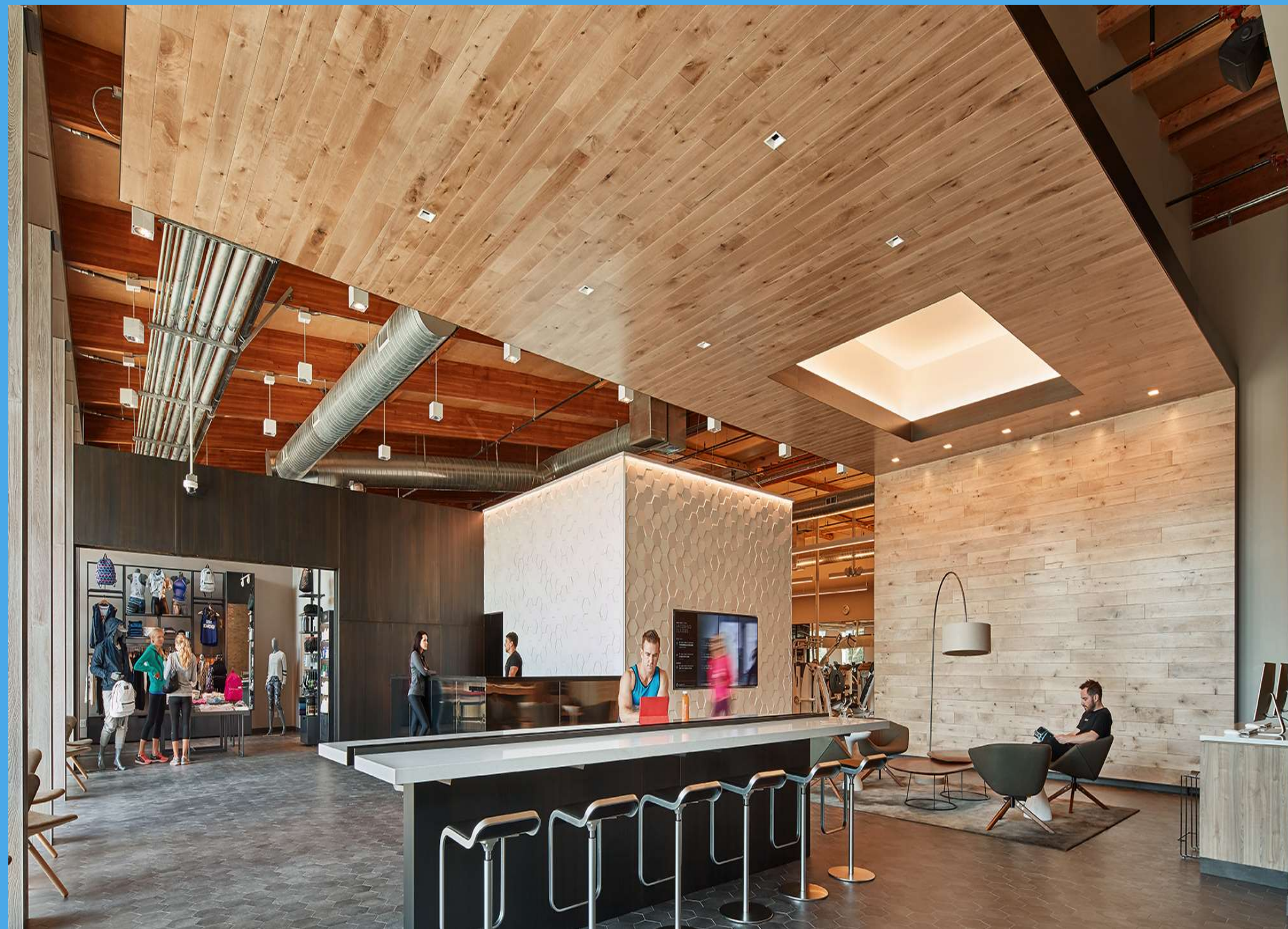
HILTON HOME 2 SUITES



**Hudson Valley iCampus**  
*innovation ingenuity industry®*

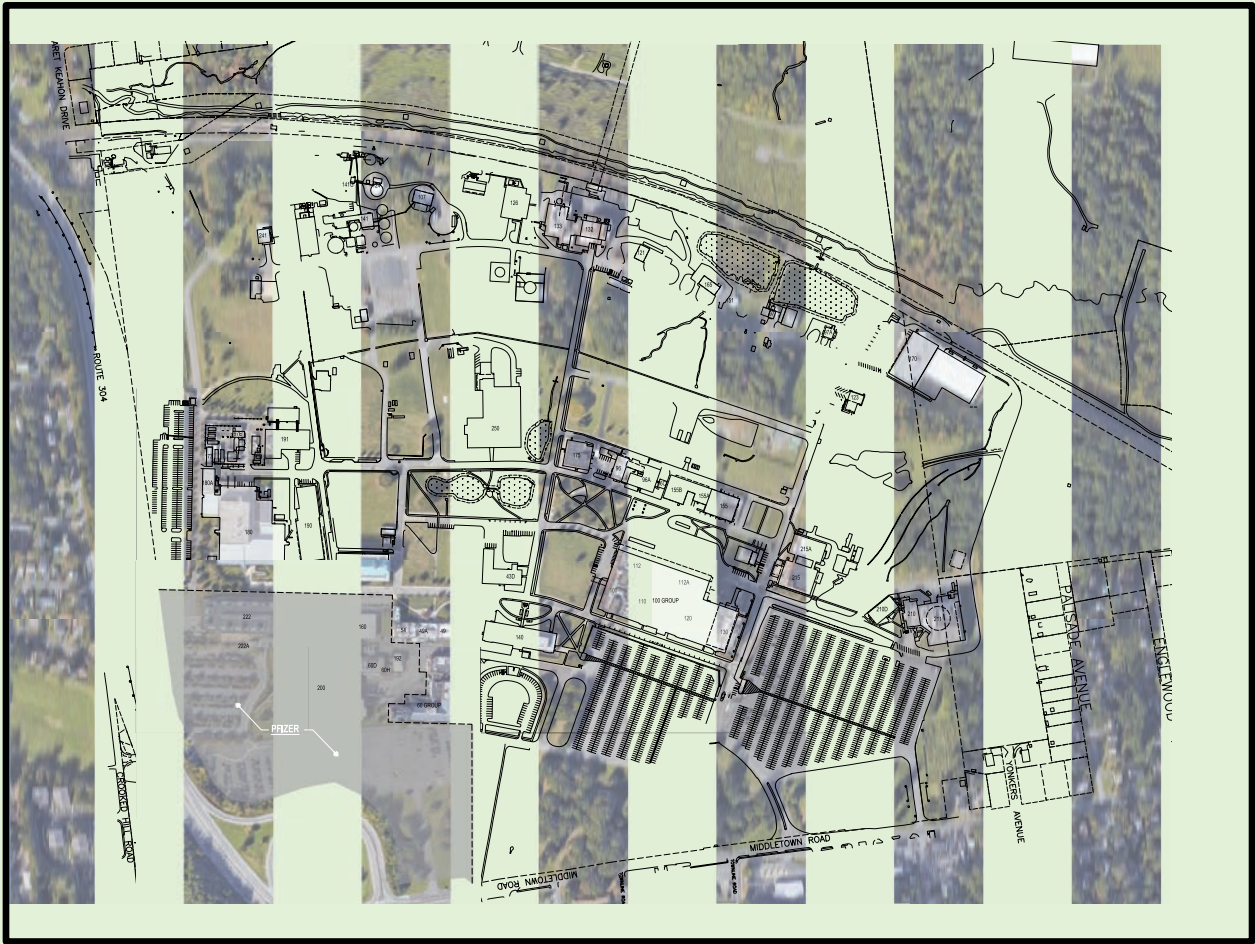


# FITNESS CENTER RENDERING



# Hudson Valley iCampus Town of Orangetown

## ZONING AMENDMENT PLANNING ANALYSIS



August, 2023



## **Zoning Amendment Planning Analysis**

### **I. Introduction**

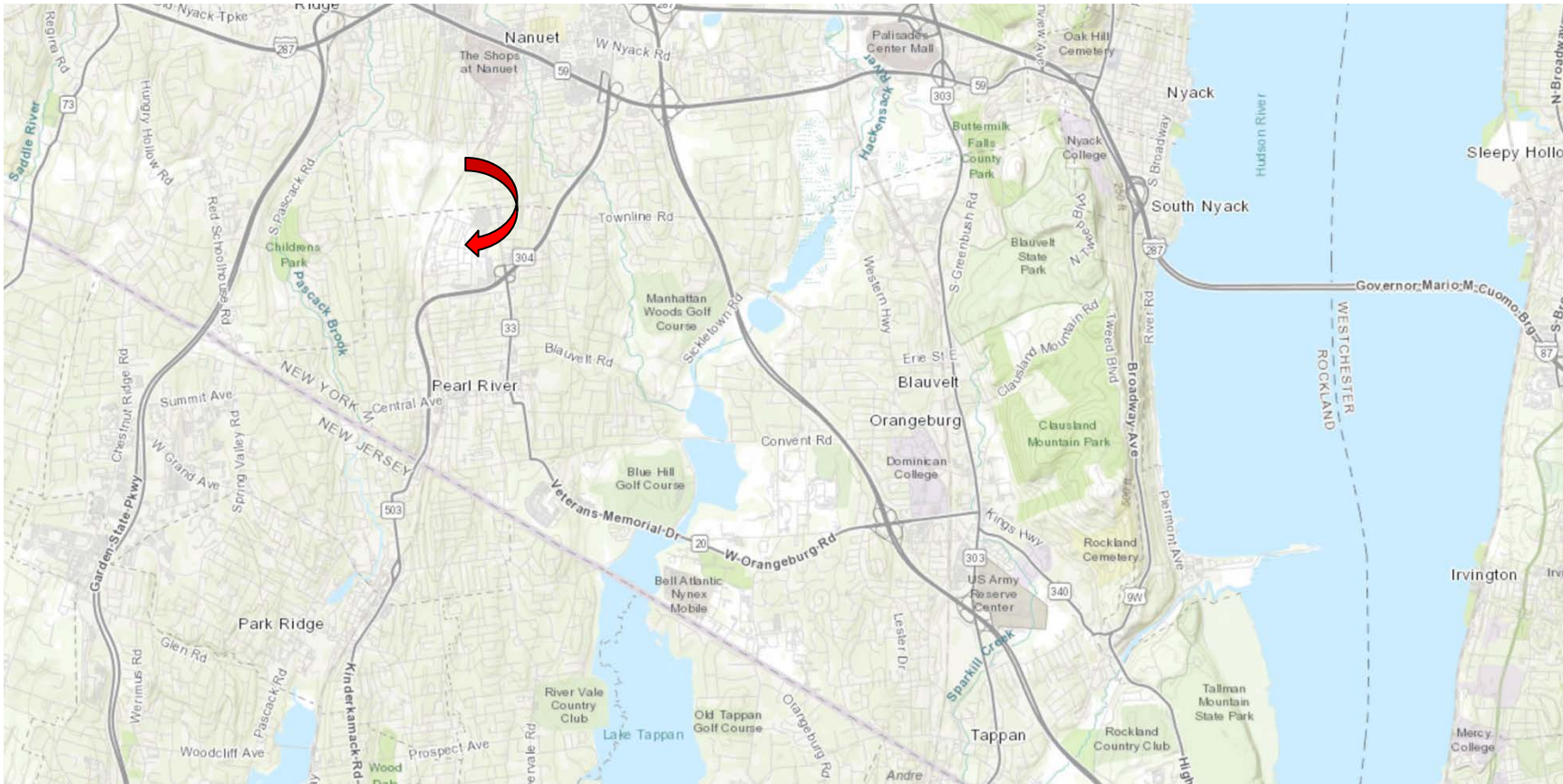
The following planning analysis addresses the proposed amendments to the LI - Light Industrial Zoning District. The proposed amendments would add new uses to properties over 150 acres in the LI District, that if adopted would allow for industrial properties within that District to adapt to current market conditions and remain viable economic engines for the Town.

### **II. Project Site**

The amendments to the LI Zoning District are being proposed by the owner of the Hudson Valley iCampus; Pearl River Campus, LLC (hereinafter referred to as the “Petitioner”).

The Hudson Valley iCampus is a 207-acre property located at 401 North Middletown Road, Pearl River (Town of Orangetown), Rockland County, New York. The property is more specifically known and designated on the Orangetown Tax Map as Section 68.08, Block 1, Lot 1 (hereinafter referred to as the “Site”). Figure 1 - Site Location Map, identifies the location of the Site.



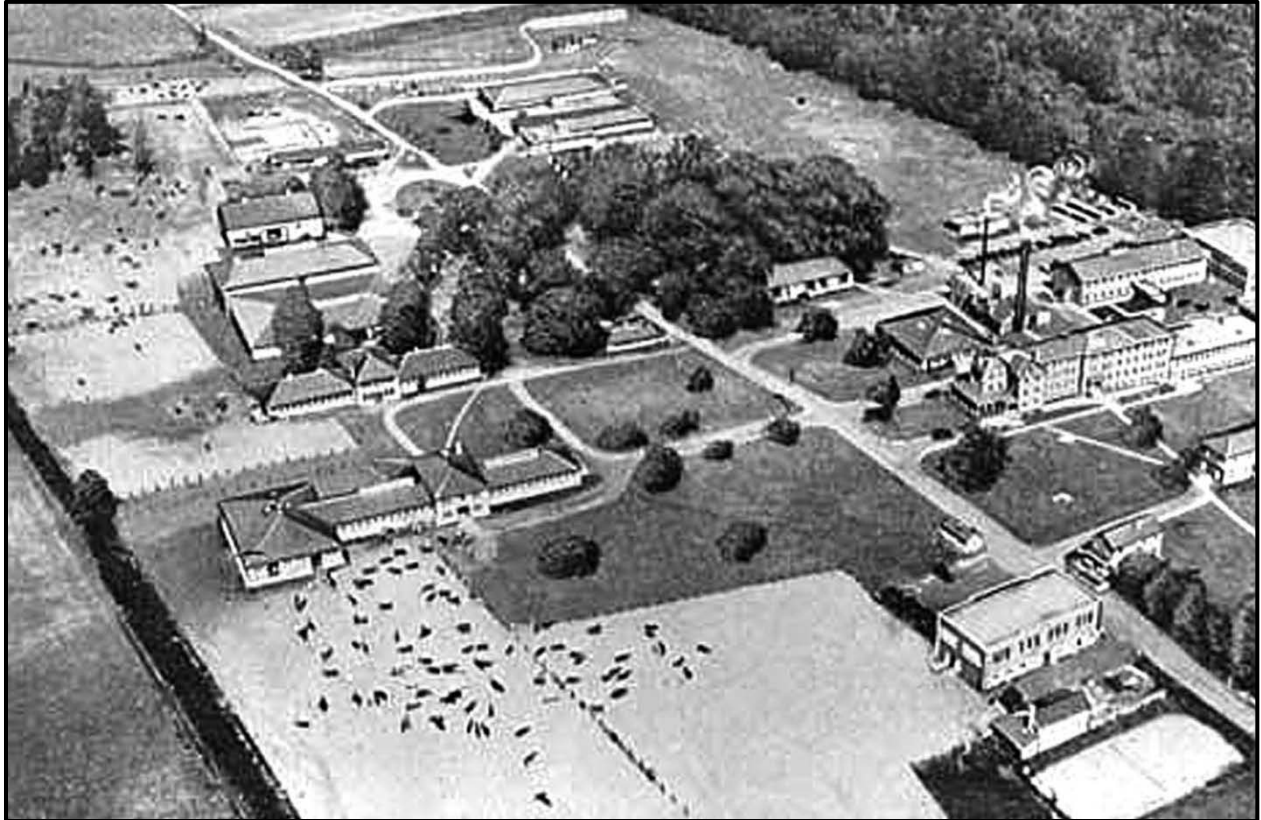


Source: NYS GIS Clearinghouse

# Site Location Map



The Site has hosted industrial pharmaceutical uses for well over 100 years, when Ernest Lederle set up a laboratory on the former Turfler farm in 1907. By 1908, 40 employees were producing diphtheria antitoxin at the Site.



