

**TOWN OF ORANGETOWN, ROCKLAND COUNTY
ZONING TEXT AMENDMENT**

**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

DATE: January 23, 2024

LEAD AGENCY: The Town Board of the Town of Orangetown
Orangetown Town Hall
26 Orangeburg Road
Orangeburg NY 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (SEQRA) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant effect on the environment.

TITLE OF ACTION:

Adoption of Local Law No. __ of 2024 of the Town of Orangetown, amending Chapter 43, Article IV, Section 4.32 of the Town Code regarding Special Permits for the Outdoor Storage of Vehicles.

SEQRA STATUS:

Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of a local law amending the Town Code to provide for the outdoor storage of vehicles on certain sites via special permit in the Town of Orangetown.

DETERMINATION:

There will be no significant adverse environmental impact(s) as a result of the proposed action.

REASONS SUPPORTING THIS DETERMINATION:

The proposed action is the approval of legislation to permit parking in existing, but unused parking areas by special permit. Parking has already been permitted in these areas and would not result in an increase in impervious coverage or permitted amount of vehicles to park on a property.

POTENTIAL IMPACTS DETERMINED NOT TO BE SIGNIFICANT:

Based on the Short Environmental Assessment Form, prepared by the Town's Director of the Office of Building, Zoning, Planning and Enforcement, and the Town Board's familiarity with the parcels and the area in which they are situated, the Town Board has concluded that there will be no significant environmental impacts by the adoption of the zoning change specifically relating to:

- Traffic;
 - Agricultural Land Resources
 - Historic and Archaeological Resources
 - Surface or Groundwater Quantity or Quality
 - Critical Environmental Areas
 - Energy
 - Public Health
 - Air Quality and Noise Levels
 - Human Health, or
 - Future Development of Adjacent and Nearby Lands
-

In summary, after having taken a hard look at the potential environmental impacts associated with the proposed action, the Town Board concludes that such action will not result in a significant adverse environmental impact

For Further Information, Contact:

Town Supervisor Teresa M. Kenny
Town Hall, Town of Orangetown
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-5100

**Planning Board
Town of Orangetown**

TO: Town Board

FROM: Planning Board

DATE: December 13, 2023

RE: **Referral- Proposed Local Law Amendment to Town Code
Chapter 43, Article IV, Special Permit Outdoor Parking &
Storage of Vehicles**

At the December 13, 2023 Planning Board Meeting, the Board reviewed the submitted Referral and had no comment. The Board made a motion to consent to the Town of Orangetown Town Board to be Lead Agency.

The motion was made by Andrew Andrews and seconded by Kevin Farry and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel, Vice Chairman, aye; Kevin Farry, aye; Michael McCrory, absent; Lisa DeFeciani, aye, Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

Town of Orangetown Town Board

Date: December 6, 2023

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

**RE: Referral / Proposed Local Law
Amendment to Town Code
Chapter 43, Article IV, Special Permit
Outdoor Parking & Storage of Vehicles**

The Town of Orangetown Planning Board agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

12-13-23
Date

Michael Mandel
(Signature)

Michael MANDEL Vice Chairman
(Print Name and Title)

Town of Orangetown Planning Board
(Name of Agency)

Encl.

Other Business
12-13-23

Town of Orangetown

Town Hall 26 W. Orangeburg Road · Orangeburg NY, 10962

Telephone: (845) 359-5100 ext. 5004 · Fax: (845) 359-5126

e-mail: tcclerk@orangetown.com

website: www.orangetown.com



December 6, 2023

Rockland Cty Dept of Planning (USPS)

Orangetown Planning Board (Ccoopersmith@orangetown.com)



**RE: Referral / Proposed Local Law
Amendment to Town Code
Chapter 43, Article IV, Special Permit
Outdoor Parking & Storage of Vehicles**

Pursuant to General Municipal Law § § 239-l & m, the Town Board of the Town of Orangetown, Rockland County, New York is hereby notifying you that, at its meeting held on November 28, 2023 the Town Board adopted resolutions in connection with the proposed action, to wit: Amending Chapter 43, Article IV, Special Permit, Outdoor Parking & Storage of Vehicles; (i) declaring its intention to act as Lead Agency under SEQRA; (ii) making the preliminary determination that the proposed action is an “unlisted” action under SEQRA; (iii) directing that a SEQRA letter be circulated to the above named agencies for GML review, and to the Orangetown Planning Board for its review and recommendation under the Town Code.

The Town Board has determined that the action proposed is subject to review under the State Environmental Quality Review Act (“SEQRA”), and that such action constitutes an “unlisted” action. The Town Board, by Board Resolution, has expressed its intention to serve as Lead Agency for the action and, pursuant to Sections 617.6 (b) and (c) of the N.Y.C.R.R., and requests your agreement that it is designated.

The Town Board further wishes to expedite the designation of the Lead Agency and requests prompt reply. If you agree to the Town Board being designated Lead Agency, please sign this letter where indicated below and email (tcclerk@orangetown.com) and/or fax (845) 359-5126 as soon as possible. If your agency does not submit a written objection within 30 days of the mailing of this notification, the Town Board will assume the role of lead agency for this action.

Enclosed please find a copy of the *proposed local law*, and other relevant documents and information relating to the proposed action.

Thank you for your cooperation and courtesy.

Respectfully,

A handwritten signature in dark ink, appearing to read "Rosanna Sfraga", with a stylized flourish at the end.

Rosanna Sfraga
Town Clerk

Encl.

CC: Robert Magrino, Town Attorney (rmagrino@orangetown.com)

**ROCKLAND COUNTY DEPARTMENT OF PLANNING
REFERRAL FORM FOR GENERAL MUNICIPAL LAW REVIEWS**

Municipality: TOWN OF ORANGETOWN

Date Sent: December 6, 2023

Board ☒ Town Board ☐ Town/Village **Meeting Date:** January 23, 2024

File Name: Referral / Proposed Local Law / Amendment to Town Code / Chapter 43, Article IV,
Special Permit / Outdoor Parking & Storage of Vehicles

Contact Person: Robert Magrino, Town Attorney
Address 26 W Orangeburg Road, Orangeburg, New York 10962

Referral Agencies

(Please indicate the agencies that have also received copies of this application)

- ☐ RC Highway Department
☐ RC Division of Environmental Resources
☐ RC Drainage Agency
☐ RC Department of Environmental Health (Sewers, Water, Mosquito Code, Underground Tanks)
☐ RC Sewer District #1
☐ NYS Department of Environmental Conservation
☐ NYS Department of Transportation
☐ NYS Thruway Authority
☐ NY-NJ Trail Conference (Long Path)
☐ Palisades Interstate Park Commission
☐ US Army Corps of Engineers
☐ Cornell Cooperative Extension of Rockland County
☐ Adjacent Municipality _____
☒ Other: TOWN OF ORANGETOWN PLANNING BOARD

Pursuant to the General Municipal Law Article 12-B, Section 239 (n)

239 (l) & (m): ☐ Subdivision
☐ Site Plan ☐ Variance ☒ Special Permit ☐ Zone Change/Amendment
☐ Other – Please list _____

Location of Parcel(s):

Acreage of Parcel (s) Minimum Lot Acreage Proposed –

Existing Sq. Footage _____ **Proposed Sq. Footage** _____

The Property in Question Lies Within 500 Feet of: (Potential Development Sites)

- | | |
|---|--|
| <input type="checkbox"/> County Road | <input type="checkbox"/> State Road, Thruway, or Parkway |
| <input type="checkbox"/> County Stream | <input type="checkbox"/> State Park |
| <input type="checkbox"/> County Park | <input type="checkbox"/> Village, Town, or County Boundary |
| <input type="checkbox"/> County or State Facility | <input type="checkbox"/> The Long Path |

Map _____ **Block** _____ **Lot(s)** 1 **Map Date** _____

Map _____ **Block** _____ **Lot(s)** _____ **Current Zoning** “LO”

Brief Project Description:

1) – Referral / Proposed Local Law / Amendment to Town Code Chapter 43, Article IV, Special Permit Outdoor Parking & Storage of Vehicles

2) N/A

Variances Needed (if applicable)

Required

Provided

LOCAL LAW NO. ____ OF 2023 OF THE
INCORPORATED TOWN OF ORANGETOWN, NEW YORK
TOWN BOARD TO AMEND CHAPTER 43 OF THE TOWN CODE TO AMEND
CONDITIONS FOR A SPECIAL PERMIT FOR
TEMPORARY OUTDOOR STORAGE OF VEHICLES

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

Section 1. Chapter 43, Article IV, Section 4.32(Q) of the Code of the Town of Orangetown is hereby amended as follows: As amended, Additions are underlined, ~~Deletions are stricken~~.

4.32 (Q) Temporary outdoor storage of vehicles.

(g) Permits issued under this section shall authorize storage of vehicles for a period of two years from the date of issuance. The Planning Board may authorize a renewal of this permit for a additional two year periods, after a hearing, provided the applicant provides proof, and the Planning Board finds, that the Special Permit in no way interferes with the authorized use of the property, or neighboring . **Section 2. Severability Clause**

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

Section 3. Effective Date.

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



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

ROSANNA SFRAGA
TOWN CLERK

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

RTBM 11/28/2023

RESOLUTION NO. 618

SET DATE / PUBLIC HEARING / RTBM OF JANUARY 23, 2024 AT 7:05 P.M.
PROPOSED AMENDMENT TO TOWN CODE / CHAPTER 43, ARTICLE IV /
SPECIAL PERMIT / OUTDOOR PARKING AND STORAGE OF VEHICLES

RESOLVED, the Town Board will hold a Public Hearing on January 23, 2024 at 7:05 pm on a proposed amendment to the Town Code, CHAPTER 43, Zoning, Article IV, Section 4.32(Q) regarding renewal periods for Special Permit, permitting the outdoor storage of vehicles under certain enumerated conditions.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

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

Noes: None

RESOLUTION NO. 619

DECLARATION OF INTENTION OF TOWN BOARD TO SERVE AS LEAD AGENCY PURSUANT TO SEQRA / PROPOSED LOCAL LAW/ SPECIAL PERMIT / OUTDOOR STORAGE OF VEHICLES

WHEREAS, the Town Code currently provides for the issuance of Special Permits for the temporary outdoor storage of vehicles under certain terms and conditions, and

WHEREAS, the Town Board is desirous of permitting the temporary outdoor storage of vehicles under certain terms and conditions, and

WHEREAS, upon review of the proposed Local Law, Short Environmental Assessment Form, and related documents and filings, the Board makes the following preliminary determinations:

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Unlisted" action; and

RESOLUTION NO. 619 - Continued

3. The following are involved or interested or involved agencies in the review process:
Orangetown Planning Board;
Rockland County Department of Planning;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning further be for the purpose of review pursuant to General Municipal Law §§ 239-1 & m; and

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, § 10.5, the Town Board hereby refers the said proposed Local Law, amending the Town Code, to the Town Planning Board, inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 5 - 0

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

Noes: None

TIME RECEIVED
December 14, 2023 at 1:16:37 PM EST

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50

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1

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Received

12-14-'23 13:11 FROM-

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Page 3 of 3

Town of Orangetown Town Board

Date: December 6, 2023

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

**RE: Referral / Proposed Local Law
Amendment to Town Code
Chapter 43, Article IV, Special Permit
Outdoor Parking & Storage of Vehicles**

The Rockland County Planning Department agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above referenced project.

12/14/23
Date

Jake Palant
(Signature)

Jake Palant, Associate Planner
(Print Name and Title)

Rockland County Planning Dept
(Name of Agency)

Encl.

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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: ZONING TEXT AMENDMENT TO PERMIT TEMPORARY OUTDOOR STORAGE OF VEHICLES			
Project Location (describe, and attach a location map): Town of Orangetown			
Brief Description of Proposed Action: Proposed amendment to the Town Code, Chapter 43, Zoning Article V, Section 4.32(Q) regarding renewal periods for special permit, permitting the outdoor storage of vehicles under certain enumerated conditions.			
Name of Applicant or Sponsor: Town of Orangetown		Telephone: 845-359-5100 E-Mail: supervisor@orangetown.com	
Address: 26 W Orangeburg Road			
City/PO: Orangeburg		State: NY	Zip Code: 10962
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?		____ NA acres ____ NA acres ____ NA acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <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 <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <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: <u>NA</u>	NO <input type="checkbox"/>	YES <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? <u>NA</u> c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? <u>NA</u>	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input 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: <u>NA</u>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input 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? <u>NA</u> 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 <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input 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? <u>NA</u> 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 <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

PRINT FORM

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Town of Orangetown Town Board <hr/> Name of Lead Agency Teresa Kenny <hr/> Print or Type Name of Responsible Officer in Lead Agency <hr/> Signature of Responsible Officer in Lead Agency	<hr/> Date <hr/> Town Supervisor <hr/> Title of Responsible Officer <i>Jane Slavin</i> <hr/> Signature of Preparer (if different from Responsible Officer)

TIME RECEIVED
January 17, 2024 at 2:56:45 PM EST

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DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

January 17, 2024

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date:

Date Review Received: 12/06/2023

Item: TOWN OF ORANGETOWN - OUTDOOR PARKING & STORAGE VEHICLES (O-2477)

A local law to amend Chapter 43, Article IV, Section 4.32(Q)(g) of the Orangetown zoning regulations regarding the timeframe for which outdoor storage of vehicles can be permitted by Planning Board approval.

Throughout the LI, LIO, LO, and OP zoning districts

Reason for Referral:

County and State roads, parks, and facilities; County streams; Town of Clarkstown

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

1 The second sentence of the proposed text for Section 4.32(Q)(g) states "The Planning Board may authorize a renewal of this permit for a [sic] additional two year periods..." It is not clear if the use of the singular "a" is intended to allow only a single, one-time extension of two years for an allowed maximum of four years total; or if the use of the plural "periods" is intended to allow multiple two-year extensions with no stated maximum time limit. The Town must clarify its intentions and correct this contradictory text.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
New York State Department of Environmental Conservation
New York State Department of Transportation
New York State Thruway Authority
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Division of Environmental Resources
Rockland County Drainage Agency

Town of Clarkstown Planning Board

TOWN OF ORANGETOWN - OUTDOOR PARKING & STORAGE VEHICLES (O-2477)

Rockland County Planning Board Members

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings. The review undertaken by the County of Rockland Department of Planning is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the County of Rockland Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

RECEIVED

SEP 26 2023

SUPERVISOR'S OFFICE

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

September 19, 2023

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date:

Date Review Received: 09/05/2023

Item: TOWN OF ORANGETOWN - PARKING LOTS & METERS IN SOUTH NYACK (O-2470)

A proposed local law to amend Chapters 24 (Parking Lots & Meters) and 39 (Vehicles & Traffic) of the Orangetown Town Code and provide parking and traffic regulations concerning the Hamlet of South Nyack. Chapters 220 and 310, Articles I through IX, X, XII, and XV of the South Nyack Village Code will be repealed.

Hamlet of South Nyack

Reason for Referral:

County and State highways and parks; Long Path Hiking Trail; adjacent municipalities

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

**Recommend the following modifications*

1 Chapter 39, Article I, Subsection 39-6H.(1) references Chase Avenue, both sides, entire length. The map of the Hamlet of South Nyack provided with the GML Referral Form includes Chase Avenue labeled as "Central Avenue South." The proper road name must be confirmed, and all application material shall contain consistent information. If both road names are applicable, then both names shall be included in this subsection of the local law.

2 The following additional comment is offered strictly as an observation and is not part of our General Municipal Law (GML) review. The Board may have already addressed this point or may disregard it without any formal vote under the GML process:

2.1 This application was officially received by the Rockland County Planning Department on September 5, 2023. The application materials indicate that the public hearing is held on September 26, 2023 - only twenty-one days after the County received the application. As a reminder, State General Municipal Law, Section 239 (m) 4.(b) states that "Such county planning agency or regional planning council, or an authorized agent of said agency or council, shall have thirty days after receipt of a full statement of such proposed action, or such longer period as may have been agreed upon by the county planning agency or regional planning council and the referring body, to report its recommendations to the referring body, accompanied by a statement of the reasons for such recommendations." Adequate time must be provided to the Rockland County Planning Department in order for us to do our review before the public hearing is scheduled and the matter heard before the board.

TOWN OF ORANGETOWN - PARKING LOTS & METERS IN SOUTH NYACK (O-2470)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
New York - New Jersey Trail Conference
New York State Department of Transportation
New York State Thruway Authority
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Division of Environmental Resources
Rockland County Highway Department

Town of Clarkstown
Villages of Nyack, &
Grand View-on-Hudson

Rockland County Planning Board Members

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

**TOWN OF ORANGETOWN, ROCKLAND COUNTY
ZONING TEXT AMENDMENT**

**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

DATE: November 28, 2023

LEAD AGENCY: The Town Board of the Town of Orangetown
Orangetown Town Hall
26 Orangeburg Road
Orangeburg NY 10962

This Notice is issued pursuant to Part 617 of the implementing regulations of Article 8 (SEQRA) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant effect on the environment.

TITLE OF ACTION:

Adoption of Local Law No. __ of 2023 of the Town of Orangetown, amending Chapter 24, entitled “Parking Lots & Meters” and Chapter 39 entitled “Vehicles and Traffic” of the Town Code to provide for rules and regulations with respect to parking in the former Village of South Nyack

SEQRA STATUS:

Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of providing for the definition and regulation of parking in the hamlet of South Nyack.

DETERMINATION:

There will be no significant adverse environmental impact(s) as a result of the proposed action.

REASONS SUPPORTING THIS DETERMINATION:

The proposed action provides for parking regulations in the former Village of South Nyack, which has dissolved and is now the hamlet of South Nyack.

The proposed changes are being made to provide for regulations that are consistent with parking regulations in the unincorporated portions of the Town, now that the South Nyack area is under the jurisdiction of the Town, and the South Nyack laws will expire next year.

In addition, both the Town Planning Board, pursuant to Town Code Chapter 43, § 10.5, and the County Planning Department, pursuant to General Municipal Law §§ 239 L & M, have reviewed the proposed law, and neither has concluded that the proposed action will have any significant adverse impact.

POTENTIAL IMPACTS DETERMINED NOT TO BE SIGNIFICANT:

Based on the Short Environmental Assessment Form, prepared by the Town's Director of the Office of Building, Zoning, Planning and Enforcement, and the Town Board's familiarity with the parcels and the area in which they are situated, the Town Board has concluded that there will be no significant environmental impacts by the adoption of the zoning change specifically relating to:

- Traffic;
- Agricultural Land Resources
- Historic and Archaeological Resources
- Surface or Groundwater Quantity or Quality
- Critical Environmental Areas
- Energy
- Public Health
- Air Quality and Noise Levels
- Human Health, or
- Future Development of Adjacent and Nearby Lands

In summary, after having taken a hard look at the potential environmental impacts associated with the proposed action, the Town Board concludes that such action will not result in a significant adverse environmental impact

For Further Information, Contact:

Town Supervisor Teresa M. Kenny
Town Hall, Town of Orangetown
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-5100

**TOWN OF ORANGETOWN
LOCAL LAW NO. ____ OF 2024
AMENDING CHAPTERS 24 & 39 OF THE TOWN CODE ENTITLED “PARKING
LOTS & METERS” & “VEHICLES & TRAFFIC” OF THE TOWN CODE**

_____, seconded by _____, introduced the following proposed local law, to be known as Local Law No. ____ of 2024, entitled “A LOCAL LAW OF THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK AMENDING CHAPTERS 24 & 39 Within South Nyack Hamlet.”

SECTION 1. Statement of Legislative Intent. The Village of South Nyack was formally dissolved as a legislative jurisdiction on April 1, 2022 as that same area became a part of the Town of Orangetown jurisdiction. Per the ‘South Nyack Final Dissolution Plan’, July, 2021, by Laberge Group, page 18, pursuant to GML Article 17-A §789, all Village local laws, ordinances, rules or regulations, in effect on the date of dissolution shall remain effective for a period of up to two (2) years following dissolution, or until such time as the Town board shall adopt, repeal, or integrate such laws into the Town code. Moreover, such local laws shall be enforced by the Town within the limits of the dissolved Village as if they had been duly adopted by the Town Board. Based upon the March 2023 ‘Draft Hamlet of South Nyack Parking Study’, by Laberge Group, this local law proposes a new comprehensive framework of Town policies that regulate parking and related aspects of circulation within the hamlet of South Nyack. This local law also provides for the repeal of associated former Village laws, since they will no longer be controlling upon the adoption of this local law.

SECTION 2. New proposed town code changes are described below. New proposed code is shown as underlined, while if text of the existing text is removed, the text shown as removed is stricken, meaning it has a line through it.

SECTION 3. Chapter 39, Article I, Subsection 39-3 ‘Prohibition of all-night parking’, enable exclusions, for select streets, by adding within subsection A. a new:

(5) In the Hamlet of South Nyack; as follows:

(a) Specific locations on specific streets:

- i. Clinton Avenue, on the south side, west of South Franklin Street;
- ii. Cooper Drive, on the east side, between Clinton Avenue and White Avenue;
- iii. Division Avenue, on the north side, from Depot Place to South Broadway;
- iv. Shadyside Avenue, on the west side, from 381 feet south of the Route 9W intersection, and extending further south for an additional 300 feet to a point 680 feet south of the Route 9W intersection.
- v. South Boulevard, on the east side, from 600 feet north of Welles Lane continuing for 375 feet further north, wherein within this segment it is permissible for parking on the unpaved shoulder within the limits of the public right of way.

- vi. Washington Avenue, on the south side, between South Broadway and 75 feet north of Glen Byron Avenue.
- (b) Overnight alternate-side-of-the-street parking is enabled on the following specific street segments, between November 15 and April 15, and as further described in Subsection (c), between the hours of 2:00 a.m. and 6:00 a.m. below.
 - i. Brookside Ave. (an east-west street) between Cooper Drive and South Franklin Street;
 - ii. Elysian (an east-west street) between Maple Street and Prospect Street; and
 - iii. Washington Street (a north-south street) between Cedar Hill Avenue and Ross Avenue.
- (c) Standards regulating overnight alternate-side-of-the-street parking.
 - i. For those streets Subsection (b) above that are ascribed ‘North-south streets’, unless otherwise posted, parking shall be permitted between 2:00 a.m. and 6:00 a.m. on the east side of the street only on Sundays, Mondays, Wednesdays and Fridays, and on the west side of the street only on Tuesdays, Thursdays and Saturdays.
 - ii. For those streets in Subsection (b) above that are ascribed ‘East-west streets’, unless otherwise posted, parking shall be permitted between 2:00 a.m. and 6:00 a.m. on the north side of the street only on Sundays, Mondays, Wednesdays and Fridays and on the south side of the street only on Tuesdays, Thursdays and Saturdays.

