

**PROPOSED AMENDMENTS TO CODE OF THE TOWN OF ORANGETOWN:
CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION, §6-5; AND
CHAPTER 43, ZONING, §4.1 (PERFORMANCE STANDARDS), §10.2 (ENFORCEMENT)
AND §10.3 (BOARD OF APPEALS)**

JULY 3, 2018, VERSION

PROPOSED LOCAL LAW NO. ____ OF 2018, AMENDING:
CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION, §6-5; AND
CHAPTER 43, ZONING, §4.1 (PERFORMANCE STANDARDS), §10.2 (ENFORCEMENT),
AND §10.3 (BOARD OF APPEALS); OF THE CODE OF THE TOWN OF ORANGETOWN

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

Section 1: Purpose. The Town Board (“Board”) of the Town of Orangetown, New York (“Town” or “Orangetown”) hereby finds that there is a critical and compelling need, in the public interests as set forth herein, to protect the health, safety and welfare of its residents to ensure that properties do not emit, or cause to be emitted, dangerous or objectionable levels of smoke, particulate matter, and odors of such quantity, characteristic or duration which are injurious or objectionable to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. The objective of this local law is to clarify Chapter 43 (Zoning) §4.1, §10.2 and §10.3 of the Code of the Town of Orangetown (“Orangetown Code”), relating to Performance Standards, particularly, but not limited to, emissions, and to make related enforcement, procedural and administrative changes, including changes to Orangetown Code Chapter 6 (Building Construction Administration).

Section 2: Orangetown Code Chapter 6 (Building Construction Administration) §6-5 shall be amended, and, as amended shall read as follows:

§ 6-5 Duties and powers of the Building Inspector.

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- B.** The Building Inspector shall receive applications and issue permits for the erection, alteration, removal and demolition of buildings or structures or parts thereof, and shall examine the premises for which such applications have been received or such permits have been issued for the purpose of insuring compliance with laws, ordinances and regulations governing building construction.
- C.** The Building Inspector shall issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to insure compliance during the entire course of construction with the requirements of such laws, ordinances or regulations. The Building Inspector shall make all inspections which are necessary or proper for the carrying out of his duties, except that he may accept written reports of inspection

from Building Inspectors, or other employees, of the Town of Orangetown's (hereinafter referred to as "Orangetown") Office of Building, Zoning and Planning Administration and Enforcement (hereinafter referred to as "OBZPAE"), or from reputable service and inspection bureaus, provided the same are prepared and signed by a qualified professional.

- D. Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable statutes, codes, laws, ordinances or regulations relating to building construction, the Building Inspector may require the performance of tests in the field, or on-site of private property subject of a building permit application, by qualified professional(s), or by reputable testing laboratories, bureaus or agencies.
- E. Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable statutes, codes, laws, ordinances or regulations relating to the use, maintenance or occupancy of land or buildings, including, but not limited to, assuring compliance with the Performance Standards set forth in §4.1 of Chapter 43 (Zoning Code) of the Orangetown Code, and/or to assure compliance with the conditions of any applicable Orangetown land use board approval decisions, the Building Inspector may inspect, investigate and/or conduct tests, on-site of private property that is the subject of an open building permit application or a nonresidential use that is subject to the Performance Standards (hereinafter referred to as "industrial user"), which may include, with regard to the Performance Standards, inspecting, investigating and/or conducting tests while all mechanical equipment, machinery, installations and systems, that are appurtenant to the use that is subject to the Performance Standards, are in full operation. For purposes of said inspections, investigations and/or tests, the Building Inspector may engage, employ or retain the services of the Orangetown Department of Environmental Management and Engineering (hereinafter referred to as "DEME"), and/or expert consultants, to the extent, type and/or degree that the Building Inspector, DEME, and/or the expert consultants, deem necessary. The said inspections, investigations and/or testing, on-site of private property, shall only be conducted (1) with the consent of the property owner, or a person in dominion, control or possession of, or with management or supervisorial authority over, the property; or (2) at any reasonable hour if the Building Inspector has a reasonable suspicion, based on specific and articulable facts, taken together with rational inferences from those facts, associated with the particular property, that a violation of, or non-compliance with, the Performance Standards set forth in Zoning Code §4.1, is being committed or is occurring, or has been committed or has occurred; or (3) by execution of a judicially issued search warrant.
 - (i). If, as a result of the Building Inspector's said inspection, investigation and/or testing, relating to an alleged violation of, or non-compliance with, the Performance Standards (Zoning Code §4.1) on the part of any industrial user, the Building Inspector has reasonable grounds to believe that a violation, or non-compliance, exists, subject to the provisions of

Orangetown Zoning Code §4.182 (as may be applicable), the Building Inspector shall notify the Zoning Board of Appeals of the occurrence or existence of such possible violation, or non-compliance, in accordance with Zoning Code §10.335.

- (ii). If, after public hearing on due notice, in accordance with Zoning Code §4.13, the Zoning Board of Appeals finds that a violation, or non-compliance, occurred or exists, and revokes and rescinds its Performance Standards (Zoning Code §4.1) approval decision, then the Building Inspector may revoke and rescind any Building Permit and/or Certificate of Occupancy that had been issued based upon such approval decision.

Section 3: Orangetown Code Chapter 43 (Zoning) §4.1, Performance Standards, shall be amended, and, as amended shall read as follows:

§ 4.1. Performance standards.

All references herein contained to certain standards which indicate a publisher and date are hereby deemed to mean the latest revised edition of such standard. Where a federal, state, county or local agency promulgates applicable standards which are inconsistent with, or different from, those herein enumerated, the more restrictive standards shall control. Unless otherwise stated, all citations to statutory sections (“§”) are from Chapter 43, the Zoning Code, of the Code of the Town of Orangetown (hereinafter referred to as “Orangetown” and “Zoning Code”).

- 4.11.** Applicable to all nonresidential uses. No land or building shall be used or occupied for a nonresidential use in any manner as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare; liquid or solid refuse or wastes; a condition conducive to the breeding of rodents or insects or other substance, condition or element, all referred to herein as “dangerous or objectionable elements,” in a manner or amount as to adversely affect the surrounding area. However, any nonresidential use, except those expressly prohibited by §4.4, may be undertaken, and maintained, if it conforms to the district regulations, and the regulations of §4.1, performance standards.
- 4.12.** Performance standards procedure. Only those uses specified in the Zoning Code Use Table, Columns 2, 3 and 4, are subject to the performance standards procedure of §10.334, requiring the Orangetown Zoning Board of Appeals’ (hereinafter referred to as “ZBA”) approval in obtaining a building permit or certificate of occupancy, or both (hereinafter referred to as “industrial user”), unless the Building Inspector has reasonable grounds to believe that any other proposed use, including any building or use accessory to a use subject to performance standards procedure, is likely to violate performance standards, in which event the industrial user shall comply with the procedure in §10.334 in obtaining a building permit or certificate of occupancy, unless the ZBA finds that compliance therewith is unnecessary.

4.13. Initial, and continued, enforcement provisions.

- (a).** Initial, and continued, compliance with performance standards is required of every new nonresidential use, or change in such use, including, but not limited to, §10.231(c), in all Zoning Districts, as provided in §10.335, for all nonresidential uses that are subject to §4.1. Pursuant, but not necessarily limited, to §4.13, §10.334(c) and §10.335, initial, and continued, compliance with the performance standards (§4.1) is required, and all building permits and certificates of occupancy, issued for a use subject to §4.1, is conditioned, and contingent, upon the industrial user conforming to the performance standards, and the industrial user's paying of the fees, to the Town of Orangetown, for services of Orangetown's own expert consultants deemed reasonable and necessary by Orangetown's Department of Environmental Management and Engineering (hereinafter referred to as "DEME"), Orangetown's Office of Building, Zoning and Planning Administration and Enforcement (hereinafter referred to as "OBZPAE"), and/or the ZBA, for said consultants' inspections, investigations, research, studies, tests, advice and/or reports to determine compliance by the industrial user with the performance standards (§4.1).
- (b).** The industrial user's initial, and continued, compliance with the performance standards (§4.1) shall include the following:

 - (i).** The industrial user's consent to inspections, investigations and/or testing, on the industrial user's site, while all mechanical equipment, machinery, installations and systems, that are appurtenant to the use that is subject to the performance standards (§4.1), are in full operation, by OBZPAE, DEME, and/or the Orangetown-retained expert consultants, to the extent, type and/or degree that OBZPAE, DEME, and/or the Orangetown-retained expert consultants, reasonably deem necessary to verify compliance with the applicable performance standards.
 - (ii).** The industrial user's full, and complete, compliance with any and all laws, statutes, rules and regulations of the NYS Department of Environmental Conservation and federal Environmental Protection Agency, that also regulate the use that is subject to the performance standards (§4.1).
- (c).** OBZPAE, DEME, and/or the Orangetown-retained expert consultants, shall investigate any alleged violation of, or non-compliance with, the performance standards (§4.1) by the industrial user, as per §4.13(b)(i); and, if there are reasonable grounds to believe that a violation, or non-compliance, exists, OBZPAE, DEME, and/or the Orangetown-retained expert consultant(s), shall notify the ZBA, in writing, of the occurrence, or existence, of a probable violation, or non-compliance, thereof. Upon receiving such notification, the ZBA may further investigate the alleged violation or non-compliance, if the ZBA deems it necessary in its discretion; and, for such further investigation, the ZBA may utilize, or retain, the services of OBZPAE, DEME, and/or the Orangetown-retained expert consultants. Thereafter, after holding a Public Hearing on due notice, including

notice to the industrial user (except for posting of signs at the industrial user's subject site, which signs shall not be required), the fees for which Public Hearing shall be paid for by the industrial user, if the ZBA finds that a violation, or non-compliance, occurred or exists, the ZBA may revoke and rescind its performance standards (§4.1) approval decision, and any building permit and/or certificate of occupancy that has been issued, based upon such approval decision, shall also be deemed revoked and rescinded; which shall be in addition to any other legal remedies that the Town of Orangetown may pursue, including, but not necessarily limited to, prosecution of violations in the Orangetown Justice Court pursuant to §10.2 and/or §10.6, and/or commencement of a civil action or proceeding in the NYS Supreme Court, pursuant to NYS Town Law §135(1) and/or §268(2).

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4.163. Smoke.

- (a).** There shall be no emission and/or discharge to the atmosphere from any chimney, stack, vent or otherwise, of visible black, gray or white smoke other than that caused by steam, of a shade darker than No. 1 on the Ringelmann Smoke Chart for not more than four minutes in any 30 minutes, or exhibiting greater than 20 percent opacity (6-minute average) per EPA Method 9.
- (b).** Exceedance during two consecutive days requires the opacity producer to conduct EPA Method 9 analysis within two business days of occurrence, or evaluate Continuous Opacity Monitoring System(s) (COMS) during the same period. A facility-responsible person must notify the Town within one business day of receiving the assessment results, as well as provide any other credible evidence. The Town will evaluate compliance and determine further action.

4.164. (a). Fly ash, dust, fumes, vapors, gases and other forms of air pollution derived from combustion. There shall be no emission and/or discharge which can cause damage to the health of humans or other animals, or vegetation, buildings or structures, or other forms of property, or which can cause excessive soiling. Emissions related to combustion must comply with the standards and regulations set forth in the New York State Department of Environmental Conservation's 6 NYCRR Part 227, Stationary Combustion Installations, as amended and/or supplemented from time to time, as applicable.

- (b).** Ash, dust, fumes, vapors, gases and other forms of air pollution not derived from combustion. There shall be no emission and/or discharge which can cause any damage or injury to the health of humans and other animals, or vegetation, buildings or structures or other forms of property, or which can cause excessive soiling.
- (c).** Emissions of air contaminants to the outdoor atmosphere from any process emission source or emission point are restricted in accordance with the New York State Department of Environmental Conservation's 6 NYCRR Part 212, Process Operations, as amended and/or supplemented from time to time, as applicable.

4.181. Noise.

- (a).** The sound-pressure level of noise radiated continuously from a facility at nighttime shall not exceed the values given in Table I in any octave band of frequency, in order to provide an environment free from noise that affects a reasonable person's well-being or use, enjoyment or value of property, or that interferes with a reasonable person's repose of life, or would unreasonably or unnecessarily interfere with public health, safety or welfare.
- (b).** In the event of noise complaints arising from residents, commercial, or other Town inhabitants, the sound-pressure level shall be measured with a sound-level meter and an octave band analyzer that conform to specifications published by the equipment manufacturers, and such standards as published by the American National Standards Institute (ANSI), the American Society for Testing and Material, or other contemporary standards-establishing organization accepted in the United States.
- (c).** Unless otherwise resolved with the Town, the owner or operator of the location/source of such elevated, complaint-producing noise, shall prepare and provide a Noise Monitoring Plan to the Town within 10-business days of written notice by the Town, and such Plan shall be implemented within 10-business days of Plan approval by the Town (unless extended by the Town, if the Plan requires the ordering, purchase and/or installation of equipment, but such extension should be no longer than the time period to order, purchase and install such noise mitigation equipment), and the written report of such monitoring shall be provided to the Town within 10-business days following completion of noise monitoring. Failure to meet noise compliance will result in cessation of the offending noise source until compliance is met. The Noise Monitoring Plan will employ "A-weighting" unless another weighting scale is more appropriate based on industry standards, and shall address:

 - (i).** The number and location of monitoring sites;
 - (ii).** The timing and frequency of surveys;
 - (iii).** Methods and standards to be followed. This will include methods used to identify and remove measurement results for time periods affected by sound associated with any temporary events or activities (such as noise from non-related construction or other activities), and during periods where wind speeds exceed 5 m/s or the rainfall rate exceeds 6 mm/hour; and
 - (iv).** Timeframes for monitoring and reporting to the Town in the event they are otherwise than stated in this Performance Standard.

TABLE I

Maximum permissible sound-pressure levels at specified points of measurement for noise radiated continuously from a facility between the hours of 10:00 p.m. and 7:00 a.m.

Frequency Band Cycles per second	Sound Pressure Level Decibels “A-weighted” scale (dBA)* Re. 0.002 dyne/cm.²
20-75	69
75-150	54
150-300	47
300-600	41
600-1200	37
1200-2400	34
2400-4800	31
4800-10,000	28

* “A-weighted” scale (dBA) is the filtering of sound measurement to account for the perceived loudness of noise not necessarily correlating with sound levels. Sound level meters set to A-weighting minimize low-frequency noise similar to the human ear, Sound intensity is measured in units of decibels, dB.

If the noise is not smooth and continuous and is not radiated between the hours of 10:00 p.m. and 7:00 a.m., one or more of the corrections in Table II below shall be added to or subtracted from each of the decibel levels given above in Table I.

TABLE II

Type of Operation or Character of Noise	Correction in Decibels
Daytime operation only	Plus 5
Noise source operates less than 20% of any one hour	Plus 5*
Noise source operates less than 5% of any one-hour period	Plus 10*
Noise source operates less than 1% of any one-hour period	Plus 15*
Noise of impulsive character (hammering, etc.)	Minus 5
Noise of periodic character (hum, screech, etc.)	Minus 5

* **Apply one of these corrections only.**

4.182. Odors.

- (a). No person, entity or process will emit, or cause or allow to be emitted, objectionable odors or other matter present in the ambient air that, by itself, or in combination with other odors, gases or vapors from the same facility, is offensive, foul, unpleasant or repulsive to olfactory reception to a reasonable person of normal sensibilities, beyond the property borders of the emitting source. Odor(s) will be deemed objectionable when documented assessment by the Town, pursuant to the procedures in this section, shows evidence that the odor likely could, or does, cause injury, detriment, nuisance or annoyance to persons or to the public, based on observations of the odor's nature, intensity, duration, location, and level of complaint.
- (b). Upon documented assessment by the Town, pursuant to the procedures in this section, of the existence of an objectionable odor, the Town will notify the odor-producing facility and direct that an Odor Management and Control Plan (hereinafter referred to as "Plan") be submitted, to the Town, that outlines the operational cause of the objectionable odor, and, if available, chemistry of the offending odor(s) and literature evidence of odor thresholds and impacts, methods proposed to mitigate the problem, and the schedule by which the Plan will be implemented and completed. The Town will review the Plan to determine whether it is reasonably calculated to prevent future emissions of objectionable odors to the maximum extent practicable and, on that basis, either approve the Plan, approve the Plan with conditions, or reject the Plan. The Town may seek the advice of, and retain, consultant(s) with expertise on odor detection to assess whether the Plan meets the required standard. In the event that the Town finds that the Plan does not provide sufficient information to make the required determination, the Town may request supplemental information from the odor-producing facility.

 - (i). If an Odor Management and Control Plan is not submitted by the odor-producing facility within ten business days of the Town's notification and direction to the odor-producing facility to submit a Plan, as described in this §4.182(b), or within any extended period of time agreed or consented to by the Town, or if a submitted Plan is rejected by the Town, then the Town shall have all remedies prescribed in §4.13.
 - (ii). If an Odor Management and Control Plan is approved, or approved with conditions, by the Town, then, upon such approval, implementation of the Plan by the odor-producing facility shall be a condition of any active and open Building Permit(s) and the eventual Certificate(s) of Occupancy relating to same; or, if there are no active and open Building Permit(s), then implementation of the Plan shall be incorporated, automatically and by operation of law, into the most recent subsisting Certificate(s) of Occupancy.
- (c). To enforce this Performance Standard, objectionable odors will be considered detected when:

- (i). A Town inspector/code enforcement officer documents an objectionable odor that, by its nature, intensity, duration, location, and level of complaint, is, at least minimally, a nuisance or annoyance to persons or to the public; or
- (ii). the Town receives initially five (5) or more complaints from individuals, households or businesses within seven (7) days, or fifteen (15) or more complaints within a 30-day period, and the odor issue is verified by the Town as per the final paragraph in this §4.182(c)(ii) below. The Town's odor complaint records will include:
 - (a) name, address, email and phone number of complainant,
 - (b) time and date of submission of complaint to the Town,
 - (c) description of nuisance odor,
 - (d) estimated location or source of complaint, and
 - (e) if possible, prevailing wind or weather conditions observed.