The campus would eventually become the largest employer in Rockland County. Numerous research and development advances occurred on the Site including the oral polio vaccine, the anti-cancer drug Novatrine and the infant pneumococcal vaccine Pevnar among others. The company was the largest supplier of vaccines and blood plasma to the U.S. armed forces during World War II.

In 1930 American Cyanamid bought Lederle Laboratories. In 1994 the Site was purchased by American Home Products, which was then purchased by Wyeth Pharmaceutical in 2002, followed by Pfizer in 2009. The Petitioner purchased the Site from Pfizer in 2015. Pfizer retained approximately 30 acres contiguous to the Site.

Today, the Site supports 38 commercial and industrial buildings comprising over two million square feet of development space, together with nearly 4,200 parking spaces, a steam co-generation plant, redundant infrastructural utility facilities and associated improvements within a manicured campus setting.

### **III. Existing Land Use**

The following section explores on-site, surrounding and Town-wide land use conditions.

#### ***On-Site Existing Land Uses***

After the purchase of the Site by the Petitioner, the Site continued to operate as it always has by hosting technology and pharmaceutical tenants such as Pfizer, Profectus Biosciences, Urban Electric Power, NuBiyota, RK Pharma and Momentive Performance Materials, Inc. These tenants all consist of uses within the permissible use classifications of the LI Zoning District, further described below.

#### ***Surrounding Existing Land Uses***

As illustrated on Figure 2 - Existing Land Use Map, the Site is a well-defined and isolated industrial enclave located in the northwest corner of the Town. NYS Route 304 and North Middletown Road delineate and confine the Site within the boundaries of the campus.

The land uses along North Middletown Road which runs along the eastern boundary of the Site consist of small-scale support services, such as gas stations, auto repair shops, a bank, restaurant, house of worship and multi-family residences.

The Site is bounded to the north by single-family residential uses in the Town of Clarkstown and to the west by vacant land.

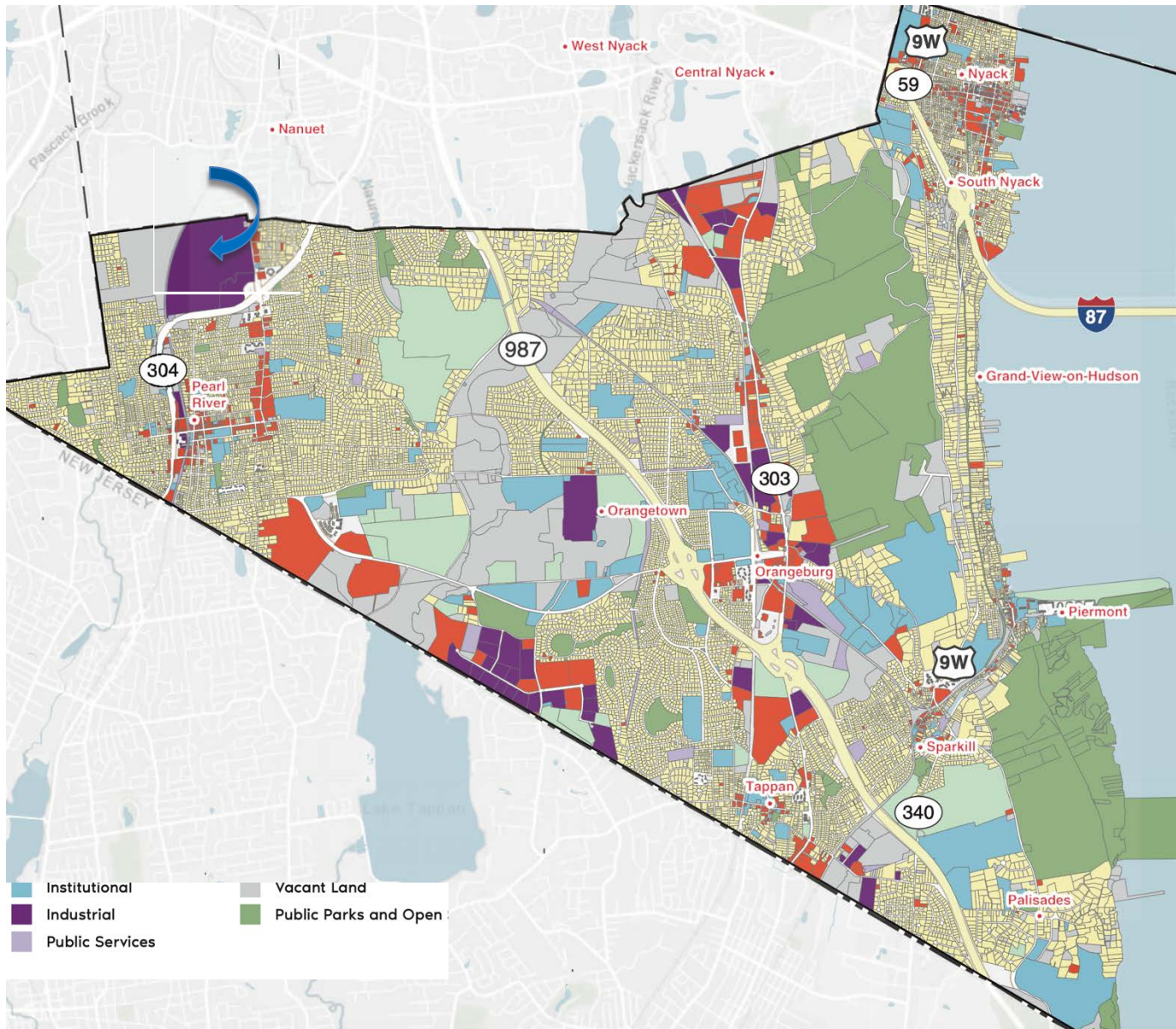
#### ***Town-Wide Land Use***

According to the draft Comprehensive Plan<sup>1</sup>, the amount of industrial land in Orangetown has actually increased from 505 acres (3.9%) in 2010, to 622 acres (4.8%) in 2020. The draft Comprehensive Plan clearly recognizes the importance of these areas, and states *“To keep pace with changes in the economy and business growth patterns, zoning regulations should adapt by recognizing and addressing new land use types.”*

To more effectively utilize this land in a manner consistent with the vision for the Town set forth in the draft Comprehensive Plan, new uses are called for in the industrial zones, including indoor greenhouse, mini-warehouse, data center, standalone fitness center, media production facility and soundstage, retail drug,

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<sup>1</sup> Draft Orangetown Comprehensive Plan 2022, page 29, Tables 2-1 and 2-2.



Source: Town of Orangetown Draft Comprehensive Plan

# Existing Land Use



dry goods and variety food, hardware, stationery and auto supply uses.

#### **IV. Existing Zoning - LI - Light Industrial Zoning District**

The Town of Orangetown is divided into 30 zoning districts; 16 residential districts and 14 non-residential districts (Figure 3 - Existing Zoning)

The majority of the Site is located within the LI - Light Industrial Zoning District (Figure 4 - LI Zoning Districts)<sup>2</sup>. The following uses are permitted in the LI District.

##### **Uses Permitted by Right**

- Theaters
- Fire, Police and Community-Owned Ambulance Stations, Government Offices and Office Buildings
- Business and Professional Offices
- Commercial Recreation Establishments
- Service Establishments
- Commercial Dog Kennels & Animal Hospitals
- Automotive and Machinery Repair Shops
- Automobile Salesrooms
- Manufacturing
- Wholesale Sales or Storage Warehouses

##### **Uses Permitted by Special Permit**

- Railroad and Public Utility Rights-of-Way
- High Tension Transmission Lines
- Mixed-Use Developments (on sites of >10 acres w/ frontage on Palisades Parkway, Route 303)
- Mixed-Use Expansions
- Advertising Signs
- Adult Uses

##### **Uses Permitted by Conditional Use**

- Skating Rinks
- Public Parking Garages
- Auction Establishments, Farmers Markets, Secondhand Merchandise

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<sup>2</sup> The front portion of the Site located along North Middletown Road is located in the LO - Laboratory - Office District. No buildings or other significant site improvements are located within this portion of the Site.

**wn of Orangetown  
ZONING  
ckland County, NY**



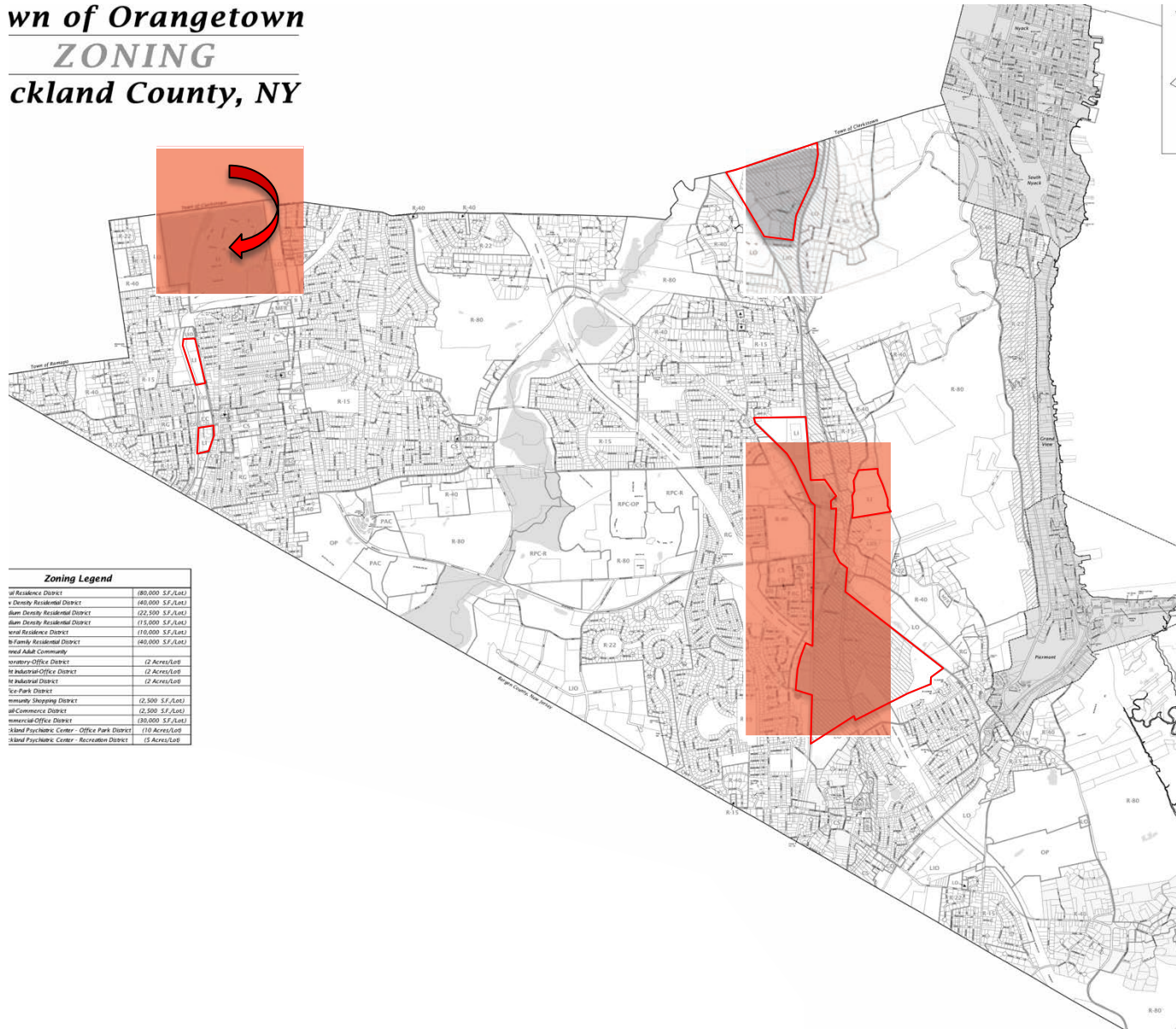
Zoning Legend	
Residence District	(60,000 S.F./Lot)
Density Residential District	(60,000 S.F./Lot)
Medium Density Residential District	(22,500 S.F./Lot)
Low Density Residential District	(15,000 S.F./Lot)
Small Residence District	(10,000 S.F./Lot)
Family Residential District	(60,000 S.F./Lot)
Adult Community	
Community Office District	(2 Acres/Lot)
Industrial Office District	(2 Acres/Lot)
Industrial District	(2 Acres/Lot)
Office Park District	
Medium Density Residential District	(2,500 S.F./Lot)

Source: Town of Orangetown

# Existing Zoning



**Town of Orangetown**  
**ZONING**  
**Rockland County, NY**



**Zoning Legend**

Single-Family Residence District	(80,000 S.F./Lot)
Two-Family Residential District	(40,000 S.F./Lot)
Urban Density Residential District	(22,500 S.F./Lot)
Urban Density Residential District	(11,500 S.F./Lot)
General Residential District	(110,000 S.F./Lot)
Medium Density Residential District	(40,000 S.F./Lot)
Special Adult Community	
Executive Office District	(2 Acres/Lot)
Industrial Office District	(2 Acres/Lot)
Light Industrial District	(2 Acres/Lot)
Office Park District	
Community Shopping District	(2,500 S.F./Lot)
General Commercial District	(2,500 S.F./Lot)
Neighborhood Office District	(30,000 S.F./Lot)
Skilled Psychiatric Center - Office Park District	(10 Acres/Lot)
Skilled Psychiatric Center - Recreation District	(5 Acres/Lot)

Source: Town of Orangetown

# LI Zoning Districts

- Auto Laundries
- Filling Stations
- Dry-Cleaning and Laundry Plants
- Freight Terminals
- Bulk Fuel Storage
- Concrete Mixing Plants
- Satellite Dish Antennas
- Child Day Care Centers
- Nightclubs

**Permitted Accessory Uses**

- Schools of Special Instruction
- Accessory Storage
- Accessory Buildings
- Incineration of Waste Materials
- Heliports
- Accessory Signs
- Child Day Care Centers

Uses in the LI District are governed by the following dimensional regulations.

- **Floor Area Ratio** - 0.50 (0.30 for auto laundries and gas stations)
- **Minimum Lot Area** - 2 acres (None for auto laundries, gas stations, government buildings)
- **Minimum Lot Width** - 150' (100' for auto laundries and gas stations)
- **Minimum Street Frontage** - 150' (50' for auto laundries and gas stations)
- **Required Front Yard** - 50' (30' for auto laundries and gas stations)
- **Required Side Yard** - 50' (25' for auto laundries and gas stations)
- **Total Side Yard** - 100' (50' for auto laundries and gas stations)
- **Required Rear Yard** - 50' (25' for auto laundries and gas stations)
- **Maximum Building Height** - 25' to 52.5' depending on street classification

**V. Reimagining the Hudson Valley iCampus**

For the Hudson Valley iCampus to remain competitive, the addition of new and previously unanticipated uses has become necessary.

Since purchasing the Site from Pfizer in 2015, the Petitioner has been aggressively re-tenanting the buildings on the campus, but despite the Petitioner's best efforts, an unsustainable portion of the Site remains vacant. This effort has proven to be challenging

due to the region-wide evolution of land use trends, which was dramatically amplified by the pandemic. The way in which the physical work place is used today has changed as working remotely has become commonplace. Moreover, as the functional operation of single-use office parks and research campuses has evolved, these sites are now being re-purposed to accommodate a wide range of uses, never previously envisioned in these locations.

Another significant factor affecting the long-term success of the campus is the recognition that this Site is no longer a singular alternative for pharmaceutical, bio-tech and similar scientific research and development companies in the region. In recent years, the lower Hudson Valley has emerged as one of the nation's bio-tech hubs, similar to Silicon Valley in California and the Research Triangle Park in North Carolina. Over 80 bio-tech companies are located throughout the seven counties that comprise what has become known as the NY BioHud Valley (Figure 5). To expect that all of the space within the Hudson Valley iCampus to be utilized exclusively by bio-tech tenants is no longer realistic given the extent of available alternative sites and the extreme competition within the region. It has become apparent that the addition of complimentary uses has become necessary to attract and retain tenants.