SECTION 4. Within Chapter 39, Article I, Subsection 39-5, “Prohibition of stopping, standing or parking in specified places” of the Town of Orangetown Town Code, add a subsection and criteria under a new subsection heading for the South Nyack hamlet. It will provide for the following prescriptions that will specifically designate prohibited parking areas. It will identify specific subsections or portions of streets where parking allowances for autos and/or other vehicles within the hamlet of South Nyack are expressly excluded, as follows:

Provide a new M. In the Hamlet of South Nyack parking in the following locations is prohibited: and recodify existing M as N, and then in M add:

- (1) Berachah Avenue, on east side, for its entire distance southerly from the intersection of Lowland Drive, and west side from 345 feet south of the intersection with Terrace Drive to a point 35 feet north of the northern edge of pavement on the western extending section of College Avenue;
- (2) South Broadway, on the east side, for a distance of 115 feet southerly from the intersection of the east side of South Broadway with the south side of Cedar Hill Avenue and for a distance of 75 feet on the west side of South Broadway southerly from the intersection of the west side of South Broadway with the south side of Cedar Hill Avenue;
- (3) South Broadway, on the east or west side, for a distance of 75 feet northerly and 75 feet southerly from the points formed by the intersection of the curblines of South Broadway and Clinton Avenue;
- (4) Brookside Avenue, north side, for a distance of 15 feet easterly from the intersection with Cooper Drive;

- (5) Brookside Avenue, north side, from the intersection of the curbline of the north side of Brookside Avenue with the west curbline of Depot Place for a distance of 25 feet westerly from the intersection of said curblines;
- (6) Brookside Avenue, north side, from the intersection of the curbline of the north side of Brookside Avenue with the east curbline of Depot Place for a distance of 25 feet easterly from the intersection of said curblines;
- (7) Cedar Hill Avenue, north side, the entire length from Piermont Avenue to Anna Street;
- (8) Cedar Hill Avenue, south side, for a distance of 72 feet westerly from the intersection west of South Broadway and 30 feet easterly from the intersection east of South Broadway;
- (9) Cedar Hill Avenue, south side, for a distance of 45 feet easterly from the intersection with Depot Place;
- (10) Cedar Hill Avenue, south side, for a distance of 50 feet easterly from the intersection with South Franklin Street;
- (11) Cedar Hill Avenue, south side, for a distance of 50 feet easterly from the intersection with Washington Street;
- (12) Clinton Avenue, south side, between South Broadway and South Franklin Street;
- (13) Clinton Avenue, north side, west of South Broadway for a distance of 75 feet;
- (14) Cooper Drive, west side, between Clinton Avenue and White Avenue;
- (15) Depot Place, east side, entire length;
- (16) Depot Place, west side, from the intersection of the north curbline of Brookside Avenue with the west curbline of Depot Place for a distance of 25 feet northerly from the intersection of said curblines;
- (17) Division Avenue, south side, for a distance of 40 feet westerly from the intersection with South Broadway;
- (18) Elysian Avenue, north side, easterly from South Franklin Street to Prospect Street;
- (19) South Franklin Street, both sides, from Cedar Hill Avenue to the Route 9W egress/ one-way exit onto South Franklin Street;
- (20) Gessner Avenue, both sides, from the eastern-most pavement edge extending for 300 feet west on both sides of the street;
- (21) Glen Byron Avenue, west side, entire length;
- (22) Hamilton Place, north side, entire length;
- (23) Piermont Avenue, both sides, from Smith Avenue extending 1,045 feet southerly, which is the former location of the Village of South Nyack municipal boundary with the Village of Grandview;
- (24) Piermont Avenue, west side, from Cedar Hill Avenue southerly to a point 75 feet south of the south line of Voorhis Avenue;
- (25) Prall Place, both sides, between its intersection with the east side of South Broadway to its intersection with the west side of Piermont Avenue;

- (26) Salisbury Place, both sides, a distance of 350 feet easterly from the intersection with the east side of Piermont Avenue;
- (27) Shadyside Avenue, west side, for a distance 380 feet from the intersection with Route 9W;
- (28) Shadyside Avenue, east side, entire length;
- (29) Smith Avenue, north side, entire length;
- (30) Smith Avenue, south side, for a distance 215 feet easterly from the intersection with Piermont Avenue;
- (31) Terrace Drive, west side, from 35 feet east/ southeast (downgradient) of Prospect Avenue extending uphill, or generally northwesterly, all the way to the South Highland Avenue/ South Boulevard intersection; and
- (32) Voorhis Avenue, north side, the entire segment from South Broadway to Piermont Avenue.

SECTION 5. Chapter 39, Article I, Subsection 39-6, “Prohibition of parking on designated highways.” Within this subsection of the Town of Orangetown Town Code, add the following restricted parking areas, that will prohibit parking for autos and/or other vehicles within the hamlet of South Nyack, as follows:

Provide a new H. In the Hamlet of South Nyack: and add:

- (1) Chase Avenue, both sides, entire length;
- (2) College Avenue, both sides, entire length;
- (3) Highland Avenue, both sides, entire length;
- (4) Livingston Place; both sides, entire length;
- (5) Lowland Drive, both sides, entire length;
- (6) Prospect Avenue, both sides, entire length;
- (7) South Boulevard, both sides, from South Highland Avenue, extending to 1,255 feet south of the College Avenue intersection, which point was the former South Nyack municipal boundary line, with a limited exception on the east side, from 600 feet north of Welles Lane continuing for 375 feet further north;
- (8) South Highland Avenue, both sides, from the intersection of Route 9W southerly to the Highland Avenue/ Terrace Drive intersection; and
- (9) Upland Drive, both sides, for its entire 0.28 mile length, from Highland Avenue in an easterly direction, to the intersection with South Boulevard.

SECTION 6. Chapter 39, Article I, Subsection 39-7, “Time Limitation on parking.” Within this subsection of the Town of Orangetown Town Code, add the following stipulations restricting the times allowed for parking of autos and/or other vehicles in certain areas within the hamlet of South Nyack, as follows:

In order to establish two-hour limits in the Hamlet provide a new A.(5) In the Hamlet of South Nyack: and add:

- (1) Brookside Avenue, both sides, from South Broadway to South Franklin Street;

- (2) Cedar Hill Avenue, south side, from South Broadway to Depot Place;
- (3) Clinton Avenue, both sides, west of South Franklin Street, between the hours of 9:00 a.m. and 5:00 p.m.;
- (4) Clinton Avenue, north side, from South Broadway westerly to South Franklin Street;
- (5) Clinton Avenue, both sides, from South Broadway east to the end of Clinton Avenue;
- (6) Depot Place, both sides, from Cedar Hill Avenue to Brookside Avenue;
- (7) Division Avenue, both sides, between the hours of 9:00 a.m. and 5:00 p.m., from Depot Place to South Broadway, with parking permitted for vehicles with valid handicapped permits only on south side, from a point 120 feet westerly from South Broadway to a point 140 feet westerly from the intersection with S. Broadway;
- (8) Elizabeth Place, both sides, for the entire length;
- (9) Gesner Avenue, both sides, from Piermont Avenue to a point 300 feet west of the eastern end of the street (edge of pavement of the dead-end) ;
- (10) Hamilton Place, south side, for the entire length;
- (11) Mansfield Avenue, north side, beginning from the intersection with South Broadway and continuing 50 feet in an easterly direction;
- (12) Piermont Avenue, east side, from Voorhis Avenue to Cedar Hill Avenue;
- (13) South Broadway, east side, from Clinton Avenue to Cornelison Avenue;
- (14) South Broadway, east and west side, from Cedar Hill Avenue to Clinton Avenue, Monday through Saturday;
- (15) South Broadway, west side, from Clinton Avenue south for a distance of 475 feet;
- (16) Voorhis Avenue, both sides for the entire length, from Piermont Avenue to Depot Place; and
- (17) White Avenue, both sides, for the entire length.

Moreover, in order to establish 15-minute limits in the Hamlet, provide a new C.(2) In the Hamlet of South Nyack; and add:

- (1) Cedar Hill Avenue, south side, from Piermont Avenue to Broadway, except that for the first 15 feet of the parking area east of Broadway on the south side of Cedar Hill Avenue, parking will be permitted for 15 minutes only.

SECTION 7. Chapter 39, §12, “One-way streets and prohibited turns.” within this part of Town of Orangetown Town Code, add these standards for certain streets in the hamlet of South Nyack, as follows:

Provide a new G. In the Hamlet of South Nyack; and add:

- (1) College Avenue with a direction of travel proceeding downhill, beginning at a point in the center line of College Avenue (said point is 300 feet southeasterly measured along the center line of South Boulevard), thence running southerly, easterly, then northerly along College Avenue to Chase Avenue;

- (2) Chase Avenue with a direction of travel proceeding generally northerly between College Avenue and Prospect Avenue; and
- (3) Prospect Avenue, with a direction of travel proceeding downhill northerly, entire length.

SECTION 8. Brookside Municipal Parking Lot. Amend Town Code Chapter 24 ‘Parking Lots & Meters’, as follows, in order to affirm this lot is to be used for parking by residents and to affirm that there are standards for public parking for noncommercial vehicles at this property, with the legislative intent for this part to establish and affirm that there will be requirements for municipal parking permits in order to park at this location (criteria for the municipal parking permit is defined in §24-1.E.) and also as follows:

Amend Article I - Municipal Parking Lots, §24-1 “Permit parking in municipal parking lots”:

Subsection A. by adding the following clause so it now reads: The Town shall permit use of its Town parking lots for parking of motor vehicles located in the downtown Pearl River area and the Hamlet of South Nyack.

Subsection B. by breaking it into two parts and adding, after the first clause: “The municipal parking lots to which this section shall apply are the following Town-owned lots.”, and so it now has:

- (1) Pearl River: Parking Lot No. 1, located between East Washington Avenue and East Central Avenue; Parking Lot No. 2, located on the south side of William Street, south of Franklin Avenue; Parking Lot No. 3, located on the corner of East Washington Avenue and North William Street.
- (2) South Nyack: Brookside Avenue Surface Parking Lot on the South side of the street at 67 Brookside Avenue.

Also, amend and fix the current codification in Article I §24-3 “Penalties for offenses.”, by providing notation consistent with the rest of this Article, by adding A. Area of Town before the corrected (1);

Edit existing (1) changing the text before the table so that it reads:

For all ~~Pearl River~~ other municipal lot violations, the following fine schedule is applicable to the registered owner of the vehicle:

SECTION 9. Pursuant to and consistent with existing Town Chapter 39, Article I, Subsection § 39-5.1. ‘Fire lanes.’ Add N. and the recodify existing M. into N., and add the following new text for M. Hamlet of South Nyack (former Village of South Nyack). Pursuant to and consistent with existing Town Chapter 39, Article I, Subsection § 39-5.1. ‘Fire lanes.’, if within the hamlet of South Nyack there is a proposed site plan or site plan amendment, and prior plans running with the land show Fire Lanes designated on any portions of associated public streets or public rights of ways, the location and arrangement of such fire lanes shall be shown on all plan submissions and shall not be removed or extinguished except in compliance with any applicable Town zoning standards, or the New York State Uniform Fire Prevention & Building Code, whichever is more restrictive.

SECTION 10. Repeal Village Code Chapter 220 Parking.

SECTION 11. Repeal selected Village Code Articles or Sections from Chapter 310 ‘Vehicles & Traffic’. These parts applicable to the management and regulation of parking and circulation within the former Village of South Nyack are hereby repealed in their entirety for purposes of continuity in application of the

Orangetown Town Code within the Hamlet of South Nyack (which was formerly the Village prior to its dissolution on April 1, 2022). There are either existing adequate standards in Town of Orangetown Town Code, or content is proposed to be included that adequately address such areas and present alternative standards for incorporation into Town of Orangetown Town Code as defined above:

- a. Chapter 310 Article I through Article IX;
- b. Chapter 310 Article XI; and
- c. Chapter 310 Articles XIII through XV.

SECTION 12. Numbering for Codification -

It is the intention of the Town of Orangetown and it is hereby enacted, that the provisions of this Local Law shall be included in the Code of the Town of Orangetown; that sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for Codification; and that any such numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

SECTION 13. Severability.

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

SECTION 14. Effective Date

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

**TOWN OF ORANGETOWN
LOCAL LAW NO. ____ OF 2024
AMENDING CHAPTERS 24 & 39 OF THE TOWN CODE ENTITLED “PARKING
LOTS & METERS” & “VEHICLES & TRAFFIC” OF THE TOWN CODE**

_____, seconded by _____, introduced the following proposed local law, to be known as Local Law No. ____ of 2024, entitled “A LOCAL LAW OF THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK AMENDING CHAPTERS 24 & 39 Within South Nyack Hamlet.”

SECTION 1. Statement of Legislative Intent. The Village of South Nyack was formally dissolved as a legislative jurisdiction on April 1, 2022 as that same area became a part of the Town of Orangetown jurisdiction. Per the ‘South Nyack Final Dissolution Plan’, July, 2021, by Laberge Group, page 18, pursuant to GML Article 17-A §789, all Village local laws, ordinances, rules or regulations, in effect on the date of dissolution shall remain effective for a period of up to two (2) years following dissolution, or until such time as the Town board shall adopt, repeal, or integrate such laws into the Town code. Moreover, such local laws shall be enforced by the Town within the limits of the dissolved Village as if they had been duly adopted by the Town Board. Based upon the March 2023 ‘Draft Hamlet of South Nyack Parking Study’, by Laberge Group, this local law proposes a new comprehensive framework of Town policies that regulate parking and related aspects of circulation within the hamlet of South Nyack. This local law also provides for the repeal of associated former Village laws, since they will no longer be controlling upon the adoption of this local law.

SECTION 2. New proposed town code changes are described below. New proposed code is shown as underlined, while if text of the existing text is removed, the text shown as removed is stricken, meaning it has a line through it.

SECTION 3. Chapter 39, Article I, Subsection 39-3 ‘Prohibition of all-night parking’, enable exclusions, for select streets, by adding within subsection A. a new:

(5) In the Hamlet of South Nyack; as follows:

(a) Specific locations on specific streets:

- i. Clinton Avenue, on the south side, west of South Franklin Street;
- ii. Cooper Drive, on the east side, between Clinton Avenue and White Avenue;
- iii. Division Avenue, on the north side, from Depot Place to South Broadway;
- iv. Shadyside Avenue, on the west side, from ~~roughly 38125~~ feet south of the Route 9W intersection, and extending further south for an additional ~~3005~~ feet to a point ~~6830~~ feet south of the Route 9W intersection.
- v. South Boulevard, on the east side, from 600 feet north of Welles Lane continuing for 375 feet further north, wherein within this segment it is permissible for parking on the unpaved shoulder within the limits of the public right of way.

- vi. Washington Avenue, on the south side, between South Broadway and 75 feet north of Glen Byron Avenue.
- (b) Overnight alternate-side-of-the-street parking is enabled on the following specific street segments, between November 15 and April 15, and as further described in Subsection (c), between the hours of 2:00 a.m. and 6:00 a.m. below.
 - i. Brookside Ave. (an east-west street) between Cooper Drive and South Franklin Street;
 - ii. Elysian (an east-west street) between Maple Street and Prospect Street; and
 - iii. Washington Street (a north-south street) between Cedar Hill Avenue and Ross Avenue.
- (c) Standards regulating overnight alternate-side-of-the-street parking.
 - i. For those streets Subsection (b) above that are ascribed ‘North-south streets’, unless otherwise posted, parking shall be permitted between 2:00 a.m. and 6:00 a.m. on the east side of the street only on Sundays, Mondays, Wednesdays and Fridays, and on the west side of the street only on Tuesdays, Thursdays and Saturdays.
 - ii. For those streets in Subsection (b) above that are ascribed ‘East-west streets’, unless otherwise posted, parking shall be permitted between 2:00 a.m. and 6:00 a.m. on the north side of the street only on Sundays, Mondays, Wednesdays and Fridays and on the south side of the street only on Tuesdays, Thursdays and Saturdays.

SECTION 4. Within Chapter 39, Article I, Subsection 39-5, “Prohibition of stopping, standing or parking in specified places” of the Town of Orangetown Town Code, add a subsection and criteria under a new subsection heading for the South Nyack hamlet. It will provide for the following prescriptions that will specifically designate prohibited parking areas. It will identify specific subsections or portions of streets where parking allowances for autos and/or other vehicles within the hamlet of South Nyack are expressly excluded, as follows:

Provide a new M. In the Hamlet of South Nyack parking in the following locations is prohibited; and recodify existing M as N, and then in M add:

- (1) Berachah Avenue, on east side, for its entire distance southerly from the intersection of Lowland Drive, and west side from 345 feet south of the intersection with Terrace Drive to a point 35 feet north of the northern edge of pavement on the western extending section of College Avenue;
- (2) South Broadway, on the east side, for a distance of 115 feet southerly from the intersection of the east side of South Broadway with the south side of Cedar Hill Avenue and for a distance of 75 feet on the west side of South Broadway southerly from the intersection of the west side of South Broadway with the south side of Cedar Hill Avenue;
- (3) South Broadway, on the east or west side, for a distance of 75 feet northerly and 75 feet southerly from the points formed by the intersection of the curblines of South Broadway and Clinton Avenue;
- (4) Brookside Avenue, north side, for a distance of 15 feet easterly from the intersection with Cooper Drive;

- (5) Brookside Avenue, north side, from the intersection of the curblane of the north side of Brookside Avenue with the west curblane of Depot Place for a distance of 25 feet westerly from the intersection of said curb lanes;
- (6) Brookside Avenue, north side, from the intersection of the curblane of the north side of Brookside Avenue with the east curblane of Depot Place for a distance of 25 feet easterly from the intersection of said curb lanes;
- (7) Cedar Hill Avenue, north side, the entire length from Piermont Avenue to Anna Street;
- (8) Cedar Hill Avenue, south side, for a distance of 72 feet westerly from the intersection west of South Broadway and 30 feet easterly from the intersection east of South Broadway;
- (9) Cedar Hill Avenue, south side, for a distance of 45 feet easterly from the intersection with Depot Place;
- (10) Cedar Hill Avenue, south side, for a distance of 50 feet easterly from the intersection with South Franklin Street;
- (11) Cedar Hill Avenue, south side, for a distance of 50 feet easterly from the intersection with Washington Street;
- (12) Clinton Avenue, south side, between South Broadway and South Franklin Street;
- (13) Clinton Avenue, north side, west of South Broadway for a distance of 75 feet;
- (14) Cooper Drive, west side, between Clinton Avenue and White Avenue;
- (15) Depot Place, east side, entire length;
- (16) Depot Place, west side, from the intersection of the north curblane of Brookside Avenue with the west curblane of Depot Place for a distance of 25 feet northerly from the intersection of said curblane;
- (17) Division Avenue, south side, for a distance of 40 feet westerly from the intersection with South Broadway;
- (18) Elysian Avenue, north side, easterly from South Franklin Street to Prospect Street;
- (19) South Franklin Street, both sides, from Cedar Hill Avenue to the Route 9W egress/ one-way exit onto South Franklin Street;
- (20) Gessner Avenue, both sides, from the eastern-most pavement edge extending for 300 feet west on both sides of the street;
- (21) Glen Byron Avenue, west side, entire length;
- (22) Hamilton Place, north side, entire length;
- (23) Piermont Avenue, both sides, from Smith Avenue extending 1,045 feet southerly, which is the former location of the Village of South Nyack municipal boundary with the Village of Grandview;
- (24) Piermont Avenue, west side, from Cedar Hill Avenue southerly to a point 75 feet south of the south line of Voorhis Avenue;
- (25) Prall Place, both sides, between its intersection with the east side of South Broadway to its intersection with the west side of Piermont Avenue;

- (26) Salisbury Place, both sides, a distance of 350 feet easterly from the intersection with the east side of Piermont Avenue;
- (27) Shadyside Avenue, west side, for a distance ~~380~~25 feet from the intersection with Route 9W;
- (28) Shadyside Avenue, east side, entire length;
- (29) Smith Avenue, north side, entire length;
- (30) Smith Avenue, south side, for a distance 215 feet easterly from the intersection with Piermont Avenue;
- (31) Terrace Drive, west side, from 35 feet east/ southeast (downgradient) of Prospect Avenue extending uphill, or generally northwesterly, all the way to the South Highland Avenue/ South Boulevard intersection; and
- (32) Voorhis Avenue, north side, the entire segment from South Broadway to Piermont Avenue.

SECTION 5. Chapter 39, Article I, Subsection 39-6, “Prohibition of parking on designated highways.” Within this subsection of the Town of Orangetown Town Code, add the following restricted parking areas, that will prohibit parking for autos and/or other vehicles within the hamlet of South Nyack, as follows:

Provide a new H. In the Hamlet of South Nyack: and add:

- (1) Chase Avenue, both sides, entire length;
- (2) College Avenue, both sides, entire length;
- (3) Highland Avenue, both sides, entire length;
- (4) Livingston Place; both sides, entire length;
- (5) Lowland Drive, both sides, entire length;
- (6) Prospect Avenue, both sides, entire length;
- (7) South Boulevard, both sides, from South Highland Avenue, extending to 1,255 feet south of the College Avenue intersection, which point was the former South Nyack municipal boundary line, with a limited exception on the east side, from 600 feet north of Welles Lane continuing for 375 feet further north;
- (8) South Highland Avenue, both sides, from the intersection of Route 9W southerly to the Highland Avenue/ Terrace Drive intersection; and
- (9) Upland Drive, both sides, for its entire 0.28 mile length, from Highland Avenue in an easterly direction, to the intersection with South Boulevard.

SECTION 6. Chapter 39, Article I, Subsection 39-7, “Time Limitation on parking.” Within this subsection of the Town of Orangetown Town Code, add the following stipulations restricting the times allowed for parking of autos and/or other vehicles in certain areas within the hamlet of South Nyack, as follows:

In order to establish two-hour limits in the Hamlet provide a new A.(5) In the Hamlet of South Nyack: and add:

- (1) Brookside Avenue, both sides, from South Broadway to South Franklin Street;

- (2) Cedar Hill Avenue, south side, from South Broadway to Depot Place;
- (3) Clinton Avenue, both sides, west of South Franklin Street, between the hours of 9:00 a.m. and 5:00 p.m.;
- (4) Clinton Avenue, north side, from South Broadway westerly to South Franklin Street;
- (5) Clinton Avenue, both sides, from South Broadway east to the end of Clinton Avenue;
- (6) Depot Place, both sides, from Cedar Hill Avenue to Brookside Avenue;
- (7) Division Avenue, both sides, between the hours of 9:00 a.m. and 5:00 p.m., from Depot Place to South Broadway, with parking permitted for vehicles with valid handicapped permits only on south side, from a point 120 feet westerly from South Broadway to a point 140 feet westerly from the intersection with S. Broadway;
- (8) Elizabeth Place, both sides, for the entire length;
- (9) Gesner Avenue, both sides, from Piermont Avenue to a point 300 feet west of the eastern end of the street (edge of pavement of the dead-end) ;
- (10) Hamilton Place, south side, for the entire length;
- (11) Mansfield Avenue, north side, beginning from the intersection with South Broadway and continuing 50 feet in an easterly direction;
- (12) Piermont Avenue, east side, from Voorhis Avenue to Cedar Hill Avenue;
- (13) South Broadway, east side, from Clinton Avenue to Cornelison Avenue;
- (14) South Broadway, east and west side, from Cedar Hill Avenue to Clinton Avenue, Monday through Saturday;
- (15) South Broadway, west side, from Clinton Avenue south for a distance of 475 feet;
- (16) Voorhis Avenue, both sides for the entire length, from Piermont Avenue to Depot Place; and
- (17) White Avenue, both sides, for the entire length.

Moreover, in order to establish 15-minute limits in the Hamlet, provide a new C.(2) In the Hamlet of South Nyack; and add:

- (1) Cedar Hill Avenue, south side, from Piermont Avenue to Broadway, except that for the first 15 feet of the parking area east of Broadway on the south side of Cedar Hill Avenue, parking will be permitted for 15 minutes only.

SECTION 7. Chapter 39, §12, “One-way streets and prohibited turns.” within this part of Town of Orangetown Town Code, add these standards for certain streets in the hamlet of South Nyack, as follows:

Provide a new G. In the Hamlet of South Nyack; and add:

- (1) College Avenue with a direction of travel proceeding downhill, beginning at a point in the center line of College Avenue (said point is 300 feet southeasterly measured along the center line of South Boulevard), thence running southerly, easterly, then northerly along College Avenue to Chase Avenue;

- (2) Chase Avenue with a direction of travel proceeding generally northerly between College Avenue and Prospect Avenue; and
- (3) Prospect Avenue, with a direction of travel proceeding downhill northerly, entire length.

SECTION 8. Brookside Municipal Parking Lot. Amend Town Code Chapter 24 ‘Parking Lots & Meters’, as follows, in order to affirm this lot is to be used for parking by residents and to affirm that there are standards for public parking for noncommercial vehicles at this property, with the legislative intent for this part to establish and affirm that there will be requirements for municipal parking permits in order to park at this location (criteria for the municipal parking permit is defined in §24-1.E.) and also as follows:

Amend Article I - Municipal Parking Lots, §24-1 “Permit parking in municipal parking lots”:

Subsection A. by adding the following clause so it now reads: The Town shall permit use of its Town parking lots for parking of motor vehicles located in the downtown Pearl River area and the Hamlet of South Nyack.

Subsection B. by breaking it into two parts and adding, after the first clause: “The municipal parking lots to which this section shall apply are the following Town-owned lots.”, and so it now has:

- (1) Pearl River: Parking Lot No. 1, located between East Washington Avenue and East Central Avenue; Parking Lot No. 2, located on the south side of William Street, south of Franklin Avenue; Parking Lot No. 3, located on the corner of East Washington Avenue and North William Street.
- (2) South Nyack: Brookside Avenue Surface Parking Lot on the South side of the street at 67 Brookside Avenue.

Also, amend and fix the current codification in Article I §24-3 “Penalties for offenses.”, by providing notation consistent with the rest of this Article, by adding A. Area of Town before the corrected (1);

Edit existing (1) changing the text before the table so that it reads:

For all ~~Pearl River~~ other municipal lot violations, the following fine schedule is applicable to the registered owner of the vehicle:

SECTION 9. Pursuant to and consistent with existing Town Chapter 39, Article I, Subsection § 39-5.1. ‘Fire lanes.’ Add N. and the recodify existing M. into N., and add the following new text for M. Hamlet of South Nyack (former Village of South Nyack). Pursuant to and consistent with existing Town Chapter 39, Article I, Subsection § 39-5.1. ‘Fire lanes.’, if within the hamlet of South Nyack there is a proposed site plan or site plan amendment, and prior plans running with the land show Fire Lanes designated on any portions of associated public streets or public rights of ways, the location and arrangement of such fire lanes shall be shown on all plan submissions and shall not be removed or extinguished except in compliance with any applicable Town zoning standards, or the New York State Uniform Fire Prevention & Building Code, whichever is more restrictive.