The Town's odor complaint verification shall be satisfied if one (1) volume of the odorous air has been diluted with up to five (5) volumes of odor-free air and the odor is still perceptible, as measured by the Town through the use of olfactometer field instruments, devices, or methods calibrated to detect odors at the same levels as perceptible to a reasonable person of average sensibilities.

Section 4: Orangetown Code Chapter 43 (Zoning) §10.2, Enforcement, shall be amended, and, as amended shall read as follows:

10.222. Permits granted only in conformance with regulations.

- A. No permit shall be issued unless the proposed construction and use are in full conformity with all the provisions of this Zoning Code, and all other applicable land use and/or building statutes, codes, laws, ordinances or regulations. Any permit issued in violation of the provisions of this Zoning Code shall be null and void, and of no effect, without the necessity of any proceedings for revocation or nullification thereof, and any work undertaken, or use established, pursuant to any such permit shall be unlawful.
- B. After the effective date of this Zoning Code, division of any parcel of land shall conform to all the applicable bulk regulations, except as permitted under §5.21 of this Code.
- C. The Inspector may revoke a permit theretofore issued, and approved, in the following instances:
 - (i) Where he finds that there has been any false statement or misrepresentation as to a material fact in the application, plans, drawings, plat or specifications on which the permit was based;
 - (ii) where he finds that the permit was issued in error, and should not have been issued in accordance with the applicable law(s);

- (iii) where he finds that the work performed under the permit is not being conducted in accordance with the provisions of the application, plans, drawings, plat or specifications;
- (iv) where the person to whom a permit has been issued fails or refuses to comply with a stop order issued by the Inspector; or
- (v) where he finds that the conditions of any applicable Orangetown land use board approval decisions have not been complied with.

D. Whenever the Inspector has reasonable grounds to believe that work on any land, building or structure is being conducted in violation of the provisions of any applicable land use and/or building statutes, codes, laws, ordinances or regulations, or not in conformity with the provisions of an application, plans, drawings, plat or specifications, or the conditions of any applicable Orangetown land use board approval decisions, on the basis of which a permit was issued, or in an unsafe and dangerous manner, the Inspector shall notify the owner of the property, or the owner's agent, or the person performing the work, to suspend all work, and any such persons shall forthwith stop such work, and suspend all building activities, until the stop order has been rescinded. Such order and notice shall be in writing, shall state the conditions under which the work may be resumed, and may be served upon a person to whom it is directed either by delivering it personally to him, or by posting the same upon a conspicuous portion of the building under construction and sending a copy of the same by U.S. Postal Service First Class Mail.

E. If, after holding a Public Hearing on due notice, in accordance with Zoning Code §4.13, the Orangetown Zoning Board of Appeals finds that a violation of, or non-compliance with, the Performance Standards (Zoning Code §4.1) occurred or exists, and revokes and rescinds its Performance Standards approval decision, then the Building Inspector may revoke and rescind any Building Permit and/or Certificate of Occupancy that had been issued based upon such approval decision, in accordance with Zoning Code §4.13(b)(iii).

Section 5: Orangetown Code Chapter 43 (Zoning) §10.3, Board of Appeals, shall be amended, and, as amended shall read as follows:

10.323. Findings and conclusions. After such public hearings, the Orangetown Zoning Board of Appeals (hereinafter referred to as "ZBA") shall make written findings of fact and conclusions concerning the subject matter of such hearing, including the reasons for the grant or denial of the relief sought. As to any proposed use, such findings of fact and conclusions shall be made concerning such use, as described and represented by the applicant. In addition, the ZBA shall, in appropriate cases, impose additional conditions and safeguards in granting a special permit or variance, or in approving an application requesting approval of conformance to the performance standards (Zoning Code §4.1), in harmony with the general purpose and intent of the Zoning Code, and to ensure that such use is established and maintained in conformity with the special findings, and the additional requirements and conditions, upon which such permit, variance(s) or approval of conformance to performance standards (Zoning Code §4.1), is granted.

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10.334. Permit for a use subject to performance standards procedure.

- (a) **Application.** An application for a permit for a use subject to performance standards procedure shall be submitted to the Inspector in quadruplicate on a form prescribed by the Zoning Board of Appeals (hereinafter referred to as “ZBA”), which shall include, but not be limited to, a Resume of Operations, on a form prescribed by the ZBA, which shall be prepared, and signed, by a person who is qualified to answer the questions and submit documentation on behalf of the applicant; and shall be referred by the Inspector to the ZBA. The ZBA may reject the Resume of Operations if the ZBA determines that it has not been prepared, and signed, by a qualified person, regarding which the ZBA may engage or retain expert consultants to advise the ZBA with respect to the qualifications of the preparer/signatory, the fees of which consultants shall be paid by the applicant. The applicant shall also submit in duplicate a plan of the proposed construction or development, including a description of the proposed machinery, operations, products and specifications for the mechanism and techniques to be used in restricting the emission of dangerous and objectionable elements referred to in §4.1, in accordance with rules prescribed by the ZBA specifying the type of information required in such plans and specifications, and an affidavit by the applicant acknowledging his understanding of the applicable performance standards and agreement to conform with same at all times. No applicant will be required to reveal any secret processes, and any information submitted will be treated as confidential, if requested by the applicant. The fee for such application shall include the anticipated estimated costs of the ZBA’s expert consultants’ reports required to process it, described in Subsection (b) below.
- (b) **Report by expert consultants.** If the ZBA has any reasonable doubt as to the likelihood of conformance to the performance standards, the ZBA shall refer the application, for investigation and report, to one or more expert consultants selected by the ZBA as qualified to advise as to whether a proposed use will conform to the applicable performance standards specified in §4.1, in accordance with §4.13.
- (c) **Decision of the Board of Appeals.** At the next regular meeting of the ZBA, but in no event more than 62 days after the ZBA has received the aforesaid expert consultants’ report(s) and after the closing of the Public Hearing, or within such further period as agreed to by the applicant and ZBA, the ZBA shall decide whether the proposed use will conform to the applicable performance standards. Such decision of the ZBA shall be in written form, which shall be immediately filed in the office of the Orangetown Town Clerk and shall be a public record. Any permit or certificate of occupancy issued by the Inspector shall be conditioned on, among other things, the applicant’s completed buildings, structures, installations, machinery, equipment and appurtenances, in operation, conforming to the applicable performance standards, and the applicant’s paying the fees for services of the expert consultant, or consultants, deemed reasonable and necessary by the ZBA for advice as to whether or not the applicant’s completed buildings, structures, installations, machinery, equipment and appurtenances will, in operation, conform to the applicable performance standards.

10.335. Continued enforcement.

- A.** The Inspector shall investigate any alleged violation of, or non-compliance with, the performance standards (Zoning Code §4.1) on the part of any nonresidential use subject to the performance standards (hereinafter referred to as “industrial user”); and, if there are

reasonable grounds to believe that a violation, or non-compliance, exists, the Inspector shall notify the ZBA of the occurrence or existence of such possible violation or non-compliance. The ZBA shall investigate the alleged violation, or non-compliance, in accordance with Zoning Code §4.13, and for such investigation may engage or retain qualified experts. If, after public hearing on due notice, in accordance with Zoning Code §4.13, the ZBA finds that a violation, or non-compliance, occurred or exists, a copy of said findings shall be forwarded to the Inspector; and, in addition thereto, the ZBA may revoke and rescind its performance standards (Zoning Code §4.1) approval decision, and any building permit and/or certificate of occupancy that has been issued, based upon such approval decision, shall also be deemed revoked and rescinded. The services of any qualified experts, retained or engaged by the ZBA to investigate and report regarding an alleged violation of, or non-compliance with, the performance standards, in accordance with Zoning Code §4.13, shall be paid for by the industrial user, if a violation, or non-compliance, is found by the ZBA.