To meet this challenge, it is imperative that the Town's zoning and land use regulations similarly evolve to address these new realities. To this end, the Petitioner has been exploring the viability of utilizing existing space on the campus, as well as constructing new buildings to address emerging real estate market opportunities. Across the region single use office parks and research campuses have been paring away excess, often vacant and non-productive buildings to allow for the introduction of retail, service, restaurant, entertainment and even residential uses, thereby blurring the lines between segregated land uses. While including diverse new uses within office parks and research campuses was at one time unthinkable, it has now become quite commonplace.

## **VI. Proposed Uses**

In concert with the future vision for the Town as defined in the draft Comprehensive Plan, two new uses are being proposed by the Petitioner. These uses are envisioned in adaptively reused existing buildings, or in entirely new buildings.

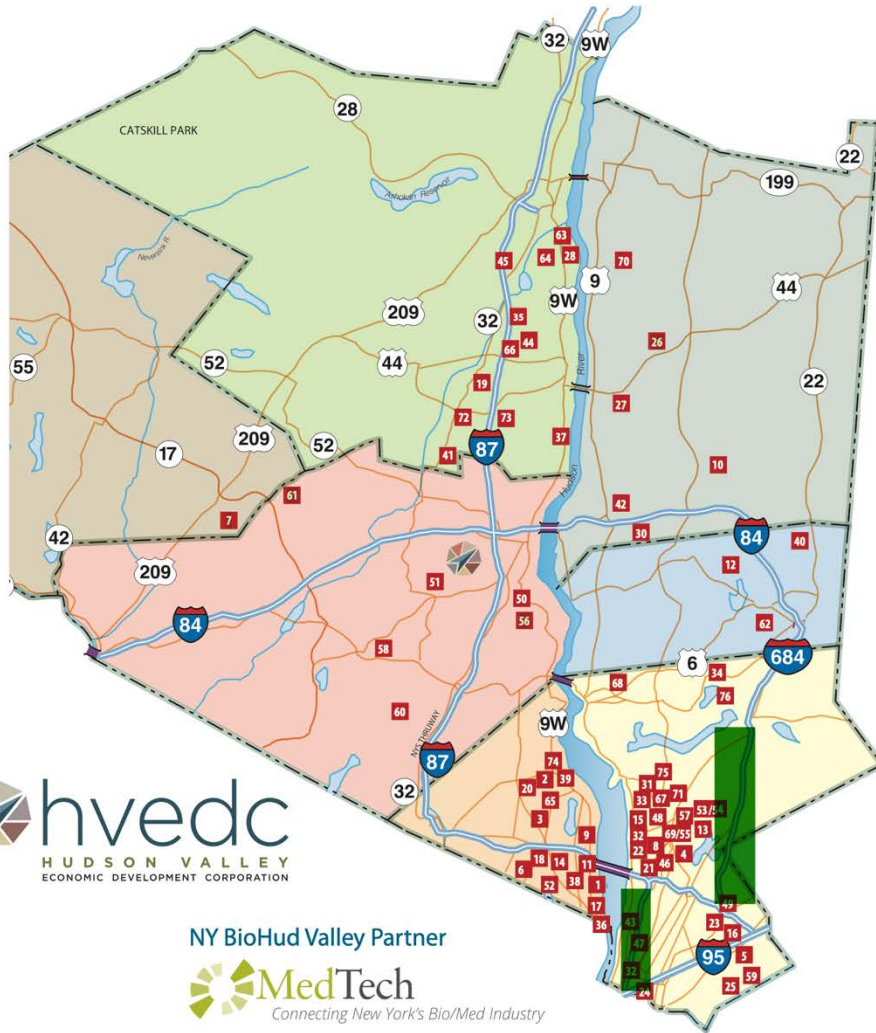
### **a. Hotel**

Currently, both a "Hotel" and a "Hotel Conference Center" are permissible uses in several zoning districts in Town.

§11.2 of the Town of Orangetown Zoning Code defines these uses as:



- Dutchess County
- Orange County
- Putnam County
- Rockland County
- Sullivan County
- Ulster County
- Westchester County



1	Acorda Therapeutics, Inc.	39	Interos America Inc.
2	ADH Health Products, Inc.	40	JRS Pharma LP
3	AMA Laboratories, Inc.	41	Kiss My Fass Corporation
4	Ambulatory Pharmaceutical Services	42	Laerdal Medical Corporation
5	Averion International Corp.	43	MELA Sciences, Inc.
6	Avon Research and Development	44	Milrock Technology Inc.
7	Balchem Corporation	45	Model Optics, Inc.
8	Bayer Healthcare	46	Nada Jain PC
9	Bee-Alive, Inc.	47	Nevis Laboratories Columbia University
10	Beech Grove Technology	48	New York Medical College
11	Biodefense Solutions	49	New York-Presbyterian Hospital
12	Bio-Design Inc. of New York	50	Ondamed Inc.
13	BioScript, Inc.	51	OXYVITA Inc.
14	BioSource Pharm, Inc.	52	Pfizer Inc.
15	BMR-Landmark at Eastview LLC	53	Profectus BioSciences Inc.
16	Burke Rehabilitation Center	54	Progenics Pharmaceuticals, Inc.
17	Cardiovascular Reseach Foundation	55	PsychoGenics Inc.
18	CDx Laboratories Inc.	56	Randob Laboratories Ltd.
19	Charles River Laboratories	57	Regeneron Pharmaceuticals, Inc.
20	Chartwell Pharmaceuticals	58	Repro-Med Systems Inc.
21	Ciba Specialty Chemical Corp.	59	Richardson Consulting Services, LLC.
22	Clarity Testing Services Inc.	60	Rifton Equipment
23	ConsumerLab.com, LLC	61	RIJ Pharmaceutical Corporation
24	ContraFect Corporation	62	Silarx Pharmaceuticals, Inc.
25	Curemark LLC	63	Simulaids, Inc.
26	Dermasave Labs	64	Stainless Design Concepts
27	Duso Chemical Company, Inc.	65	Star Key White, Inc.
28	Electronic Control Concepts	66	Stavo Industries Inc.
29	EuroMed, Inc.	67	Taro Pharmaceuticals U.S.A., Inc.
30	Flavormatic Industries, Inc.	68	Tech Air
31	Gene Link	69	Techno Vax
32	Glycomed Reseach Inc.	70	Topical BioMedics
33	Gradiopore Inc.	71	TR Biotech
34	IBM Life Sciences	72	Ultra Seal Corporation
35	Image Technology Laboratories, Inc.	73	Ultra Tab Laboratories Inc.
36	Immune Pharmaceuticals, Inc.	74	Valois of America, Inc.
37	Innovation Design Solutions, Inc.	75	Viro Dynamics
38	Instrumentation Laboratory	76	Warren Pharmaceuticals, Inc.

Source: Hudson Valley Economic Development Corporation

# NY BioHud Valley



*“Hotel - A multiple dwelling used primarily for the purpose of furnishing lodging, with or without meals, for more than 15 transient guests, for compensation.”*

*“Hotel/Conference Center - A building or group of buildings to provide overnight lodging, dining and conference facilities. Building(s) may include administrative offices, guest rooms, restaurants, drinking places, conference and meeting rooms, ballrooms, recreation facilities (pool, tennis courts, fitness centers, jogging paths, etc.) and ancillary services for guests, employees and management.”*

These uses are permitted as follows:

- CS - Community Shopping District - Hotel/Motel, permitted as a Conditional Use, approvable by the Planning Board.
- CC - Retail-Commercial District - Hotel/Motel, permitted as a Conditional Use, approvable by the Planning Board.
- CO - Commercial Office District - Hotel/Motel, permitted as a Conditional Use, approvable by the Planning Board.
- LO - Laboratory-Office District - Executive Conference Center, Permitted as a Special Permit use, approvable by the Town Board.
- OP - Office-Park District - Hotels/Conference Center, permitted as-of-right.

Unfortunately, a hotel is currently prohibited within the LI - Light Industrial Zoning District, which is the zoning district wherein the majority of the Site is located.

**b. Stand Alone Fitness Center**

Fitness centers or gyms are not currently defined uses in Orangetown’s Zoning Code. A “swim club” is defined, and in the LIO-Light Industrial-Office district, “indoor commercial tennis” and “individual fitness & training center” are both permitted uses. However, neither of these uses operate as typical fitness

centers or clubs. In fact, §8.16 of the Zoning Code provides the following definition:

*"Individual fitness and training center," for purposes of this conditional use, is defined as a facility at which training and instruction is provided, either in an individual or group setting, for general physical fitness or for a specific sports skill in a fully supervised environment. **The use does not include unsupervised exercise, such as provided in a physical fitness studio** (emphasis added).*

The RPC-R - Rockland Psychiatric Center - Recreation Sparkill Hamlet Center Overlay District, does allow for a commercial recreation facility, which specifically includes the following elements:

*"Indoor and outdoor athletic fields and courts, facilities for golf, tennis, swimming, boating, skating and other similar activities, but excluding outdoor paint ball, shooting galleries and similar outdoor activities."*

As a result, it is apparent that a typical fitness center or gym use would currently be prohibited in Orangetown.

## **VII. Zoning Amendment Planning Rationale**

Repurposing the existing buildings and constructing new buildings for new uses is speculatively challenging, and in order to be successful, must accurately reflect current and projected real estate market conditions. The new uses described above represent an approach to meeting this challenge.

These uses also represent a shift in the way the iCampus has been traditionally used, from a private and restricted enclave, to a far more publicly accessible part of the community, where both those working on the campus, as well as the general public can utilize and enjoy the Site.

### **a. Hotel**

The lower Hudson Valley had been traditionally underserved by hotels. Approximately 23 hotels are currently located in Rockland County, and four are located in the Town of Orangetown:

- Doubletree by Hilton - Nanuet
- Armoni Inn & Suites - Orangeburg



- The Pearl River Hilton - Pearl River
- Marriott Residence Inn - Orangeburg

The closest hotel to the Site is the Pearl River Hilton, and several others are located in Nanuet and Spring Valley in the adjacent Town of Clarkstown. The logic of developing a hotel at the Site is obvious, as a number of the existing bio-tech and bio-medical tenants have other facilities in remote locations and multi-day visits to the Site occur frequently. Providing a hotel on-site would add convenience and eliminate extraneous off-site traffic, while simultaneously helping to relieve the undersupply of hotel space in the region.

As noted above, hotels are already recognized as a permissible use in Town, and allowing them on sites in the LI District over 150 acres would be consistent with the existing zoning hierarchy of the Town.

**b. Stand Alone Fitness Center**

Today's corporate office and research and development campuses have evolved to include a vast array of employee amenities that have become necessary to attract and retain employees. The "Googleplex"<sup>3</sup> model has raised the bar, and today employees expect facilities like gourmet food services, laundry and dry-cleaning services, nap pods, game rooms, wellness spaces, convenience retail stores, locker and shower rooms, and fully equipped gyms.

Repurposing decades old buildings to accommodate new amenity expectations can be difficult. As a result, it has been determined that incorporating a new stand-alone fitness center would be a logical addition to the iCampus.

The current generation of stand-alone fitness centers bear no resemblance to the gyms of prior generations. These facilities are high-end, clean, modern and highly amenitized facilities that not only include traditional work-out equipment, but a wide range of additional facilities, from tennis courts,

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<sup>3</sup> The Googleplex is Google's corporate headquarters in Mountainview California, that established the industry standard for highly amenitized corporate campuses. Googleplex's facilities include swimming pools, volleyball courts, bowling alleys, massage rooms, nap pods, pianos, 18 cafeterias, 24/7 gym, bicycles, dry-cleaning facilities, on-site doctor and sculpture gardens - including a full-size T-Rex skeleton.

basketball courts, various swimming pools, yoga, pilates and spin studios, saunas and spas, wellness centers, cafes and state of the art locker rooms and lounges.

Such a facility would cater to the thousands of current and potential employees working on the campus, as well as the larger Orangetown community.

### **VIII. Zoning Amendment**

The proposed zoning amendment, as documented more fully in the Zoning Petition submitted by McCullough, Goldberger and Staudt, LLP on behalf of Pearl River Campus, LLC, describes in detail the nature of the requested modifications to the Zoning Code. In summary, it calls for the addition of a new use, defined as a Standalone Fitness Center, consistent with the recommendations of the draft Comprehensive Plan, and then establishes this new uses, along with the existing Hotel use as permitted “Special Permit Uses by the Town Board” in the LI - Light Industrial Zoning District. New special permit use standards are also proposed for the standalone fitness center use.

### **IX. Application of Proposed Zoning at Other Sites in the LI - Light Industrial Zoning District**

As noted on Figure 4, there are six separate and distinct areas zoned LI within the Town of Orangetown.

To limit the potential impact of the new uses proposed by the Petitioner, the minimum lot area for these two new uses (Standalone Fitness Center and Hotel) is proposed to be 150 acres. There does not appear to be any other sites within the LI Zoning District that meet this minimum lot area requirement.

### **X. Potential Impact of the New Uses at the Hudson Valley iCampus**

In order to fully assess the potential impacts of developing the three new uses on the Site, a Full Environmental Assessment Form with supplemental Environmental Impact Analyses has been submitted in support of this application.

This analysis evaluated the specific impacts of the proposed uses on the Site and contrasted these impacts to the operation of the campus when Pfizer was operating the Site at full capacity.

In summary, the impact analysis demonstrated that the operation of the Site with the new uses will result in fewer impacts regarding traffic, water consumption, wastewater

generation, utility impacts, solid waste generation, municipal service impacts, etc., then when the Site was owned by Pfizer and operating at full capacity.

## **XI. Summary and Conclusions**

In order for the Hudson Valley iCampus to thrive and successfully compete with other similar facilities in the region, the ability to re-purpose the Site to accommodate new and emerging uses is imperative.

The proposed zoning amendment will add new uses that tap into new emerging markets, that also precisely align with the evolution of the use of the Site. Carefully crafted zoning criteria have been developed to ensure that these uses will not proliferate throughout the Town, and would function without creating significant adverse impacts.

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Sponsor: Pearl River Campus, LLC, d/b/a Hudson Valley iCampus			
Name of Action or Project: Proposed Zoning Text Amendment			
Project Location (describe, and attach a location map): 401 North Middletown Road, Pearl River (Town of Orangeown), Rockland County NY.			
Brief Description of Proposed Action: The proposed action seeks to modify the Town of Orangetown Zoning Code to allow additional uses (hotels and standalone fitness centers) on parcels greater than 150 acres in size in the LI -Light Industrial Zoning District. Refer to the enclosed Planning Report and Petition to Amend the Zoning Code for additional details.			
Name of Applicant or Sponsor:  Pearl River Campus, LLC d/b/a Hudson Valley icampus		Telephone: 845-330-4560, ext. 4567  E-Mail: jschwartz@hvicampus.com	
Address: 401 N. Middletown Road, B-205 Annex, Pearl River, NY 10965			
City/PO: Pearl River		State: NY	Zip Code: 10965
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<div style="display: flex; justify-content: space-between;"> <span><u>207</u> acres</span> <span><u>N/A</u> acres This is a zoning text amendment</span> </div> <div style="display: flex; justify-content: flex-end; margin-top: 5px;"> <span><u>207</u> acres</span> </div>	
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Manufacturing <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? ** b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: All future development resulting from this change in the zoning code will comply with the State Energy Code requirements	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

\*\* Traffic generated by any of the proposed additional uses will be less than the historical traffic generated by the site when it was fully occupied by Pfizer.



**TOWN OF ORANGETOWN  
LOCAL LAW NO. \_\_\_ OF 2023 OF THE  
INCORPORATED TOWN OF ORANGETOWN, NEW YORK  
AMENDING CHAPTER 43 OF THE TOWN CODE ENTITLED “ZONING”**

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

**Section 1.** Chapter 43, Section 11.2 of the Town of Orangetown Zoning Code, entitled “Definitions” shall be amended by adding a new term entitled “Standalone Fitness Center”, which shall be defined as follows:

**STANDALONE FITNESS CENTER**

A private membership facility designed, intended and used for physical conditioning activities, located within a single occupant building. Such uses may include traditional athletic training facilities, athletic performance analyses, cafes, childcare centers and spas, as well as the sales of necessary equipment used in the activities provided, together with other appropriate accessory uses.