SECTION 10. Repeal Village Code Chapter 220 Parking.

SECTION 11. Repeal selected Village Code Articles or Sections from Chapter 310 ‘Vehicles & Traffic’. These parts applicable to the management and regulation of parking and circulation within the former Village of South Nyack are hereby repealed in their entirety for purposes of continuity in application of the

Orangetown Town Code within the Hamlet of South Nyack (which was formerly the Village prior to its dissolution on April 1, 2022). There are either existing adequate standards in Town of Orangetown Town Code, or content is proposed to be included that adequately address such areas and present alternative standards for incorporation into Town of Orangetown Town Code as defined above:

- a. Chapter 310 Article I through Article IX;
- b. Chapter 310 Article XI; and
- c. Chapter 310 Articles XIII through XV.

SECTION 12. Numbering for Codification -

It is the intention of the Town of Orangetown and it is hereby enacted, that the provisions of this Local Law shall be included in the Code of the Town of Orangetown; that sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for Codification; and that any such numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

SECTION 13. Severability.

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

SECTION 14. Effective Date

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

TIME RECEIVED
September 20, 2023 at 2:59:15 PM EDT

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5343463548

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57

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2

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09-20-'23 14:53 FROM-

T-917 P0001/0002 F-560

Rockland County Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
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Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

September 19, 2023

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date:

Date Review Received: 09/05/2023

Item: TOWN OF ORANGETOWN - PARKING LOTS & METERS IN SOUTH NYACK (O-2470)

A proposed local law to amend Chapters 24 (Parking Lots & Meters) and 39 (Vehicles & Traffic) of the Orangetown Town Code and provide parking and traffic regulations concerning the Hamlet of South Nyack. Chapters 220 and 310, Articles I through IX, X, XII, and XV of the South Nyack Village Code will be repealed.

Hamlet of South Nyack

Reason for Referral:

County and State highways and parks; Long Path Hiking Trail; adjacent municipalities

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

1 Chapter 39, Article I, Subsection 39-6H.(1) references Chase Avenue, both sides, entire length. The map of the Hamlet of South Nyack provided with the GML Referral Form includes Chase Avenue labeled as "Central Avenue South." The proper road name must be confirmed, and all application material shall contain consistent information. If both road names are applicable, then both names shall be included in this subsection of the local law.

2 The following additional comment is offered strictly as an observation and is not part of our General Municipal Law (GML) review. The Board may have already addressed this point or may disregard it without any formal vote under the GML process:

2.1 This application was officially received by the Rockland County Planning Department on September 5, 2023. The application materials indicate that the public hearing is held on September 26, 2023 - only twenty-one days after the County received the application. As a reminder, State General Municipal Law, Section 239 (m) 4.(b) states that "Such county planning agency or regional planning council, or an authorized agent of said agency or council, shall have thirty days after receipt of a full statement of such proposed action, or such longer period as may have been agreed upon by the county planning agency or regional planning council and the referring body, to report its recommendations to the referring body, accompanied by a statement of the reasons for such recommendations." Adequate time must be provided to the Rockland County Planning Department in order for us to do our review before the public hearing is scheduled and the matter heard before the board.

TOWN OF ORANGETOWN - PARKING LOTS & METERS IN SOUTH NYACK (O-2470)


 Douglas J. Schuetz
 Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
 New York - New Jersey Trail Conference
 New York State Department of Transportation
 New York State Thruway Authority
 Palisades Interstate Park Commission
 Rockland County Department of Health
 Rockland County Division of Environmental Resources
 Rockland County Highway Department

 Town of Clarkstown
 Villages of Nyack, &
 Grand View-on-Hudson

Rockland County Planning Board Members

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings. The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

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Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

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Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

November 21, 2023

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date:

Date Review Received: 10/05/2023

Item: **LOCAL LAW TO ALLOW AGRI-TOURISM IN R-40 AND R-80 (O-2475)**

A local law to allow agri-tourism in the R-80 and R-40 zoning districts. Amendments will be made to Chapter 43, Article XI (Definitions and Word Usage) to add definitions for "agricultural operations" and "agri-tourism."

Throughout the Town

Reason for Referral:

County and State roads, parks, and facilities; County streams; Long Path Hiking Trail; adjacent municipalities

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

The Rockland County Planning Department is supportive of agri-tourism as a means for sustaining agricultural operations and maintaining open space within the Town. As stated in the 2011 Rockland County Comprehensive Plan, the County must actively promote the myriad benefits gained from supporting small acreage community farms, including health benefits associated with consuming fresh, locally-grown food, economic benefits gained from buying locally grown food, social benefits gained by providing fresh, healthy food for diverse community members, and environmental benefits such as healthier soils, water and habitats. Permitting agri-tourism within the Town will allow local farms additional methods for increasing revenue, provide additional employment opportunities, and encourage consumers to visit local areas. Allowing tourism at local agricultural venues can also provide educational and recreational activities as related to agriculture and production of local goods. However, this department has specific concerns about this local law as proposed. Without sufficient regulations in place, uses related to agri-tourism can introduce additional traffic and noise to surrounding communities. This department offers the Town Board the following comments in relation to this local law.

LOCAL LAW TO ALLOW AGRI-TOURISM IN R-40 AND R-80 (O-2475)

- 1 There are several inconsistencies in the application materials submitted that have made it difficult to evaluate this proposal. The October 2, 2023 letter from the Town of Orangetown Clerk states that the Town adopted resolutions on September 26, 2023 in connection with "changing the zoning district from R-40 to permit Farm Winery/Cidery and Agritourism as a 'special permit use' in the R-80 and R-40 zoning districts on lots of 5 acres or more." This statement renders it unclear if the applicant is requesting a zone change or a zoning text amendment and must be corrected. The September 26, 2023 resolution from the Town Board states that the proposed local law will allow "Agri-tourism, Agri-tourism Entertainment, Farm Cidery/Winery" on lots of five or more acres by "special permit use" in the R-40 and R-80 Zoning districts. In contrast to this, the Verified Petition for Zoning Text Amendment, No. 10, as well as the Proposed Local Law include an amendment to the Use Regulations to allow agricultural operations and agri-tourism on the Table of General Use Regulations as uses "permitted by right" in the R-80 and R-40 zoning district. The petitioner must clarify if the proposed use will be allowed by right or by special permit in the R-80 and R-40 zoning districts, and all application materials must consistently and clearly reflect the intention of the petitioner.
- 2 The Verified Petition for Zoning Text Amendment and the proposed local law state that "agricultural operations and agri-tourism" will be inserted in the R-80 Table of General Use Regulations under Column 1 - Uses Permitted By Right. On the Table of General Use Regulations of the Orangetown zoning regulations, Column 1 lists the zoning district, while Column 2 indicates Uses Permitted by Right. The application materials must be corrected to reference Column 2.
- 3 The Rockland County Planning Department recommends that agri-tourism not be permitted within the R-80 and R-40 zoning districts "by right." The proposed definition for agri-tourism specifically includes "hayrides, food trucks, music, farm winery, farm tours, and farm festivals." These activities are highly intensive for allowing by right in low-density residential districts such as R-80 or R-40. Such activities will introduce additional noise and traffic, and can create a nuisance for neighboring residences. They should only be allowed with a closer examination of the potential impacts, neighborhood context, and proposed mitigation strategies that comes with the Special Permit or Conditional Use approval process. We also question whether a Conditional Use would be a more appropriate mechanism for allowing agri-tourism than a Special Permit. Some conditional uses in the R-80 zoning district include camps, golf courses, and museums and public art galleries. These uses relate to recreation and tourism and have similar potential impacts to agri-tourism, as opposed to the uses allowed in this district by special permit, such as agency group homes or hospitals. It is also advised that a new subsection be created in the zoning code with use-specific standards and conditions for agri-tourism. Such regulations should include, but not be limited to, landscape buffers, limits to hours of operation, and limits to noise. Approval shall also require a parking plan and traffic study.
- 4 This proposal seeks to allow additional agricultural operations and agritourism in the R-80 and R-40 zoning districts by amending the use regulations of the R-80 zoning district. The Table of General Use Regulations for the R-40 district includes a note stating "Same as R-80" under Uses Permitted by Right, Uses by Special Permit, and Conditional Uses by Planning Board thus allowing the same uses between these districts unless otherwise specified. However, the use table for the R-22 district also includes a note indicating "Same as R-80" in the aforementioned three columns. Additionally, the use tables for R-15 and RG allows the same uses by right as the R-40 district and same special permit and conditional uses as the R-22 district. Due to the cumulative design of the Town's use regulations, allowing uses in the R-80 district will also affect the other residential districts in addition to R-40, thus allowing these uses in more districts than intended by the proposed local law. The Table of Use requirements must be revisited and revised with an additional note to ensure that the proposed uses are only allowed in the R-40 and R-80 zoning districts.
- 5 The proposed parking requirement is one parking space per 400 square feet of gross floor area (GFA). Since agricultural operations and agri-tourism include many outdoor uses, it does not make sense to use GFA for determining the required number of parking spaces. It is recommended that a different metric, such as number of employees or the area of space for crop growth or animal enclosures, be used to determine the minimum parking requirement for agricultural operations; while additional parking provisions be added based on the type of agri-tourism activities onsite, such as seating capacity or number of food trucks. Alternatively, due to the varied nature of agri-tourism, a provision can be added to establish a minimum parking requirement "as determined by the Planning Board."

LOCAL LAW TO ALLOW AGRI-TOURISM IN R-40 AND R-80 (O-2475)

6 The proposed code text amendment is applicable to the entirety the R-40 and R-80 zoning districts within the Town of Orangetown. Per Resolution No. 502, the Orangetown Town Board has determined that the petition is an "Unlisted" action. The Rockland County Planning Department disagrees with this determination. According to 6 CRR-NY 617.4617.4(b)(2), Type I actions, which are actions that are presumed to be likely to have a significant adverse impact on the environment, include the adoption of changes in allowable uses within any zoning district affecting 25 or more acres of the district. The R-40 and R-80 districts both comprise well more than 25 acres in area, thus this proposal constitutes a Type I action. The correct determination on this action must be made.

7 The GML Referral Form indicates that the application is being reviewed for a site plan, special permit, and zone change. The other application materials submitted indicate that this is an application for a local law or code text amendment. The GML referral form must be corrected. If any incorrect information exists on the public hearing notice, then it must be revised and reissued.

9 The proposed definition for Agricultural Operations applies to sites of five acres or more; however, the definition for Agri-tourism does not include a minimum lot size requirement. The local law also does not propose any other bulk requirements for agri-tourism, such as floor area ratio or minimum yard depth, thus further limiting the means to protect surrounding residences from more intensive land uses. It is recommended that a minimum lot size be incorporated into the definition of agri-tourism and specific bulk regulations be adopted.

10 The Town should consider requiring that all or a portion of goods sold or served at agri-tourism sites be produced locally, either from within New York State or within a certain mile radius. This would help promote and benefit regional agricultural operations, and provide a distinction between agri-tourism establishments and standard retailers. A recommended method of achieving this would be through the New York State Grown & Certified Program. Launched in 2016, the New York State Grown & Certified program assures consumers that the food they are buying is local and produced to a higher standard by requiring participating producers to adopt food safety standards and enroll in an environmental management program. Since the program began, New York State Grown & Certified has grown and evolved to cover 20 agricultural commodities and processing industries. This voluntary program is a cooperative effort among producers, processors, wholesalers, retailers, restaurants, and the New York State Department of Agriculture and Markets to meet consumer demand for high-quality food and agricultural products. Additional information can be found at <https://certified.ny.gov/>.

11 The Town of Clarkstown and Villages of Chestnut Ridge, Grand View-on-Hudson, Nyack, and Piermont are several of the reasons this proposal was referred to this department for review. Orangetown shares a boundary with each of these municipalities. The neighboring municipalities shall be given the opportunity to review the proposed local law and provide any concerns related to the project to the Town of Orangetown.

12 The following additional comment is offered strictly as an observation and is not part of our General Municipal Law (GML) review. The Board may have already addressed this point or may disregard it without any formal vote under the GML process:

12.1 The site owned by the petitioner is directly adjacent to Sickletown Road (CR 23) and Naurausaun Brook, which are both County interests. We request the opportunity to review the required site plan and other applications pertaining to this proposal as required under General Municipal Law.


 Douglas J. Schuetz
 Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
 New York State Department of Transportation
 New York State Thruway Authority
 Palisades Interstate Park Commission
 Rockland County Department of Health
 Rockland County Division of Environmental Resources
 Rockland County Drainage Agency
 Rockland County Highway Department

LOCAL LAW TO ALLOW AGRI-TOURISM IN R-40 AND R-80 (O-2475)

Town of Clarkstown Planning Board
 Villages of Chestnut Ridge, Grand View-on-Hudson,
 Nyack, and Piermont Planning Boards
 NYS Department of Agriculture and Markets
 Bleakley Platt & Schmidt, LLP

Rockland County Planning Board Members

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings. The review undertaken by the County of Rockland Department of Planning is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the County of Rockland Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

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 Cider/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 Cider.
 - 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.
Friday: 3:00 p.m. to 8:00 p.m.
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.

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. During Special Events, a maximum of two (2) Food trucks shall be permitted on site in an area that has been designated on the site plan, and provided with appropriate hook ups, within the following prescribed time periods:
 - 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.
 - b. No gasoline powered generators shall be used by food trucks. Food trucks shall only be powered by electric plug-in.
 - c. 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.
 - d. Noise generated by all uses shall be in compliance with Chapter 22 Noise, of the Town Code. In any case, no live or amplified music shall be permitted. except as part of a Special Event Permit.
 - e. Fire pits shall be subject to applicable regulations and approval by the fire inspector.
 - f. 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.
 - g. 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.

- h. 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.

- i. 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.
- j. 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, at the discretion of the Town Board, to accommodate on-site, one-day special events. No more than 18 (eighteen) Special Event Permits per year may be issued and no more than two permits shall be permitted per calendar month. The following shall also apply to Special Event Permits:
 - i. Special event permits for Agri-tourism or agricultural entertainment may be referred by the Town Board to the Planning Board, in its discretion, for consideration of any special temporary site plan changes required with such permit(s).
 - ii. Special events may be approved by the Town Board if the applicant has provided information about the proposed dates for such event(s), duration and type of the event, and such permit applications(s) shall be subject to a public hearing.
 - iii. The Town Board may impose conditions that it deems necessary, in its discretion, in order to ensure the public health, safety and welfare of the community.
 - iv. The applicant may apply for more than one Special Permit Event Permit at the same time as part of the same application, and the Town Board shall indicate as part of its approval, if any, alternate dates that may be permitted under a Special Event Permit, without the necessity of the applicant returning to the Board. In the event a Special Permit Event is issued and the applicant seeks to re-schedule the event to a different date, the Board may amend the Special Permit upon a written request submitted to the Town Board, which request may either be approved or denied, by Town Board resolution.
 - v. The Town Board may revoke a previously issued Special Event Permit or multiple such Permits, if it finds that the operation of any of the uses permitted herein, and/or special event at the property, violates any of the provisions of this article, or of the conditions of any Special Event Permit, or otherwise operates in a manner that causes a disturbance. Such revocation may occur only after a hearing before the Town Board at which the applicant shall have an opportunity to be heard.

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.

**Planning Board
Town of Orangetown**

TO: Town Board
FROM: Planning Board
DATE: November 8, 2023

RE: Referral- Proposed Zone Change for Van Houten Farm Market
Benefit Trust (Rockland County Cider Works), 68 Sickletown Road,
Orangeburg, Section 69.19 Block 1 Lot 6

At the October 25, 2023 Planning Board Meeting, the Board made a motion to consent to the Town of Orangetown Town Board to be Lead Agency. The motion was made Michael Mandel, Vice Chairman and seconded by Michael McCrory and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel, Vice Chairman, aye; Kevin Farry, absent; Michael McCrory, aye; Lisa DeFeciani, aye, Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

The Board reviewed the submitted Referral and offered the following Recommendations:

- The Full Environmental Assessment Form needs to be revised and re-submitted and the applicant should use the EAF Mapper to assist in preparation of the LEAF. The following items must be revised;
 - Part 1 – B, Government approvals dates must be revised accordingly.
 - C.2, “does the comprehensive plan include specific recommendations for the site?” should be NO.
 - D(j), should be YES and all items completed.
 - D(m), should be YES and description of noise provided.
 - D(o), should be YES and wood burning solo stoves indicated.
 - E.1(a), nursery school should be listed.
 - E.1(d), nursery school should be listed.
 - E.2(h),iv, stream should be 865-18 and classified A, and wetland should state FEDERAL WATERS.
 - E.2(p), should be YES, Iron color Shiner

RE: Referral- Proposed Zone Change for Van Houten Farm Market Benefit Trust (Rockland County Cider Works), 68 Sickletown Road, Orangeburg, Section 69.19 Block 1 Lot 6

- A traffic study should be completed and submitted for the proposed use and hours of operation for review prior to consideration of amending Town Code.
- What, if any are the agricultural operations? The should be indicated in the LEAF.
- Parking on Sickletown Road should not be permitted.
- Use of "Solo Stoves" causes odor and concerns for neighboring properties.
- Proposed gravel parking with food trucks should be a paved area with oil /water separators.
- Define the proposed parking area, currently shown to have 85 spaces.
- The Special Permit is for Acoustic music.
Electrified/amplified music should expressively be prohibited.
- Hours of operation should be provided for the Tasting Room as Monday – Sunday 12:00 p.m. to 8:00 p.m., not 9 p.m.
- Confirmation in writing from the Naurashaun Church for the use of its parking lot must be provided.

A motion was made to provide the Planning Board Recommendations to the Town Board was made by Michael Mandel, Vice Chairman and seconded by Lisa DeFeciani and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel, Vice Chairman, aye; Kevin Farry, absent; Michael McCrory, aye; Lisa DeFeciani, aye, Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

Other Business
10/25/23 PB

Town of Orangetown

Town Hall 26 W. Orangeburg Road · Orangeburg NY, 10962

Telephone: (845) 359-5100 ext. 5004 · Fax: (845) 359-5126

e-mail: tclerk@orangetown.com

website: www.orangetown.com



October 2, 2023

Rockland Cty Dept of Planning (USPS)
Rockland Cty Dept of Health (USPS)
Town of Clarkstown (j.sweet@clarkstown.org)
Town of Ramapo Planning Board (rossh@ramapo.org)
Village of Piermont (clerk@piermont-ny.gov)
Village of Nyack (villageclerk@nyack-ny.gov)
Village of Chestnut Ridge (info@chestnutridgevillage.org)
NYS Dept of Transportation (USPS)
Orangetown Planning Board (CCoopersmith@orangetown.com)



**RE: Referral / Proposed Zone Change for
Van Houten Farm Market Benefit Trust (Rockland County Cider Works)
68 Sickletown Rd, Orangeburg, NY (69.19-1-6)**

Pursuant to General Municipal Law § § 239-l & m, the Town Board of the Town of Orangetown, Rockland County, New York is hereby notifying you that, at its meeting held on September 26, 2023 the Town Board adopted resolutions in connection with the proposed action, to wit: changing the zoning district from R-40 to permit Farm Winery/Cidery and Agritourism as a "Special Permit Use" in the R-80 and R40 zoning districts on lots of 5 acres or more; (i) declaring its intention to act as Lead Agency under SEQRA; (ii) making the preliminary determination that the proposed action is an "unlisted" action under SEQRA; (iii) directing that a SEQRA letter be circulated to the above named agencies for GML review, and to the Orangetown Planning Board for its review and recommendation under the Town Code.

The Town Board has determined that the action proposed is subject to review under the State Environmental Quality Review Act ("SEQRA"), and that such action constitutes an "unlisted" action. The Town Board, by Board Resolution, has expressed its intention to serve as Lead Agency for the action and, pursuant to Sections 617.6 (b) and (c) of the N.Y.C.R.R., and requests your agreement that it is designated.

The Town Board further wishes to expedite the designation of the Lead Agency and requests prompt reply. If you agree to the Town Board being designated Lead Agency, please sign this letter where indicated below and email (tclerk@orangetown.com) and/or fax (845) 359-5126 as soon as possible. If your agency does not submit a written objection within 30 days of the mailing of this notification, the Town Board will assume the role of lead agency for this action.

Enclosed please find a copy of the *Petition, Resolutions, site plan*, and other relevant documents and information relating to the proposed action.

Thank you for your cooperation and courtesy.

Respectfully,

A handwritten signature in black ink, appearing to read "Rosanna Sfraga", with a long horizontal flourish extending to the right.

Rosanna Sfraga
Town Clerk

Encl.

CC: Robert Magrino, Town Attorney (rmagrino@orangetown.com)

Town of Orangetown Town Board

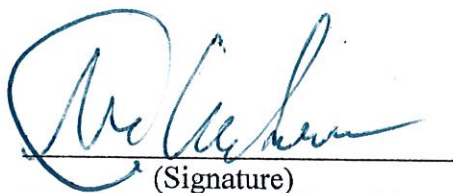
Date: October 2, 2023

Response to request that the Town of Orangetown Town Board be designated to serve as Lead Agency for the:

**RE: Referral / Proposed Zone Change for
Van Houten Farm Market Benefit Trust (Rockland County Cider Works)
68 Sickletown Rd, Orangeburg, NY (69.19-1-6)**

The Town of Orangetown Planning Board agrees to the designation of the Town Board of the Town of Orangetown as lead agency for the above-referenced project.

Oct. 25, 2023
Date


(Signature)

Thomas C. Warren
(Print Name and Title)

Town of Orangetown Planning Board
(Name of Agency)

Encl.

**ROCKLAND COUNTY DEPARTMENT OF PLANNING
REFERRAL FORM FOR GENERAL MUNICIPAL LAW REVIEWS**

Municipality: TOWN OF ORANGETOWN

Date Sent: October 2, 2023

Board: ☒ Town Board ☐ Town/Village **Public Hearing Date:** November 28, 2023

File Name: Referral / Proposed Zone Change for Van Houten Farm Market Benefit Trust
(Rockland County Cider Works) 68 Sickletown Rd, Orangeburg, NY (69.19-1-6)

Contact Person: Robert Magrino, Town Attorney
Address 26 W Orangeburg Road, Orangeburg, New York 10962

Referral Agencies

(Please indicate the agencies that have also received copies of this application)

- ☐ RC Highway Department
☐ RC Division of Environmental Resources
☐ RC Drainage Agency
☒ RC Department of Environmental Health (Sewers, Water, Mosquito Code, Underground Tanks)
☐ RC Sewer District #1
☐ NYS Department of Environmental Conservation
☒ NYS Department of Transportation
☐ NYS Thruway Authority
☐ NY-NJ Trail Conference (Long Path)
☐ Palisades Interstate Park Commission
☐ US Army Corps of Engineers
☐ Cornell Cooperative Extension of Rockland County
☒ RC Department of Planning
☒ Adjacent Municipality: Town of Clarkstown; Town of Ramapo Planning Board; Village of Piermont; Village of Nyack; and Village of Chestnut Ridge
☒ Other: Orangetown Planning Board

Pursuant to the General Municipal Law §§ 239-1 & m

☐ Subdivision ☒ Site Plan ☐ Variance ☒ Special Permit ☒ Zone Change
☐ Other – Please list: .

Location of Parcel(s): 68 Sickletown Rd, Orangeburg, NY (69.19-1-6)

Acreage of Parcel (s) Minimum Lot Acreage Proposed –

Existing Sq. Footage **Proposed Sq. Footage**

The Property in Question Lies Within 500 Feet of: (Potential Development Sites)

- | | |
|---|--|
| <input checked="" type="checkbox"/> County Road | <input checked="" type="checkbox"/> State Road, Thruway, or Parkway |
| <input type="checkbox"/> County Stream | <input type="checkbox"/> State Park |
| <input type="checkbox"/> County Park | <input checked="" type="checkbox"/> Village, Town, County, or State Boundary |
| <input type="checkbox"/> County or State Facility | <input type="checkbox"/> The Long Path |

Map 69.19 Block 1 Lot(s) 6 Map Date _____

Brief Project Description:

Amending Chapter 43, Articles III, IV and XI, to permit Farm Winery / Cidery and Agritourism as a "Special Perm Use" in the R-80 and R-40 zoning districts on lots of 5 acres or more.