- B. (i).** Each and every year, beginning on a date that is between eleven and twelve months after the issuance of a certificate of occupancy that was issued pursuant to Zoning Code §4.1, every industrial user shall submit an affidavit to the Inspector, sworn to and signed, under oath, by a qualified professional, attesting that the operations, processes and methods, and the completed buildings, structures, installations, machinery, equipment and appurtenances, that were approved by the ZBA as part of a performance standards application, have not been altered, modified or changed, in any manner whatsoever, other than routine maintenance. If the Inspector determines that the said affidavit has not been executed by a qualified professional, the Inspector may reject the affidavit, or may engage or retain expert consultants to advise the Inspector with respect to the qualifications of the signatory, the fees of which consultants shall be paid by the industrial user.
- (ii).** If the operations, processes or methods, or the completed buildings, structures, installations, machinery, equipment or appurtenances, that were approved by the ZBA as part of a performance standards application, have been altered, modified or changed, in any manner whatsoever, other than routine maintenance, then the industrial user shall submit, to the Inspector, a new Resume of Operations, in form and substance as described in §10.334(a); and, in addition, the industrial user shall apply for performance standards approval, as per Zoning Code §4.1, if determined to be necessary by the Inspector. In making such determination, the Inspector may engage or retain expert consultants to advise the Inspector with respect to such alterations, modifications or changes, the fees of which consultants shall be paid by the industrial user.

Section 6: This local law shall become effective immediately upon filing with the New York State Secretary of State.

**PROPOSED AMENDMENTS TO CODE OF THE TOWN OF ORANGETOWN:
CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION, §6-5; AND
CHAPTER 43, ZONING, §4.1 §4.11, §4.12 AND §4.13 (PERFORMANCE STANDARDS),
§10.2 §10.222 (ENFORCEMENT), AND §10.3 §10.323, §10.334 AND §10.335 (BOARD OF
APPEALS)**

JULY 3, 2018, REVISIONS (MOST RECENT REVISIONS ARE ITALICIZED)

PROPOSED LOCAL LAW NO. ____ OF 2018, AMENDING:

CHAPTER 6, *BUILDING CONSTRUCTION ADMINISTRATION*, § 6-5, ~~OF THE TOWN CODE~~; AND

CHAPTER 43, *ZONING*, § 4.1 (PERFORMANCE STANDARDS), § 10.2 (*ENFORCEMENT*), AND § 10.3 ~~§10.323, §10.334 AND §10.335~~ (*BOARD OF APPEALS*);
OF THE ~~ZONING~~ CODE OF THE TOWN OF ORANGETOWN

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

Section 1: Purpose: The Town Board ("Board") of the Town of Orangetown, New York ("Town" or "*Orangetown*") hereby finds that there is a critical and compelling need, in the public interests as set forth herein, to protect the health, safety and welfare of its residents to ensure that properties do not emit, or cause to be emitted, dangerous or objectionable levels of smoke, particulate matter, and ~~odor~~ *odors of such quantity, characteristic or duration which are injurious or objectionable to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.* The objective of this local law is to clarify Chapter 43 (Zoning) § 4.1, § 4.163, § 4.164, and § 4.182 § 10.2 and § 10.3 of the Code of the Town of Orangetown ("Orangetown Code"), relating to *Performance Standards, particularly, but not limited to*, emissions, and to make related enforcement, procedural and administrative changes, including changes to *Orangetown Code* Chapter 6 (Building Construction Administration).

Section 2: *Orangetown Code* Chapter 6 (Building Construction Administration), § 6-5, ~~of the Orangetown Code~~ shall be amended, and, as amended shall read as follows:

§ 6-5 Duties and powers of the Building Inspector.

* * *

- B. ~~He~~The Building Inspector shall receive applications and issue permits for the erection, alteration, removal and demolition of buildings or structures or parts thereof, and shall examine the premises for which such applications have been received or such permits have been issued for the purpose of insuring compliance with laws, ordinances and regulations governing building construction.
- C. ~~He~~The Building Inspector shall issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to insure compliance during the entire course of construction with the requirements of such laws, ordinances or regulations. ~~He~~The Building

Inspector shall make all inspections which are necessary or proper for the carrying out of his duties, except that he may accept written reports of inspection from Building Inspectors, or other employees, of the Building Department Town of Orangetown's (hereinafter referred to as "Orangetown") Office of Building, Zoning and Planning Administration and Enforcement (hereinafter referred to as "OBZPAE"), or from generally recognized and authoritative reputable service and inspection bureaus, provided the same are certified prepared and signed by a qualified professional responsible official thereof.

- D. Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable statutes, codes, laws, ordinances or regulations covering relating to building construction, ~~he the Building Inspector~~ may require the performance of tests in the field, or on-site of private property subject of a building permit application, by ~~experienced, qualified professional(s) persons~~, or by ~~accredited and authoritative reputable~~ testing laboratories, ~~or service~~ bureaus or agencies.
- E. Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable statutes, codes, laws, ordinances or regulations relating to the use, maintenance or occupancy of land or buildings, including, but not limited to, assuring compliance with the Performance Standards set forth in §4.1 of Chapter 43 (Zoning Code) of the Orangetown Code, and/or to assure compliance with the conditions of any applicable Orangetown land use board approval decisions, the Building Inspector may inspect, investigate and/or conduct tests, on-site of private property that is the subject of an open building permit application or a nonresidential use that is subject to the Performance Standards (hereinafter referred to as "industrial user"), which may include, with regard to the Performance Standards, inspecting, investigating and/or conducting tests while all mechanical equipment, machinery, installations and systems, that are appurtenant to the use that is subject to the Performance Standards, are in full operation. For purposes of said inspections, investigations and/or tests, the Building Inspector may engage, employ or retain the services of the Orangetown Department of Environmental Management and Engineering (hereinafter referred to as "DEME"), and/or expert consultants, to the extent, type and/or degree that the Building Inspector, DEME, and/or the expert consultants, deems necessary. The said inspections, investigations and/or testing, on-site of private property, shall only be conducted (1) with the consent of the property owner, or a person in dominion, control or possession of, or with management or supervisory authority over, the property; or (2) at any reasonable hour if the Building Inspector has a reasonable suspicion, based on specific and articulable facts, taken together with rational inferences from those facts, associated with the particular property, that a violation of, or non-compliance with, the Performance Standards set forth in Zoning Code §4.1, is being committed or is occurring, or has been committed or has occurred; or (3) by execution of a judicially issued search warrant.

- (i). If, as a result of the Building Inspector's said inspection, investigation and/or testing, relating to an alleged violation of, or non-compliance with, the Performance Standards (Zoning Code §4.1) on the part of any nonresidential use subject to the Performance Standards (hereinafter referred to as "industrial user"), the Building Inspector has reasonable grounds to believe that a violation, or non-compliance, exists, subject to the provisions of Orangetown Zoning Code §4.182 (as may be applicable), the Building Inspector shall notify the Zoning Board of Appeals of the occurrence or existence of such possible violation, or non-compliance, in accordance with Zoning Code §10.335.
- (ii). If, after public hearing on due notice, in accordance with Zoning Code §4.13, the Zoning Board of Appeals finds that a violation, or non-compliance, occurred or exists, and revokes and rescinds its Performance Standards (Zoning Code §4.1) approval decision, then the Building Inspector may revoke and rescind any Building Permit and/or Certificate of Occupancy that had been issued based upon such approval decision.

Section 3: *Orangetown Code* Chapter 43 (Zoning) §4.1, Performance Standards, shall be amended, and, as amended shall read as follows:

§ 4.1. Performance standards.

All references herein contained to certain standards which indicate a publisher and date are hereby deemed to mean the latest revised edition of such standard. Where a federal, state, county or local agency promulgates applicable standards which are inconsistent with, or different from, those herein enumerated, the more restrictive standards shall control. Unless otherwise stated, all citations to statutory sections ("§") are from Chapter 43, the Zoning Code, of the Code of the Town of Orangetown (hereinafter referred to as "Orangetown" and "Zoning Code").