**Section 2.** Chapter 43 Attachment 7 of the Town of Orangetown Zoning Code entitled “Table of General Use Regulations (§ 3.11) LI District” is hereby amended to revise Column 3, “Uses by Special Permit” to permit two additional uses subject to Town Board approval, as follows:

4. Hotels, provided that the minimum lot area is 150 acres.
5. Standalone fitness center, provided that the minimum lot area is 150 acres.

**Section 3.** Chapter 43 Attachment 7 of the Town of Orangetown Zoning Code entitled “Table of General Use Regulations (§ 3.11) LI District” is hereby amended to add two new rows to Column 6, entitled “Minimum Required Off-Street Parking Spaces”, as follows:

18. Hotels – Same as CC
19. Standalone fitness center - 6 per each 1,000 square feet of floor area (not including any floor area devoted exclusively to tennis courts), plus 4 per each tennis court.

**Section 4.** Chapter 43, Section 4.3 of the Town of Orangetown Zoning Code entitled “Special permit uses; special findings and additional requirements and conditions for certain uses” is hereby amended to include one additional use, as follows:

**4.32.(R).** Standalone fitness center:

- (i) Standalone fitness centers are permitted in the LI District on lots having a minimum lot area of 150 acres, subject to the following criteria:

- (a) Every application for a stand-alone fitness center use shall include a circulation plan, indicating all internal roadways, all roadways, intersections and driveways bounding the site, all off-street parking and truck loading areas and pedestrian accessways on the site; and also, a traffic survey and analysis, with estimates of on-site traffic generation and its impact, if any, on existing and projected traffic volumes, roadway capacity and highway safety in critical highway locations in the vicinity and proposals related to accommodating such traffic generation in each location, as well as any required on-site or off-site mitigation measures, as may be required by the Town Board.
- (b) Off-street parking and truck loading areas shall be designed pursuant to the requirements of Article VI of the Zoning Code of the Town of Orangetown, and, further, they shall include provisions for landscaping and screening and for landscaped islands within the parking areas in the proportion of 15 square feet for each parking space. Shared parking is encouraged where the peak parking demands of different uses occur at various times of the day.
- (c) The entrance to all off-street parking and truck loading spaces shall be from an internal driveway system and not from a public street.
- (d) On-site bicycle storage racks shall be provided with at least 1 bicycle space per 10,000 square feet of gross building floor area. Where feasible, some or all of this bicycle storage shall be provided within a secure, enclosed bicycle storage space.
- (e) Every application for a stand-alone fitness center use shall include a detailed and specific landscape plan, incorporating native species wherever feasible, showing the proposed treatment of all open areas on the site and, more specifically, analyzing the need for the screening of service areas, outdoor use areas and buffer strip landscaping and how such need will be met on a year-round basis.
- (f) Site lighting shall be restricted to the minimum necessary to allow for the appropriate and safe operation of the facility, and shall include automatic controls to turn off exterior lighting when sufficient daylight is available and when lighting is not required during nighttime hours, include fixture integrated lighting controls such as motion sensors to reduce light levels, use cut-off and shielded luminaries to prevent light trespass beyond property lines and unnecessary glare, among other measures.
- (g) All intensive outdoor activities shall be set back at least 100 feet from any property line and shall be so located that they shall be reasonably screened from view as denoted in a site plan submitted pursuant to Chapter 21A of the Code of the Town of Orangetown and compatible with the existing or potential use of neighboring properties.

**Section 5.** Chapter 43 Attachment 18, entitled “Notes to Use and Bulk Tables” is hereby amended to add an additional note, as follows:

Note 19: Lots within the LI District having a minimum lot area of 150 acres may contain multiple permitted uses on a single parcel.

**Section 6.** 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 7.** Effective Date

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



RECEIVED

AUG 30 2023

SUPERVISOR'S OFFICE

August 28, 2023

Town of Orangetown  
Attn: Teresa Kenny  
26 W. Orangeburg Rd  
Orangeburg, NY 10962

Dear Teresa Kenny,

Season's greetings! It's hard to believe, but we are already planning our decorating season!!

As a renewing Christmas decorating service customer, we have enclosed this season's decorating proposal for your review. The renewal agreement includes all of the service items you received last year and any requested changes for the upcoming season.

***Please review and sign the agreement, then return the signed copy along with your 50% deposit or pre-payment in the envelope provided.***

Deposits and pre-payments must be returned by the dates listed below and on the proposal to ensure your pre-payment discount and timely scheduling of your installation.



To ensure your place on our schedule, a 50% deposit must be received by October 1st. Please be aware that our installation schedule can fill up very quickly.



Timers will be set from 4:30 pm until 12:00 am unless otherwise directed. If you would like your timer to be set for a different start or stop time please indicate your preference on your contract.



Keep in mind that you may still add items to upgrade your display. All added items will become part of your continuing-service in the future.



If you would like a design consultation, please call the office and we will set up an appointment to go over any design changes you would like.



**Please note: ALL credit card payments will incur a 3.2% convenience fee**

Please email us at [LightsbyCLC@gmail.com](mailto:LightsbyCLC@gmail.com) or call us at 845-920-1771.

We look forward to providing you with remarkable service!

**Christmas Lighting Company**  
**PO Box 1151 • Pearl River, NY 10965**  
**Ph: 845-920-1771**



# Decorating Service Proposal

Town of Orangetown  
 26 W Orangeburg Rd,  
 Orangeburg, NY 10962

8/28/2023

## Deposits Due by October 1

Description	Location	Color	Total
Install, Maintain, Remove and Store Existing Display that includes: 4 foot pole mount snowflakes on Central ave 5.5 foot pole mount snowflakes on telephone poles at corner of Rte 304 5.5 foot pole mount snowflakes on telephone poles on Middletown Rd Over the street skylines on Central Ave below railroad tracks and at Central Ave field Install Mini lights on all decorative light poles in downtown area Price includes installation, maintenance, removal and storage			14,900.00
<b>Subtotal</b>			\$14,900.00
<b>Sales Tax (0.0%)</b>			\$0.00
<b>Total</b>			\$14,900.00

**50% deposit or payment in full due prior to installation. Balance due upon completion of installation.**

- I would like to make my 50% deposit  
 I would like to make my payment in full

**Please note all Credit Card payments will incur a 3.2% convenience fee**

CC# \_\_\_\_\_ Exp Date \_\_\_\_\_ Security Code \_\_\_\_\_

**Remaining balances are due upon installation.**

Terms and Conditions

Please sign and date in the designated area on the proposal and return to us at your earliest convenience. I have read, understand and agree to the policies, terms and conditions outlined on the reverse of this page. Customer has the right to rescind this contract by giving written notice to the service provider within three days from the date below.

*Installation services begin approximately October 15th.*

*I would prefer my display be taken down on or about \_\_\_\_\_*

***Please note installation dates are on a first come first serve basis, we will do our best to accommodate any requests.***

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Print Name: \_\_\_\_\_

**Christmas Lighting Company**

**PO Box 1151  
 Pearl River, NY 10965  
 845-920-1771**

## Christmas Lighting Company Policies, Terms and Conditions

Christmas Lighting Company's service is comprised of the design, installation, service and removal of holiday decorations. All lighting and decorations remain the property of the service provider. This is a service agreement only and no goods are being sold.

**Lighting and Decorations:** Christmas Lighting Company's warrants the quality of our decorations and workmanship as provided below. Should you have any problems with the decorations, we want to correct them as soon as possible. **Repairs needed due to vandalism, animals, extraordinary weather conditions, and customer added lights are not warranted and will be billed as additional services. Power failure or tripping of GFI circuits that occur as a result of inclement weather cannot be the responsibility of Christmas Lighting Company.** We will perform required service calls to solve these issues but we cannot be held liable for damage that may occur as a result of acts of nature. Upon reinstallation, all non-functioning bulbs and/or miniature light sets will be replaced at no additional charge; this is included in the reinstallation and removal charge. As plants grow, we will add additional lights to any landscape lighting at our discretion, and bill service at the appropriate rates. Any additional items requested at the time of service will also be invoiced accordingly.

**Billing and Quality of Service:** All services, unless otherwise agreed, are billed at the time of installation, at which time payment is due. This normally would include materials, set up, installation accessories, removal, & boxing of decor. Storage of all decor is included with the service; storage charges will apply if service is not utilized for one season, or delivery charges will apply if service is cancelled. Christmas Lighting Company guarantees the quality of all material and workmanship, however any questions in regard to the quality of workmanship must be addressed within 7 days of service, or before the next service is to be performed, whichever comes first.

### Seasonal Lighting

Please be advised that all standard lighting that is installed is suitable only to be used as seasonal, temporary lighting, unless otherwise specified. **Christmas Lighting Company can only warrant seasonal lighting up to 90 days.** Product life expectancy should not exceed 90 days when used continuously. Please consult your representative if you are interested in a permanent type of lighting. **Client will provide all electrical power sources.**

### Photos

Please note that unless otherwise agreed upon, Christmas Lighting Company reserves the right to take photos of our decor services on your property, and use representations of these same photos for marketing purposes to include, but not limited to, brochures, portfolios, internet or postcards. The use of photo representations does not imply any financial or other consideration will be given for said use. Further, we reserve the right on commercial accounts to state the property name and/or address.

**Terms and Conditions:** A deposit may be required at the time your order is placed. Full payment for every item and service is due in full upon installation. In the event the purchaser fails to make payments as required, your account shall be considered to be in default and the purchaser shall be responsible for costs of collection and reasonable attorneys' fees, as allowed by law. If a requested item becomes unavailable, Christmas Lighting Company reserves the right to substitute an item of equal or better quality, subject to customer agreement, or to delete the items off of the installation and invoice.

**Installation and Removal:** Holiday decorations shall be installed and removed at your request if possible. Clients designating times are given priority based upon first-in-time notice. All services are subject to weather conditions and demand. The service provider retains sole discretion as to the timing of services and no breach occurs based on dates of services.

**Limited Warranty and Limitation of Liability and Remedies:** BOTH PARTIES TO THIS CONTRACT AGREE THAT IN THE EVENT OF THE FAILURE OR MALFUNCTION OF THE LIGHTING AND/OR DECORATIONS PROVIDED, THE SOLE AND EXCLUSIVE REMEDY AVAILABLE TO THE CLIENT SHALL BE THE REFUND OF THE COST OF THE SERVICES PROVIDED UNDER THIS AGREEMENT OR THE REPAIR OR REPLACEMENT OF THE LIGHTING AND/OR DECORATIONS, TO BE DETERMINED SOLELY AT THE DISCRETION OF THE SERVICE PROVIDER.

BOTH PARTIES AGREE THAT CHRISTMAS LIGHTING COMPANY SERVICE PROVIDER WILL NOT BE LIABLE FOR ANY CONSEQUENTIAL DAMAGES OF ANY NATURE CAUSED TO THE PROPERTY OF THE CLIENT BY ANY FAILURE OR MALFUNCTION OF THE LIGHTING AND DECORATIONS PROVIDED UNDER THIS AGREEMENT. SOME STATES MAY NOT ALLOW FOR THE EXCLUSION OR LIMITATION OF INCIDENTAL AND CONSEQUENTIAL DAMAGES, SO THE ABOVE LIMITATION AND EXCLUSION MAY NOT APPLY TO YOU.

BOTH PARTIES AGREE THAT ANY CLAIM BY THE CLIENT THAT THE WORKMANSHIP OR MATERIALS USED ARE DEFECTIVE OR NONCONFORMING MUST BE BROUGHT TO THE ATTENTION OF CHRISTMAS LIGHTING COMPANY SERVICE PROVIDER IN WRITING WITHIN 72 HOURS OF THE SERVICE AND FAILURE TO DO SO RESULTS IN A COMPLETE AND FINAL WAIVER OF ALL CLAIMS.

**Arbitration:** ANY AND ALL DISPUTES THAT MAY ARISE BETWEEN THE PARTIES SHALL BE SETTLED BY ARBITRATION IN ACCORDANCE WITH STATE LAW WHERE THE SERVICE PROVIDER IS LOCATED. THE ARBITRATOR'S AWARD SHALL BE FINAL AND BINDING ON ALL PARTIES, AND JUDGMENT MAY BE ENTERED BY A COURT OF COMPETENT JURISDICTION IN THE COUNTY OF THE SERVICE PROVIDER WHERE ALL ARBITRATION PROCEEDINGS SHALL BE CONDUCTED THROUGH THE DISPUTE RESOLUTION CENTER, OR ITS SUCCESSOR.

**AGREEMENT BETWEEN**  
**PIERMONT CREEKSIDE ENTERPRISES, LLC**  
**AND**  
**TOWN OF ORANGETOWN**

AGREEMENT made this \_\_\_\_\_ day of SEPTEMBER, 2023, between

PIERMONT CREEKSIDE ENTERPRISES, LLC, a domestic limited liability corporation, having its' principal place of business at 249 Ferdon Avenue, Piermont, New York 10968, hereinafter referred to as "Piermont Creekside", and

TOWN OF ORANGETOWN, having its principal place of business at 26 Orangeburg Road, Orangeburg, New York 10962, herein referred to as "Orangetown";

WHEREAS, the Pearl River Farmers Market will be a community market supported by the Town Board. The market will provide access to locally grown fruits, vegetables, and other farm products, as well as hand crafted goods and baked goods, while creating a sense of community within the Town.

WHEREAS, Orangetown intends to enter into a professional service agreement with Piermont Creekside to provide management services for the Pearl River Farmers Market ("Farmers Market") to be held in downtown Pearl River;

NOW THEREFORE, in consideration of the mutual covenants hereinafter contained, the parties hereto agree as follows:

1. Piermont Creekside shall be responsible for assisting Orangetown with operations, marketing, and overall management of the Farmers Market.
2. Piermont Creekside will provide a Market Manager for the Farmers Market.
3. The Market Manager is a consultant position to the Town of Orangetown with primary responsibility being the operation of the Farmers Market. This will include an on-site presence

of a Market Manager (or trained staff member) at the market during all market hours, as well as off-site work during non-market hours. The manager will report to the Town Board. In addition, the manager will represent the market to the market's vendors, the consumers, and to the community.

4. Piermont Creekside will maintain all vendor agreements, market guidelines, state paperwork, market insurance, and current files of any and all licenses and permits as required by the New York State Department of Agriculture and Markets. Such records will be available to Orangetown upon request.
5. The manager will provide farmers/vendors with the Town of Orangetown License Agreement form for completion and submission with Accord Certificate of insurance (as detailed therein) to be delivered by the farmer/vendor to the Town Supervisor's Office prior to the farmers/vendors first market day.
6. The manager will be directly responsible for:
  - a. Vendor recruitment with a focus on organic and local vendors; and by choosing the right mix of vendors to meet the needs of the market;
  - b. Creating vendor layout in the market;
  - c. Organizing the vendor market schedule to allow for flexible vendor participation (e.g. bi-monthly);
  - d. Creating a schedule of events for market season including live music, children's activities, cooking demonstrations, etc.;
  - e. Providing the Town Supervisor's office with a vendor list one week prior to opening day of the Farmers Market;
  - f. Community relationship development by fostering a relationship with local residents and downtown businesses;

- g. Sponsorship Development;
- h. Identifying best media and methods for marketing of the Farmers Market;
- i. Advertising/ promotional program development, including special events planning;
- j. Creating graphics for marketing plan including posters, postcards, banners, etc.; and
- k. Work with Town Board to plan for market growth and development; and
- l. Maintain seasonal market insurance.