Variances Needed (if applicable)	Required	Provided
_____	_____	_____
_____	_____	_____
_____	_____	_____

Rockland County Department of Planning 9/13

{G:\All\GML\GML Referral Form}



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

ROSANNA SFRAGA
TOWN CLERK

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

RTBM 9/26/2023

RESOLUTION NO. 502

**ACCEPT PETITION/REQUEST FOR ZONING TEXT AMENDMENT AND DIRECT CIRCULATION OF
PROPOSED LOCAL LAW/ AMEND CHAPTER 43 / SPECIAL PERMIT / FARM WINERY/CIDERY**

WHEREAS, the owner of premises located at 68 Sickletown Road, Orangeburg, New York, (Tax Lot 69.19/1/6) being located in an R-40 zoning district has petitioned the Town Board to change the text of the Zoning Code by Amending Chapter 43, Articles III, IV, and XI, to permit Farm Winery/Cidery and Agritourism as a "Special Permit Use" in the R-80 and R-40 zoning districts on lots of 5 acres or more; and

WHEREAS, upon preliminary review, the Town Board is favorably disposed to such a zoning text amendment, because such use would be compatible with existing permitted uses in the R -80 and R -40 zoning districts on larger tax lots since they would only be permitted on parcels of 5 acres or more, and "agricultural activities" is already defined as a permitted use in those districts, and the proposal would be an extension of such activities; and

WHEREAS, the Town Board wishes to proceed with its consideration of the proposed action, toward which end it wishes to commence the environmental review process, as well as review by other interested agencies; and

WHEREAS, upon review of the Petition, and a Short Environmental Assessment Form prepared at the Town Board's request by the Office of Building, Zoning, Planning and Administration and Enforcement, and related documents and filings, the Board makes the following preliminary determinations:

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Unlisted" action; and
3. The following are involved or interested or involved agencies in the review process:
 1. Orangetown Planning Board;
 2. Rockland County Department of Planning;
 3. Rockland County Department of Health;
 4. Town of Clarkstown
 5. Town of Ramapo
 6. Village of Piermont
 7. Village of Nyack
 8. Village of Chestnut Ridge
 9. New York State Department of Transportation

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA, and directs that a Lead Agency Coordination Letter with relevant documents be circulated to and among the various above referenced agencies; and

BE IT FURTHER RESOLVED, that the circulation to the Rockland County Department of Planning and the agencies listed above for the purpose of review pursuant to General Municipal Law §§ 239- l & m; and

RESOLUTION NO. 502 - Continued

BE IT FURTHER RESOLVED, that, pursuant to Town Code Chapter 43, § 10.5, the Town Board hereby refers the said Petition and a proposed Local Law, amending the Town Zoning Code, to the Town Planning Board, inviting its input regarding, among other things, the implications of such an amendment, and requesting a response within 30-days.

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

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Jerry Bottari

RESOLUTION NO. 503

SET PUBLIC HEARING ON PROPOSED ZONE TEXT AMENDMENT / SPECIAL PERMIT USE / FARM WINERY/CIDERY / NOVEMBER 28, 2023

RESOLVED that the Town Board will hold a public hearing on November 28, 2023 at 7:05 p.m., on a proposed Local Law, as follows, amending Chapter 43, "Zoning", § 11.2, Definitions; § 3.11 "Table of General Use Regulations" and §4.3 "Special Permit Uses" to permit Agri-Tourism, Agri- tourism Entertainment, Farm Cidery/Winery on lots of 5 acres or more as a Special Permit Use in R-80 and R-40 Zoning Districts.

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

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

Absent: Councilperson Jerry Bottari

STATE OF NEW YORK,
ROCKLAND COUNTY, } S.S.
TOWN OF ORANGETOWN

I, Rosanna Sfraga, Town Clerk, of said Town of Orangetown, County of Rockland hereby certify that I have compared the foregoing copy of Resolution Nos. 502 & 503 adopted at the September 26, 2023 Regular Town Board Meeting, with the original now on file in said office, and find the same to be a true and correct transcript.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name
and affixed the seal of said Town of Orangetown,

This 2nd day of January, 2023



Town Clerk

Lino J. Sciarretta, Esq.
Phone: 914-287-6177
Email: lsciarretta@bpslaw.com

September 15, 2021

BY HAND

Supervisor Teresa M. Kenny & Members of the Town Board
Town of Orangetown
26 Orangeburg Road
Orangeburg, NY 10962

Re: Zoning Petition – 68 Sickletown Road, Orangeburg, NY (the “Property”)

TOWN OF ORANGETOWN
2021 SEP 15 A 10:31
TOWN CLERK'S OFFICE

Dear Supervisor Kenny & Members of the Town Board:

We represent Petitioner, Van Houten Farm Market Benefit Trust (“Van Houten”), in connection with the above-referenced matter. Van Houten is the owner of the Property where Van Houten Farms and Rockland Cider Works currently operate. The Property is situated in the R-40 Zone District and is approximately 7.1 acres. Generally, uses permitted by right in the R-40 Zone District are the same as those permitted by right in the R-80 Zone District.

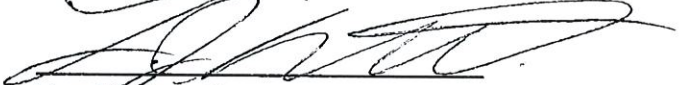
In sum, this Petition seeks to amend the Code to specifically define “agricultural operation” and “agri-tourism” and to permit such uses on properties of five acres or more, including the production, consumption, and sale of cider and related products in the context of a commercial agricultural operation. The term, “agricultural operation,” while used in the Town Zoning Code, is not a defined term. Petitioner submits that the proposed amendments would clarify and legalize all uses currently in operation on the Property, which are consistent with agricultural operations and agri-tourism as those uses have evolved over time.

To that end, enclosed are an original and nine (9) copies of the zoning petition. We respectfully request the Town Board place the petition on the next available agenda and begin the review process. Please let us know anything else you require and do not hesitate to contact our office should you have any questions or comments.

Respectfully submitted,

BLEAKLEY PLATT & SCHMIDT, LLP

By:


Lino J. Sciarretta
Brian J. Quinn

Enclosures

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

-----X
In the Application of:

VAN HOUTEN FARM MARKET BENEFIT TRUST,

Petitioner,

To Amend the Town of Orangetown Code, Chapter 43,
Zoning Article XI and Table of Use Requirements for
the R-80 Zone District by defining Agricultural
Operations and to Allow Agricultural Operations and
Agri-Tourism by Right.

**VERIFIED PETITION
FOR ZONING TEXT
AMENDMENT**

TOWN OF ORANGETOWN
2021 SEP 15 A 10:31
TOWN CLERK'S OFFICE

-----X
Petitioner VAN HOUTEN FARM MARKET BENEFIT TRUST ("Petitioner"), by its
attorneys Bleakley Platt & Schmidt, LLP, respectfully petitions the Town Board ("Town Board")
of the Town of Orangetown, New York ("Town") as follows:

Introduction

1. This is a Petition pursuant to NY Town Law § 265 and the Orangetown Town Code (the "Code"), Chapter 43, §§ 10.4 and 10.5 to amend the Code to specifically define "agricultural operation" and "agri-tourism" and to permit such uses on properties of five acres or more, including the production, consumption, and sale of cider in the context of a commercial agricultural operation.

2. Petitioner is the owner of real property located at 68 Sickletown Road, Orangeburg, NY, presently designated as Tax Map Section 69.19, Block 1, Lot 6 (the "Property"). Petitioner currently operates a successful farm nursey business at the Property, which has been utilized as a farm by the Van Houten family since 1812.

3. Rulef Van Houten bought the historic Cuyper-Van Houten Stone House at 66 Sickletown Road in 1812 along with the surrounding land. Rulef Van Houten had a gris mill and sawmill on the property using power from the Naurashaun Brook (located where Sickletown & Blauvelt split west of the farm). The Property also was utilized for farming livestock, grain and vegetables.

4. Van Houten Farms as we know it today started in 1946 and remains one of the oldest and continued agricultural business in the Town. Annexed hereto as Exhibit "A" is a site plan of the Property, dated August 19, 2021, based on the existing conditions of the site, and prepared by Jay A. Greenwell, PLS, LLC.

5. The nature of farm nursey operations has changed over the years. What may have worked years and years ago, is no longer the case. To remain a sustainable and viable agricultural operation, the Petitioner broadened its agricultural offerings at the Property by introducing a cidery, music, food trucks and fire pits to attract and retain customers. Gone are the days of nurseries/farms having a singular, linear purpose. To survive as an agricultural use, Petitioner had to pivot with the times and evolve with new, agricultural related uses.

6. The Property is situated in the R-40 Zone District and is approximately 7.1 acres. Uses Permitted by Right in the R-40 Zone District are the same as those permitted by right in the R-80 Zone District except for No. 2(c) in Column 2 of the R-80 Use Regulations.¹

7. Currently, the Town permits the following uses by right in the R-80 and R-40 Zone Districts:

Uses Permitted by Right

The following commercial *agricultural operation*, provided that there shall be no greenhouse-heating plant where coal is used for

¹ Since uses in the R-40 are the same as R-80, this Petition seeks an amendment to the R-80 Use Table which would also apply to R-40 Use Table.

fuel, stables or similar animal housing or the storage of manure or other odor-or dust-producing substance or use, except spraying or dusting to protect vegetation within 200 feet of any lot line:

- (a) Nurseries, greenhouses and growing of mushrooms, provided that no smokestacks shall exceed the height regulations.
- (b) Orchards, truck gardening and growing of field crops and vineyards and growing of other bush or berry crops.

See Attachment 1, Chapter 43, Table of General Use Regulation, R-80 District, Column 2, item 2 (emphasis added).

General Accessory Uses

Buildings for display and sale of agricultural products, at least 50% of which shall be grown by the owner or lessee of the premises, provided that such building is at least 30 feet from any lot line; buildings for processing and storing of agricultural products subject to the same restrictions as for buildings for the display and sale; temporary open stands for display and sale of agricultural products subject to the same restrictions as buildings, except that such shall be located not less than 15 feet from any lot line and shall not encroach on pedestrian or vehicular rights-of-way or any required parking space.

See Attachment 1, Chapter 43, Table of General Use Regulation, R-80, Column 5, item No. 7.

8. Interestingly, the terms, “agricultural operation” and “nursery” are not defined anywhere in the Town Code.

9. Both agriculture and agri-tourism are legitimate zoning objectives under New York Agricultural and Markets Law and the New York State Constitution. It is the policy of the New York State Constitution to preserve agriculture and uses related to such use.

10. Petitioner seeks amendments to the Code to clarify what would constitute an agricultural operation and to allow agri-tourism as a legitimate land use objective in the Town. Specifically, Petitioner seeks amendments to i) Chapter 43, Zoning, Article XI, Definitions and Word usage, by inserting definitions of “agricultural operations” and “agri-tourism” and allow such uses to operate on property in the R-80 and R-40 Zone Districts on properties of five (5) acres

or more; ii) the R-80 Table of General Use Regulations Use Regulations by inserting under Column 1 - Uses Permitted By Right – Town Board, after item Number 2(c), the following text:

d. Agricultural operations and agri-tourism as defined in Article XI, Chapter 43 of the Town Code; and

iii) Amend the Town of Orangetown Table of General Use Regulations for R-80, Column 6, Minimum Required Off Street Parking Spaces by inserting after item number 9, the following:

Use	At least 1 Parking Space for each
10) Agricultural and agri-tourism on property with a minimum of five (5) acres	400 square feet of GFA

(together, the “Proposed Amendments”). A draft of the Proposed Amendments is annexed hereto as Exhibit “B”).

11. Petitioner submits that the Proposed Amendments would clarify and legalize all uses currently in operation on the Property which are all consistent with agricultural operations and agri-tourism as those uses have evolved over time.

12. Additionally, the Proposed Amendments would remove any ambiguity or vagueness as to what constitutes an agricultural operation, while at the same time support the legitimate Town and State policies designed to preserve and foster such agricultural uses, particularly on a Property that has served as an agricultural landmark for over 200 years, long before the enactment of local zoning controls.

13. For the reasons set forth below, Petitioner respectfully requests that the Town Board accept the instant Petition, and commence the requisite environmental, planning and legislative review of the procedures to amend the Code as set forth in this Petition (collectively, the “Action”).

The Petitioner and the Property

14. As set forth above, Petitioner owns and operates one of the oldest and longest, continuous serving nursery and agricultural operations in the Town.

15. Petitioner has a numerous following both in its customer base and on social media.

16. The Property is the County's premier destination for superior annuals, perennials, hanging baskets, roses, and vegetable and herb plants. Petitioner also carries a full selection of flowering shrubs, evergreens, trees, groundcovers and gardening supplies. The Property contains greenhouses, concrete and wood structures, tasting room, stables, riding rings, fire pits, indoor/outdoor seating, and tables among other items consistent with agricultural use.

17. In 2019, Petitioner opened Rockland Cider Works on the Property making cider using 100% New York apples and offering other New York State beers, wines and spirits, all in keeping with the context of its agricultural operation.

18. Over the course of last two centuries, single-family homes developed around the Property.

19. While the Code permits commercial agricultural operations by right, the lack of any definition fails to account for how such agricultural uses have evolved over time. Today, in order for such agricultural uses to survive, it must be tied to entertainment, agri-tourism, spirits, and other outdoor activities that can attract customers and make the Property a go to destination.

20. The proposed Action would simply legalize and clarify what constitutes an agricultural operation. The use is compatible with the zoning in the immediate area and the Town's overall needs. It is well within the Town Board's broad legislative authority to undertake this Action. *See Goodrich v. Town of Southhampton*, 39 N.Y.2d 1008, 387 N.Y.S.2d 242, 243 (1976) (noting the "strong presumption of validity which attaches to the legislative determinations" of a municipality when enacting zoning ordinances).

SEQRA

21. Pursuant to the New York State Environmental Quality Review Act ("SEQRA"), annexed hereto as Exhibit "C" is Petitioner's Full Environmental Assessment Form ("EAF"), prepared by Petitioner's engineering consultant, Jay A. Greenwell, PLS, LLC. Although

Petitioner fully expects to develop a comprehensive assessment of the Action during the SEQRA process, the EAF outlines the anticipated areas of potential environmental concern, such as traffic, stormwater management, visual impacts, and potential social and fiscal benefits for the Town.

22. In accordance with SEQRA Regulations, the proposed Action is an Unlisted Action, as it does not meet Type I Action thresholds.

23. Since the threshold elements of the Action involve the Town Board's legislative and administrative authority, we respectfully submit that the Town Board is the appropriate entity to serve as Lead Agency.

Requested Relief

1. In furtherance of this Action, Petitioner respectfully requests that the Town Board take the following administrative and legislative steps:

- (a) accept this Petition;
- (b) declare its intention to serve as Lead Agency to review the entire Action in a coordinated review pursuant to the SEQRA Regulations;
- (c) refer the proposed Proposed Amendments to the appropriate agencies and Rockland County Department of Planning for review and recommendations;
- (d) amend the Town Zoning Code definitions and R-80 Table of General Use Regulations; and
- (e) taking such steps and other actions as the Board deems necessary.

[INTENTIONALLY LEFT BLANK]

Dated: September 14, 2020
White Plains, New York

Respectfully submitted,

BLEAKLEY PLATT & SCHMIDT, LLP

By:

A handwritten signature in black ink, appearing to read "L. Sciarretta", written over a horizontal line.

Lino J. Sciarretta, Esq.

Brian J. Quinn, Esq.

Attorneys for the Petitioner

One North Lexington Ave – 7th Floor


White Plains, New York 10601

914-949-2700

VERIFICATION

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

Elisabeth C. Van Houten hereby deposes that she is a Trustee of the Van Houten Farm Market Benefit Trust, the Petitioner in this proceeding, and owner of a certain 7.1848-acre parcel of real property located on 68 Sickletown Road, Orangeburg, New York, presently designated as Tax Map Number 69.19-1-6, and says that the foregoing Petition is true to her knowledge, except as to those matters therein stated to be alleged on information and belief and as to those matters she believes them to be true.



Name: Elisabeth C. Van Houten
Title: Trustee of Van Houten Farm Market
Benefit Trust

Sworn to before me this
14th day of September, 2021



Notary Public

LINO J. SCIARRETTA
NOTARY PUBLIC, State of New York
No. 02SC6327920
Qualified in Rockland County
Term Expires July 20, 2019
2023

Rockland Cider Works

Business Plan

Retail Hours of Operation; Mon-Sat. 9am-7pm, Sunday 9am-6pm

Tasting Bar/Tap Room Hours of Operation; Mon-Sat 12pm-9pm, Sun 12pm-8pm

Live Music; Thursday/Friday evenings, solo/acoustic 4-8p, Sat/Sun live music 2-6pm

Food Trucks; in back parking lot and/or inside gates near nursery (not at front entrance/parking lot) 1-2 trucks on Friday/Saturday/Sunday. Electric plug in or quiet operation generators only. Food trucks close 30 minutes prior to cidery close.

Fire Pits; SoloStoves with safety grid/covers; Thursday, Friday, Saturday, Sunday evenings, when space allows (not year-round). Mostly in winter. 4 fire pits, not to exceed 8 ppl per fire pit

Parking; Current back parking lot holds 85 cars. Front parking lot holds 15 cars (continuing rental/negotiation with Naurashaun Church for "overflow parking use")

Cidery area max capacity 350 people

Seasonal;

January through March; mainly seating inside greenhouse (holds 8 tables only) and 4 fire pits outside.

April through June – limited outside seating only, weather permitting (the nursery uses most of the space in spring).

June through August - slowest season for farm/garden center and slow season for cidery because it is hot and people travel, go to the beach, etc. Outdoor seating in cider/bier garden with table umbrellas. Occasional live music on the weekend.

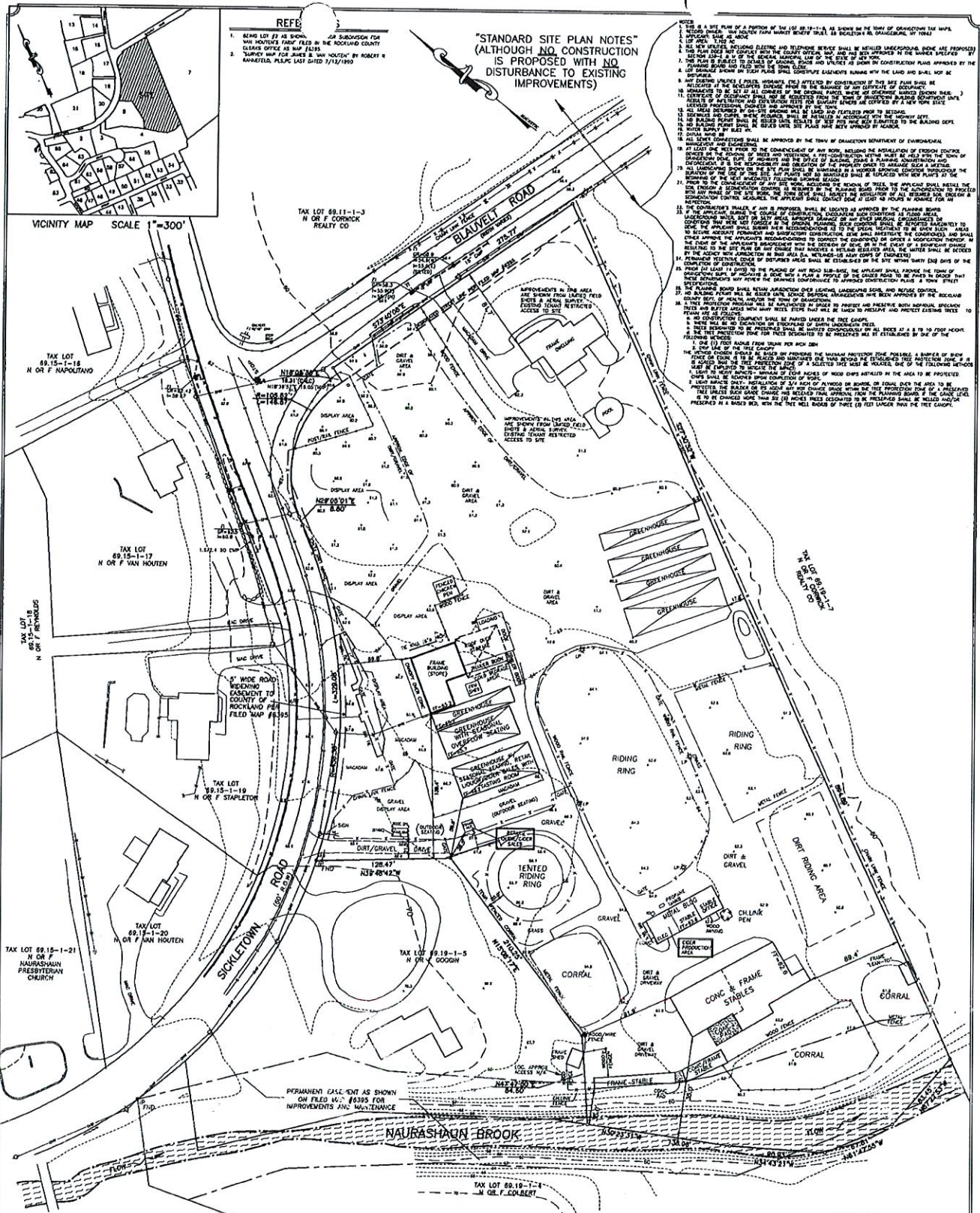
September through October – live music Thursday, Friday evenings, Saturday, and Sunday afternoons. Seating in greenhouse and outdoors

October through December; fire pits Thurs, Fri, Sat, Sun evenings.

November and December; live music, weather permitting, midday – especially Christmas type music in December during the day when we are selling Christmas Trees. Greenhouse and limited outside seating, weather permitting.

EXHIBIT "A"

SITE PLAN BASED ON EXISTING CONDITIONS



ZONING - ZONE R-60

	REQUIRED USE GROUP "A"	REQUIRED USE GROUP "B"	EXISTING
MINIMUM LOT AREA	40,000 SF	80,000 SF	7.1 ACRES
MINIMUM LOT WIDTH	150'	300'	500'±
MIN STREET FRONTAGE	100'	150'	750'±
MIN FRONT YARD	50'	100'	
MIN SIDE YARD	30'	100'	
TOTAL SIDE YARD	80'	200'	
MIN REAR YARD	50'	100'	
MAX BLDG HEIGHT	6'±	3'±	
MAX FAR	0.15	0.15	0.104

NO CHANGE TO EXISTING CONDITIONS

EXISTING VARIANCES

- VARIANCES CONCERNING PENNED OR HOUSED ANIMALS: Section 3-11, R-60 (R-60)
- VARIANCES FOR TWO EXTERNAL TRAILERS, OUTDOOR LOADING BERTH: Section 7.3.4, extension of Non-Conforming Use granted per decision #88-131, Dec. 7, 1988
- VARIANCES FOR 60' DIA. TENTED RIDING RING (SIDE YARD OF 15'± AND HEIGHT OF 26' 8 1/2'±) 28A #12-49, 7/25/2012.

LEGEND

- CATCH BASIN/FIELD INLET
- DRAIN LINE
- EXISTING WALKWAY / PPE
- EDGE OF PAVEMENT
- CONCRETE CURB
- GAS LINE
- WATER LINE
- UTILITY POLE W/ OVERHEAD WIRES
- LIGHT POLE

DATE: _____

DESIGNED: JAO

DRAWN: LDC

CHECKED: JAO

APPROVED: JAO

TOWN OF ORANGETOWN
NEW YORK

SITE PLAN FOR ROCKLAND CIDERY

68 SICKLETOWN ROAD
TOWN OF ORANGETOWN
ROCKLAND COUNTY, NEW YORK

JAY A. GREENWELL, PLS, LLC

LAND SURVEYING - LAND PLANNING
85 LAFAYETTE AVENUE, SUITE 100, NEW YORK, NY 10001
PHONE: 845-357-0830 FAX: 845-357-0758

TAX LOT # 69.15-1-6
AREA
309,344 SF
7.102 AC
FILE
21205080
SCALE
1"=40'

DATE
08/19/21
JOB NO.
21205

TAX LOT # 69.15-1-6
AREA
309,344 SF
7.102 AC
FILE
21205080
SCALE
1"=40'

EXHIBIT "B"

PROPOSED LOCAL LAW

PROPOSED LOCAL LAW
TOWN OF ORANGETOWN
PROPOSED LOCAL LAW # ____ - 2021

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1. Title

A Local Law Amending the General Use and Bulk Requirements for R-80 Zone Districts.

Section 2. Legislative Intent.

The Town Board recognizes that protection of agriculture and agri-tourism is a legitimate zoning objective under New York State's statutes, which the regulations set forth in this section seek to achieve. It is also a policy of the New York State Constitution to preserve agriculture and uses related thereto. 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 permit agricultural activities and agri-tourism uses to be developed and operated on qualified sites with a minimum of five (5) acres.