- 4.11. Applicable to all nonresidential uses. No land or building shall be used or occupied for a nonresidential use in any manner as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare; liquid or solid refuse or wastes; a condition conducive to the breeding of rodents or insects or other substance, condition or element, all referred to herein as "dangerous or objectionable elements," in a manner or amount as to adversely affect the surrounding area. However, any nonresidential use, except those expressly prohibited by this code in §4.4, may be undertaken, and maintained, if it conforms to the district regulations, and the regulations of §4.1, Performance standards, ~~limiting dangerous and objectionable elements at the point of determination of their existence as provided in this section~~ §4.1.
- 4.12. Performance standards procedure. Only those uses specified in the Zoning Code Use Table, Columns 2, 3 and 4, as are subject to the performance standards procedure of §10.334, §4.12, are subject to performance standards procedure requiring the Orangetown Zoning Board of Appeals' (hereinafter referred to as "ZBA") approval as

~~specified in §10.334 in obtaining a building permit or certificate of occupancy, or both (hereinafter referred to as "industrial user"), unless the Building Inspector has reasonable grounds to believe that any other proposed use, including any building or use accessory to a use subject to performance standards procedure, is likely to violate performance standards, in which event the applicant industrial user shall comply with the procedure in §10.334 in obtaining a building permit or certificate of occupancy, unless the ZBA Board of Appeals finds that compliance therewith is unnecessary.~~

4.13. Initial, and cContinued, enforcement provisions. Whether or not compliance with performance standards procedure in §10.334, in obtaining a building permit or certificate of occupancy, is required for any particular use,

~~(a). iInitial, and continued, compliance with performance standards is required of every new nonresidential use, or change in such use, including, but not limited to, §10.231(c), in all Zoning dDistricts, as provided in §10.335, for all nonresidential uses that are subject to §4.1. Pursuant, but not necessarily limited, to §4.13, §10.334(c) and §10.335, initial, and continued, compliance with the performance standards (§4.1) is required, and all building permits and certificates of occupancy, issued for a use subject to §4.1, is conditioned, and contingent, upon the industrial user conforming to the performance standards, and the industrial user's paying of the fees, to the Town of Orangetown, for services of Orangetown's own expert consultants deemed reasonable and necessary by Orangetown's Department of Environmental Management and Engineering (hereinafter referred to as "DEME"), Orangetown's Office of Building, Zoning and Planning Administration and Enforcement (hereinafter referred to as "OBZPAE"), and/or the ZBA, for said consultants' inspections, investigations, research, studies, tests, advice and/or reports relating to determineing compliance with by the industrial user's conformance to with the performance standards (§4.1).~~

~~(b). The industrial user's initial, and continued, compliance with the performance standards (§4.1) shall include the following:~~

~~(i). The industrial user's consent to inspections, investigations and/or testing, on the industrial user's site, while all mechanical equipment, machinery, installations and systems, that are appurtenant to the use that is subject to the performance standards (§4.1), are in full operation, by OBZPAE, DEME, and/or the Orangetown-retained expert consultants, to the extent, type and/or degree that OBZPAE, DEME, and/or the Orangetown-retained expert consultants, reasonably deem necessary to verify compliance with the applicable performance standards.~~

~~(ii). The industrial user's full, and complete, compliance with any and all laws, statutes, rules and regulations of the NYS Department of Environmental Conservation and federal Environmental Protection Agency, that also regulate the use that is subject to the performance standards (§4.1).~~

(iii)(c). OBZPAE, DEME, and/or the Orangetown-retained expert consultants, shall investigate any alleged violation of, or non-compliance with, the performance standards (§4.1) by the industrial user, as per §4.13(b)(i); and, if there are reasonable grounds to believe that a violation, or non-compliance, exists, OBZPAE, DEME, and/or the Orangetown-retained expert consultant(s), shall notify the ZBA, in writing, of the occurrence, or existence, of a probable violation, or non-compliance, thereof. Upon receiving such notification, the ZBA may further investigate the alleged violation or non-compliance, if the ZBA deems it necessary in its discretion; and, for such further investigation, the ZBA may utilize, or retain, the services of OBZPAE, DEME, and/or the Orangetown-retained expert consultants. Thereafter, after holding a Public Hearing on due notice, including notice to the industrial user (except for posting of signs at the industrial user's subject site, which signs shall not be required), the fees for which Public Hearing shall be paid for by the industrial user, if the ZBA finds that a violation, or non-compliance, occurred or exists, the ZBA may revoke and rescind its performance standards (§4.1) approval decision, and any building permit and/or certificate of occupancy that has been issued, based upon such approval decision, shall also be deemed revoked and rescinded; which shall be in addition to any other legal remedies that the Town of Orangetown may pursue, including, but not necessarily limited to, prosecution of violations in the Orangetown Justice Court pursuant to §10.2 and/or §10.6, and/or commencement of a civil action or proceeding in the NYS Supreme Court, pursuant to NYS Town Law §135(1) and/or §268(2).

* * *

4.163. Smoke.

(a). There shall be no emission and/or discharge into the atmosphere at any point from any chimney, stack, vent or otherwise, of visible black, gray or white smoke other than that caused by steam, of a shade darker than No. 1 on the Ringelmann Smoke Chart as published by the United States Bureau of Mines (Power's Micro-Ringelmann Chart, McGraw Hill Publishing Company, 1954, may be used), except that visible gray smoke of a shade not darker than No. 2 on said chart may be emitted for not more than four minutes in any 30 minutes. These provisions, applicable to visible gray smoke, shall also apply to visible smoke of a different color but with an equivalent apparent opacity, or exhibiting greater than 20 percent opacity (6-minute average) per EPA Method 9.

(b). Exceedance during two consecutive days requires the opacity producer to conduct EPA Method 9 analysis within two business days of occurrence, or evaluate Continuous Opacity Monitoring System(s) (COMS) during the same period, and Aa facility-responsible person must notify the Town within one business day of receiving the assessment results, as well as provide any other credible evidence. The Town will evaluate compliance and determine further action.

4.164. (a). Fly ash, dust, fumes, vapors, gases and other forms of air pollution derived from combustion. There shall be no emission and/or discharge which can any cause

damage to the health, to of humans or other animals, or vegetation, buildings or structures, or other forms of property, or which can cause any excessive soiling, of any point and in no event any emission from any chimney or otherwise of any solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas or air at any point. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500° F. and 50% excess air. Emissions related to combustion must comply with the standards and regulations set forth in the New York State Department of Environmental Conservation's ~~6 NYCRR Subpart 227-1~~ 6 NYCRR Part 227, Stationary Combustion Installations, as amended and/or supplemented from time to time, as applicable.

4.164.(b). Ash, dust, fumes, vapors, gases and other forms of air pollution not derived from combustion. There shall be no emission and/or discharge which can cause any damage or injury to the health of humans and other animals, or vegetation, buildings or structures or other forms of property, or which can cause excessive soiling.

(c). Emissions of air contaminants to the outdoor atmosphere from any process emission source or emission point are restricted in accordance with the New York State Department of Environmental Conservation's ~~6 NYCRR Subpart 212~~ 6 NYCRR Part 212, Process Operations, as amended and/or supplemented from time to time, as applicable.

* * *

4.181. Noise. At the specified points of measurement;

(a). The the sound-pressure level of noise radiated continuously from a facility at nighttime shall not exceed the values given in Table I in any octave band of frequency, in order to provide an environment free from noise that affects a reasonable person's people's well-being and or use, enjoyment and or value of property, or that interferes with the a reasonable person's repose of life, or would unreasonably or unnecessarily interfere with public health, safety, and or welfare.

(b). In the event of noise complaints arising from residents, commercial, or other Town inhabitants, the The sound-pressure level shall be measured with a sound-level meter and an octave band analyzer that conforms to specifications published by the equipment manufacturers, and such standards as published by the American National Standards Institute (ANSI), the American Society for Testing and Material, or other contemporary standards-establishing organization accepted in the United States, by the American Standards Association. (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z24.3-1944, American Standards Association, Inc., New York, New York, and American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953, American Standards Association, Inc., New York, New York, shall be used.)

(c). Unless otherwise resolved with the Town, the owner or operator of the location/source of such elevated, complaint-producing noise, shall prepare and provide a Noise Monitoring Plan to the Town within 10-business days of written notice by the Town, and such Plan shall be implemented within 10-business days of Plan approval by the Town (unless extended by the Town, if the Plan requires the ordering, purchase and/or installation of equipment, but such extension should be no longer than the time period to order, purchase and install such noise mitigation equipment), and the written report of such monitoring shall be provided to the Town within 10-business days following completion of noise monitoring. Failure to meet noise compliance will result in cessation of the offending noise source until compliance is met. The Noise Monitoring Plan will employ "A-weighting" unless another weighting scale is more appropriate based on industry standards, and shall address:

- (i). The number and location of monitoring sites;
- (ii). The timing and frequency of surveys;
- (iii). Methods and standards to be followed. This will include methods used to identify and remove measurement results for time periods affected by sound associated with any temporary events or activities (such as noise from non-related construction or other activities), and during periods where wind speeds exceed 5 m/s or the rainfall rate exceeds 6 mm/hour; and
- (iv). Timeframes for monitoring and reporting to the Town in the event they are otherwise than stated in this Performance Standard.

TABLE I

Maximum permissible sound-pressure levels at specified points of measurement for noise radiated continuously from a facility between the hours of 10:00 p.m. and 7:00 a.m.

<u>Frequency Band Cycles per second</u>	<u>Sound Pressure Level Decibels "A-weighted" scale (dBA)* Re. 0.002 dyne/cm.²</u>
20-75	69
75-150	54
150-300	47
300-600	41
600-1200	37
1200-2400	34
2400-4800	31
4800-10,000	28

* "A-weighted" scale (dBA) is the filtering of sound measurement to account for the perceived loudness of noise not necessarily correlating with sound levels. Sound level meters set to A-weighting minimize low-frequency noise similar to the human ear. Sound intensity is measured in units of decibels, dB.