7. The manager will:

- a. Enroll farmers/vendors in the market either through seasonal vendor agreements or as daily vendors;
- b. Collect all stall fees owed;
- c. Arrive prior to market vendors arriving and remain throughout the market day to:
  - i. Properly place vendors in stalls, including assigning market stalls to daily vendors;
  - ii. Place market signs, parking signs;
  - iii. Ensure all rules and regulations are adhered to;
  - iv. Ensure all State and County regulations are adhered to;
  - v. Answer questions for vendors and consumers;
  - vi. Resolve disputes that arise; and
  - vii. Maintain market grounds in a safe manner.
- d. Operate market manager's booth that will:
  - i. Greet customers warmly, and offer assistance in finding products;
  - ii. Weather permitting offer children's entertainment (coloring, scavenger hunt, etc.);

- iii. Provide a location for promotion of Pearl River events, and downtown businesses; and
  - iv. Provide assistance with finding parking, local places to eat and shop, etc.
  - e. Communicate market policies, activities, and rules to farmers/vendors, keeping them informed throughout the season;
  - f. Bring suggestions from farmers/vendors back to the Town Board;
  - g. Solicit entertainment for market days, as well as sponsors for the entertainment;
  - h. Conduct periodic customer counts each market day to assess the level of growth in market usage;
  - i. Assure the market site is clean once the market is closed and the vendors have left for the day;
  - j. Maintain licenses or permits that each vendor possesses based on the products they are selling as required by the Department of Agriculture and Markets; and
  - k. Conduct periodic farm inspections.
8. The Town will:
- a. Provide active support, problem solving, crisis communication and coordination;
  - b. Provide a liaison for all Town related matters;
  - c. Provide contact lists of local businesses, merchants and craft artist groups to facilitate cross-event promotions; and
  - d. Identify and maintain key high traffic intersections where “A-frames” with Market signage can be placed.
9. The Town Highway Department will provide set-up assistance (i.e. port-o-johns, trash cans and electronic message boards) as necessary.



10. The Market will take place on Saturday, beginning September 23, 2023, and will operate on consecutive Saturdays from September 23, 2023 through October 21, 2023, from 10:00 a.m. to 2:00 p.m. **except Saturday, October 14, 2023.**
11. The Farmers Market location is on the Central Avenue Field, owned by the Pearl River Union Free School District, between East Central Avenue and Franklin Avenue in Pearl River, New York.
12. The relationship between Orangetown and Piermont Creekside under this Agreement will be that of consultant and independent contractor, without any employer/employee relationship or employee benefits.
13. In providing services under this Agreement, it is expressly agreed that Piermont Creekside is acting as an independent contractor and not as an employee.
14. Piermont Creekside and Orangetown acknowledge that this Agreement does not create a partnership or joint venture between them, and is exclusively a contract for service.
15. Orangetown is not required to pay or make any contributions to any social security, local, state or federal tax, unemployment compensation, workers compensation, insurance premium, profit-sharing, pension or any other employee benefit for Piermont Creekside during the Term. Piermont Creekside is responsible for paying, and complying with reporting requirements for all local, state and federal taxes related to payments made to them.
16. Piermont Creekside shall not be entitled to any form of restitution or reimbursement for its work related to the scope of services described as market manager responsibilities within the scope of this Market Manager Agreement.
17. This Agreement does not restrict, or preclude Piermont Creekside from contracting with other companies, and/or municipalities.

18. Piermont Creekside agrees to protect, defend, indemnify and hold the Town and its officers, employees, and agents and save it harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance thereof. Without limiting the generality of the foregoing, any and all claims, etc., relating to personal injury, death, damage to property, or any other violation of any applicable statute, ordinance, administrative order, rule or regulation or decree of any Court, shall be included in the indemnity hereunder with the exception of claims, if any, caused by the sole negligence of the Town.
19. Piermont Creekside shall maintain ONE MILLION AND 00/100 (\$1 million) DOLLARS in general liability insurance issued by an insurance company licensed to do business in the State of New York in form and amount deemed sufficient by the Town Attorney and shall provide a certificate of insurance evidencing the same to Orangetown. The policy of insurance and certificate of insurance shall name the Town of Orangetown as an additional insured.
20. All notices, requests, demands or other communications required or permitted by terms of this Agreement will be given in writing and delivered to the Parties at the following addresses:
- a. PIERMONT CREEKSIDE ENTERPRISES, LLC, 249 Ferdon Avenue, Piermont, New York 10968; and

b. TOWN OF ORANGETOWN, Attn: Supervisor, 26 Orangeburg Road, Orangeburg, New York 10962 with a copy also sent to: TOWN OF ORANGETOWN, Attn: Town Attorney, 26 Orangeburg Road, Orangeburg, New York 10962.

Or to such other address as either Party may from time to time notify the other, and will be deemed to be properly delivered (a) immediately upon being served personally; (b) two days after being deposited with the postal service if served by registered mail; or (c) the following day after being deposited with an overnight courier.

21. Should any provision of this Agreement be declared to be ineffective, or void by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.
22. This agreement may not be modified, or amended, except in writing, ~~as~~ and signed by the parties.
23. This Agreement may not be assigned or transferred by Piermont Creekside without the express written permission of the Town.
24. The term of this Agreement shall be from the Agreement execution date through October 21, 2023, and may be terminated within TEN (10) days written notice by either party.
25. This Agreement may be executed by facsimile or PDF, and/or in any number of counterparts, and shall for all purposes be deemed to be an original, and all such facsimile or PDF signatures and/or counterparts together shall constitute but one and the same Agreement. However, this Agreement shall not be effective or enforceable against any party hereto until all parties have completely and properly executed at least one counterpart of this Agreement. The delivery of electronic copies of the fully executed Agreement shall constitute a BINDING AGREEMENT.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed as of the date and year set forth hereinabove.

Piermont Creekside Enterprises, LLC  
BY:

Town of Orangetown  
BY

\_\_\_\_\_  
Joseph P. Serra, MEMBER

\_\_\_\_\_  
Teresa M. Kenny, Supervisor

**TOWN OF ORANGETOWN**  
**FARMERS/VENDOR’S STANDARD LICENSE AGREEMENT**

WHEREAS, the TOWN OF ORANGETOWN (hereinafter “TOWN”) is the sponsor of a Pearl River Farmers Market at the Central Avenue Field in the hamlet of Pearl River, New York 10965; and

WHEREAS, the TOWN is desirous of providing their residents with convenient access to a weekly Farmers Market in which selected and fully insured vendors can sell produce grown in the Hudson Valley and handcrafted items or baked goods; and

WHEREAS, the Town Board deems it to be in the general interest of the community and the residents of the TOWN to plan, organize, manage, supervise and promote a Farmers Market, and to enter into License Agreements with various *pre-screened* Farmers/Vendors.

WHEREAS, Piermont Creekside Enterprises, LLC is the Market Manager for the Pearl River Farmer’s Market.

NOW, THEREFORE, \_\_\_\_\_, a Farmers Market Farmer/Vendor, with a business address located at: \_\_\_\_\_

---

agree as follows:

The Farmer/Vendor agrees to operate under the terms and conditions of this License Agreement and under the direction of the Market Manager (PIERMONT CREEKSIDE), who is an agent of the TOWN to provide the planning, organization, management, supervision, promotion, and Farmer/Vendor management and supervision for the Orangetown Farmers Market.

Market days will operate on consecutive Saturdays from September 23, 2023 through October 21, 2023 from the hours of 10:00 a.m. to 2:00 p.m. **(EXCEPT Saturday, October 14, 2023).**

A Farmer/Vendor will be permitted to set up at 9:00 a.m. and must be off-premises by 3:00 p.m.

Prior to setting up a stand, the Farmer/Vendor will submit a \_\_\_\_\_/100 (\$\_\_\_\_\_) DOLLAR Farmer/Vendor Use fee to the Market Manager. This fee is to be paid each market day.

The Farmer/Vendor will provide the Market Manager with a Certificate of Liability Insurance naming the TOWN as an additional insured.

Farmer/Vendor also agrees as to the following **Compliance and Indemnity Agreement** as follows:

1. I have read the Rules and Regulation of the Farmers Market and do agree to abide by all rules and regulations.
2. I further agree to operate my stall in accordance with these rules and regulations and to pay all applicable fees as set out in the rules and regulations.
3. I do understand that the stall fee, length of season, and hours of operation are set in the rules and regulations, and I will abide by them.
4. I further understand that failure to comply with the rules and regulations of the Farmers Market could mean dismissal from the market.
5. As a vendor, wishing to participate in the Farmers Market, I agree to SAVE, HOLD HARMLESS and INDEMNIFY the sponsoring agency the TOWN OF ORANGETOWN from any and all liability or responsibility pertaining to any damages to person or property

on the site assigned to me by the Farmers Market Manager, when such damages or liability arise out of acts on my own, or of my employees or associates, located as such site.

6. I verify that all information I have provided about my farm and products for sale is true and accurate.
7. I confirm full acceptance and concurrence with the foregoing by entering my signature in the space provided below.

Accepted and Agreed:

\_\_\_\_\_  
Vendor/Farmer  
Print your Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_, 2023

**TOWN OF ORANGETOWN**  
**BASIC RULES FOR**  
**PEARL RIVER FARMERS MARKET**

**Definitions**

Bona fide—

- As in growers—the seller is the producer of the products being offered for sale, from lands he owns or rents, with control over the production, harvesting, and marketing of the products, and a financial interest in the products.
- As in craftsperson—all crafts offered for sale are original in nature and produced in whole by the seller. No crafts shall be permitted that are derived from kits.
- As in homemade products—all products are produced, baked, or manufactured by the seller and are original in nature. No baked goods from mixes or purchased for finishing off will be permitted.

Daily vendor—any vendor who is permitted to sell on the market, who participates in the market less than the full season and chooses to pay on a daily basis for any space used.

Market Manager a consultant empowered by the Town Board to create and implement market policies and directives, and to oversee the operation of the market.

Market sponsor—any governmental agency, non-profit organization, or association that lends its support to the market in any way.

Vendor—any seller or exhibitor participating in the market.

**Market Governance**

1. The market will be sponsored by Town of Orangetown.
2. The mission of the farmers market will be to improve local food security, teach entrepreneurship skills, and support local farmers and local businesses, while enriching the cultural heritage of the community.
3. The Market Manager is responsible for the orderly and efficient conduct of the market and for implementing and enforcing the Rule and Regulations. The Market Manager will represent the market and its governing body during market days and in community activities. The Market Manager will develop and implement a market budget, establishing market policy, vendor recruitment, collecting fees, establishing the operational schedule, and advertising and promotion of the market.

**General Operations**

4. The market will be located at the Central Avenue Field between East Central Avenue and Franklin Avenue in Pearl River, New York. The market will operate Saturday, September



23, 2023 through October 21, 2023 (**except Saturday, October 14, 2023**) from 10:00 a.m. to 2:00 p.m. unless otherwise cancelled.

5. Vendors may arrive at 9:00 a.m. to begin setup and must stay through the end of the market day to provide a full market to shoppers arriving throughout market hours.
6. Vendors may leave early only under extenuating circumstances and with the acknowledgment of the Market Manager.
7. Vendors must notify the Market Manager no later than three (3) hours before market time if they will be absent for that market day.
8. All vendors will be off-premises by 3:00 p.m.

### **Who May Sell at the Market:**

9. The use of the market is restricted to those who are bona-fide growers, craft-persons, producers of homemade products, or other vendors approved by the Market Manager. Vendors may, on a limited basis, supplement their product line with additional New York State only products, as long as that product is otherwise missing from the market and the Market Manager has given permission for the supplement.
10. All agricultural products may be sold at the market, including, **but not limited to**, locally grown fruits and vegetables, dairy products, meats, flowers, plants, honey products, maple products, NYS wines sold by a farm winery, eggs, herbs, and related products.
11. Craft vendors may sell products that they have hand-produced themselves.
12. Bakers who have baked the products themselves and who possess the proper licensing from the NYS Dept. of Agriculture and Markets and/or their County Dept. of Health and the Rockland County Department of Health.
13. Prepared food vendors with current licenses required by Rockland County and the Board of Health.
14. Products not specifically identified must be pre-approved by the market manager.
15. All applicable food safety regulations, both state and local, must be adhered to at all times.
16. All applicable licenses and permits for products sold must be obtained and kept current. Copies of applicable permits and licenses will be kept on file with the Market Manager, and readily accessible for review by the Town Board.

### **Guidelines for Selling**

17. All stall spaces must be swept clean and any refuse removed at the end of each market day.
18. All vendors must have a sign clearly showing their name and location.

19. Each vendor will be responsible for all equipment and supplies for the setup of a booth. Displays should be constructed in such a way that they do not block customer walkways nor pose any other hazard to customers.
20. Vendors who provide samples and/or products that will result in waste material, such as cups, rinds, and corn cobs, must provide containers for waste disposal.
21. Vendors are required to keep their market space neat and clear of obstacles, litter, and debris.
22. All produce displayed for sale must be at least twelve (12') inches off the ground with the exception of heavy or large items such as pumpkins.
23. Sellers must post prices. While it is expected that prices will be fair to consumers, the seller, and fellow sellers, any collusion among sellers to attempt to influence prices is strictly prohibited.
24. No smoking, alcoholic beverages, or firearms are permitted at the market. One exception is alcohol (i.e. cider or wine) tasting.
25. No hawking, proselytizing, or amplified music is permitted at vendor booths.
26. All products offered for sale must be of good quality and condition. The Market Manager reserves the right to direct any inferior goods be removed from display. Failure to remove products deemed inferior may result in loss of market privileges.
27. Each vendor in the market must be directly involved with or knowledgeable about the production of the produce or products being sold at the market.
28. All vendors must provide proof of general liability coverage in the amount of ONE MILLION AND 00/100 (\$1,000,000.00) DOLLARS and name the Town of Orangetown, 26 Orangeburg Road, Orangeburg, New York 10962 as an additional insured. A current certificate must remain on file with the market.
29. Vendors are responsible for the actions of their representatives, employees, or agents.

**MEMORANDUM OF AGREEMENT**  
**BETWEEN**  
**THE TOWN OF ORANGETOWN**  
**AND THE**  
**ORANGETOWN POLICEMEN’S BENEVOLENT ASSOCIATION,**  
**INC.**

**WHEREAS**, the Orangetown Policemen’s Benevolent Association, Inc. (PBA) represents all full-time police officers in the Town of Orangetown Police Department except the Chief of Police and Captain’s; and

**WHEREAS**, the current Collective Bargaining Agreement (CBA) between the Town of Orangetown (Town) and the PBA expired on December 31, 2022; and

**WHEREAS**, the bargaining committee of the PBA, Rockland County PBA and the bargaining committee of the Town have engaged in negotiations for a successor CBA.

**NOW, THEREFORE**, subject to the ratification/approval by the PBA’s and the Town Board of the Town, with the recommendations of the negotiating committees, the expired agreements will be modified by the following terms, effective January 1, 2023 through December 31, 2027:

**1. Article Six:**

- Effective January 1, 2023, wage increase: 2.15 %
- Effective January 1, 2024, wage increase: 2.30 %
- Effective January 1, 2025, wage increase: 2.60%
- Effective January 1, 2026, wage increase: 2.70%
- Effective January 1, 2027, wage increase: 2.75%

2. **Article Six:** Add the following new provision:

“All employees' primary check will be paid on a bi-weekly basis and all employees must be enrolled in an automatic deposit to receive the primary check. Any accruals or time that can be paid out as per other articles of this agreement, can be requested by an employee to be paid in a separate physical check or in a separate automatic deposit to the same and/or different automatic deposit account as the primary check.

An employee can only receive a maximum of two checks per pay period with the exception of when contractual accruals must be paid out as per this agreement.”

3. **Article Six:**

	<b>CURRENT</b>	<b>NEW</b>
6	\$2,000	\$3,000
7	\$2,200	\$3,000
8	\$2,400	\$3,000
9	\$2,600	\$3,000
10	\$3,300	\$6,000
11	\$3,500	\$6,000
12	\$3,700	\$6,000
13	\$3,900	\$6,000
14	\$4,100	\$6,000
15	\$4,800	\$9,000

16	\$5,000	\$9,000
17	\$5,200	\$9,000
18	\$5,400	\$9,000
19	\$5,600	\$9,000
20	\$6,300	\$12,000
21	\$6,500	\$12,000
22	\$6,700	\$12,000
23	\$6,900	\$12,000
24	\$7,100	\$12,000
25	\$7,800	\$12,000

4. **Article Fourteen:** Remove and replace a portion of a provision to Section 14.7: “Union Members hired on or before ratification of this agreement who do not participate in the Town offered health care benefit are eligible for a buy-out in the amount of 35% of the Town’s annual premium contribution for the coverage for which the member is eligible (individual or family). Union members hired after ratification of this agreement who do not participate in the Town offered health care benefit are eligible for a buyout of \$5,000.00 for individual and \$9,500.00 for family plan.”