Section 3. Text Amendments.

Amend Chapter 43, Zoning, Article XI, Definitions and Word Usage by adding the following definition:

Agricultural Operations – land, buildings and equipment used to produce, prepare and market crops, livestock and livestock products as a commercial enterprise, including but not limited to the following on sites of five (5) acres or more: 1) field crops including corn, wheat, oats, rye, barley, hay, potatoes, dry beans and sod; 2) vegetables including tomatoes, snap beans, cabbage, carrots, beets, onions and corn; 3) fruits including apples, berries, cherries, peaches and pumpkins; 4) horticultural ornamental specialties including nursery stock, shrubs, ornamental trees, flowers and vegetables; 5) Christmas trees derived from a managed Christmas tree operation whether dug for transplanting or cut from the stump; 6) Further, agricultural operations shall include an activity engaged in, by, or on behalf of a farmer in connection with any furtherance of the business of agriculture or farming and shall include, without limitation, tillage, planting, harvesting and marketing; construction of farm structures and facilities, including farm wineries and other on-farm food processing, as permitted by local and state building code regulation, in order to enhance the marketing of farm products; construction and maintenance of certain farm buildings and other structures related to agricultural practices.

Agri-tourism - a set of activities that occurs when people link travel with the products, services, and experiences of agriculture. Agri-tourism is conducted for the enjoyment or education of the public and primarily promotes the sale, marketing, production, harvesting, or use of the products of the farm operation. Examples of agri-tourism include, but are not limited to, hayrides, food

trucks, music, farm winery pursuant to Section 76-A of the New York State Alcoholic Beverage Control Law, farm tours, and farm festivals designed to support farm operations.

Amend the Town of Orangetown Table of General Use Requirements for the R-80 Zone District, by inserting under Column 1 - Uses Permitted By Right – Town Board, after item Number 2(c), the following text:

d. Agricultural operations and agri-tourism as defined in Article XI, Chapter 43 of the Town Code.

Amend the Town of Orangetown Table of General Use Regulations for R-80, Column 6, Minimum Required Off Street Parking Spaces by inserting after item number 9, the following:

Use	At least 1 Parking Space for each
10) Agricultural and agri-tourism on property with a minimum of five (5) acres.	400 square feet of GFA

Section 3. When effective.

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

EXHIBIT "C"

Full Environmental Assessment Form

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Rockland Cider Works		
Project Location (describe, and attach a general location map): 68 Sickletown Road, Orangeburg, NY 10962		
Brief Description of Proposed Action (include purpose or need): Existing farm stand and horse stables will remain, and cider production facility with tasting room, shed, indoor and outdoor guest seating to be maintained. A zoning text amendment from the Town Board is being requested to permit the production, consumption and sale of cider on site, in the context of a commercial agricultural operation.		
Name of Applicant/Sponsor: Van Houten Farm Market Benefit Trust	Telephone: 518-231-8000	
	E-Mail: ellisabeth@vanhoutenfarmsny.com	
Address: 68 Sickletown Road		
City/PO: Orangeburg	State: NY	Zip Code: 10962
Project Contact (if not same as sponsor; give name and title/role): Brian J. Quinn, Esq.	Telephone: 914-287-6122	
	E-Mail: bquinn@bpslaw.com	
Address: Bleakley Platt & Schmidt LLP, 1 North Lexington Ave.		
City/PO: White Plains	State: NY	Zip Code: 10601
Property Owner (if not same as sponsor): Van Houten Farm Market Benefit Trust; Ellisabeth Van Houten, Trustee	Telephone: 518-231-8000	
	E-Mail: ellisabeth@vanhoutenfarmsny.com	
Address: 68 Sickletown Road		
City/PO: Orangeburg	State: NY	Zip Code: 10962

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Proposed Zone Text Amendment to modify agricultural use definition	Sept. 2021 +/-
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Site Plan approval	Aug. 2021
c. City Council, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	Possibly, for setbacks to existing buildings	Oct. 2021 +/-
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ACABOR	Nov. 2021 +/-
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	RC Planning--GML review, RC Drainage Agency--Stream, RC Highway--Sickletown Rd.	Oct. 2021 +/-
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R-40 zoning

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No
If Yes,

i. What is the proposed new zoning for the site? Zoning text to permit cider production, consumption and sales in agricultural use definition

C.4. Existing community services.

a. In what school district is the project site located? Pearl River

b. What police or other public protection forces serve the project site?

Orangetown Police, Fire, and Ambulance

c. Which fire protection and emergency medical services serve the project site?

Orangetown

d. What parks serve the project site?

Palisades Int. Park system, Blauvelt State Park, Tackamack Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential, Water supply reservoir, summer day camp, church

b. a. Total acreage of the site of the proposed action? 7.102 acres

b. Total acreage to be physically disturbed? 0 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 7.102 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Total number of structures <u>2 Sheds (ex)</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>10'</u> +/- height; <u>8'</u> width; and <u>16'</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>no new heated / cooled area</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ 	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☒ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☒ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 		
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____ _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ If Yes: <ul style="list-style-type: none"> i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources: _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____		
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ If Yes, identify: <ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ if Yes: <ul style="list-style-type: none"> i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> Monday - Friday: _____ na Saturday: _____ na Sunday: _____ na Holidays: _____ na 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> Monday - Friday: _____ Seasonal 12 - 8 pm Saturday: _____ 12-7 pm Sunday: _____ 12-7 pm Holidays: _____ same
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n.. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p><u>Yes, decorative low level lighting overhead</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

Residential homes, reservoir, church, summer camp

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.5	1.5	0
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.3	0.3	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0.75	0.75	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.3	0.3	0
• Wetlands (freshwater or tidal)	in above	in above	0
• Non-vegetated (bare rock, earth or fill)	3.75	3.75	0
• Other Describe: <u>Landscaping</u>	0.5	0.5	0

<p>c. Is the project site presently used by members of the community for public recreation? <i>i. If Yes: explain:</i> _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, <i>i. Identify Facilities:</i> <u>summer camp--Kaufmann Camp</u></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>e. Does the project site contain an existing dam? If Yes: <i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p><i>ii. Dam's existing hazard classification:</i> _____ <i>iii. Provide date and summarize results of last inspection:</i> _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: <i>i. Has the facility been formally closed?</i> • If yes, cite sources/documentation: _____ <i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i> _____ <i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i> _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div style="width: 45%;"> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____</p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s):</i> _____</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i> _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 5-6 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ 0 %

c. Predominant soil type(s) present on project site:

Hinckley gravelly loamy sand	90 %
Alden Silt Loam	5 %
Wethersfield Gravelly Silt Loam	5 %

d. What is the average depth to the water table on the project site? Average: _____ 6+ feet

e. Drainage status of project site soils: ☒ Well Drained: _____ % of site
☐ Moderately Well Drained: _____ % of site
☐ Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 95 % of site
☒ 10-15%: _____ 5 % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name	Naurashaun Brook	Classification	C (T)
• Lakes or Ponds:	Name	Lake Tappan	Classification	A
• Wetlands:	Name	_____	Approximate Size	_____
• Wetland No. (if regulated by DEC)	_____			

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☒ Yes ☐ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____
Naurashaun Brook--"pollutants of unknown toxicity" per NYS DEC

i. Is the project site in a designated Floodway? ☒ Yes ☐ No

j. Is the project site in the 100 year Floodplain? ☒ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ☒ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No
If Yes:
i. Name of aquifer: Principal Aquifer--per NYS DEC

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border-bottom: 1px solid black;">raccoon / opossum / squirrels</td> <td style="width: 33%; border-bottom: 1px solid black;">deer</td> <td style="width: 33%; border-bottom: 1px solid black;">bird life</td> </tr> <tr> <td style="border-bottom: 1px solid black;">rodents</td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>			raccoon / opossum / squirrels	deer	bird life	rodents		
raccoon / opossum / squirrels	deer	bird life						
rodents								
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 								
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>								
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>								
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>								
<p>E.3. Designated Public Resources On or Near Project Site</p>								
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>								
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>								
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p>								
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>								

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District		
ii. Name: _____		
iii. Brief description of attributes on which listing is based: _____		
f. 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?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Describe possible resource(s): _____		
ii. Basis for identification: _____		
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:		
i. Identify resource: <u>Pallades Int. Parkway</u>		
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Scenic Byway</u>		
iii. Distance between project and resource: <u>1.5 +/- miles.</u>		
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Identify the name of the river and its designation: _____		
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?		<input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Van Houten Farm Market Benefit Trust Date August 25, 2021

Signature  Title Trustee

PRINT FORM

MILLENNIUM STRATEGIES

November 20, 2023

Hon. Teresa M. Kenny
Town Supervisor
Town of Orangetown
26 Orangeburg Road
Orangetown, NY, 10962

Re: Proposal for Grants Research Portal and Project Support Services

Dear Supervisor Kenny,

Millennium Strategies LLC is pleased to submit the following proposal to the Town of Orangetown for the provision of our Grant Research Portal and Project Support Services. Details pertaining to our firm, experience, proposed services, and fees are outlined further within this proposal.

COMPANY PROFILE

Founded in 2005, Millennium Strategies is the largest full-service grant consulting firm in the region. We currently represent more than 160 municipalities, counties, school districts and non-profit entities in New York, New Jersey, Pennsylvania, and Ohio. A listing of our current clients, along with our length of service on behalf of each, is included with this proposal as an attachment. Since our inception, we have helped to secure over \$2 billion in both governmental and non-governmental grant funding on behalf of our clients.

What sets Millennium apart is our comprehensive and aggressive approach to grant research and grant writing. We help our clients meet their complex challenges by securing funding for projects that fall within the following categories: arts, health/human services, disaster recovery, economic development, public safety, environmental protection, historic preservation, open space preservation, recreation, sustainability, tourism, water/sewer infrastructure and transportation infrastructure. Examples of recent grant awards, under various categories, that we have helped to secure on behalf of our clients are included with this proposal as an attachment.

STAFF PROFILE

As Millennium's President, CEO, and former Chief of Staff to Congressman Bill Pascrell, Ed Farmer has worked to establish Millennium's accomplished team which includes a full-time research department, 26 grant writers, and the support staff necessary to meet our clients grant funding needs. If Millennium is retained by the Town, Katie Kocher would serve as Deputy Director of Research and Special Projects and Vanessa Tousignant would serve as Portal Grant Writer. Biographies of key personnel along with a list of client references are included with our proposal as an attachment.

All assigned staff possess post-secondary degrees related to government consulting/grant writing and are in good standing with both public and private sector grant agencies. Neither the firm nor any of our assigned staff are disbarred, suspended, or otherwise prohibited from professional practice or from working with public entities by any federal, state, or local agency. All services outlined within this proposal will be performed directly by employees of Millennium. We will not hire subcontractors to perform any services outlined within this proposal.

ADDRESS: 25 SMITH STREET, SUITE 401, NANUET, NY 10954
PHONE 914.220.8392 EXT 1049 - FAX 973-292.0832 - WEBSITE WWW.M-STRAT.COM

EXPERIENCE

Millennium Strategies has considerable experience working with municipalities throughout the State of New York. Our success is heavily predicated on the holistic approach we take. Through our work we seek to identify and apply for grant funding across a broad array of focus areas applicable to municipal government. Outlined below please find some examples of recent grant awards we have helped to secure on behalf of our municipal clients.

<i>Water and Sewer Infrastructure</i>			
<i>Client</i>	<i>Grant Program</i>	<i>Award Amount</i>	<i>Project Scope</i>
City of Rye	NYS Department of Environmental Conservation – Water Quality Improvement Grant	\$10,000,000.00	Completion of City-wide sanitary sewer improvements.
Village of Mamaroneck	NYS Department of Environmental Conservation – Water Quality Improvement Grant	\$4,950,000.00	Rehabilitation of sanitary sewers to reduce I&I
Town -Village of Harrison	NYS Environmental Facilities Corporation – Green Innovation Grant	\$883,680.00	Completion of floodplain restoration activities
Village of Harriman	NYS Environmental Facilities Corporation – Intermunicipal Water Infrastructure Grant	\$823,200.00	Improvements to wells to improve water treatment and reduce contamination
Village of Florida	NYS Department of Environmental Conservation – Water Quality Improvement Grant	\$615,000.00	Land acquisition to preserve and protect municipal water sources

<i>Transportation and Capital Improvements</i>			
<i>Client</i>	<i>Grant Program</i>	<i>Award Amount</i>	<i>Project Scope</i>
Town of Kent	NYS Department of Transportation – BRIDGE NY Grant	\$2,570,000.00	Replacement of various culverts
Town-Village of Harrison	NYS Department of Transportation – Transportation Alternatives Program Grant	\$2,486,000.00	Completion of roadway access improvements
Town of Brookhaven	NYS Department of Environmental Conservation – Climate Smart Communities Grant	\$910,000.00	Completion of roadway flood mitigation improvements
Village of Port Chester	US Congress – Community Project Funding Grant	\$250,000.00	Installation of geothermal boiler at Village Hall
Town-Village of Woodbury	NYS Department of Homeland Security and Emergency Services – Critical Infrastructure Grant	\$50,000.00	Installation of an access control and video camera system at Village Hall

<i>Public Safety and Emergency Management</i>			
<i>Client</i>	<i>Grant Program</i>	<i>Award Amount</i>	<i>Project Scope</i>
Village of Spring Valley	US Department of Justice – COPS Hiring Grant	\$1,020,000.00	Hiring of 3 new police officers
Village of Spring Valley	US Federal Emergency Management Agency – Staffing for Adequate Fire and Emergency Response Grant	\$143,010.00	Recruitment and retention of firefighters
Village of Port Chester	US Federal Emergency Management Agency – Assistance to Firefighters Grant	\$131,612.00	Purchase of portable radios for the fire department
Town of Hyde Park	US Department of Justice – Body Worn Camera Policy and Implementation Grant	\$40,000.00	Purchase of body cameras for the police department
Village of Sleepy Hollow	Leary Firefighters Foundation – Jeremiah Lucey Public Safety Grant	\$12,772.50	Purchase of firefighter turnout gear washer/dryer

<i>Open Space, Recreation, Historic Preservation, Environmental Protection</i>			
<i>Client</i>	<i>Grant Program</i>	<i>Award Amount</i>	<i>Project Scope</i>
Town of Ossining	NYS Department of State – Downtown Revitalization Initiative Grant	\$600,000.00	Creation of a performance space in Louis Engel Park
Town of Kent	NYS Office of Parks, Recreation, Historic Preservation – Park Development Grant	\$491,313.00	Rehabilitation of Heustis Park
Town of Brookhaven	NYS Department of Environmental Conservation – Marine Habitat Tributary Restoration and Resiliency Grant	\$87,500.00	Restore aquatic connection of Terrell River
Town of Poughkeepsie	T-Mobile Foundation – Hometown Grant	\$50,000.00	Improvements to Stanley Still Park
Town of Montgomery	NYS Hudson River Valley Greenway – Trails Grant	\$17,500.00	Expansion of trails network at Benedict Park

<i>Economic Development, Planning and Sustainability</i>			
<i>Client</i>	<i>Grant Program</i>	<i>Award Amount</i>	<i>Project Scope</i>
City of Long Beach	NYS Regional Economic Development Councils – NY Forward Grant	\$4,500,000.00	Revitalization of central business district
Town of Montgomery	NYS Empire State Development – Restore New York Grant	\$447,545.00	Restoration of the Milk Barn Condenser Site for retail and commercial development
Village of Sleepy Hollow	NYS Empire State Development – Market New York Grant	\$125,000.00	For the operation of the Sleepy Hollow Music Festival
Village of Airmont	NYS Archives – Local Government Records Management Fund Grant	\$74,290.00	For the conversion of paper records to electronic files
Town of Chester	NYS Department of Environmental Conservation – Municipal Zero Emission Vehicle Infrastructure Grant	\$45,489.00	Installation of electric vehicle charging stations at various locations

SCOPE OF SERVICES

Millennium Strategies proposes to provide services on behalf of the Town of Orangetown via our Grants Research Portal and Project Support Services. Services to be provided include those outlined below.

Service 1: Establishment of a User Platform Within Online Grant Research Portal – Millennium will establish a user platform, for the Town within our online grant research portal. This platform will serve as the center for viewing detailed grant summaries on all federal, state, county, corporate and philanthropic grant opportunities that are applicable to the Town. Millennium will provide key Town staff with access to this user platform.

Service 2: Access to Detailed Grant Summaries – Millennium will post detailed grant summaries, for all available governmental/non-governmental grant opportunities, that are applicable to the Town within the portal. These opportunities will be posted on a weekly basis and will provide staff with access to key information pertaining to each grant opportunity including key deadlines, eligibility requirements, award information, program goals/objectives, etc. Key staff from the Town will receive e-mail notifications when grant summaries are posted and will be able to view them from within their online user platform.

Service 3: Consultations on Available Grant Opportunities – Millennium will provide consultations, when requested by the Town, regarding grant opportunities that the Town has identified, via their portal, and may be interested in pursuing. These consultations will help to provide municipal staff and key decision makers with guidance regarding the objectives and qualifying criteria associated with each grant opportunity presented in order to determine whether or not they are viable for the Town to pursue.

Service 4: Project Support – Millennium will provide project support when requested by the Town and mutually agreed to by Millennium. This includes assistance with the preparation of grant applications, grant administration activities, specialized research projects, on-site meetings, and/or other unspecified administrative tasks related to grants. This service does not include project management.

FEE SCHEDULE

Millennium Strategies will provide Scope of Services, as outlined and described above, in accordance with the fee schedules outlined below. There are no hidden costs associated with our fee structure and our contract.

Services 1 – 3 – Annual consulting fee of \$4,800.00. The Town reserves the right to have this fee billed in a lump sum amount one-time annually or to have it broken out into twelve equal monthly installments of \$400.00. These services will be provided on an ongoing basis throughout the duration of the contract period.

Service 4 – Hourly fees billed at a rate of \$150.00 per hour. These services will only be rendered when specifically requested by the Town and agreed to by Millennium. Millennium reserves the right to reject any project support request made by the Town at any time for any reason. Prior to rendering any project support services, Millennium would provide the Town with a written project agreement. The project agreement would outline the specific scope of work and not-to-exceed costs associated with completing each project.

DISCLOSURES

Millennium Strategies is a Limited Liability Company. Since our inception in 2005, Ed Farmer has served as Millennium's President, CEO, and majority shareholder. Sue Scavone previously served as Millennium's Principal and minority shareholder from 2005 through 2022. During our 18 years of operation, the company has not undergone any changes to the business name. No judgments, claims or suits have been filed against our company. In addition, Millennium is not now, nor has it ever been involved in any bankruptcy or reorganization proceedings. Millennium does not employ any relatives of the Town nor are any of our employees unionized. In addition, no principals or employees of Millennium are related to any employee or elected official of the Town. Millennium does not have any conflicts of interest that would prohibit the award of a contract for the provision of services on behalf of the Town.

CONCLUSION

Thank you again for considering Millennium Strategies. We look forward to the opportunity to be of service to the Town of Orangetown. Should you have any questions regarding our proposal please do not hesitate to contact me by phone at (973) 226-3329 or by email at pblanos@m-strat.com.

Sincerely,



Peter Blanos
Director of Business Development

CLIENT ROSTER

STATE OF NEW JERSEY

Township of Aberdeen (04/22 - present)
Aberdeen BOE (04/22 - present)
Barack Obama Charter School (08/23 - present)
City of Bayonne (05/09 - present)
Township of Belleville (06/16 - present)
Belleville BOE (01/22 - present)
Borough of Belmar (05/23 - present)
County of Bergen (01/13 - present)
Borough of Bergenfield (05/15 - present)
Township of Bloomfield (02/07 - present)
Borough of Bogota (02/21 - present)
Borough of Bound Brook (01/16 - present)
County of Burlington (05/20 - present)
City of Camden (04/23 - present)
County of Camden (05/15 - present)
Borough of Carteret (03/22 - present)
Borough of Chatham (04/23 - present)
Borough of Cliffside Park (07/20 - present)
Town of Clinton (05/23 - present)
Township of Clinton (11/23 - present)
Town of Dover (09/12 - present)
Borough of Dumont (03/18 - present)
City of East Orange (07/14 - present)
Borough of Edgewater (06/08 - present)
Township of Edison (09/16 - present)
Borough of Elmwood Park (03/17 - present)
City of Englewood (07/13 - present)
Essex County Parks (08/16 - present)
Essex County Sheriff (07/16 - present)
Township of Evesham (01/20 - present)
Borough of Fair Lawn (03/19 - present)
Borough of Fairview (08/18 - present)
Fairview BOE (04/13 - present)
Borough of Fanwood (01/13 - present)
Borough of Fort Lee (08/13 - present)
Borough of Franklin Lakes (01/17 - present)
Borough of Freehold (03/20 - present)
City of Garfield (01/13 - present)
Borough of Glen Rock (01/17 - present)

Town of Guttenberg (05/16 - present)
City of Hackensack (02/06 - present)
Haddonfield BOE (09/23 - present)
Borough of Haledon (03/07 - present)
Township of Hamilton (09/20 - present)
Township of Hanover (10/20 - present)
Township of Harrison (02/22 - present)
Borough of Hillsdale (08/22 - present)
City of Hoboken (03/10 - present)
Borough of Hopatcong (03/08 - present)
HOPES CAP, Inc. (08/11 - present)
County of Hudson (06/15 - present)
Township of Jefferson (05/20 - present)
City of Jersey City (02/14 - present)
Borough of Leonia (01/18 - present)
City of Linden (04/23 - present)
Township of Little Falls (01/18 - present)
Borough of Lodi (11/17 - present)
Township of Long Hill (09/20 - present)
Township of Lumberton (01/20 - present)
Borough of Metuchen (03/18 - present)
Metuchen BOE (05/20 - present)
County of Middlesex (08/19 - present)
Township of Middletown (03/14 - present)
Middletown BOE (01/21 - present)
Township of Montague (09/22 - present)
Borough of Montvale (01/2023 - present)
Borough of Moonachie (01/13 - present)
Town of Morristown (07/14 - present)
Borough of Mount Arlington (02/17 - present)
Township of Mount Holly (04/18 - present)
Newark Division of Public Safety (01/20-present)
Township of North Bergen (01/17- present)
North Bergen BOE (01/17 - present)
Borough of North Haledon (09/23 - present)
North Plainfield BOE (07/22 - present)
Borough of North Caldwell (01/21 - present)
Township of Nutley (04/09 - present)
Nutley BOE (08/21 - present)

Township of Ocean (03/20 - present)
Township of Old Bridge (12/20 - present)
Borough of Oradell (10/12 - present)
Township of Orange (10/12 - present)
Borough of Palisades Park (02/17 - present)
Township of Parsippany (01/18 - present)
City of Passaic (12/09 - present)
County of Passaic (09/08 - present)
City of Paterson (08/18 - present)
City of Perth Amboy (08/21 - present)
City of Plainfield (04/19 - present)
Borough of Pompton Lakes (06/07 - present)
Municipality of Princeton (06/22 - present)
Borough of Prospect Park (01/18 - present)
Borough of Red Bank (06/18 - present)
Borough of Ridgefield (01/15 - present)
Village of Ridgefield Park (06/22 - present)
Township of Rochelle Park (01/23 - present)
Roselle BOE (03/10 - present)
Borough of Sea Bright (01/23 - present)
Town of Secaucus (01/18 - present)

County of Somerset (04/23 - present)
Township of South Hackensack (01/16- present)
Township of Sparta (07/17 - present)
Borough of Stanhope (07/12 - present)
City of Summit (09/16 - present)
County of Sussex (05/23 - present)
Township of Teaneck (03/17 - present)
Borough of Tenaflly (01/23 - present)
Borough of Totowa (03/10 - present)
Totowa BOE (07/19 - present)
County of Union (03/11 - present)
Township of Union (01/23 - present)
Township of Verona (03/22 - present)
Township of Voorhees (07/23 - present)
Township of Wayne (05/21 - present)
Township of Westampton (07/23 - present)
Township of West Orange (09/16 - present)
Borough of Wharton (01/20 - present)
Township of Woodbridge (03/14 - present)
Borough of Woodcliff Lake (04/14 - present)
Township of Woodland Park (02/12 - present)

STATE OF NEW YORK

Village of Airmont (01/23 - present)
Village of Babylon (08/23 - present)
Town of Brookhaven (01/22 - present)
Town of Carmel (04/20 - present)
Town of Chester (07/21 - present)
Town of Cornwall (08/23 - present)
Town-Village of Harrison (05/15 - present)
Village of Highland Falls (06/23 - present)
Town of Hyde Park (04/22 - present)
Town of Kent (11/19 - present)
Town of Lloyd (06/22 - present)
City of Long Beach (06/22 - present)
Town of Mamaroneck (02/22 - present)
Village of Mamaroneck (08/18 - present)
Town of Monroe (06/19 - present)
Town of Montgomery (01/21 - present)
Town of New Paltz (10/23 - present)