If the noise is not smooth and continuous and is not radiated between the hours of 10:00 p.m. and 7:00 a.m., one or more of the corrections in Table II below shall be added to or subtracted from each of the decibel levels given above in Table I.

TABLE II

Type of Operation of Character of Noise	Correction in Decibels
Daytime operation only	Plus 5
Noise source operates less than 20% of any one hour	Plus 5*
Noise source operates less than 5% of any one-hour period	Plus 10*
Noise source operates less than 1% of any one-hour period	Plus 15*
Noise of impulsive character (hammering, etc.)	Minus 5
Noise of periodic character (hum, screech, etc.)	Minus 5

* Apply one of these corrections only.

4.182. Odors. ~~No emission of odorous gases or other odorous matter in such quantities as to be offensive at the specified points of measurement. Any process which may involving the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established, as a guide in determining such quantities of offensive odors, Table III (Odor Thresholds) in Chapter 5, Air Pollution Abatement Manual, Copyright 1951 by Manufacturing Chemists' Association, Inc., Washington, D.C.~~

(a). No person, entity or process will emit, or cause or allow to be emitted, There shall be no emission and/or discharge of objectionable odors or other matter present in the ambient air that, by itself, or in combination with other odors, gases or vapors from the same facility, is offensive, foul, unpleasant or repulsive to olfactory reception to a reasonable person of normal sensibilities, beyond the property borders of the emitting source. Odor(s) will be deemed objectionable when documented assessment by the Town, pursuant to the procedures in this section, shows evidence that the odor likely could, or does, cause injury, detriment, nuisance or annoyance to persons or to the public, based on observations of the odor's nature, intensity, duration, location, and level of complaint.

(b). Upon documented assessment by the Town, pursuant to the procedures in this section, of the existence of an objectionable odor, the Town will notify the odor-producing facility and direct that an Odor Management and Control Plan ~~acceptable to the Town (hereinafter referred to as "Plan")~~ be submitted, to the Town, that outlines the operational cause of the ~~violation~~ objectionable odor, and, if available, chemistry of the offending odor(s), and literature evidence of odor

thresholds and impacts, methods proposed to mitigate the problem, and the schedule by which the Plan will be implemented and completed. ~~The Town will review the Odor Management and Control Plan, and either approve it, or request supplemental information from the facility to complete any deficiencies or shortcomings. The Town will review the Plan to determine whether it is reasonably calculated to prevent future emissions of objectionable odors to the maximum extent practicable and, on that basis, either approve the Plan, approve the Plan with conditions, or reject the Plan. The Town may seek the advice of, and retain, consultant(s) with expertise on odor detection to assess whether the Plan meets the required standard. In the event that the Town finds that the Plan does not provide sufficient information, to make the required determination, the Town may request supplemental information from the odor-producing facility.~~

(i). ~~If an Odor Management and Control Plan is not submitted by the odor-producing facility within ten business days of the Town's notification and direction to the odor-producing facility to submit a Plan, as described in this §4.182(b), or within any extended period of time agreed or consented to by the Town, or if a submitted Plan is rejected by the Town, then the Town shall have all remedies prescribed in §4.13.~~

(ii). ~~If an Odor Management and Control Plan is approved, or approved with conditions, by the Town, then, upon such approval, implementation of the Plan by the odor-producing facility shall be a condition of any active and open Building Permit(s) and the eventual Certificate(s) of Occupancy relating to same; or, if there are no active and open Building Permit(s), then implementation of the Plan shall be incorporated, automatically and by operation of law, into the most recent subsisting Certificate(s) of Occupancy.~~

(c). ~~To enforce this Performance Standard, objectionable odors will be considered detected and a violation of this § 4.182 when either:~~

(i). ~~A Town inspector/code enforcement officer detects documents an objectionable odor that, by its nature, intensity, duration, location, and level of complaint, is, at least minimally, a nuisance or annoyance to persons or to the public; or~~

(ii). ~~The Town receives initially five (5) or more complaints from individuals, households or businesses within seven (7) days, or fifteen (15) or more complaints within a 30-day period, and the odor issue is verified by the Town as per the final paragraph in this §4.182(c)(ii) below. The Town's odor complaint records will include:~~

- (a) ~~A~~name, address, email and phone number of complainant,;
- (b) ~~T~~ime and date of submission of complaint to the Town, each;
- (c) ~~D~~escription of nuisance odor,;
- (d) ~~E~~stimated location or source of complaint, and;

- (e) ~~If possible, prevailing wind or weather conditions observed; and~~
- (f) ~~If OBZPAE or DEME finds noncompliance per above (first bullet), then there shall be deemed noncompliance; and~~

~~The Town's odor complaint verification shall be satisfied if one (1) volume of the odorous air has been diluted with up to five (5) volumes of odor-free air and the odor is still perceptible, as measured by the Town through the use of reliable olfactometer field instruments, devices, or methods calibrated to detect odors at the same levels as perceptible to a reasonable person of average sensibilities; and~~

Section 4: Orangetown Code Chapter 43 (Zoning) §10.2, Enforcement, shall be amended, and, as amended shall read as follows:

10.222. Permits granted only in conformance with regulations.

- A.** No permit shall be issued unless the proposed construction ~~of~~ and use is are in full conformity with all the provisions of this Zoning Ceode, and all other applicable land use and/or building statutes, codes, laws, ordinances or regulations. Any permit issued in violation of the provisions of this Zoning Ceode shall be null and void, and of no effect, without the necessity of any proceedings for revocation or nullification thereof, and any work undertaken, or use established, pursuant to any such permit shall be unlawful.
- B.** After the effective date of this Zoning Ceode, division of any parcel of land shall conform to all the applicable bulk regulations, except as permitted under §5.21 of this Ceode.
- C.** The Inspector may revoke a permit theretofore issued, and approved, in the following instances:
 - (**ai**) Where he finds that there has been any false statement or misrepresentation as to a material fact in the application, plans, drawings, plat or specifications on which the permit was based;
 - (**bii**) ~~Where~~ he finds that the permit was issued in error, and should not have been issued in accordance with the applicable law(s);
 - (**ei**) ~~Where~~ he finds that the work performed under the permit is not being ~~proseecuted~~ conducted in accordance with the provisions of the application, plans, drawings, plat or specifications; ~~or~~
 - (**d**) ~~Where~~ the person to whom a permit has been issued fails or refuses to comply with a stop order issued by the Inspector; ~~or~~
 - (**v**) where he finds that the conditions of any applicable Orangetown land use board approval decisions have not been complied with.
- D.** Whenever the Inspector has reasonable grounds to believe that work on any land, building or structure is being ~~proseecuted~~ conducted in violation of the provisions of ~~the~~ any applicable land use and/or building statutes, codes, laws, ordinances or regulations, or not in conformity with the provisions of an application, plans, drawings, plat or specifications, ~~or the conditions of any applicable Orangetown land use board approval decisions~~, on the basis of which a permit was issued, or in an unsafe and dangerous manner, ~~he~~ the Inspector shall notify the owner of the

property, or the owner's agent, or the person performing the work, to suspend all work, and any such persons shall forthwith stop such work, and suspend all building activities, until the stop order has been rescinded. Such order and notice shall be in writing, shall state the conditions under which the work may be resumed, and may be served upon a person to whom it is directed either by delivering it personally to him, or by posting the same upon a conspicuous portion of the building under construction and sending a copy of the same by certified mail U.S. Postal Service First Class Mail.

E. If, after holding a Public Hearing on due notice, in accordance with Zoning Code §4.13, the Orangetown Zoning Board of Appeals finds that a violation of, or non-compliance with, the Performance Standards (Zoning Code §4.1) occurred or exists, and revokes and rescinds its Performance Standards approval decision, then the Building Inspector may revoke and rescind any Building Permit and/or Certificate of Occupancy that had been issued based upon such approval decision, in accordance with Zoning Code §4.13(b)(iii).

Section 5: Orangetown Code Chapter 43 (Zoning) §10.3, Board of Appeals, shall be amended, and, as amended shall read as follows:

10.323. Findings and conclusions. After such public hearings, the Orangetown Zoning Board of Appeals (hereinafter referred to as "ZBA") shall make written findings of fact and conclusions concerning the subject matter of such hearing, including the reasons for the grant or denial of the relief sought. As to any proposed use, such findings of fact and conclusions shall be made concerning such use, as described and represented by the applicant. In addition, the ZBA Board of Appeals shall, in appropriate cases, impose additional conditions and safeguards in granting a special permit or variance, or in approving an application requesting approval of conformance to the performance standards (Zoning Code §4.1), in harmony with the general purpose and intent of this the Zoning eCode, and to ensure that such use is established and maintained in conformity with the special findings, and the additional requirements and conditions, upon which such permit, variance(s) or approval of conformance to performance standards (Zoning Code §4.1), is granted.