5. **Article Fourteen** Include the following provision:

“In the event a union member is eligible for and/or is covered by health insurance through the Town as being the spouse or child of another member of the union or employee of the Town, the union member will not be eligible for this buy-out.”

6. **Article Thirteen:** Remove provisions 13.6 in its entirety: “Employees shall be furnished a meal allowance of five dollars (\$5.00) for each four (4) hours of overtime worked.”

7. **Article Seven:** Uniform allowance shall be increased to \$700.00.

8. **Article Twenty:** This Agreement shall be in effect as of January 1, 2023, except as amended, and shall remain in effect through December 31, 2027.

FOR THE TOWN

FOR THE PBA

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

Orangetown Representative:  
R.C. Soil and Water Conservation Dist.-Chairman  
Stormwater Consortium of Rockland County  
Rockland County Water Quality Committee



**HIGHWAY DEPARTMENT**  
**TOWN OF ORANGETOWN**  
119 Route 303 • Orangeburg, NY 10962  
(845) 359-6500 • Fax (845) 359-6062  
E-Mail – [highwaydept@orangetown.com](mailto:highwaydept@orangetown.com)

Affiliations:  
American Public Works Association NY Metro Chapter  
NYS Association of Town Superintendents of Highways  
Hwy. Superintendents' Association of Rockland County

August 28, 2023

TO: Allison Kardon, Confidential Assistant to Town Supervisor  
FROM: Betsey McConeghy, Senior Clerk Typist  
RE: 2023 NYSAOTSOH 94th Annual Conference, Education Symposium & EXPO

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**Please place on the Town Board Agenda of September 12, 2023:**

**RESOLVED**, that permission is hereby granted for Jim Dean to attend the 2023 NYSAOTSOH 94th Annual Conference, Education Symposium & EXPO Verona, NY, from September 26-29, 2023, with the Town paying cost of courses and travel to be charged to appropriate departmental accounts.







# Conference Registration Form

Turning Stone Resort & Casino -5218 Patrick Road, Verona, NY 13478 - 1-800-771-7711  
ALL REGISTRATION FEES AND MEALS TO BE PAID DIRECTLY TO NYSAOTSOH  
111 Washington Ave., Suite 600, Albany, NY 12210 or online at [www.nystownhwys.org](http://www.nystownhwys.org).

Name (as you would like it to appear on your badge) James Dean

Guest/Spouse Name (if attending) \_\_\_\_\_

Job Title Superintendent of Highway

Town/Organization Town of Orangetown

Address 119 Route 303 Orangeburg NY 10962

Phone 845-359-6500 Email highwaydept@orangetown.com

### Registration Options:

#### Highway Superintendents and Vendor Package Options:

- Early Bird Registration (by 9/8/23) **\$700** - 3 Night Option (Full Conference, Tuesday – Friday) *\$800 after 9/8/2023* Registration includes registration fee, 3 breakfasts, 2 lunches, 3 receptions/dinners, education sessions, annual meeting of the members, entertainment, optional activities, and refreshment breaks.
- Early Bird Registration (by 9/8/23) **\$600** – 2 Night Option (Wednesday Afternoon – Friday) *\$700 after 9/8/2023* Registration includes registration fee, 2 breakfasts, 2 lunches, 2 receptions/dinners, education sessions, annual meeting of the members, entertainment, optional activities, and refreshment breaks

#### Guests/Spouse Package Options:

- Early Bird Registration (by 9/8/23) **\$600** - 3 Night Option (full Conference, Tuesday – Friday) *\$700 after 9/8/2023* Registration includes registration fee, 3 breakfasts, 2 lunches, 3 receptions/dinners, entertainment, optional activities, and refreshment breaks.
- Early Bird Registration (by 9/8/23) **\$500** – 2 Night Option (Wednesday – Friday) *\$600 after 9/8/2023* Registration includes registration fee, 2 breakfasts, 2 lunches, 2 receptions/dinners, entertainment, optional activities, and refreshment breaks

### Hotel room rates are NOT included in registration package price

If you are choosing to not utilize the package options there is a registration fee required for all highway superintendent and vendor attendees:

<input type="checkbox"/> Early Bird Registration (by 9/8/23) <b>\$150</b>	<input type="checkbox"/> Registration Fee (after 9/8/23) <b>\$250</b>	<input type="checkbox"/> Registration Fee (retiree) <b>\$ 50</b>
Commuter Meals (Inclusive of tax and gratuity):		
<input type="checkbox"/> Tuesday Reception \$ 50	<input type="checkbox"/> Wednesday Vendor Night \$ 155	<input type="checkbox"/> Thursday Banquet Night \$ 155
<input type="checkbox"/> Wednesday Breakfast \$ 45	<input type="checkbox"/> Thursday Breakfast \$ 45	<input type="checkbox"/> Friday Breakfast \$ 45
<input type="checkbox"/> Wednesday Lunch \$ 55	<input type="checkbox"/> Thursday Lunch \$ 55	<b>Total \$ _____</b>

### Payment Options:

Via website: [www.nystownhwys.org](http://www.nystownhwys.org) Via fax: 518-426-3838  
Via mail: NYSAOTSOH, 111 Washington Ave., Suite 600  
Albany, NY 12210

Check  Credit Card Amount: \$ 700  
Name (as it appears on the card) Highway Department

### Exhibit Booth Registration

**\$500** Exhibit Booth (Includes one \$150) Conference registration. Meal packages are **NOT** included and must be purchased separately. (3-day \$700 before 9/8/2023, 2-day \$600 before 9/8/2023 or by commuter meal pricing). A floor plan of the exhibit space will be available in August.

Questions or special needs or dietary restrictions? Contact Beth Gould at (518) 426-1023 or [info@nystownhwys.com](mailto:info@nystownhwys.com)

#### Emergency Contact Information:

Emergency Contact Name:  
Emergency Contact Phone:

Email for Receipt: \_\_\_\_\_

# SCHEDULE OF EVENTS

September 26-29, 2023

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## Tuesday, September 26

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2:00 PM – 4:00 PM

### Registration

3:00 PM – 5:00 PM

### President's Reception with Exhibitors

Sponsored by Chemung  
Supply Corporation



5:00 PM

### Dinner on Your Own

7:30 PM

### Corn Hole Tournament and Karaoke

Sponsored by Viking Cives



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## Wednesday, September 27

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6:00 AM – 7:00 AM

### Early Morning Coffee

7:00 AM

### Breakfast

8:00 AM – 8:45 AM

### Keynote Address

William Van Slyke, Van Slyke Consulting

9:00 AM – 10:00 AM

### Legislative & Advocacy Roundtable

*Fred Hiffa and Megan Osika, Park Strategies*

Association lobbyists will provide an overview of the 2023-24 Budget and Legislative Session.

10:00 AM – 10:30 AM

### Break with Exhibitors

Sponsored by Five Star



10:30 AM – 11:30 AM

### Best Practices for Salt Reduction

*Tim Fiallo, Town of Hague, Warren Co.*

*Rob Vopleus, Town of Lake George, Warren Co.*

*Moderator: Phil Sexton, WIT Advisers*

Winter Management Specialists, Tim Fiallo and Rob Vopleus will speak with pride and passion about the town of Hague and the town of Lake George's salt reduction efforts. Hear firsthand on how these Highway Departments successfully reduced their road salt by more than 50%.

# NYSAOTSOH Conference, Ed

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## Thursday, September 28

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6:00 AM – 7:00 AM

### Early Morning Coffee

7:00 AM – 8:15 AM

### Breakfast

8:30 AM – 9:30 AM

### Superintendents Roundtable

Join fellow Highway Superintendents for a round table discussion on the ins and outs of the position and associated responsibilities.

9:45 AM – 10:45 AM

### Navigating a First Amendment Audit

*Michael Kenneally, Executive Director, New York State Municipal Workers' Compensation Alliance*

*Lori Mithen-DeMasi, General Counsel, Association of Towns of the State of New York*

First Amendment audits are happening across New York State. First Amendment auditors seek to record town facilities, operations and interactions with town officers and employees and often post them on social media platforms. This session will review basic First Amendment principles and the use of recording equipment on town property. We'll also discuss employee safety and best practices for interacting with individuals who are conducting First Amendment audits.

10:45 AM – 11:15 AM

### Break with Exhibitors

11:15 AM – 12:00 PM

### Annual Meeting of the Members

12:15 PM – 1:00 PM

### Lunch/Vendor Lunch

1:10 PM – 2:00 PM

### DOT/CHIPS Update

NYSDOT Administered Aid to Local Agencies – NYSDOT representatives will provide an overview of funding programs available to municipalities to construct transportation projects and program requirements.

2:05 PM – 3:05 PM

### Managing your Highway Budget

*Dan Acquilano, Manager, Local Official Training Unit Division of Local Government & School Accountability*

The Town Board is charged with the fiscal oversight of all Town functions, including adopting and monitoring the annual budget. The Town Highway Superintendent plays a critical role in assisting the Town Board in their oversight responsibilities by providing clear and carefully planned budget information that protects the taxpayers' interests by including only those expenditures that are necessary for operations, and planned revenues that are realistic. This session will walk through how the Highway Superintendent can provide more accurate budget estimates, to provide the Board meaningful information that they can use to make decisions during the budget process, development of the required Highway 284 agreement, and ensuring highway spending remains in line with the adopted and amended budget.



# Education Symposium & EXPO

3:05 PM – 3:15 PM

## **Break**

3:15 PM – 4:30 PM

## **Legal and Regulatory Panel**

*Timothy A. Frateschi, Esq., Baldwin, Sutphen & Frateschi, PLLC*

*Lori Mithen-DeMasi, General Counsel,*

*Association of Towns of the State of New York*

*Moderator: David P. Orr, PE, Director, NYS LTAP*

*Center, Cornell Local Roads Program*

Industry and legal experts will be available for a question-and-answer session.

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## **Friday, September 29**

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6:00 AM – 7:00 AM

## **Early Morning Coffee**

7:00 AM – 8:30 AM

## **Breakfast**

8:45 AM – 10:00 AM

## **Retirement Informational Session**

A representative from the New York State and Local Retirement System will give a short presentation and answer any questions.

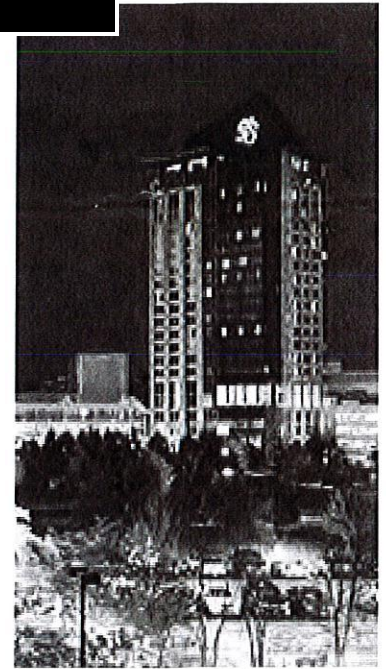
## ROOM RATES

- **Hotel & Tower Rooms: \$179.00**
- Tower Junior Suites: \$259.00
- Lodge Suites with Balcony: \$269.00

**Check-In time 3:00 PM**

**Please call the Turning Stone Resort & Casino at 1-800-771-7711 to reserve your room, please let them know you are with the NYS Town Superintendents of Highways room block. (Turning Stone Resort & Casino will only reserve your reservation by phone.)**

If you have special needs or dietary restrictions, please contact Beth Gould at (518) 426-1023 or [info@nystownhwys.org](mailto:info@nystownhwys.org).



## Thank You to our 2022 Conference Exhibitors

ADMAR Construction Equipment & Supplies  
Alta Construction Equipment  
Auctions International  
Bosch Rexroth  
CAHill Tech  
Certified Power  
Chemung Supply Corporation  
Collier's Engineering  
ConwayBeam  
Cornell Local Roads Program  
DEL Hydraulics, Inc.  
DLVEWS, Inc  
Eagle Associates  
EJ  
Everest Equipment Co.  
Five Star Equipment  
GeoStabilization International  
Gernatt Asphalt Products, Inc.  
GovDeals  
Gradall  
Henderson Products  
Hybrid Building Solutions  
Innovative Surface Solutions  
International Trucks

J & J Equipment  
Kleis Equipment, LLC  
Krown Rust Control  
Liquid Asphalt Distributors Association  
Northeast Sweepers & Rentals, Inc.  
Northern Supply  
PMC/Castner  
Reed Systems  
Roy Teitsworth INC  
SealMaster of WNY  
SnoDepot  
Sourcewell  
Stephenson Equipment Inc.  
Suit-Kote Corp.  
Tenco Industries  
The Gorman Group  
Tracey Road Equipment  
Trius Inc.  
UNIQUE Paving Materials Corp.  
Valley Fab & Equipment  
Van Bortel  
Viking Cives USA  
Winter Equipment Company

**Exhibit Booth Space Deadline: Friday, August 25, 2023**

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


Orangetown Representative:  
R.C. Soil and Water Conservation Dist.-Chairman  
Stormwater Consortium of Rockland County  
Rockland County Water Quality Committee



**HIGHWAY DEPARTMENT**  
**TOWN OF ORANGETOWN**  
119 Route 303 • Orangeburg, NY 10962  
(845) 359-6500 • Fax (845) 359-6062  
E-Mail – [highwaydept@orangetown.com](mailto:highwaydept@orangetown.com)

Affiliations:  
American Public Works Association NY Metro Chapter  
NYS Association of Town Superintendents of Highways  
Hwy. Superintendents' Association of Rockland County

## MEMORANDUM

**DATE:** September 6, 2023  
**TO:** Town Board  
**FROM:** James J. Dean, Superintendent of Highways   
**RE:** Approve RFP- 4" Ductile Iron Sprinkler Water Main Installation

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**Please add the following item to the Town Board Agenda of September 12, 2023:**

**RESOLVED**, that upon the recommendation from the Superintendent of Highways, that the Town Board hereby approves the RFP for 4" Ductile Iron Sprinkler Water Main Installation to Innovative Excavating, LTD., Stony Point, N.Y., the lowest qualified proposer, in the amount of \$31,910.00 to be charged to D.5112.457.04.

JJD/Kf





## Portable Toilet Request Form

The Town of Orangetown accepts requests for portable toilets from not-for-profit groups for their events and programs. Applications must be submitted 8 weeks prior to the event. In case of any changes, the organization must contact Mark Albert at [malbert@orangetown.com](mailto:malbert@orangetown.com) no later than 48 hours prior to the event.

### Event Information

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**Event Name \*** Pearl River Auto Show

**Event Location Name \*** Central ave. field

**Event Address \***

Street Address	
60 East central Ave.	
Address Line 2	
City	State / Province / Region
Pearl River	NY
Postal / Zip Code	Country
10965	United States

**Event Start Date \*** 9/17/2023  
06:00:00 AM

**Event End Date \*** 9/17/2023  
05:00:00 PM

**Set-up Info \*** Please describe the exact location the units should be placed on the event site  
South and West end field entrance sidewalk at fence area

**Number of regular units required \*** 2

**Number of ADA units required \*** 0

**Total Number of units required \*** 2

### Applicant Information

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**Applicant First Name \*** MARK

**Applicant Last Name \*** OUTWATER

**Organization Name \*** Pearl River Hook & Ladder FD.

**Organization Not For Profit? \***  Yes  
 No

**Organization  
Address \***

Street Address

58 E . Central Ave.

Address Line 2

City

Pearl River

Postal / Zip Code

10965

State / Province / Region

NY

Country

United States

**Phone (w) \***

8453044181

**Phone (c) \***

8453044181

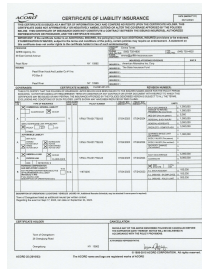
**Email \***

mso10965@yahoo.com

**Certificate of  
Insurance \***

Town of OT insurance paper 001.jpg

1.03MB



Certificate must list the Town of Orangetown as additional Insured

**Signature \***

*Mark Outwater*



RECEIVED  
AUG 21 2023  
Orange County Police Department

TOWN OF ORANGETOWN  
SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY/ITEMS

RECEIVED

PERMIT # 23-SP-041

AUG 14 2023

EVENT NAME: Pearl River Auto Show

APPLICANT NAME: Pearl River Hook & Ladder Co. Chairman MARK Outwater

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

ADDRESS: 145 S. William St Pearl River NY 10965

PHONE #: \_\_\_\_\_ CELL # 845-304-4181 FAX # \_\_\_\_\_

CHECK ONE: PARADE \_\_\_\_\_ RACE/RUN/WALK \_\_\_\_\_ OTHER  Auto Show

The above event will be held on Sept 17 2023 from 6A to 5pm RAIN DATE: Sept 24, 2023

Location of event: Central ave field P.R

Sponsored by Pearl River Hook & Ladder Telephone #: 845-735-8822

Address: 58 E Central ave P.R.NY

Estimated # of persons participating in event: 400 vehicles 200

Person (s) responsible for restoring property to its original condition: Name-Address-Phone #:

Pearl River Hook & Ladder Co.