Town of Ossining (09/21 - present)
Village of Pleasantville (06/23 - present)
Village of Pelham (06/23 - present)
Village of Port Chester (10/15 - present)
Town of Poughkeepsie (01/21 - present)
Town of Putnam Valley (02/22 - present)
County of Rockland (07/17-present)
City of Rye (04/18 - present)
Town of Rye (05/19 - present)
Village of Rye Brook (06/22 - present)
Village of Sleepy Hollow (05/19-present)
Village of South Blooming Grove (08/22 - present)
Village of Spring Valley (05/19 - present)
Village of Tarrytown (10/22 - present)
Village of Washingtonville (07/23 - present)
Town-Village of Woodbury (03/20 - present)

STATE OF PENNSYLVANIA

County of Delaware (09/23 - present)

Township of Falls (03/20 - present)

Township of Middletown (01/10 - present)

City of Philadelphia (06/23 - present)

Township of Palmer (05/23 - present)

Township of Upper Chichester (10/22 - present)

STATE OF OHIO

City of Cleveland Heights (10/22 - present)

CLIENT REFERENCES

Municipal Government References

Township Of Middletown

Name: Stephanie Teoli Kuhls
Title: Township Manager
Phone: 215-750-3836
Email: steoli@middletownbucks.org
Address: 3 Municipal Way, Langhorne, PA, 19047
Services: Grant Consulting Service

Township Of Falls

Name: Matthew Takita
Title: Township Manager
Phone: 215- 949-9000
Email: m.takita@fallstwp.com
Address: 188 Lincoln Hwy, Fairless Hills, PA, 19030
Service: Grant Consulting Service

Town of Monroe

Name: Tony Cardone
Title: Town Supervisor
Phone: 845-742-0769
Email: tcardone@monroeny.org
Address: 1465 Orange Tpke, Monroe, NY, 10950
Service: Grant Consulting Service

City Of Paterson

Name: Kathleen Long
Title: Business Administrator
Phone: 973-321-1556
Email: klong@patersonnj.gov
Address: 155 Market St, Paterson, NJ, 07505
Services: Grant Consulting Services

City of Hackensack

Name: Vincent Caruso
Title: City Manager
Phone: 201-646-3980
Email: citymanager@hackensack.org
Address: 65 Central Ave, Hackensack, NJ, 07601
Services: Grant Consulting Services

City Of Hoboken

Name: Caleb Stratton
Title: Assistant Business Administrator
Phone: 201-420-2000
Email: cstratton@hobokennj.gov
Address: 94 Washington St, Hoboken, NJ, 07030
Services: Grant Consulting Services

Township Of Harrison

Name: Mike Amodeo
Title: Town Engineer
Phone: 914-670-3102
Email: mamodeo@harrison-ny.gov
Address: 1 Heinman Pl, Harrison, NY, 10528
Services: Grant Consulting Services

Village Of Port Chester

Name: Curt LaValla, AICP
Title: Director of Planning
Phone: 914-937-1556
Email: clavalla@portchesterny.gov
Address: 222 Grace Church St, Port Chester, NY, 10573
Services Grant Consulting Services

Borough of Franklin Lakes

Name: Greg Hart
Title: Borough Administrator
Phone: 201-891-4000
Email: ghart@franklinlakes.org
Address: 480 DeKorte Dr, Franklin Lakes, NJ, 07417
Services: Grant Research Portal Service

Township of Ocean

Name: David G. Brown, II
Title: Township Manager
Phone: 732-531-5000
Email: manager@oceantwp.org
Address: 399 Monmouth Rd, Oakhurst, NJ, 07755
Services: Grant Research Portal Service

Borough of North Caldwell

Name: Kevin O'Sullivan
Title: Borough Administrator
Phone: 973-228-6410
Email: kosullivan@northcaldwell.org
Address: 141 Gould Ave, North Caldwell, NJ, 07006
Services: Grant Research Portal Service

Township of Verona

Name: Joseph D'Arco
Title: Township Manager
Phone: 973-857-4767
Email: jdarco@veronanj.org
Address: 600 Bloomfield Ave, Verona, NJ, 07044
Services: Grant Research Portal Service

County Government References

County Of Camden

Name: Holly Cass
Title: Deputy County Administrator
Phone: 856-255-5358
Email: hcass@camdencounty.com
Address: 520 Market St, Camden, NJ 08012
Services: Grant Consulting Service

County Of Middlesex

Name: John Carrol
Title: Director of Public and Government Affairs
Phone: 732-745-3000
Email: John.carrol@co.middlesex.nj.us
Address: 75 Bayard St, New Brunswick, NJ 08901
Services: Grant Consulting Service

County Of Rockland

Name: Jose Guillermo Rosa
Title: Deputy County Executive
Phone: 845-638-5122
Email: rosag@co.rockland.ny.us
Address: 11 New Hempstead Rd, New City, NY, 10956
Services: Grant Consulting Services

County of Hudson

Name: Craig Guy
Title: Chief of Staff to County Executive
Phone: 201-795-6000
Email: cguy@hcnj.us
Address: 567 Pavonia Ave, Jersey City, NJ, 7306
Services: Grant Consulting Services

Board Of Education References

Roselle Board of Education

Name: Anthony Juskiewicz
Title: Business Administrator/Board Secretary
Phone: 908-298-2040
Email: ajuskiewicz@roselleschools.org
Address: 710 Locust St, Roselle, NJ, 07203
Services: Grant Consulting Services

Fairview Board of Education

Name: John Bussanich
Title: Business Administrator
Phone: 201-943-0564
Email: jbussanich@fairviewps.org
Address: 130 Hamilton Ave, Fairview, NJ, 07022
Services: Grant Consulting Services

Belleville Board of Education

Name: Victoria Bruno
Title: Grant Writer and Alumni Relations
Phone: 973-450-3500
Email: Victoria.bruno@bellevilleschools.org
Address: 56 Ralph Street, Belleville, NJ, 07109
Services: Grant Research Portal Service

North Bergen Board of Education

Name: Dr. George J. Solter Jr.
Title: Superintendent of Schools
Phone: 201- 868-1000
Email: citymanager@hackensack.org
Address: 7317 Kennedy Blvd, North Bergen, NJ, 07047
Services: Grant Research Portal Services

Nutley Board of Education

Name: David DiPisa
Title: Business Administrator
Phone: 973-661-8799
Email: ddipisa@nutleyschools.org
Address: 315 Franklin Ave, Nutley, NJ, 07110
Services: Grant Research Portal Services

Middletown Board of Education

Name: Amy Doherty, CPA
Title: Business Administrator
Phone: 732-671-3850
Email: dohertya@middletownk12.org
Address: 834 Leonardville Rd, Leonardo, NJ, 07737
Services: Grant Research Portal Services

STAFF PROFILES

ED FARMER | PRESIDENT & CEO

Ed founded Millennium in 2005 with the goal of establishing a Company that provides governments with a comprehensive and aggressive approach to grant writing, research, and administration. As President, Ed is responsible for the oversight on all facets of Millennium's operation, with a focus on ensuring that the firm provides the best customer service in the industry. Prior to forming Millennium, Ed served as Chief of Staff to Congressman Bill Pascrell, Jr. As the highest-ranking member of the team, Ed was responsible for running the daily operations of the Congressman's offices in Washington, D.C. and New Jersey. Congressman Pascrell's assignments on the House Transportation and Infrastructure Committee and the House Committee on Homeland Security have allowed Ed to gain invaluable insight into two issues that are critical to local governments. Throughout his career, Ed has volunteered his time across New Jersey, including serving as the former President of the Passaic County Community College Board of Trustees and current member of its Foundation. Ed is a graduate of Bethany College where he received a Bachelor of Arts Degree in Political Science.



LISA MARTINEZ | DIRECTOR OF OPERATIONS

Lisa has been a member of the firm since 2006. In her role as Director of Operations, Lisa manages the day-to-day operations of Millennium. Prior to joining Millennium, she served as Field Director and Scheduler for Congressman Bill Pascrell, Jr. for nine years. In this critical position, Lisa was responsible for maintaining the Congressman's New Jersey schedule and managing all community outreach activities for the congressional office. She strategically coordinated field activities with the Congressman's legislative agenda and administered government relations issues with all state and local entities. Her organizational skills have helped Millennium become a leader within the government consulting industry.



DAVID JENKINS | DIRECTOR OF NEW YORK OPERATIONS

Dave has been a member of the firm since 2012. In his role as Director of New York Operations, Dave is responsible for overseeing all facets of the firm's New York operations and clients. His responsibilities include overseeing client management and grant writing operations, leading team members, developing and implementing policies and procedures, ensuring quality control and identifying and developing new business. Prior to this, Dave served as a Grants Manager working with cities and nonprofit organizations to secure grant funding for various projects and programs. Prior to joining the firm, Dave served as Chief of Staff to Assemblyman Joseph Cryan during his tenure as Chairman of the New Jersey Democratic State Committee, and Majority Leader of the New Jersey General Assembly. Dave graduated from Elon University where he received a Bachelor of Arts Degree in Political Science.



CHRISTOPHER SPRAGUE | DIRECTOR OF CLIENT SERVICES

Chris has been a member of the firm since 2010. In his role as Director of Client Services, Chris co-leads the service team working with New Jersey, Pennsylvania, and Delaware clients. His responsibilities include, but are not limited to: overseeing client management and grant writing operations, leading team meetings, developing and implementing policies and procedures, ensuring quality control, and managing data. Prior, Chris was a Senior Grants Manager working with cities and nonprofit organizations to secure grant funding for various projects and programs. Chris is a graduate of Seton Hall University where he received a Bachelor's Degree in History, English and Italian and a Master's Degree in Diplomacy and International Relations.



CATHERINE KAPURA | DIRECTOR OF CLIENT SERVICES

Catherine has been a member of the firm since 2015. In her role as Director of Client Services, Catherine co-leads the service team working with New Jersey clients. Her responsibilities include, but are not limited to: overseeing client management and grant writing operations, leading team meetings, developing and implementing policies and procedures, ensuring quality control, and managing data. Prior to this, Catherine served as a Senior Grants Manager working with municipalities and counties to secure grant funding for various projects and programs focused on education, parks, transportation infrastructure, restorative justice, and health and human services. Catherine graduated from Fairfield University where she received a Bachelor of Arts Degree in English. Additionally, Catherine holds a Masters Degree in Environmental Policy and International Development from the University of Maryland.



LAURA WINTROUB | DIRECTOR OF CLIENT SERVICES

Laura has been a member of the firm since 2015. In her role as Director of Client Services, Laura co-leads the service team working with New Jersey clients. Her responsibilities include, but are not limited to: overseeing client management and grant writing operations, leading team meetings, developing and implementing policies and procedures, ensuring quality control, and managing data. Prior to this, Laura served as a Senior Grants Manager working with municipalities and boards of education to secure grant funding for various projects and programs. Laura currently serves on the Strategic Advisory Board of Rising Tide Capital, a nonprofit entrepreneurship training organization located in Jersey City, New Jersey. Laura is a graduate of Haverford College where she received a Bachelor's Degree in History.



MELANI FILOSA | DIRECTOR OF CLIENT SERVICES

Melani has been a member the firm since 2018. In her role as Director of Client Services, Melani co-leads the service team working with New Jersey clients. Her responsibilities include, but are not limited to: overseeing client management and grant writing operations, leading team meetings, developing and implementing policies and procedures, ensuring quality control, and managing data. Prior to joining Millennium, Melani worked with several non-profit organizations. She applies this experience and passion into her everyday work by identifying the best ways to explain project goals in an application, seeking the right grant opportunities for those projects and executing that process meticulously. Melani is a graduate of Seton Hall University where she received a Bachelor of Arts Degree in both Political Science and English, receiving the Departmental Citation in Literature & Writing.



PETER BLANOS | DIRECTOR OF BUSINESS DEVELOPMENT

Peter has been a member of the firm since 2011. In his role as Director of Business Development, Peter oversees all aspects of the firm's sales and marketing related efforts. His responsibilities include, but are not limited to: developing and overseeing the firm's annual business development strategy, managing the RFP/RFQ process for the firm's 90+ public sector clients, and attending various conferences. Prior to this, Peter served as Director of Client Services where he was responsible for overseeing client management and grant writing operations, leading team meetings, developing and implementing policies and procedures, ensuring quality control, and managing data. Peter is a graduate of the University of Scranton where he received a Bachelor of Arts Degree in Political Science.



KATIE KOCHER | DEPUTY DIRECTOR OF RESEARCH AND SPECIAL PROJECTS

Katie has been a member of the firm since 2019. In her role as Deputy Director of Research and Special Projects, Katie is responsible for overseeing all research conducted by the firm into governmental and non-governmental funding sources. In addition, she is also responsible for overseeing all clients enrolled and content within Millennium's Grant Research Portal Service as well as all special projects performed on behalf of outside agencies. Prior to this Katie served as a Senior Grant Manager, where she was responsible for working with urban municipalities and counties to secure grant funding for key projects and programs. One of Katie's biggest passions is education. Prior to joining Millennium Katie served as an assistant editor for a not-for-profit publisher, and taught English at Seton Hall University. Katie is a graduate of Seton Hall University where she earned a Bachelor and a Master of Arts degree in English.



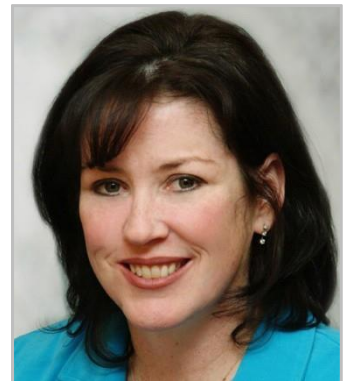
TONY ARDIS | ACCOUNTS RECEIVABLE MANAGER

Tony has been a member of the firm since 2017. In his role as Accounts Receivable Manager, Tony is responsible for overseeing invoicing, collections, and bill processing. Prior to joining Millennium, Tony served for nine years as the District Director for Congressman Bill Pascrell Jr. In this role, he supported the District's 21 municipalities by supervising casework, field activities and representing the Congressman. Tony has over 30 years of experience serving in administrative positions for various local, state, and federal government agencies. Tony is a graduate of William Paterson University where he received a degree in Political Science.



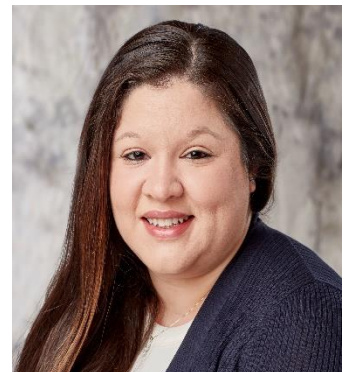
BERNADETTE McPHERSON, ESQ. | DIRECTOR OF OUTREACH

Bernadette has been a member the firm since 2012. In her role as Director of Outreach, Bernadette is responsible for marketing Millennium Strategies to municipal and county governments. Bernadette brings extensive municipal and county government experience to Millennium, having served as a member of the Bergen County Board of Chosen Freeholders from 2003 to 2011 and as Mayor of Rutherford from 2000 to 2007. Bernadette remains active in politics and currently serves as the Legislative District 36 Chairwoman for the Democratic Committee of Bergen County. Bernadette is a graduate of La Salle University where she received a Bachelor of Arts degree in Political Science and English. Additionally, Bernadette holds a Juris Doctorate from Temple University School of Law.



JESSICA CARVAJAL | HUMAN RESOURCES GENERALIST

Jessica has been a member of the firm since 2021. In her role as Human Resource Generalist, Jessica manages the daily functions of the Human Resources Department including benefit and leave administration, recruitment, and assisting with enforcing company policies and practices. Jessica has over seven years of experience in the field of Human Resources. Prior to joining Millennium, she was the Assistant Director of Human Resources at a large non-profit organization, where she handled all aspects of human resources including benefits, payroll and employee relations. Jessica has strong working knowledge in employment compliance, HRIS, and benefit management. Jessica is a graduate of the College of Saint Elizabeth where she received a Bachelor's Degree in Business Administration and Management. Additionally, Jessica holds an MBA in Finance from the New Jersey Institute of Technology.



SUSAN SCAVONE | DISASTER RECOVERY SPECIALIST

Sue has been a member of the firm since 2005. In her role as Disaster Recovery Specialist, Sue serves as the firm's leader on all disaster recovery projects and funding procurement. She has secured her position as a regional expert in FEMA Public Assistance and Hazard Mitigation Grant Programs allowing her to help the firm's clients navigate these complex programs. Sue previously served as Millennium's Principal from 2005 through 2022. Prior to joining Millennium Strategies, Sue served as President of SMS Consulting Services, Inc. for ten years, where she provided governmental relations, grant procurement, and consulting services to both private and public sector clients. In addition Sue also served in the administration of Governor James J. Florio, on the staff of several members of the New Jersey Legislature, and in Essex County government. Sue is a graduate of Montclair State University where she received a Bachelor of Arts Degree in Political Science.



KAREN SPICER | SENIOR GRANT MANAGER

Karen has been a member of the firm since 2020. In her role as Senior Grant Manager, Karen is responsible for working with several of the firm's municipal clients throughout New Jersey. In addition, she is also responsible for serving as the firm's co-editor and chief as well as a staff mentor. Prior to joining Millennium, Karen worked for museums and cultural institutions in the Philadelphia and New York City areas focusing on exhibition development, public engagement, and historic preservation. She earned a Bachelor of Arts in Anthropology from Franklin & Marshall College and a Master of Arts in Museum Professions from Seton Hall University.



TARYN PRONKO | SENIOR GRANT MANAGER

Taryn has been a member of the firm since 2019. In her role as Senior Grant Manager, Taryn is responsible for working with several of the firm's local government clients throughout New York. In addition, she is also responsible for serving as the firm's co-editor and chief as well as a staff mentor. Prior to joining the firm, Taryn was a Deputy Clerk Intern within the U.S. Federal Court system, where she assisted in numerous departments, including jury, pro se law offices, and the circuit library. Taryn graduated from Penn State University with a Bachelor's Degree in English, receiving the Academic Excellence Award for the Humanities.



KAMARI MOORE | SENIOR RESEARCH MANAGER

Kamari has been a member the firm since 2018. In her role as Senior Research Manager, Kamari is responsible for providing accurate and timely research breakdowns for client service staff, overseeing accuracy of content posted on Millenniums grant research portal, and providing reports to select clients. She is also responsible for editing weekly research and assisting the Deputy Director of Research and Special Projects. Prior to joining Millennium, Kamari proudly served as a member of the service fraternity Alpha Phi Omega, where she participated in community outreach programs aimed at servicing disadvantaged populations. Kamari is a graduate of Seton Hall University where she received Bachelor of Arts Degrees in English and Philosophy.



ASHLEY TAYLOR | GRANT MANAGER

Ashley has been a member of the firm since 2020. In her role as Grant Manager, Ashley is responsible for working with several of the firms municipal and board of education clients to help secure funding for key projects and programs. Prior to joining Millennium, Ashley worked for the US Department of Commerce as well as the for the State of Delaware. Ashley is a graduate of Delaware State University where she received a Bachelor of Arts degree in Criminal Justice and a Minor in Law Studies. Ashley was led to Millennium by help passion for government policy and how it can be used to create a better quality of life for all communities.



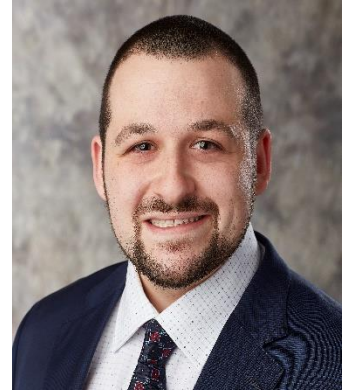
RYAN TALMADGE | GRANT MANAGER

Ryan has been a member of the firm since 2020. In his role as Grant Manager, Ryan is responsible for working with several of the firm's municipal and county clients to help secure both public and private sector grant funding on their behalf. Prior to joining Millennium, Ryan was Interim Security Lieutenant in the Department of Public Safety for Rutgers University - Newark. He was a collaborator and guest lecturer for the Rutgers' Honors Living-Learning Community (HLLC) program. In 2017, Ryan was a candidate for the Newark Public Schools Advisory Board and is an Alumnus of the Leadership Newark 2019 Cohort. Ryan is a graduate of Rutgers University-Newark where he received a Bachelor of Arts Degree in Political Science.



MICHAEL WEISS | GRANT MANAGER

Michael has been a member of the firm since 2020. In his role as Grant Manager, Michael is responsible for servicing several of the Firms municipal clients to help secure both public and private sector grant funding on their behalf. Prior to joining the firm, Michael worked as a graduate assistant for the West Chester University History Department. Michael is a graduate of West Chester University where he received a Bachelor's Degree in History, with a minor in Political Science, and a Master's Degree in History. During his time as a graduate student he was inducted into the National History Honor's Society, Phi Alpha Theta, and earned the Award of Excellence for Excellence in Scholarship and/or Creative Activity from the History Department.



JENNIFER GALLAGHER | GRANT MANAGER

Jennifer has been a member of the firm since 2020. In her role as Grant Manager, Jennifer is responsible for working with several of the firm's municipal and county clients to help secure both public and private sector grant funding on their behalf. Prior to joining Millennium, Jennifer worked as an intern for The Land Conservancy of New Jersey, assisting municipalities with planning their open space and recreation projects. Jennifer is a graduate of the University of Delaware where she received a Bachelor Degree in Environmental Studies.



HANNAH SAKHA | GRANT MANAGER

Hannah has been a member of the firm since 2020. In her role as Grant Manager, Hannah is responsible for working with several of the firm's municipal and county clients to help secure both public and private sector grant funding on their behalf. Prior to joining the firm, Hannah was an intern for a science and medical content publishing company, where she was able to copyedit documents and conduct manuscript analyses. Hannah is a graduate of Seton Hall University where she received a Bachelor's Degree in English with a minor in Public Relations.



MEGAN KLEPPER | GRANT MANAGER

Megan has been a member of the firm since 2021. In her role as a Grant Manager, Megan is responsible for working with the firm's municipal clients to secure public and private grant funding for their key programs and projects. Prior to joining Millennium, Megan interned as a journalist for multiple online publications. Megan is a graduate of James Madison University where she received a Bachelor of Arts Degree in Writing, Rhetoric, and Technical Communication.



LOUIS MOTTA | GRANT MANAGER

Louis has been a member of the firm since 2021. In his role as a Grant Manager, Louis is responsible for working with the firm's local government clients to secure public and private grant funding for their key programs and projects. Prior to joining Millennium, Louis served as assistant news editor for a not-for-profit newspaper and tutored students in writing at Seton Hall University. Louis is a graduate of Seton Hall University where he earned a Bachelor of Arts degree in Creative Writing with a Minor in Literature and Visual Media.



TAYLOR SAMITT | RESEARCH MANAGER

Taylor has been a member of the firm since 2022. In her role as Research Manager, Taylor is responsible for researching available grant opportunities, from federal, state, county, corporate, and philanthropic sources, on behalf of Millennium's clients. Taylor analyzes and summarizes each grant in preparation for presentation and company-wide distribution while also assisting in special projects as well as overseeing the content posted on the firm's online grant portal. Prior to joining the firm, Taylor worked on various local government campaigns. Taylor is a graduate from the University at Albany, where she received her Bachelor of Arts Degree in Public Administration and Management with a focus of Public Policy. During her studies, she served as a member of Alpha Phi Omega, a community service fraternity that helps the local Albany community with services.



MONICA LUDWINSKI | GRANT WRITER

Monica has been a member of the firm since 2021. In her role as a Grant Writer, Monica is responsible for working with several of the firm's municipal clients to help secure public and private sector grant funding on their behalf. Some of her daily responsibilities include collaborating with the Directors of Client Service on different projects, along with drafting narratives and gathering supporting documents associated with grant applications. Prior to joining Millennium, Monica interned for City Green, an urban farm and garden organization working to revitalize urban areas. Monica is a graduate of Montclair State University where she received a Master of Science Degree in Sustainability Science.



MICHAEL DZIUBA | GRANT WRITER

Michael has been a member of the firm since 2021. In his role as Grant Writer, Michael is responsible for servicing several of the firm's municipal clients throughout New York, assuring their requests for both public and private grant funding are thorough and competitive. Prior to joining the firm, Michael worked in the City of Bethlehem's Department of Community and Economic Development, working with community partners and not-for-profit organizations to assess and remediate urban blight. Michael graduated from Muhlenberg College with a Bachelor's Degree in Political Science, where he was also initiated into Pi Sigma Alpha, the National Political Science Honor Society. Additionally, Michael holds a Master's Degree in Political Science from Lehigh University.