* * *

10.334. Permit for a use subject to performance standards procedure.

(a) Application. An application for a permit for a use subject to performance standards procedure shall be submitted to the Inspector in quadruplicate on a form prescribed by the Zoning Board of Appeals (hereinafter referred to as "ZBA"), which shall include, but not be limited to, a Resume of Operations, on a form prescribed by the ZBA, which shall be prepared, and signed, by a person who is qualified to answer the questions and submit documentation on behalf of the applicant; and shall be referred by the Inspector to the ZBA Board of Appeals. The ZBA may reject the Resume of Operations if the ZBA determines that it has not been prepared, and signed, by a qualified person, regarding which the ZBA may engage or retain expert consultants to advise the ZBA with respect to the qualifications of the preparer/signatory, the fees of which consultants shall be paid by the applicant. The applicant shall also submit in duplicate a plan of the proposed construction or development, including a description of the proposed machinery, operations, and products and specifications for the mechanism and techniques to be used in restricting the

emission of dangerous and objectionable elements referred to in §4.1, in accordance with rules prescribed by the ZBA Board specifying the type of information required in such plans and specifications, and an affidavit by the applicant acknowledging his understanding of the applicable performance standards and agreement to conform with same at all times. No applicant will be required to reveal any secret processes, and any information submitted will be treated as confidential, if requested by the applicant. The fee for such application shall include the anticipated estimated costs of the special ZBA's expert consultants' reports required to process it, described in Subsection (b) below.

- (b) Report by expert consultants. ~~The Board of Appeals, if there is the ZBA~~ has any reasonable doubt as to the likelihood of conformance to the performance standards, the ZBA shall refer the application, for investigation and report, to one or more expert consultants selected by the ZBA Town Board as qualified to advise as to whether a proposed use will conform to the applicable performance standards specified in §4.1, in accordance with §4.13. ~~The applicant shall be informed of the estimated costs for such investigation and report before such referral is made. Such consultant or consultants shall make such report within 30 days after his or their receipt of such application. A copy of such report shall be promptly furnished to the applicant.~~
- (c) Decision of the Board of Appeals. At the next regular meeting of the ZBA Board of Appeals, but in no event more than 30 62 days after the ZBA Board has received the aforesaid expert consultants' report(s) and after the closing of the Public Hearing, or within such further period as agreed to by the applicant and ZBA, the ZBA Board shall decide whether the proposed use will conform to the applicable performance standards and, ~~on such basis, shall authorize or refuse to authorize the issuance of a permit or certificate of occupancy or require a modification of the proposed plan of construction.~~ Such decision of the ZBA Board shall be in written the form of a ~~written report~~, which shall be immediately filed in the office of the Orangetown Town Clerk and shall be a public record. Any permit or certificate of occupancy issued by the Inspector shall be conditioned on, among other things, the applicant's completed buildings, structures, ~~and~~ installations, machinery, equipment and appurtenances, in operation, conforming to the applicable performance standards, and the applicant's paying the fees for services of the expert consultant, or consultants, deemed reasonable and necessary by the ZBA Board of Appeals for advice as to whether or not the applicant's completed buildings, structures, ~~and~~ installations, machinery, equipment and appurtenances will, in operation, conform to the applicable performance standards.

10.335. Continued enforcement.

- A. The Inspector shall investigate any alleged violation of, or non-compliance with, the performance standards (Zoning Code §4.1) on the part of any nonresidential use subject to the performance standards (hereinafter referred to as "industrial user"); and, if there are reasonable grounds to believe that a violation, or non-compliance, exists, ~~he the Inspector~~ shall notify the ZBA Board of Appeals of the occurrence or existence of a probable such possible violation or non-compliance thereof. The ZBA Board shall investigate the alleged violation, or non-compliance, in accordance with Zoning Code §4.13, and for such investigation may employ engage or retain qualified experts. If, after public hearing on due notice, in accordance with Zoning Code §4.13, the ZBA Board of Appeals finds that a violation, or non-compliance, occurred or exists, a copy of said findings shall be forwarded to the Inspector; and, in addition thereto, the ZBA may revoke and

rescind its performance standards (Zoning Code §4.1) approval decision, and any building permit and/or certificate of occupancy that has been issued, based upon such approval decision, shall also be deemed revoked and rescinded Town Board. The services of any qualified experts, employed retained or engaged by the Town ZBA to investigate and report regarding an alleged advise in establishing a violation of, or non-compliance with, the performance standards, in accordance with Zoning Code §4.13, shall be paid for by the industrial user violator, if a violation, or non-compliance, is proved found by the ZBA, and otherwise by the Town. No new certificate of occupancy shall be issued, as provided in §10-236, unless such charges have been paid to the Town.

- B. (i).** Each and every year, beginning on a date that is between eleven and twelve months after the issuance of a certificate of occupancy that was issued pursuant to Zoning Code §4.1, every industrial user shall submit an affidavit to the Inspector, sworn to and signed, under oath, by a qualified professional, attesting that the operations, processes and methods, and the completed buildings, structures, installations, machinery, equipment and appurtenances, that were approved by the ZBA as part of a performance standards application, have not been altered, modified or changed, in any manner whatsoever, other than routine maintenance. If the Inspector determines that the said affidavit has not been executed by a qualified professional, the Inspector may reject the affidavit, or may engage or retain expert consultants to advise the Inspector with respect to the qualifications of the signatory, the fees of which consultants shall be paid by the industrial user.
- (ii).** If the operations, processes or methods, or the completed buildings, structures, installations, machinery, equipment or appurtenances, that were approved by the ZBA as part of a performance standards application, have been altered, modified or changed, in any manner whatsoever, other than routine maintenance, then the industrial user shall submit, to the Inspector, a new Resume of Operations, in form and substance as described in §10.334(a); and, in addition, the industrial user shall apply for performance standards approval, as per Zoning Code §4.1, if determined to be necessary by the Inspector. In making such determination, the Inspector may engage or retain expert consultants to advise the Inspector with respect to such alterations, modifications or changes, the fees of which consultants shall be paid by the industrial user.

Section 36: This local law shall become effective immediately upon filing with the *New York State* Secretary of State.

A LOCAL LAW TO AMEND Chapter 39 the Code of the Town of Orangetown to ADD a New Section entitled "Towing of Vehicles on posted parade, street fair or special events route" pursuant to New York State Vehicle and Traffic Law §1660

**** New Section is shown with underline.**

LOCAL LAW NO. ____ OF 2018 OF THE
INCORPORATED TOWN OF ORANGETOWN, NEW YORK

Be it enacted by the Town Board of the Town of Orangetown that Chapter 39 of the Code of the Town of Orangetown entitled "Vehicles and Traffic" (Local Law No. 2 of 2009), is hereby amended to add a new Section 39-38 as follows:

✓ §39-38 Towing of vehicles on posted parade, street fair or special event routes.

Any vehicle found in an area temporarily posted by the Orangetown Police Department as being a no-parking zone due to a parade, street fair or other special event authorized by the Town Board shall be subject to towing pursuant to the provisions of this Chapter, if:

- A. The notice prohibiting parking is prominently posted, in view of the affected parking area;
- B. The notice indicates when parking is prohibited, showing both the date and time period affected; and
- C. The notice is posted at least 24 hours before the no-parking period begins.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ORANGETOWN ADOPTING LOCAL LAW NO. ____ OF 2018, RELATING TO A ZONING TEXT AMENDMENT, CHANGING THE ZONING DISTRICT CLASSIFICATION FROM “OP” TO “PAC” FOR PROPERTY LOCATED IN THE HAMLET OF PEARL RIVER ON THE SOUTH SIDE OF VETERANS MEMORIAL DRIVE, EAST OF THE EXISTING BLUE HILL OFFICE COMPLEX AND WEST OF THE EXISTING POINTE AT LAKE TAPPAN, AND SHOWN ON THE TAX MAP OF THE TOWN OF ORANGETOWN AS SBL 73.10 – 1 – 5.