Signature of Applicant: Mark J. Outwater Date: 8/14/2023

**GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)**

Letter of Request to Town Board requesting aid for event - Received On: 8/14/23

Certificate of Insurance - Received On: 8/14/23

**FOR HIGHWAY DEPARTMENT USE ONLY:**

Road Closure Permit: Y  (N) Received On: \_\_\_\_\_

Rockland County Highway Dept. Permit: Y  (N) Received On: \_\_\_\_\_

NYS DOT Permit: Y  (N) Received On: \_\_\_\_\_

Route/Map/Parking Plan: Y  (N) Received On: \_\_\_\_\_

RFS #: 58060 BARRICADES:  / N CONES: Y / N TRASH BARRELS: 15 / N OTHER: \_\_\_\_\_

APPROVED: [Signature] DATE: MD 8/16/23  
Superintendent of Highways

**FOR PARKS & RECREATION DEPARTMENT USE ONLY:**

Show Mobile: Y  / N Application Required: \_\_\_\_\_ Fee Paid - Amount/Check # \_\_\_\_\_

Port-o-Sans: Two / N Other: awaiting

APPROVED: [Signature] DATE: 8/18/23  
Superintendent of Parks & Recreation

**FOR POLICE DEPARTMENT USE ONLY:**

Police Detail: Y  / N Items: \_\_\_\_\_

APPROVED: [Signature] DATE: 08/28/23  
Chief of Police

\*\* Please return to the Highway Department to be placed on the Town Board Workshop \*\*

Workshop Agenda Date: \_\_\_\_\_ Approved On: \_\_\_\_\_ TBR #: \_\_\_\_\_

RECEIVED

July 14, 2023

AUG 14 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

Highway Department  
Mr. James Dean  
Route 303  
Orangeburg, NY 10962

Dear Mr. Dean

The members of the Pearl River Hook & Ladder Company will be holding their annual Car Show on Sunday, September 17, 2023 on the Central Avenue field in Pearl River. We would be grateful if the town would provide the following items:

15 – 55 gal drums for garbage

The rain date for this event will be on Sunday, September 24, 2023

We would like to thank you for your continued support.

Attached is our Insurance certificate.

Eric Gorton  
Park & Recreation  
Town of Orangetown  
Orangeburg, NY 10962

The members of the Pearl River Hook & Ladder Company will be holding their annual Car Show on Sunday, September 17, 2023 on the Central Avenue field in Pearl River. We would be grateful if the town would provide the following items:

2 Port-O-Sans

The rain date for this event will be on Sunday, September 24, 2023

We would like to thank you for your continued support.

Attached is our Insurance certificate

Respectfully,

Mark S. Outwater  
Car Show Committee Chairman  
Pearl River Hook & Ladder Co. FD.  
845-304-4181



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
08/10/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

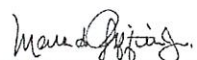
<b>PRODUCER</b> Griffith Agency, Inc. 59 East Central Avenue Pearl River NY 10965	<b>RECEIVED</b>  <b>AUG 14 2023</b>	<b>CONTACT NAME:</b> Emma Torres <b>PHONE (A/C, No, Ext):</b> (845) 735-4800 <b>FAX (A/C, No):</b> (845) 735-4825 <b>E-MAIL ADDRESS:</b> emma@griffith-insurance.com
		<b>INSURER(S) AFFORDING COVERAGE</b>
<b>INSURED</b> Pearl River Hook And Ladder Co #1 Inc PO Box 6 Pearl River NY 10965	<b>TOWN OF ORANGETOWN HIGHWAY DEPARTMENT</b>	<b>INSURER A:</b> American Alternative Ins. Corp
		<b>INSURER B:</b> The State Insurance Fund
		<b>INSURER C:</b>
		<b>INSURER D:</b>
		<b>INSURER E:</b>
		<b>INSURER F:</b>

**COVERAGES**      **CERTIFICATE NUMBER:** CL2361401415      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			VFNU-TR-0017792-03	07/24/2023	07/24/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
A	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			VFNU-TR-0017792-03	07/24/2023	07/24/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$			VFNU-TR-0017792-03	07/24/2023	07/24/2024	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 8,000,000 \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			11873205	07/24/2022	07/24/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
Town of Orangetown listed as additional insured per written contact. Regarding the event on Sept 17, 2023, rain date on September 24, 2023.

<b>CERTIFICATE HOLDER</b>  Town of Orangetown 26 Oranburg Road  Oranburg      NY 10962	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  

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## Application for Showmobile Use

### Showmobile Requirements

**Applications must be submitted to the Parks & Recreation Office no later than 8 weeks prior to your event in order to be placed on a Town Board agenda.**

**There are two pages to this application.** Please read and understand all items listed on page 1 (this page) and upload your certificate of insurance.

Click "next" to advance to page 2 and fill out all requested information.

Upload Certificate of Insurance\* IMG\_1904.png

625.27KB



#### Before completing the Showmobile Request Form, please be aware of the following:

- + The total area needed for the Showmobile is a space 50 feet in length, 15 feet in width and 25 feet in height.
- + Showmobile stage measures 28 feet long x 14 feet 7 inches deep x 25 feet high when open. One set of stairs is available with hand railings. (Please note that this measurement does not include the trailer hitch or the tow vehicle).
- + The lights require a 110 volt, 20 amp circuit to plug into within 150 feet of the right front side of the Showmobile. Additional electrical equipment must be plugged into a separate circuit.
- + The Showmobile must be parked in a relatively level space. The placement of the Showmobile is at the discretion of the Orangetown Parks & Recreation staff. Although every effort will be made to meet requests, this equipment does not go off road, over curbing, on uneven ground or over rough terrain.
- + The area must be free of obstructions such as overhanging tree limbs, electrical wires, etc.
- + The tow vehicle must remain with the Showmobile for the duration of the event.
- + In the event of winds in excess of 30 MPH, the stage canopy must be closed.
- + The Town seal is not to be covered and no nails, staples, tacks or tape may be used to attach any items to the Showmobile)
- + The organization will receive an emailed invoice after their event is complete. Payment is expected no later than 14 days after receipt of invoice.
- + A member of the organization renting the unit must be on site at time of arrival for proper set up as well as time of departure to assure all event tasks have been completed (i.e. removal of equipment)
- + Any changes/cancellations (unless otherwise agreed upon) to the event must be made 24 hours in advance by contacting Aric Gorton at [agorton@orangetown.com](mailto:agorton@orangetown.com).

**Additional Requirements:**

- + Certificate of insurance required. Must name the Town of Orangetown as additionally insured.
- + Rental Costs: \$500.00 plus labor.

# Showmobile Application

## Event Information

**Event/Festival Name \*** NYPD Vs FDNY Event

**Event Location Name \*** Rockland Gaa

**Event Address \***

Street Address  
160 Old Orangeburg Road

Address Line 2

City  
Orangeburg

State / Province / Region  
NY

Postal / Zip Code  
10962-1156

Country  
US

**Setup Date & Time \*** 9/22/2023  
12:00:00 PM

**Take-Down Date & Time \*** 9/24/2023  
08:00:00 AM

**Stair Arrangement \***

Right side of stage  
 Left side of stage  
 Front of stage  
 Not Sure

**Set-up Info \***

Please describe in detail what the stage will be used for and how you intend to set it up. If you have a rain date, please list it here so long as all the information above is the same.

Set up for music band

**Placement \***

Pavement  
 Grass/Field  
 Other

## Applicant Information

**Applicant's Name \*** Mick Healy

**Organization Name \*** Rockland Gaa

**Organization Address \*** 160 Old Orangeburg Rd

**Organization City \*** Orangeburg

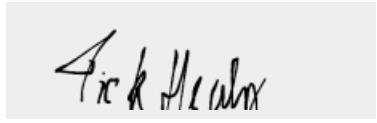
**Organization State \*** NY

**Phone (w) \*** 9178875752

**Phone (c) \*** 19178875752

**Email \*** Michael.healy@structuretone.com

**Signature\***

A rectangular box containing a handwritten signature in black ink. The signature appears to be "Eric H. Adams" written in a cursive style.

By checking this box and submitting this form, I acknowledge I have read, understand, accept, and agree to the above terms and conditions.

\*

I accept the terms and conditions

**Date**

8/31/2023

06:30:42 AM



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 8/31/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement.

PRODUCER: Levitt-Fuirst Associates, LTD
INSURED: Rockland Gaelic Athletic Association
CONTACT NAME: Anna Giordano-Perrotta
INSURER(S): The Cincinnati Casualty Company

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED.

Table with columns: INSR LTR, TYPE OF INSURANCE, POLICY NUMBER, POLICY EFF, POLICY EXP, LIMITS. Includes Commercial General Liability, Automobile Liability, and Umbrella Liability.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) NYPD and FDNY football Event Date Sept 23,2023

The certificate holder is included as additional insured in regards to the event taking place on September 23, 2023 as required by written contract.

CERTIFICATE HOLDER: Town of Orangetown
CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.



to Paulus 7/25/23

TOWN OF ORANGETOWN  
SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY/ITEMS  
PERMIT # 23-SP-036

RECEIVED  
AUG 17 2023  
Orangetown Police Department

EVENT NAME: PEARL RIVER MIDDLE SCHOOL PTA COLOR RUN 2023  
 APPLICANT NAME: PEARL RIVER MIDDLE SCHOOL PTA  
 ADDRESS: 520 GILBERT AVENUE, PEARL RIVER, NY 10965  
 PHONE #: \_\_\_\_\_ CELL # \_\_\_\_\_ FAX # \_\_\_\_\_  
 CHECK ONE: PARADE  RACE/RUN/WALK  OTHER   
 The above event will be held on 09/30/23 from 0830 to 12PM RAIN DATE: \_\_\_\_\_  
 Location of event: PEARL RIVER MIDDLE SCHOOL  
 Sponsored by: PRMS PTA Telephone #: \_\_\_\_\_  
 Address: 520 GILBERT AVENUE, PEARL RIVER, NY 10965  
 Estimated # of persons participating in event: 250 vehicles 0

RECEIVED

JUL 24 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

Person (s) responsible for restoring property to its original condition: Name-Address-Phone #: 917-855-3107  
 JACQUELINE McARTHUR, 233 EDSELL TERRACE, PEARL RIVER, NY 10965  
 Signature of Applicant: Jacqueline McArthur Date: 07/24/2023

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)

Letter of Request to Town Board requesting aid for event - Received On: 7/24/23  
 Certificate of Insurance - Received On: 7/24/23

RECEIVED

AUG 22 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

FOR HIGHWAY DEPARTMENT USE ONLY:

Road Closure Permit: Y/N Received On: X  
 Rockland County Highway Dept. Permit: Y/N Received On: X  
 NYSDOT Permit: Y/N Received On: X  
 Route/Map/Parking Plan: N Received On: 7/24/23  
 RFS #: 57992 BARRICADES: N CONES: N TRASH BARRELS: Y/N OTHER: X

APPROVED: [Signature] DATE: 7/25/23  
 Superintendent of Highways

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Show Mobile: Y/N Application Required: \_\_\_\_\_ Fee Paid - Amount/Check # \_\_\_\_\_  
 Port-o-Sans: Y/N Other: \_\_\_\_\_  
 APPROVED: [Signature] DATE: 8/14/23  
 Superintendent of Parks & Recreation

FOR POLICE DEPARTMENT USE ONLY:

Police Detail: Y/N: Not requested Items: \_\_\_\_\_  
 APPROVED: [Signature] DATE: 8/17/23  
 Chief of Police

\*\* Please return to the Highway Department to be placed on the Town Board Workshop \*\*

Workshop Date: 9/12/23 Approved on: \_\_\_\_\_ TBR: \_\_\_\_\_

RECEIVED

JUL 24 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

**Pearl River Middle School PTA  
Pearl River Middle School  
520 Gilbert Avenue  
Pearl River, New York**

Highway Department  
Town of Orangetown  
26 W. Orangeburg Road  
Orangeburg, New York 10962

Re: Requested Use of Traffic Cones & Barricades 9/30/2023

To Highway Department:

On Saturday, September 30, 2023, the Pearl River Middle School PTA is hosting a Color Run solely on the grounds of the Pearl River Middle School and its connecting/adjacent neighbor, the Pearl River Nauraushaun Swim Club. The course is similar to last year and completely on the school grounds.

We were wondering if the Highway Department would be willing to loan us your cones once again. We also hoped the Highway Department would be willing to help us barricade the entrance and exit to our Middle School, if possible. With Swim Club's permission, we are instructing all participants to park in their parking lot.

In the event that the Highway Department is able to grant our request, we did have the Town of Orangetown listed as an additional insured on our Certificate of Liability Insurance policy that we had purchased for the Color Run.

Very truly yours,  
Jacqueline McCarthy & Kathleen O'Brien  
Color Run Chairpersons

*I spoke with Mrs. McCarthy - she understands we will drop-off barricades ~~the~~ etc. but they will have to put them in place.*

*J 7-25-23*



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
**08/08/2022**

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER <b>Albert Palancia Agency, Inc. 116 Mamaroneck Avenue Mamaroneck, NY 10543</b>	CONTACT NAME: <b>LINDA RODRIGUEZ</b>	
	PHONE (A/C, No, Ext): <b>(914)698-1373</b> FAX (A/C, No): <b>(914)698-0125</b> E-MAIL ADDRESS: <b>linda@palanciainsurance.com</b>	
INSURED <b>PEARL RIVER MIDDLE SCHOOL PTA COLOR RUN JACKIE MCCARTHY 520 GILBERT AVE PEARL RIVER, NY 10965</b>	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: <b>UNITED STATES LIABILITY INSURANCE GROUP</b>	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES      CERTIFICATE NUMBER: 10006275-0      REVISION NUMBER: 8

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			SE 1051290	09/17/2022	09/18/2022	EACH OCCURRENCE \$ <b>2,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>100,000</b> MED EXP (Any one person) \$ <b>1,000</b> PERSONAL & ADV INJURY \$ <b>2,000,000</b> GENERAL AGGREGATE \$ <b>2,000,000</b> PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY    SCHEDULED AUTOS HIRED AUTOS ONLY    NON-OWNED AUTOS ONLY AUTOS ONLY						<b>RECEIVED</b>  <b>JUL 24 2023</b>  <b>TOWN OF ORANGETOWN HIGHWAY DEPARTMENT</b>
	UMBRELLA LIAB    OCCUR EXCESS LIAB    CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY    Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below    N/A						PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
**PEARL RIVER SCHOOL DISTRICT, TOWN OF ORANGETOWN HIGHWAY DEPARTMENT, PEARL RIVER NAURASHAUN SWIM CLUB, PEARL RIVER MIDDLE SCHOOL, ARE INCLUDED AS ADDITIONAL INSURED WITH RESPECTS TO THE GENERAL LIABILITY AS REQUIRED BY WRITTEN CONTRACT.**

### CERTIFICATE HOLDER

**PEARL RIVER NAURASHAUN SWIM CLUB  
580 GILBERT AVENUE  
PEARL RIVER, NY 10965**

### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

(L.R)

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TOWN OF ORANGETOWN  
SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY/ITEMS