MARIO CARVAJAL IV | GRANT WRITER

Mario has been a member of the firm since 2022. In his role as Grant Writer, Mario is responsible for working with municipal and county clients to help secure both public and private sector grant funding on their behalf. Some of his daily responsibilities include working closely with the Directors of Client Services on different projects, as well as preparing narratives, applications, and other supporting documentation associated with grant applications. Prior to joining Millennium, Mario worked as a legal assistant for a law firm providing support to the General Counsel. Mario received a Bachelor of Arts Degree in Political Science with a minor in Public Policy from Ramapo College of New Jersey. During his time as an undergraduate student, he was inducted into the National Political Science Honor Society and served as the Senate Vice President within the Student Government Association.



JUSTIN VEGA | GRANT WRITER

Justin has been a member of the firm since 2022. In his role as Grant Writer, Justin is responsible for working with local government clients to help secure both public and private sector grant funding on their behalf. Some of his daily responsibilities include working closely with the Directors of Client Services on different projects, as well as preparing narratives, applications, and other supporting documentation associated with grant applications. Justin is a graduate of Baylor University where he received a Bachelor's Degree in History.



MELAINA NESS | GRANT WRITER

Melaina has been a member of the firm since 2022. In her role as Grant Writer, Melaina is responsible for working with local government clients to help secure both public and private sector grant funding on their behalf. Some of her daily responsibilities include working closely with the Directors of Client Services on different projects, as well as preparing narratives, applications, and other supporting documentation associated with grant applications. Melaina is a graduate of SUNY New Paltz where she received a Bachelor of Arts Degree as a double major in Political Science and Economics. During her time as an undergraduate student, she was inducted into the National Political Science Honor Society, Pi Sigma Alpha, and into the International Honor Society in Economics, Omicron Delta Epsilon.



GINA BACHORIK | GRANT WRITER

Gina has been a member of the firm since 2022. In her role as Grant Writer, Melaina is responsible for working with local government clients to help secure both public and private sector grant funding on their behalf. Some of her daily responsibilities include working closely with the Directors of Client Services on different projects, as well as preparing narratives, applications, and other supporting documentation associated with grant applications. Gina is a graduate of Stonybrook University where she received her undergraduate degree in Multidisciplinary Studies.



KHAYLA DIXON | GRANT WRITER

Khayla joined the firm in 2023. In her role as a Grant Writer, Khayla is responsible for working with the firm's municipal clients in Ohio and Pennsylvania to secure public and private grant funding on their behalf. Prior to joining the firm, she was an intern within the New Jersey Superior Court. Khayla is a graduate of Rutgers University where she received her Bachelor of Arts in Political Science and Criminal Justice. During her time as an undergraduate student, she was inducted into the National Political Science Honor Society, Pi Sigma Alpha.



SOPHIA OHRYNOWICZ | GRANT WRITER

Sofia has been a member of the firm since 2023. In her role as Grant Writer, Sofia is responsible for working with several of the firm's municipal clients in New York to help secure public and private sector grant funding on their behalf. Some of her daily responsibilities include collaborating with the Directors of Client Service on different projects, along with drafting narratives and gathering supporting documents associated with grant applications. Prior to joining Millennium, Sofia worked as the Content Marketing Manager for Bullion Exchanges where she served as an in-house journalist, social media manager, and technical content writer. She continued on to become a teaching assistant at Seton Hall University, teaching freshman level writing courses while working on her Master of Arts in English. Sofia completed her Bachelor of Arts in English at Suffolk University and her Master of Arts in English at Seton Hall University.



WILL EVANS | GRANT WRITER

Will has been a member of the firm since 2023. In his role as Grant Writer, Will is responsible for working with several of the firm's municipal clients throughout New Jersey to help secure both public and private funding on their behalf. Some of his daily responsibilities include collaborating with the Directors of Client Service on different projects, along with drafting narratives and gathering supporting documents associated with grant applications. Prior to joining Millennium, Will worked as a field organizer on Mikie Sherrill's Congressional Campaign during the 2022 election cycle and as a development intern at 3.14 Action. Will is a graduate of Virginia Tech where he received a Bachelor of Arts Degree in Political Science.



THOMAS INFANTE | GRANT WRITER

Thomas has been a member of the firm since 2023. In his role as a Grant Writer, Thomas is responsible for servicing the firm's municipal clients throughout New Jersey to help secure public and private grant funding on their behalf. His daily responsibilities include collaborating with the Directors of Client Services on different projects, drafting narratives, and gathering supporting documents and information associated with grant applications. Thomas graduated cum laude from the College of New Jersey, earning a Bachelor of Arts Degree in Journalism and Professional Writing. As an undergraduate student, he served as the Editor-in-Chief of the College's newspaper and received a departmental scholarship for his academic achievement and commitment to journalistic values and free expression.



STEPHEN SHAHEEN | GRANT WRITER

Stephen has been a member of the firm since 2023. In his role as Grant Writer, Stephen is responsible for working with several of the firm's municipal clients in New Jersey to help secure public and private sector grant funding on their behalf. Some of his daily responsibilities include collaborating with the Directors of Client Service on different projects, drafting grant narratives and gathering supporting documents associated with grant applications. Prior to joining Millennium, Stephen worked as a logistics specialist at a transportation company. In addition, he also served as a Congressional Legislative Intern for Representative Mikie Sherill. Stephen is a graduate of Montclair State University where he earned a Bachelor of Arts Degree in Political Science and a Minor in Public Administration.



JOHN MILLIGAN | GRANT WRITER

John has been a member of the firm since 2023. In his role as a Grant Writer, John is responsible for working with municipal clients across New Jersey to help secure public and private sector funding on their behalf. Some of his day-to-day responsibilities include working closely with the Directors of Client Services on different projects in addition to writing narratives, organizing applications, and compiling supporting documentation and materials. Prior to joining the firm John served as a program coordinator for the Mandela Washington Fellowship at the Rutgers Civic Leadership Institute. John is a graduate of Rutgers University with a Bachelor of Arts degree in political science, environmental policy, and behavior.



VANESSA TOUSIGNANT | PORTAL GRANT WRITER

Vanessa has been a member of the firm since 2023. As Portal Grant Writer, Vanessa is responsible for preparing grant applications and drafting narratives for the firm's portal clients. She works closely with the Deputy Director of Research and Special Projects to secure grant funding through various programs aimed to assist communities improve their education, transportation, recreation, infrastructure, and human services. Prior to Vanessa joining the firm as a full-time employee, she served as an intern for five months. Vanessa graduated Summa Cum Laude from both Bergen Community College's and William Paterson University's Honors Colleges, where she received a Bachelor's Degree in Political Science and focus on Public Policy Administration.



JOHN GAULT | BUSINESS DEVELOPMENT REPRESENTATIVE

John has been a member of the firm since 2022. In his role as Business Development Representative, John works to support the development of new business across Millennium's target markets. Some of his daily responsibilities include outreach to prospective customers, management of existing prospects, working to help develop innovative sales strategies, and attending conferences. Prior to joining the firm, John spent 16 years in finance with Prudential Securities before taking on business development roles at AFLAC and Ryder Inc. John is a graduate of SUNY New Platz where he received a Bachelor of Science Degree in Marketing.



Millennium Strategies, LLC
25 Smith Street, Suite 401
Nanuet, NY, 10954

This Agreement is made and entered into this _____ day of _____, 20____ by and between **Millennium Strategies, LLC** (herein referred to “Consultant”) located at 60 Columbia Road, Building B, Suite 230, Morristown, NJ, 07960 and the **Town of Orangetown** (herein referred as “Client”) located at 26 Orangeburg Road, Orangetown, NY, 10962.

SCOPE OF SERVICES

Consultant will provide Client with access to Grant Research Portal and Project Support Services. The specific scope of services to be rendered by Consultant on behalf of Client are outlined and described below.

Service 1: Establish Organization Profile Within Online Grant Research Portal Platform – Consultant will establish an organization profile for Client within Consultants online grant research portal platform. This platform will serve as the center for viewing detailed summaries on all federal, state, county, corporate, and philanthropic grant opportunities applicable to Client’s organization. Consultant will assign user accounts to key Client staff so that they may access the portal platform.

Service 2: Access to Detailed Grant Summaries – Consultant will post detailed summaries, for all available federal, state, county, corporate and philanthropic grant opportunities, that are applicable to Client’s organization within the portal platform. These opportunities will be posted on a weekly basis and will provide key Client staff with access to information pertaining to each grant opportunity posted including deadlines, eligibility requirements, award information, program goals/objectives, etc. Key Client staff will receive e-mail notifications when new grant summaries are posted and will be able to view them from within their online user accounts.

Service 3: Consultations on Available Grant Opportunities – Consultant will provide consultations, when requested by Client, regarding grant opportunities that Client has identified via their portal platform and may be interested in pursuing. These consultations will help to provide key Client staff with guidance regarding the goals/objectives and other qualifying criteria associated with each grant opportunity presented in order to determine whether the opportunity is viable for Client to pursue.

Service 4: Project Support – Consultant will provide project support when requested by Client and mutually agreed to by Consultant. This includes assistance with the preparation of grant applications, grant administration activities, specialized research projects, meeting attendance, and/or other unspecified administrative tasks related to grants. This does not include project management.

FEE SCHEDULE

Consultant will receive fees from Client, for the provision of Scope of Services, in accordance with the fee schedule listed below. Consultant’s fees are not contingent upon the successful award of grant funding.

Services 1-3: Consulting fee billed at a rate of \$400.00 per month, not to exceed \$4,800.00. These services will be provided on an ongoing basis throughout the duration of the contract period.

Service 4: Hourly fees billed at a rate of \$150.00 per hour. These services will only be rendered when specifically requested by Client and agreed to by Consultant. For retention of Consultant for this service offering, Client expressly acknowledges that Consultant reserves the right to accept or reject any project support request made by Client at any time for any reason. If Consultant accepts project support request, Consultant will prepare and submit a Project Agreement to Client outlining the scope of work and not-to-exceed cost associated with each Project. Consultant will proceed with providing project support only upon receipt of written acceptance of Project Agreement from Client.

Millennium Strategies, LLC
25 Smith Street, Suite 401
Nanuet, NY, 10954

TERM

This Agreement shall be for a period of twelve (12) months commencing on February 1, 2024. This agreement may be automatically renewed on an annual basis with the written consent of both Client and Consultant.

TERMINATION

Either party may terminate this Agreement at any time by giving written notice, delivered by registered mail to the office of the other party. Termination shall occur 30 days after posting of notice. Client will be responsible for any fee's incurred prior to posting of notice.

HOLD HARMLESS

If a party to this agreement causes any damage or incurs any expense, loss, or liability as a result of the negligent or reckless acts, errors or omissions, of such party, its officers, employees, agents, consultants, subcontractors or others acting on its behalf, such party shall, to the fullest extent permitted by law, defend, indemnify and hold the other party, its officers, employees and invitees harmless from any damage, liability, expense or cost. Indemnification shall include, but not be limited to, payments pursuant to settlement or verdict, fees, claims, demands, losses, court costs, settlement costs, and counsel fees.

ASSIGNABILITY

This Agreement is not assignable without the prior written consent of all parties.

BINDING

This Agreement shall be binding upon each party's successors or assignees.

LAW

The terms of this Agreement shall be governed by the laws of the State of New York.

DISPUTES

The parties hereto stipulate and agree that any dispute between them, whether equitable or legal relief is sought shall be venued in the Supreme Court of New York. Each of the parties to this Agreement further stipulates and agrees to the personal and subject matter jurisdiction of the Supreme Court of New York, in such dispute or proceeding.

ACKNOWLEDGED, AGREED TO, AND ACCEPTED BY:

Date

01/19/2024

For: Millennium Strategies LLC.



Name: Edward Farmer
Title: President and CEO

Date

For: Town of Orangetown

Name:
Title:

**Town of Orangetown
Service Agreement**

Page 2 of 2

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

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

MEMORANDUM

TO: Teresa Kenny, Jerry Bottari, Brian Donohue, Paul Valentine

FROM: James J. Dean, Superintendent of Highways

DATE: January 8, 2024

RE: **Award Bid - Two (2) New Trailer Mounted Variable Message Signs**

The Orangetown Highway Department is recommending the purchase of two variable message signs (VMS) to add to our inventory of two (2). For your information, the two VMS were purchased in 2018, and one of the signs has a malfunction and is currently in need of repair.

The VMS are a critical component of Highway Department Operations and are used for Traffic Control and Pedestrian Safety in work zones. In addition to assuring VMS are available for Safety Operations, The Highway Department needs additional VMS to keep up with the usage demand by other Town agencies for public service announcements such as; Town Capital Projects advisories, Town wide Program announcements, Town Board Approved Event announcements and Emergency Public Notification.

Please be advised that variable message boards are classified as emergency road equipment and are eligible for reimbursement from New York State Consolidated Highway Improvement Program funding. The Highway Department will submit the reimbursement request to the New York State Department of Transportation in the first quarter of 2024.

Should you have any questions or need additional information, please feel free to contact me on my mobile phone at 914-490-4864.

JJD/bam



BID ITEM

TWO (2) NEW TRAILER MOUNTED VARIABLE MESSAGE

BID OPENING

11:00AM

DATE

OCT. 12, 2023

CONTRACTOR

NAME
&

ADDRESS

Glenco Supply
Bakherst, NJ

Gardens State / National
Highway Products
Millville, NJ

MS Unlimited
Cicero, NY

DATE RECEIVED

10/11/23

10/11/23

10/12/23

TIME RECEIVED

10:55AM

12:36pm

9:32AM

NON COLLUSION

STATEMENT

✓

✓

✓

BID BOND or

CERTIFIED CHECK

✓

NO

NO

NEW TRAILER MOUNTED VARIABLE MESSAGE BOARD (Dimensions 96" x 48") Qty 2

Unit Price	\$ 16675.00	\$ 16800.00	\$ 14860.00	\$	\$	\$	\$
Total Cost	\$ 33350.00	\$ 33600.00	\$ 29760.00	\$	\$	\$	\$

Modem Qty 2

Unit Price	\$ 1275.00	\$ 640.00	\$ 840.00	\$	\$	\$	\$
Total Cost	\$ 2550.00	\$ 1280.00	\$ 1680.00	\$	\$	\$	\$

Smart Phone Handheld Options Qty 2

Unit Price	\$ Included	\$ Included	\$ 120.00	\$	\$	\$	\$
Total Cost	\$ w/ Modem	\$	\$ 240.00	\$	\$	\$	\$

Radar with Data Collection Qty 2

Unit Price	\$ 1715.00	\$ 1552.00	\$ 2844.00	\$	\$	\$	\$
Total Cost	\$ 3430.00	\$ 3104.00	\$ 5688.00	\$	\$	\$	\$

Extended Warranty Qty 2

Unit Price	\$ Included	\$ Included	\$ 0	\$	\$	\$	\$
Total Cost	\$	\$ 545	\$ 0	\$	\$	\$	\$

Alignment Sight Qty 2

Unit Price	\$ Included	\$ Standard	\$ 0	\$	\$	\$	\$
Total Cost	\$	\$	\$ 0	\$	\$	\$	\$

Pole Cole Hersee Plug Qty 2

Unit Price	\$ 142.00	\$ 101.00	\$ 60.00	\$	\$	\$	\$
Total Cost	\$ 284.00	\$ 202.00	\$ 120.00	\$	\$	\$	\$

Electromechanical Lift Qty 2

Unit Price	\$	\$ 1420.00	\$ 0	\$	\$	\$	\$
Total Cost	\$ N/A	\$ 3840.00	\$ 0	\$	\$	\$	\$

3" Pintle Hitch Qty 2

Unit Price	\$ 320.00	\$ Included	\$ 120.00	\$	\$	\$	\$
Total Cost	\$ 640.00	\$	\$ 240.00	\$	\$	\$	\$

Vandal Box Qty 2

Unit Price	\$ Included	\$ 405.00	\$ 0	\$	\$	\$	\$
Total Cost	\$	\$ 810.00	\$ 0	\$	\$	\$	\$

Yearly Cell Service Qty 2

Unit Price	\$ Included	\$ Free Lifetime	\$ 144.00	\$	\$	\$	\$
Total Cost	\$ w/ Modem	\$ w/ Modem	\$ 288.00	\$	\$	\$	\$

Freight Qty 1

Total Cost	\$ 3600.00 (3X)	\$ 400.00	\$ 1980.00	\$	\$	\$	\$
GRAND TOTAL COST	\$ 42254.00	\$ 43234.00	\$ 34946.00	\$	\$	\$	\$

OPTION 1

NEW TRAILER MOUNTED VARIABLE MESSAGE BOARD (Dimensions 71" x 44") Qty 1

Total Cost	\$ 15143.00	\$ 16050.00	\$ 14880.00	\$	\$	\$	\$
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Modem Qty 1

Total Cost	\$ 1275.00	\$ 640.00	\$ 840.00	\$	\$	\$	\$
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BID ITEM

TWO (2) NEW TRAILER MOUNTED VARIABLE MESSAGE

BID OPENING

11:00AM

DATE

OCT. 12, 2023

CONTRACTOR

NAME

&

ADDRESS

Glenco Supply
Bakhurst, NJ
Garden State
Highway Products
Millville, NJ
MS Unlimited
Cicero, NY

Smart Phone Handheld Options Qty 1

Total Cost \$ Included \$ Included \$ 120.00 \$ \$

Radar with Data Collection Qty 1

Total Cost \$ 1715.00 \$ 1552.00 \$ 244.00 \$ \$

Extended Warranty Qty 1

Total Cost \$ Included \$ Included \$ 0 \$ \$

Alignment Sight Qty 1

Total Cost \$ Included \$ STANDARD \$ 0 \$ \$

Pole Cole Hersee Plug Qty 1

Total Cost \$ 142.00 \$ 100.00 \$ 60.00 \$ \$

Electromechanical Lift Qty 1

Total Cost \$ N/A \$ 1420.00 \$ 0 \$ \$

3" Pintle Hitch Qty 1

Total Cost \$ 320.00 \$ Included \$ 120.00 \$ \$

Vandal Box Qty 1

Total Cost \$ Included \$ 405.00 \$ 0 \$ \$

Yearly Cell Service Qty 1

Total Cost \$ Included \$ Free Lifetime \$ 144.00 \$ \$

Freight Qty 1

Total Cost \$ 1250.00 \$ 200.00 \$ 1470.00 \$ \$

TOTAL COST OPTION 1 \$ 19845.00 \$ 20867.00 \$ 20478.00 \$ \$

OPTION 2

NEW TRAILER MOUNTED VARIABLE MESSAGE BOARD (Dimensions 133" x 79.5") Qty 1

Total Cost \$ 22310.00 \$ 19500.00 \$ 18600.00 \$ \$

Modem Qty 1

Total Cost \$ 125.00 \$ 640.00 \$ 840.00 \$ \$

Smart Phone Handheld Options Qty 1

Total Cost \$ Included \$ Included \$ 120.00 \$ \$

Radar with Data Collection Qty 1

Total Cost \$ 1715.00 \$ 1552.00 \$ 2544.00 \$ \$

Extended Warranty Qty 1

Total Cost \$ Included \$ Included \$ 0 \$ \$

Alignment Sight Qty 1

Total Cost \$ Included \$ STANDARD \$ 0 \$ \$

Pole Cole Hersee Plug Qty 1

Total Cost \$ 142.00 \$ 100.00 \$ 60.00 \$ \$

Electromechanical Lift Qty 1

Total Cost \$ N/A \$ STANDARD \$ 0 \$ \$

3" Pintle Hitch Qty 1

Total Cost \$ 320.00 \$ Included \$ 120.00 \$ \$

Vandal Box Qty 1

Total Cost \$ Included \$ 405.00 \$ 0 \$ \$

Yearly Cell Service Qty 1

Total Cost \$ Included \$ Free Lifetime \$ 144.00 \$ \$

Freight Qty 1

Total Cost \$ 1250.00 \$ 200.00 \$ 1680.00 \$ \$

TOTAL COST OPTION 2 \$ 27012.00 \$ 23297.00 \$ 24408.00 \$ \$

Agreement between the Town of Orangetown and NYCFC Elite Development
Squad, LLC

For use of Field Space at the Orangetown Soccer Complex

The Town of Orangetown (Town), as the owner of the Orangetown Soccer Complex located at 175 Old Orangeburg Road, Orangeburg, New York, 10962 ("the Complex") hereby grants permission to NYCFC Elite Development Squad, LLC (NYCFC2) a New York corporation having offices at 600 Third Avenue, 30th Floor, New York, NY 10016, for soccer training purposes under the terms and conditions set forth in this agreement ("Agreement").

1. The Town of Orangetown grants access to the NYCFC2 to one (1) Playing Field (defined below) at the Complex beginning on February 1, 2024 and ending on December 15, 2024 ("Term") for soccer training purposes only. No competitive matches against other teams shall be permitted except for scrimmage "Training Games" scheduled by NYCFC2 from time to time during the Term. For the purposes of this agreement "Training Games" shall mean friendly, unofficial training scrimmages played with (i) only NYCFC2 players; or (ii) NYCFC2 players and players from third-party teams. Field use will be permitted only between the hours of 11 a.m. to 1 p.m., Monday through Friday, or some other continuous two (2) hour period on such days as determined by NYCFC2 and approved by the Town or OMSC, as applicable, in good faith discussions. NYCFC2 shall have access to the restroom facilities on site at the Complex during these time periods. The playing field granted to NYCFC2 pursuant to the terms of this section shall be the field labeled as "Daily Field" in the map attached hereto as Exhibit A ("Playing Field").

2. NYCFC2 is aware of and hereby acknowledges that there is an Agreement dated as of February 9, 2016 between the Town of Orangetown and the Orangetown Metro Sports Club (OMSC) (Formerly known as OMM) for use of the Complex. It is understood that the use of a playing field under this Agreement will not interfere with field use scheduled by OMSC, or by the Town of Orangetown Parks and Recreation Department for resident recreation activities at the Complex. Notwithstanding anything to the contrary herein, at all times Town of Orangetown youth sports programs and community activities will be given priority with regard to field use and scheduling at the Complex as determined by the Town of Orangetown. NYCFC2 shall work directly with the Town and OMSC for any necessary scheduling adjustment during the Term. Notwithstanding anything to the contrary in this Agreement, the parties hereto acknowledge and agree that NYCFC2 shall have access to the Playing Field Monday through Friday from 11am to 1PM throughout the Term, or some other continuous two (2) hour period on such days as determined by NYCFC2 and Town or OMSC, as applicable, in good faith discussions. In no event will NYCFC2 be denied access to the Playing Field for less than a continuous two (2) hour period between the hours of 9am and 5pm, five (5) days a week from Monday through Friday during the Term.

3. NYCFC2 shall indemnify and hold harmless the Town, its officers, agents, and employees or any of them, from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by reason of or arising out of any action or omissions of NYCFC2, its officers, agents, and employees, or any of them, as a result of its use of the field under the terms of this Agreement.

5. NYCFC2 shall secure and maintain commercial general liability insurance for the entire term of this Agreement to cover all NYCFC2 uses of the site and related uses. Said insurance shall be in the amount of not less than Two Million dollars (\$2,000,000.00) per occurrence bodily injury/property damage and Three Million dollars (\$3,000,000.00) aggregate. The Town shall be named additional insured for said policy or

policies, and such policies shall provide for notice by the insurance company to the Town of any termination or cancellation of a policy at least thirty (30) days in advance.

6. Due to the nature of the request and use of the Playing Field for training purposes by NYCFC2 as detailed in this Agreement, notwithstanding anything to the contrary regarding field use fees as set by the Town of Orangetown, NYCFC2 will pay a fee to the Town in the amount of \$30,000.00 ("Fee") for the use of the field in accordance with the terms of this Agreement, as follows:

April 1, 2024:	\$30,000.00
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7. The Town may cancel this Agreement and permission for NYCFC2 to use the Playing Field at any time, upon fifteen (15) days' written notice to NYCFC2, for any reason. Upon cancellation of this Agreement, Town shall provide NYCFC2 with a pro-rata refund of any of the Fee paid by NYCFC2 prior to such cancellation.

Dated: January 17, 2024

Orangeburg, NY

NYCFC Elite Development Squad, LLC
Jennifer O'Sullivan
Chief Operating Officer

Supervisor, Town of Orangetown
Town Board Resolution 2024-_____

Acknowledged by:

Orangetown Metro Sports Club, Inc.

Exhibit A
World Class Map



OFFICE OF THE COUNTY ATTORNEY

11 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5180 Fax: (845) 638-5676

Thomas E. Humbach
County Attorney

_____, 2023

Town of Orangetown
20 Orangeburg Road
Orangeburg, New York 10962

ATTENTION: Teresa Kenny
Town Supervisor

RE: FIRST AMENDMENT FOR EXTENSION OF THE INTERMUNICIPAL AGREEMENT BETWEEN COUNTY OF ROCKLAND ON BEHALF OF ITS OFFICE OF THE DISTRICT ATTORNEY AND TOWN OF ORANGETOWN, FOR THE EXTENSION OF THE TERMS TO THE AGREEMENT FOR THE PARTICIPATION IN THE LAW ENFORCEMENT ASSISTED DIVERSION (LEAD) PROGRAM PROJECT CONNECT. EXTEND TERMS TO 9/30/24. AUTHORIZED BY RESOLUTION NO. 424 OF 2021

Dear Supervisor Kenny:

Please consider this letter to be an extension of the above-captioned Agreement dated October 19, 2022, extending the term of the Agreement to September 30, 2024, with no additional funds. The total contract amount shall remain a sum not to exceed **TWENTY-SEVEN THOUSAND FIVE HUNDRED AND 00/100 (\$27,500.00) DOLLARS**. All other terms and conditions in the original Agreement dated October 19, 2022, shall remain the same.

Please indicate your consent to this Extension letter by signing and returning this letter to me. The Rockland County Charter authorizes the County Executive to execute this Extension letter on behalf of the County. After the County Executive has signed this letter, we will send you a copy.

Thank you.

Very truly yours,

JEANNE GILBERG
Principal Assistant County Attorney

TOWN OF ORANGETOWN

Fed. ID: 13-6007311

By: _____
TERESA KENNY
Town Supervisor

Dated: _____

OFFICE OF THE DISTRICT ATTORNEY

(Approved for signature
of the County Executive)

By: _____
THOMAS E. WALSH II
District Attorney

Dated: _____

COUNTY OF ROCKLAND

By: _____
EDWIN J. DAY
COUNTY EXECUTIVE

Dated: _____

JG/mt

2021-02816

Contract Request Schedule "A"*(A detailed schedule of the work or services to be provided)*

Statement of Work (SOW) – *(The Statement of Work shall define the tasks required for the successful completion of the County's goals and objectives ensuring all minimum requirements are met.)*

The Orangetown Police Department (OPD) will participate in the pilot and ongoing Law Enforcement Assisted Diversion (LEAD) program. OPD will provide a screen for Peer Recovery involvement of eligible offenders. OPD will contact the Peer assigned to come and meet with the identified eligible offender. OPD will provide the space for the Peer meeting and remote assessment if needed.

OPD will attend a two-hour Crisis Intervention Training for all police officers involved with the LEAD program over the grant period of three years.

Contract Deliverables – *(Contract Deliverables are the outputs associated with the Statement of Work. Sample Deliverables include, draft reports, final reports, assessments, studies, meetings, public hearings, number of clients served within a specified time period.)*

OPD will provide completed LEAD Police Forms
 OPD will contact the Peer Recovery person from Foundations Recovery Center
 OPD will provide offenders with appearance tickets
 OPD will attend LEAD training

Cost/Price & Payment Section – *(Total/Estimated contract costs shall be defined as well as method of payment. Define if this is a Completion Contract (paid in full when contract is completed) or if this is a Level of Effort Contract (progress payments will be made upon the completion of certain milestones/deliverables). If progress payments are to be made, the milestones/deliverable for payment must be clearly defined. Retainage requirements shall also be clearly defined.)*

The cost for 1/1/21 through 9/30/24 totals \$27,500

Supporting Documentation – *(Supporting Documentation such as copies of vendor's proposals, technical data or drawings should also be included.)*

N/A

Insurance Certificates - *(All required insurance certificates; General Liability, Automotive, Professional Liability, Workman's Compensation and Disability shall be included with each contract request and contract extension request.)*

N/A

LICENSE AGREEMENT FOR USE OF THE RAMAPO POLICE RANGE FACILITY BY OUTSIDE AGENCIES

This Agreement made as of the 1st day of January 2024, between the TOWN OF RAMAPO, a Municipal Corporation with principal offices at the Ramapo Town Hall, 237 Route, Suffern, New York 10901 hereinafter referred to as "TOWN" and

TOWN OF ORANGETOWN, a municipal corporation of the State of New York, with offices at 26 Orangeburg Road, Orangeburg, New York 10962, hereinafter referred to as "LICENSEE".

WITNESSETH:

1. DESCRIPTION AND LOCATION

The TOWN hereby grants the LICENSEE, and LICENSEE hereby accepts from the TOWN, a license to use the Town of Ramapo Police Range Facility located at the end of Bailer Road in the Town of Ramapo. Said use shall include and be limited to training officers in firearms knowledge and proficiency.

2. TERM

The term of this License Agreement shall be for one year from January 1, 2024 through December 31, 2024 and may be renewed on a yearly basis upon the same terms and conditions provided the same is mutually acceptable to both parties.

- (a) The parties understand and agree that this is a License Agreement and not a lease, and is, therefore, revocable by the TOWN at will when, in the judgment of the TOWN Board, it is deemed that such termination is necessary either by operation of law or for any other public purpose, and the TOWN reserves the right to cancel this license on written notice to the LICENSEE whenever it desires in good faith to do so.
- (b) This License Agreement is specifically conditioned upon the representation by the LICENSEE that such LICENSEE, trainers and trainees shall be familiar with and comply with the Town of Ramapo Police Range Facility Policy (GO-105) and as said policy may from time to time be amended. A copy of GO-105 is attached hereto and made a part hereof.

3. CONSIDERATION

- (a) The LICENSEE, in consideration for this license, shall agree to provide the TOWN with insurance, pursuant to Paragraph 5 of this License Agreement, naming the TOWN as an additional insured, and shall indemnify and hold the TOWN harmless by reason of any claim against all suits or liability regardless of origin or nature arising out of LICENSEE'S use of the Town of Ramapo Police Range Facility. With respect to the insurance for which the TOWN is designated as an additional insured, the certificate must also indicate that the insurance is primary to the TOWN.

- (b) Although there is no fee charged for the use of the Ramapo Police Range Facility in 2024, the TOWN will be adding improvements to the facility in order to comply with Federal and State requirements. The TOWN anticipates charging a fee commencing in 2025.

4. COMPLIANCE WITH LAW

LICENSEE agrees to comply with all Federal, State and Local Laws and regulations and orders of the TOWN affecting the licensed premises in regard to all matters.

5. INSURANCE

The LICENSEE shall not use the Ramapo Police Range Facility under this license until it has obtained all insurance required under this paragraph and such insurance has been approved by the TOWN.

- (a) Compensation Insurance - The LICENSEE shall take out and maintain during the life of this contract Workers' Compensation Insurance for its employees who use and/or are at the subject premises.
- (b) General Liability and Property Damage Insurance - The LICENSEE shall take out and maintain during the life of this contract such general liability and property damage insurance as shall protect it from claims for damages for personal injury including accidental death and from claims for property damage which may arise from operations under this contract. The amounts of such insurance shall be as follows:

General Liability Insurance in a General Aggregate amount not less than \$5,000,000 and not less than \$5,000,000 on account of any one occurrence.

- (c) INTENTIONALLY OMITTED.
- (d) Defense of Action or Suits - Neither the TOWN nor any of its officers or agents shall in any manner be answerable or responsible for any loss or damages that may occur to the premises pursuant to the rights and obligations of the LICENSEE hereunder, or to any part or parts thereof, or to any materials, equipment or other property that may be used therein, or placed upon the ground, during the LICENSEE'S use of the premises. Neither the TOWN nor any of its officers or agents shall be in any manner answerable or responsible for any injury done, or damages or compensation required to be paid under any present or future law, to any person or persons whatever, whether employees of the LICENSEE or otherwise, or for damages to any property, whether belonging to the employees and/or agents of the LICENSEE or otherwise, or for damages to any property, whether belonging to the contractor or others, occurring during or resulting from the LICENSEE'S use of the premises. The LICENSEE shall properly guard against all injuries and damages. The LICENSEE shall indemnify and save harmless the TOWN, its officers and employees, and agents

against all such injuries, damages and compensation arising or resulting from causes other than the TOWN'S negligence. The LICENSEE shall, throughout the term hereunder and any use of the premises, that may occur at any time after the termination of this agreement, maintain General Liability Insurance in the amounts hereinbefore stated for the protection of the LICENSEE and the TOWN, and shall furnish duplicates of the policies to the TOWN, stamped by the insurer "Premium Paid." These policies shall be written by an insurance company or companies approved by the TOWN.

- (e) The LICENSEE shall furnish the TOWN with satisfactory proof of coverage of the insurance required.

Each policy and certificate shall have endorsed thereon:

"No cancellation of or change in the policy shall become effective until after 10 days' notice by Certified Mail to the TOWN Attorney, TOWN OF RAMAPO, TOWN Hall, 237 Route 59, Suffern, New York 10901."

- (f) If, at any time, any of the said policies shall be or become unsatisfactory to the TOWN as the form or substance, or if a Company issuing any such policies shall become unsatisfactory to the TOWN, and notification is given to LICENSEE in writing of same, LICENSEE shall promptly obtain a new policy, submit the same to the TOWN for approval, and submit a certificate thereof as hereinabove provided, Upon failure of LICENSEE to furnish, deliver and maintain such insurance as above provided, this license may, if such policy or policies are not secured within fifteen (15) days after written notice is given LICENSEE, at the election of the TOWN, be forthwith declared suspended, discontinued or terminated and any and all payments made by LICENSEE on account of this license shall thereupon be retained by the TOWN as liquidated damages. Failure of LICENSEE to purchase and/or maintain any required insurance shall not relieve LICENSEE from any liability under the license, nor shall the insurance requirements be construed to conflict with the obligations of LICENSEE concerning indemnification. All required insurance must remain in effect during the life of the license and any use of the premises after the expiration of the license. This paragraph shall survive the expiration of the term herein.
- (g) The total amount of insurance coverage set forth in paragraph 25(a) herein may be increased by the TOWN during the term of this License or any extension term hereof if reasonably deemed in the best interest of the TOWN.

6. HOLD HARMLESS

The LICENSEE, in addition to any public liability insurance obtained under this Contract, agrees to save, indemnify and hold harmless the TOWN and all of its agents, officers, servants and employees, including any consultant of the TOWN, by reason of any claim against all suits or liability regardless of origin or nature arising out of the use of the facility by the LICENSEE, including all laborers, employees, agents, servants, and

officers of the LICENSEE, whether by violation or statute, law, ordinance, regulation, order or decree or common law liability and whether or not a negligent act or omission is claimed and the LICENSEE agrees to pay the TOWN for defending such suit, all costs, expenses and reasonable attorney's fees incurred therein, or at the option of the TOWN, shall, at the LICENSEE'S own expense, defend any and all such actions.

7. LIABILITY TO THE TOWN

The TOWN shall not be liable for any damage to persons or properties at the Town of Ramapo Police Range Facility. The LICENSEE agrees that all personal property upon the demised premises shall be at the risk of the LICENSEE and that the TOWN shall not be liable for any damage thereto or loss or theft thereof.

8. MISCELLANEOUS PROVISIONS

- (a) LICENSEE agrees to abide by all reasonable rules and regulations that the TOWN may, from time to time, make or adopt.
- (b) The failure of the TOWN to insist upon the strict performance of any of the terms, conditions and covenants herein shall not be deemed a waiver of any rights or remedies that the LICENSEE may have, and shall not be deemed a waiver of any subsequent breach or default in the terms, conditions, or covenants herein contained.
- (c) If any term, covenant or condition of this license, or the application thereof to any person or circumstance shall to any extent be invalid or enforceable, the remainder of this license shall not be affected thereby and each remaining term, covenant and condition of this license shall be valid and remain in full force and effect.

9. MODIFICATION

This instrument contains all of the agreement and conditions made between the parties and may not be modified orally or in any other manner other than by an agreement in writing signed by all of the parties or their respective successors in interest.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed by their corporate officers and have caused their corporate seals to be affixed hereto.

DATE: _____

TOWN OF ORANGETOWN

By: _____

Print Name & Title

TOWN OF RAMAPO

By: _____

MICHAEL B. SPECHT
SUPERVISOR

State of New York)
) SS:
County of Rockland)

On the _____ day of _____ in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

State of New York)
) SS:
County of Rockland)

On the _____ day of _____ in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael B. Specht, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public



Town of Ramapo Police Department GENERAL ORDER

General Order No. 105

Issuance Date: May 26, 2005

Subject: Police Range Facility Policy

Effective Date: June 1, 2005

Cross Reference: GO 111

Accreditation Ref:

Rescinded Date:

Distribution: All Members

Issuing Authority: Chief Peter Brower

Reevaluation						Amended					
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105.1 Purpose

It is the purpose of this order to provide guidelines for the use of the Town of Ramapo Police Range Facility.

105.2 Policy

The Town of Ramapo Police Department maintains a facility used for the purpose of training officers in firearms knowledge and proficiency. It is the policy of the Department that there shall be formal control over the use of the Police Range Facility.

105.3 Definitions

- A. **Police Range Facility:** The area located at the end of Bailer Road in the Town of Ramapo known as the "Range" and used for firearms training.
- B. **Licensee:** Any Department or Agency who has a valid Contract and Agreement executed and filed with the Town of Ramapo to use the Ramapo Police Range Facility.
- C. **Range Manager:** That person designated by the Chief of Police responsible for overseeing all aspects of the Ramapo Police Range Facility.
- D. **Firearms Instructor:** Any police officer who has completed a Federal Bureau of Investigation or New York State Firearms Instructor's Course, holds a valid certificate of completion, and has been assigned this duty by the Chief of Police.
- E. **Senior Firearms Instructor:** The Firearms Instructor charged with overseeing the Ramapo Police Range Facility in the absence of the Range Manager.
- F. **Range Officer:** Any police officer designated by the Range Manager to assist and work under the direction of a Firearms Instructor.

105.4 Procedures

- A. The Town of Ramapo Police Department may utilize the Ramapo Police Range Facility for any training or activity deemed safe and suitable.
 - 1. The Range Manager shall be consulted prior to authorization of range use so as not to cause safety issues or conflicts with scheduled training.
 - (a) In the absence of the Range Manager, a Firearms Instructor shall be consulted with.
 - 2. When firearms instruction is being conducted, there should be at least one Firearms Instructor or Range Officer present for every three trainees.
 - (a) This ratio may be altered by the Range Manager or Senior Firearms Instructor after carefully considering the experience level of trainers and trainees, and any other conditions which may affect the safe operation of the Ramapo Police Range.
- B. Designated parking shall be on the stone covered area within the gates of the Ramapo Police Range Facility. Vehicles are to be parked in plain view so that anyone entering the Police Range Facility can clearly see the vehicles and know that the Range is in use.
- C. Upon arrival, that person in command of the Range, shall assure that the Police Range is checked for safety hazards, damage, or any required maintenance to the Range or Equipment. If necessary, it shall be reported to the Range Manager or Senior Firearms Instructor. Officers are to use care in and around the Range Facility and Storage Trailer to avoid contact with animals which may find their way inside, including rattlesnakes.
- D. When the Range is active, the sign at the entrance gate shall be flipped to indicate that the Police Range is in use. It shall be flipped back upon completion.
- E. Rubbish shall be placed in proper receptacles.
- F. Additional procedures for Off-Duty Police Range Facility use.
 - 1. After obtaining permission from the Range Manager, individual officers may use the Ramapo Police Range for practice, at their own risk, and will not be considered on duty.
 - 2. When more than one officer is using the Ramapo Police Range, a Firearms Instructor or Range Officer should be present. The Range Manager will make a determination based upon the individual officer's knowledge and experience.
 - 3. The Range Manager may authorize an officer to be accompanied by a non-department member for safety purposes on an individual basis.

4. Prior to entering the Police Range and upon completion of its use, Desk Sergeant or on duty squad supervisor shall be notified.
 - a. If the range is already in use, the supervisor shall advise the officer of its active condition for safety purposes.
 - b. The supervisor shall assure that the Shift OIC is notified.
5. Officers utilizing the Police Range shall have a means of communicating with ECC Personnel such as a portable police radio or a working cellular telephone. The cellular phone number shall be provided to the ECC.

G. Safety.

1. Prior to any Firearms Training Session, a Safety Lecture shall be given, including but not limited to the following points:
 - a. All firearms are to be always considered loaded;
 - b. Firearms are to be holstered and secured at all times unless actively involved in a course of fire and have been given a command to unholster and/or fire by a Firearms Instructor or Range Officer;
 - c. Unless in use during training, all rifles and shotguns will be kept with the action open and the safety on;
 - d. Firearms will never be pointed at or in the direction of a person;
 - e. Firearms will never be pointed at anything you are not willing to damage or destroy;
 - f. Finger is to remain off the trigger until a decision has been made to shoot;
 - g. Shooters are to be aware of any hazards in the shooting environment and beyond prior to initiating any shots;
 - h. While on the line and involved in a training exercise, talking should be kept to a minimum so as not to interfere with range operations;
 - i. Anyone who sees, or simply believes that a safety hazard exists, shall immediately yell the word, "ABORT" loud enough for everyone to hear;
 - j. Upon hearing an "ABORT", everyone on the range shall immediately cease all shooting activity, safely holster and secure any handguns in their possession, and remain in their present position if not in danger. If rifles or shotguns are in use, the safety shall be applied, and the muzzle positioned vertically, above the head of the tallest person present at the range. They will then await further instructions from a Firearms Instructor or Range Officer;
 - k. Shooters shall not move from their line positions until instructed to do so by a Firearms Instructor or Range Officer;

- l. Shooters are not to bend over to pick up anything while on the line, including weapon magazines, until the line has been declared safe by a Firearms Instructor or Range Officer;
 - m. Whenever shooting is taking place, all personnel on the range must wear ear protection, safety glasses, and a baseball style cap with a brim that covers the top of their safety glasses.
 2. Distance Shooting
 - a. Shooting at distances of greater than 75 yards shall only be conducted on Range #1 (also known as the "Main Range" consisting of the turning-target system).
 - b. The Police Range Facility gate shall be closed and locked to exclude all unauthorized personnel from the Range Facility.
 - c. One officer shall be posted as an observer to announce a cease fire or abort if anyone should enter the Range Facility.
 - d. Extended shooting points shall remain within the width of Range #1. No shooting points shall originate to the left of target point #1, or to the right of target point #25. The purpose of this is to prohibit firing at angles across the range from a position that may not be clearly visible or expected.
- H. Qualification with Off Duty Firearms.
 1. Non-probationary Active members of the Ramapo Police Department may be certified to carry off duty firearms other than their service weapon by successfully completing a qualification course approved by the Range Manager.
 2. Off duty weapon qualification courses shall be for firearms of .32 caliber or greater, and officers shall provide the Range Manager or Senior Firearms Instructor with the make, model, serial number, and caliber of the firearm used during the qualification course.
 3. Retired members shall be permitted to complete a qualification course for off-duty weapons and upon successful completion, will be provided with a letter from the Range Manager or Senior Firearms Instructor indicating the date that they successfully completed the qualification course. The letter shall include make, model, serial number, and caliber of the firearm used for the qualification course. Their decision to possess a firearm shall be guided by any applicable laws or statutes. Records shall be maintained by the Range Manager.

105.5 Lines of Authority

When firearms are in use or to be used at the Ramapo Police Range Facility, the following personnel are in command of the Range:

- A. The Range Manager, followed by;
- B. the Senior Firearms Instructor, followed by;
- C. the highest ranking Firearms Instructor, followed by;
- D. the highest ranking officer present, followed by;
- E. the highest ranking Range Officer, followed by;
- F. the most senior officer.

105.6 Use of Ramapo Police Range by Outside Agencies

- A. Any outside agency wishing to utilize the Ramapo Police Range Facility, shall request such use in writing to the Chief of Police, and if approved, will be referred to the Ramapo Town Attorney's Office for contract.
- B. Licensees in contract with the Town of Ramapo may use the Ramapo Police Range Facility for Departmental Firearms Training ONLY.
- C. The contract is designed to accommodate the Licensee when no other Range Facility is available for their training. If another location is available to the Licensee, then the Ramapo Police Range Facility shall not be used. Other training, not directly related to firearms, shall be conducted off premises.
- D. Training must be performed under the direct supervision of a Firearms Instructor.
 - 1. Officers may remain at the Ramapo Police Range during a meal period provided that a Firearms Instructor is actually present at the facility.
- E. Only officers actually involved in the training activity and their supervisors, may be present at the Ramapo Police Range Facility.
- F. Under no circumstances shall anyone not covered under the Licensee's Agreement and/or Contract be present at the Range Facility.

- G. Licensees, Trainers, and Trainees shall be familiar with and comply with all provisions of this policy. Failure to comply with this policy will result in the immediate withdrawal of the Agreement and Contract.
 - 1. If for any reason any part of this policy is in question or violation, the Licensee is subject to the direction of the Ramapo Police Officer in Charge (OIC), Range Manager, or Senior Firearms Instructor.
- H. Licensee's or their agent(s) shall provide a copy of the signed contract and schedule all training with the Ramapo Police Range Manager prior to the commencement of any training.
 - 1. The Range Manager should ensure that the Licensee's request does not conflict with any other Range Facility use.
 - 2. The Range Manager shall assure that the working squad OIC is notified of the date, time, and length of training scheduled.
- I. Licensee shall designate one Firearms Instructor as being their Officer in Charge prior to any training.
 - 1. Licensee's OIC shall be responsible to assure compliance with this policy.
 - 2. Licensee's OIC shall notify the Ramapo Police Desk Sergeant on arrival and departure from the Range Facility.
- J. Under No Circumstances shall any agency conduct any activity at the Ramapo Police Range Facility until the Agreement has been executed and filed with the Town of Ramapo Attorney's Office.
- K. Licensee is not authorized to create or possess copies of the Ramapo Police Range Facility access keys without authorization from the Chief of Police or his/her designee.
 - 1. The Range Manager shall maintain records of agencies and individuals authorized to possess access keys to the Police Range Facility and has the authority to revoke those privileges at any time.
- L. Before Rifles are fired, Licensee shall assure that the "C-Shaped" target supports on the Action Target System are removed from the affected target positions. This is to avoid damage to the "C-arm" which is not designed to withstand rifle fire.

**TOWN OF ORANGETOWN
FINANCE OFFICE MEMORANDUM**

TO: THE TOWN BOARD
FROM: JEFF BENCIK, *DIRECTOR OF FINANCE*
SUBJECT: AUDIT MEMO
DATE: 1/18/2024
CC: DEPARTMENT HEADS



The audit for the Town Board Meeting of 1/23/2024 consists of 5 warrants for a total of \$978,129.66.

The first warrant had 112 vouchers for \$578,3555 and had the following items of interest (2023 items).

1. Capasso & Sons (p7) - \$90,817 for recycling.
2. Commissioner of Finance (p7) - \$133,381 for tax cert refunds.
3. Environmental Construction (p10) - \$14,823 for emergency sewer line repair.
4. Fanshawe (p11) - \$28,547 for new town hall electrical (bonded).
5. Global Montello (p17) - \$95,193 for fuel.
6. Ken's Tree Care (p20) - \$6,836 for tree work.
7. Kuehne Chemical Co. (p21) - \$8,248 for sewer chemicals.
8. RCSWMA (p28) - \$5,466 for solid waste removal.
9. S & L Plumbing (p28) - \$17,541 for new town hall plumbing (bonded).
10. Schultz Ford (p29) - \$43,550 for Police vehicle (bonded).
11. Slack Chemical (p29) - \$17,095 for sewer chemicals.

The second warrant had 11 vouchers for \$131,598 and was for utilities (2023 items).

The third warrant had 39 vouchers for \$191,997 and was for utilities (2024 items).

The fourth warrant had 1 vouchers for \$2,743 and was for copier lease agreement.

The fifth warrant had 32 vouchers for \$73,435 and had the following items of interest (2024 items).

1. AKRF (p1) - \$9,309 for drainage review escrow return.
2. Brooker Engineering (p4) - \$11,281 for drainage review escrow return.

3. Crown, Castle Fiber (p5) - \$6,748 for connectivity.
4. Met Life (p7) - \$14,747 for police dental benefits.

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

Jeffrey W. Bencik, CFA

845-359-5100 x2204

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of		
	122123	\$ 578,355.18
	122223	\$ 131,598.40
	011224	\$ 191,997.23
	011724	\$ 2,743.74
	012324	\$ 73,435.11
		\$ 978,129.66

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

APPROVAL FOR PAYMENT

AUDITING BOARD	
Councilman Gerald Bottari	Councilman Paul Valentine
	Councilman Brian Donohue
Supervisor Teresa M. Kenny	