PERMIT # 23-SP-039



RECEIVED

AUG 10 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

EVENT NAME: Pearl River Day

APPLICANT NAME: Pearl River Chamber of Commerce - Michael O'Sullivan

ADDRESS: PO Box 829, Pearl River, NY 10965

PHONE #: \_\_\_\_\_ CELL # 9145883875 FAX # \_\_\_\_\_

CHECK ONE: PARADE  RACE/RUN/WALK  OTHER Festival

The above event will be held on 10/14/23 from 7am to 7pm RAIN DATE: NONE

Location of event: Central Ave from John to Main / William St from Franklin to Washington

Sponsored by: Pearl River Chamber of Commerce Telephone #: 9145883875

Address: PO Box 829, Pearl River NY 10965

Estimated # of persons participating in event: 7500 vehicles NONE

Person (s) responsible for restoring property to its original condition: Name-Address-Phone #:  
Michael O'Sullivan 9A Franklin Ave, Pearl River, NY 10965 9145883875

Signature of Applicant: [Signature] Date: 8/10/23

RECEIVED

AUG 22 2023

**GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)**

Letter of Request to Town Board requesting aid for event - Received On: 8/10/23

Certificate of Insurance - Received On: 9/11/23

**FOR HIGHWAY DEPARTMENT USE ONLY:**

Road Closure Permit:  N - Received On: 8/10/23

Rockland County Highway Dept. Permit: Y / N - Received On: 8/11/23

NYS DOT Permit: Y /  N - Received On: X

Route/Map/Parking Plan:  N - Received On: 8/10/23

RFS #: 58053 BARRICADES:  N CONES: Y /  N TRASH BARRELS:  N OTHER: Message Board + Detour Signs

APPROVED: [Signature] 8.11.23 DATE: \_\_\_\_\_  
Superintendent of Highways

**FOR PARKS & RECREATION DEPARTMENT USE ONLY:**

Show Mobile:  N - Application Required: awaiting Fee Paid - Amount/Check # \$500

Port-o-Sans:  N: 12 Other: \_\_\_\_\_

APPROVED: [Signature] DATE: 8/14/23  
Superintendent of Parks & Recreation

**FOR POLICE DEPARTMENT USE ONLY:**

Police Detail:  N: \_\_\_\_\_ Items: \_\_\_\_\_

APPROVED: [Signature] DATE: 8/17/23  
Chief of Police

\*\* Please return to the Highway Department to be placed on the Town Board Workshop \*\*

Workshop Agenda Date: 9/12/23 Approved On: \_\_\_\_\_ TBR #: \_\_\_\_\_

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

Orangetown Representative:  
R.C. Soil and Water Conservation Dist.-Chairman  
Stormwater Consortium of Rockland County  
Rockland County Water Quality Committee

RECEIVED



**HIGHWAY DEPARTMENT**  
**TOWN OF ORANGETOWN**  
119 Route 303 · Orangeburg, NY 10962  
(845) 359-6500 · Fax (845) 359-6062  
E-Mail - [highwaydept@orangetown.com](mailto:highwaydept@orangetown.com)

**Affiliations:**  
American Public Works Association NY Metro Chapter  
NYS Association of Town Superintendents of Highways  
Hwy. Superintendents' Association of Rockland County

AUG 10 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

**ROAD CLOSING PERMIT APPLICATION**  
Section 139 Highway Law

NAME Michael O'Sullivan DATE 8/10/23

COMPANY Pearl River Chamber of Commerce

ADDRESS Po Box 828 Pearl River NY 10965

TELEPHONE 914 588 3875

**(INCLUDE 24 HOUR EMERGENCY NUMBERS)**

ABOVE MENTIONED PARTY REQUESTS PERMISSION TO CLOSE:

William St  
(Address number and name of road)

from Washington to Franklin  
(Intersecting streets and/or description of exact location)

REASON FOR CLOSING Pearl River Day

DATE OF CLOSING 10/14/22 RAIN DATE None

TIME ROAD WILL BE CLOSED 7A-7P

WILL ROAD BE OPEN TO LOCAL TRAFFIC? No

WILL ROAD BE OPEN TO EMERGENCY VEHICLES? NO

**TRAFFIC CONTROL PLAN: PLEASE PROVIDE A DETAILED MAP AND DESCRIPTION OF DETOUR.**

PRELIMINARY APPROVAL [Signature] DATE 8.11.23

JAMES J. DEAN  
SUPERINTENDENT OF HIGHWAYS

*This permit application will be forwarded to the Rockland County Superintendent of Highways, County of Rockland, 23 New Hempstead Road, New City, NY, 10956. You will receive written confirmation from that office.*

8-13-02bjd

HAMLETS: PEARL RIVER · BLAUVELT · ORANGETOWN · TAPPAN · SPARKILL · PALISADES · UPPER GRANDVIEW · SOUTH NYACK



CLEAN STREETS = CLEAN STREAMS



PO Box 829  
Pearl River, NY 10965  
[www.pearlriverny.org](http://www.pearlriverny.org)

RECEIVED

AUG 10 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

July 13, 2023

Town of Orangetown  
Town Hall  
26 Orangeburg Road  
Orangeburg, New York 10962

To The Town Board,

The Pearl River Chamber of Commerce's Pearl River Day Committee is requesting the use of the below items from the Highway Department for Pearl River Day, 10/14/23:

- 50 trash cans
- Barricades for 4 intersections
- 12 additional barricades for ride control
- Electronic sign to be placed a few days before the 10/15 event by TD Bank
- Detour signs to post on the barricades

The Pearl River Chamber of Commerce will submit the appropriate permits to the Highway Department in addition to this request.

Thank you,

Michael O'Sullivan  
Pearl River Day Chair  
Pearl River Chamber of Commerce



PO Box 829  
Pearl River, NY 10965  
[www.pearlriverny.org](http://www.pearlriverny.org)

July 13, 2023

RECEIVED

AUG 10 2023

TOWN OF ORANGETOWN  
HIGHWAY DEPARTMENT

Town of Orangetown  
Town Hall  
26 Orangeburg Road  
Orangeburg, New York 10962

To The Town Board,

The Pearl River Chamber of Commerce's Pearl River Day Committee is requesting the use of the below items from the Parks Department for Pearl River Day, 10/14/23:

Showmobile  
12 port-a-potties

The Pearl River Chamber of Commerce will submit the appropriate permits to the Parks Department in addition to this request.

Thank you,

Michael O'Sullivan

Pearl River Day Chair  
Pearl River Chamber of Commerce



PEARRIV-01

JBENNETT

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
9/11/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**  
Maury, Donnelly & Parr, Inc.  
24 Commerce St.  
Baltimore, MD 21202

**CONTACT NAME:**  
**PHONE (A/C, No, Ext):** (410) 685-4625 **FAX (A/C, No):** (410) 685-3071  
**E-MAIL ADDRESS:**

**INSURED**  
The Pearl River Chamber of Commerce  
P.O. Box 829  
Pearl River, NY 10965

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	American Casualty Co. of Reading, PA	20427
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

### COVERAGES

**CERTIFICATE NUMBER:**

**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		4025932540	7/1/2023	7/1/2024	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
	<b>AUTOMOBILE LIABILITY</b>						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<b>UMBRELLA LIAB</b>						EACH OCCURRENCE	\$
	<b>EXCESS LIAB</b>						AGGREGATE	\$
	DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>							\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>						PER STATUTE	OTH-ER
	<input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Town of Orangetown is listed as an additional insured

### CERTIFICATE HOLDER

Town of Orangetown  
26 W. Orangeburg Road  
Orangeburg, NY 10962

### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE





ROCKLAND COUNTY HIGHWAY DEPARTMENT

APPLICATION FOR PERMIT TO USE/CLOSE A COUNTY ROAD UNDER SECTION 104 OF THE HIGHWAY LAW

RECEIVED

AUG 11 2023

TOWN OF ORANGETOWN HIGHWAY DEPARTMENT

THIS IS A REQUEST FOR  USE /  CLOSE A COUNTY ROAD (check that apply)

Name of Event: Pearl River Day

Date (s): 10/14/23 Time (s): 7am - 7pm No. of Participants: 7500

Type of Event (check all that apply):

Filming  Parade or Procession  Assemblage  Festival  Other

Table with 2 columns: Location (Specify Highways by Street Name and/or Route Number) and Municipality (Towns, Villages). Row 1: Central Ave from John to Main.

Applicant Information:

Pearl River Chamber of Commerce Applicant (individual, organization, group)

Po Box 829 Mailing Address

Pearl River, NY 10965 City, State, Zip Code

Secretary@pearlriverny.org Email Address

Michael O'Sullivan Authorized Representative (if different from Applicant)

914588 3875 Telephone Number (including area code)

Cell Phone Number (including area code)

Email Address (if different from Applicant)

2023 AUG 10 P 1:01

**ROCKLAND COUNTY HIGHWAY DEPARTMENT**

**APPLICATION FOR PERMIT TO USE/CLOSE A COUNTY ROAD  
UNDER SECTION 104 OF THE HIGHWAY LAW**

The following supporting information shall be submitted at the time of application:

1. **Event Map, Event Brochure, or/and Event Application Form** (Whichever available/applicable)
2. **Operation and Safety Plan** (the applicant assumes all responsibility for the set-up, conduct and break-down of the event)

- Required Traffic Control Devices (e.g. temporary signs, cones, barricades, pavement markings, etc.) and Event Personnel (e.g. police officers, volunteers) for Event

Operations and Safety Plan coordinated with town of Dangetown.

- Detours (provide map of detour, show detour sign/police locations, etc.)

Both Franklin and Washington will remain open

- Pre-Event Public Notification (describe type of notification (e.g. mailings, brochure, press release) being provided to the public)

yearly event publicized by posters and social media

- Coordination (describe coordination with local police/municipalities/emergency services/other entities)

Yearly event run with cooperation from Orangetown PD,  
PRFD and Ambulance Corp.

- Emergency Services (describe how emergency services will be provided during the event for event participants and spectators)

Orangetown PD Coordinates

- Spectator Control (indicate any special measures are being taken to control spectators)

Orangetown Highway blocks all entrances to vehicles

- Event Support Vehicles (describe any vehicles used in the event)

None

**ROCKLAND COUNTY HIGHWAY DEPARTMENT**  
**APPLICATION FOR PERMIT TO USE/CLOSE A COUNTY ROAD**  
UNDER SECTION 104 OF THE HIGHWAY LAW

3. **Insurance Certificates** (must be in Applicant's name)
4. **Application Fee** (Please make check payable to Rockland County Commissioner of Finance)
- Full Day - \$500.00
  - Half Day - \$250.00
- No. of Days 1 Total Amount \$ NA

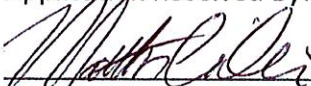
The following information shall be submitted prior to the event date (except filming permit application):

1. **Municipal Approvals** (The applicant shall provide proof of approval from each municipality – Town, Village – through which the event passes indicating that the Municipality has no objection to the event taking place. This proof of approvals may be in the form of a letter, permit, resolution, email, or other.)

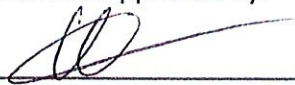
**Acknowledgement:** On behalf of the Applicant, I hereby request a road use/close permit, and do acknowledge and agree to the responsibilities of applicant and obligations set forth in this permit and warrant compliance therewith. The attached documents are also made a part hereof and attached hereto.

  
\_\_\_\_\_  
Applicant's Representative's Signature

8/10/23  
\_\_\_\_\_  
Date

Application Received By:  
  
\_\_\_\_\_  
RCHD Representative's Signature

8/11/2023  
\_\_\_\_\_  
Date

Application Approved By:  
  
\_\_\_\_\_  
RCHD Superintendent of Highways

8/10/23  
\_\_\_\_\_  
Date

The Rockland County Highway Department reserves the right to have the applicant immediately removed from the roadway and traffic restored at any time deemed necessary by the Rockland County Highway Department and/or the local law enforcement agency at such time the said permit will become null and void. Failure to abide may result in trespassing and civil penalties.



PEARRIV-01

JBENNETT

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/11/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Maury, Donnelly & Parr, Inc. 24 Commerce St. Baltimore, MD 21202	CONTACT NAME:	
	PHONE (A/C, No, Ext): (410) 685-4625	FAX (A/C, No): (410) 685-3071
INSURED  The Pearl River Chamber of Commerce P.O. Box 829 Pearl River, NY 10965	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A : American Casualty Co. of Reading, PA	NAIC # 20427
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		4025932540	7/1/2023	7/1/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
County of Rockland is listed as an additional insured

<b>CERTIFICATE HOLDER</b>  County of Rockland Highway Department 23 New Hempstead Road New City, NY 10956	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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**TOWN OF ORANGETOWN  
FINANCE OFFICE MEMORANDUM**

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**TO:** THE TOWN BOARD  
**FROM:** JEFF BENCIK, *DIRECTOR OF FINANCE*  
**SUBJECT:** AUDIT MEMO  
**DATE:** 9/7/2023  
**CC:** DEPARTMENT HEADS



The audit for the Town Board Meeting of 9/12/2023 consists of 4 warrants for a total of \$3,415,023.20.

The first warrant had 33 vouchers for \$89,959 and had the following items of interest.

1. JP Morgan Equipment Finance (p4) - \$53,828 for Energy Performance contract.
2. NYPA (p70 - \$23,192 for streetlight conversion.

The second warrant had 41 vouchers for \$317,528 and had the following items of interest.

3. Crown, Castle Fiber (p2) - \$21,792 for connectivity.
4. CSEA Employee Benefit Fund (p2) - \$33,089 for dental benefits.
5. Metropolitan Life (p6) - \$14,258 for Police dental insurance.
6. Troon Golf (p11) - \$190,797 for golf course maintenance contracts (August).

The third warrant had 11 vouchers for \$19,329 and was for utilities.

The fourth warrant had 199 vouchers for \$2,988,205 and had the following items of interest.

1. All Bright Electric (p1) - \$10,700 for street light maintenance contract.
2. Atlantic Salt (p5) - \$79,826 for Highway Salt.
3. Barclay Damon LLP (p7) - \$9,420 for tax cert case with Pfizer.
4. Beckmann Appraisals (p8) - \$15,000 for appraisals.
5. Brooker Engineering (p13) - \$5,178 for engineering project reviews.
6. Capasso & Son (p15) - \$90,817 for recycling.
7. Chestnut Ridge Transport (p15) - \$53,940 for summer bus transportation.
8. De Lage Landen (p18) - \$24,868 for golf cart leases.

9. Fanshawe (p23) - \$224,675 for new town hall electrical.
10. Fleet Pump & Service Group (p25) - \$62,475 for replacement pumps at Nyack PS.
11. Gabrielli Truck Sales (p27) - \$334,105 for Highway equipment (bonded).
12. Global Montello (p29) - \$21,955 for fuel.
13. Joe Lombardo Heating & Cooling (p34) - \$35,644 for new town hall plumbing.
14. Ken's Tree Care (p35) - \$7,034 for tree removal.
15. Kuehne Chemical Co. (p36) - \$8,257 for sewer chemicals.
16. Nitro (p39) - \$10,350 for software license.
17. Rockland County Solid Waste (p49) - \$7,728 for solid waste.
18. S&L Plumbing & Heating (p51) - \$22,006 for new town hall HVAC.
19. Tilcon (p55) - \$30,975 for Highway materials.
20. Troon Golf (p59) - \$190,797 for golf course maintenance contracts (September).
21. Vanas Construction (p62) - \$1,366,474 for new town hall GC.
22. Verde Electric (p63) - \$5,600 for traffic signal maintenance.
23. Virtuit Systems (p65) - \$118,079 for new town hall IT.

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

Jeffrey W. Bencik, CFA

845-359-5100 x2204

**WARRANT**

<b>Warrant Reference</b>	<b>Warrant #</b>	<b>Amount</b>
Approved for payment in the amount of		
	081823	\$ 89,959.98
	082523	\$ 317,528.96
	090123	\$ 19,329.22
	091223	\$ 2,988,205.04
		\$ 3,415,023.20

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

**APPROVAL FOR PAYMENT**

**AUDITING BOARD**

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Councilman Gerald Bottari

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Councilman Paul Valentine

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Councilman Thomas Diviny

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Councilman Brian Donohue

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Supervisor Teresa M. Kenny