WHEREAS, the Town Board of the Town of Orangetown (the “Town Board”) is the duly elected legislative body of the Town, authorized to adopt zoning text amendments to the Town’s Zoning Law; and

WHEREAS, by Petition and accompanying application dated April, 2018, Millenium Management – Pearl River I, LLC and Pearl River ARC, LLC , as owners of the property located in the Hamlet of Pearl River, on the South side of Veterans Memorial Drive, East of the Existing Blue Hill Office Complex and West of the existing Pointe at Lake Tappan property (AKA The Club at Pearl River), and shown on the Tax Map of the Town of Orangetown as SBL 73.10 – 1 – 5 formally petitioned the Town Board to change the zoning classification of the said property from Office-Park (“OP”) to Planned Adult Community (“PAC”) in accordance with the provisions of Local Law No 1 of 2004, as subsequently amended, by which the PAC zoning district was created as a “floating” district; and

WHEREAS, the property under consideration was subdivided from the neighboring parcel (73.10-1-4) which is currently zoned PAC, pursuant to Filed Map #7884, October 6, 2006, and

WHEREAS, after notice duly given, and no other involved agency having a desire or intention to act as Lead Agency, or otherwise having contested the Town Board’s authority to act in that capacity with respect to the referenced action, the Town Board assumed the role of Lead Agency for environmental review; and

WHEREAS, by resolution duly adopted of even date herewith, but prior to the adoption of this resolution, the Town Board, acting in its capacity as Lead Agency for environmental review, concluded that there will be no significant environmental impacts or effects caused or occasioned by the change in the zoning classification of the subject parcel and its eventual improvement with adult or senior residential housing; and

WHEREAS, in addition to the Petition, the Town Board also has considered the following in furtherance of its obligation to evaluate whether the proposed site is both eligible and, in the Town Board’s discretion, appropriate for PAC zone designation:

- (1) The application of the Petitioner / Petitioner, including a project description and Illustrative Site Plan;
- (2) A Traffic Engineering Evaluation prepared by Klein Traffic Consulting, LLC dated April 10, 2018;
- (3) A Demographic Analysis Report, prepared by On-Site Sales & Marketing, LLC dated April 18, 2018;
- (4) A Tax Assessment analysis from Brian Kenney, Town of Orangetown Tax Assessor, dated March 27, 2018;
- (5) Housing Plans detailing the types and number of units, including square footage, number of bedrooms and approximate rental costs. its.
- (6) The Full Environmental Assessment Form for the action, consisting of:
 - Part 1, prepared by the applicant's engineer Diego Villarreal, PE, dated June 11, 2018;
 - Part 2, prepared by Diego Villarreal, PE, and reviewed by Jane Slavin, Director of the Office of Building Zoning Planning Administration and Enforcement, and by the Town Board as Lead Agency;
 - Part 3, prepared by Jane Slavin and by the Town Board as Lead Agency;
- (7) The comments of the Rockland County Planning Department pursuant to GML § 239, dated July 23, 2018;
- (8) The comments of the Town of Orangetown Planning Board dated June ;

and,

WHEREAS, following notice duly and properly given, a public hearing was conducted on the Petition, at which the Petitioner provided testimony from consultants and experts regarding various aspects of the senior housing project proposed for the site under consideration, including consultants on traffic, demographics, market absorption and taxes, and at which members of the public spoke almost uniformly in favor of the proposed zone change; and

WHEREAS the Town Board has considered both the need for adult housing within the Town as contemplated by the adoption of the PAC zoning classification, and the impact on the Town's stock of land available for OP uses at this time and following the zone change;

NOW, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS HEREINAFTER MADE, BE IT RESOLVED, that the Town Board hereby adopts Local Law No. ___, amending the Town's zoning map and zoning law to change the zoning classification from OP to PAC certain property located in the Hamlet of Pearl River, on the South side of Veterans Memorial Drive, East of the Existing Blue Hill Office Complex and West of the existing Pointe II (aka The Club at Pearl River) said property shown on the Tax Map of the Town of Orangetown as Section 73.10 Block 1 and Lot, 5 and more fully described and set forth on Schedule "A" annexed to and made a part of this Resolution.

Specific Findings Relating to the Instant Petition

Pursuant to Chapter 43, Subsection 4.6.12, the Town Board makes the following specific Findings of Fact, pertaining to the instant Petition:

Marketability of the Proposed Units

Based on the market studies conducted by the Petitioner and by the Town, it appears that while there have been several PAC zone changes in the Town, there remains a need for housing stock, meeting the specific needs and concerns of those in the 55 and older active adult age group both within the Town of Orangetown specifically, and within the County of Rockland general. The Pointe at Lake Tappan Phase I aka The Club at Pearl River is very popular and has no vacancies. The need and popularity for these units is enhanced in that they are rental units.

The Hollows at Blue Hill, which is located just across Veteran's Memorial Drive in the vicinity of this project are condominium units. The desire for rental units is evident by the fully rented Club at Pearl River and waiting list therefor.

There is considerable demand for this specific project that will provide active adult housing for persons in the moderate to higher income or means range. In light of both the expressed interest in the project, and the obvious under supply of senior housing in the area, coupled further with the price structure proposed by the developer, the 104 senior housing units proposed for the site appear to be very marketable.

Potential Saturation Within and About the Geographic Area of the Proposed Zoning Amendment.

Based on the findings set forth above, relating to the number of eligible prospective purchasers throughout the Town and surrounding areas, and the demonstrated need for active adult housing in the relevant market area, the Town Board concludes that the approval of the instant zoning amendment, permitting the construction of up to 104 senior housing units will not saturate the neighborhood in which the site is located.

Suitability of the Site for Senior Housing; Vehicular Access, Transportation, Walking and Traffic Concerns in General.

The proposed residential development will be age restricted and consist of rental units housed in a gated community to be managed by the developer which will be responsible for maintaining all of the common areas, including designated recreation areas and internal roadways and open space.

As shown on the architectural renderings and floor plans of the Petitioner's Architect presented on the public hearing, the proposed adult community will consist of 104 apartment units located in 5 apartment buildings and will include a separate clubhouse with a pool. There will be 15 acres of open space.

There will be 11 different types of units, with approximately 15 1 bedroom units and 86 two bedroom units. The projected rental price for the one bedroom units is \$1,900.00; for the two bedroom units, the proposed rental price is \$2,400.00.

The buildings will be situated with an entrance on to Blue Hill Plaza Road and emergency access only to Veterans Memorial Drive

Additionally, there will be a recreation center located on site, consisting of a 5,838 sq. ft. club house, a swimming pool and other spot recreation areas, as well as 11,000+ sq. ft. of indoor/outdoor recreation areas. Walkways/sidewalks throughout the project will provide yet an additional recreation amenity.

The interior road system will be private and built in accordance with Orangetown Road and Street specifications. The roadway, accessed through a gate house for security reasons, will wind through the community so as to preserve the wetland areas and steep slope areas. Access to the interior road system will be via Blue Hill Plaza Road, which already has a traffic light for traffic control.

The project design will meet -- indeed, far exceed -- the off-street parking requirements applicable to the PAC zone, providing 244 off-street parking spaces, or 2.23 spaces per unit, as compared with a code requirement of 1.75 spaces per unit.

The location of the site further meets the needs of the senior community in that it is located relatively close to the downtown Pearl River, and the business corridor along Middletown Road. There is bus transportation available for those who do not have private means of travel.

The Town Board further finds, based on the traffic studies conducted not only by the Petitioner, but by others, as well, in connection with other unrelated projects, including studies undertaken in connection with projects proposed for nearby Town owned lands, that the road system in and about the site will accommodate any traffic volume that may be generated by the project proposed for these premises.

Compatibility of a Planned Adult Community Project With the Surrounding Environment.

The proposed senior housing community is an appropriate use for the premises sought to be re-zoned. Although the site is adjacent to lands developed for office and other OP uses, it is also located next to Phase I of the Pointe at Lake Tappan and the Hollows at Blue Hill as well as two assisted living facilities and single family homes, as well as a major hotel and middle school. The Town Board finds, consistent with its Town-wide Comprehensive Plan, that the contemplated planned adult housing use is consistent with the uses otherwise existing and permitted in the area, and is otherwise compatible with the existing development in the area.

The Petitioner, in accordance with the requirements of the Local Law 1 of 2004, has presented to the Town Board an Illustrative or Concept Site Plan, prepared by Jay Greenwell, PLS, LLC. The Concept Plan shows a gated community of 104 dwelling units laid out in five buildings throughout the site. The Concept Plan further shows amenities as previously noted, with an overall design and architectural layout which preserves a significant amount of undisturbed open space, supplementing that open space with additional landscaping so as to mitigate any adverse visual impact from the surrounding view points.

Maximum Unit Count

By reason of the proposed layout, the Town Board further establishes 104 units as the maximum number of units permitted on the site, which units shall consist of at least 75% two bedroom units as set forth in §4.64, to be disbursed throughout the project as required by the Planning Board.

The Town Board further finds that the illustrative site plan reflects a suitable mix of open space and senior housing development as contemplated under the PAC Law (Local law No. 1 of 2004).

Other Findings and Conditions

- ***Recreation Contribution***

The Petitioner, as part of its proposal, has further offered to make a contribution toward the recreation needs of the Town in the sum \$162,000.00 to be paid following the grant of final site development plan approval by the Town Planning Board for the PAC development and before the signing of the site plan by the Clerk to the Planning Board.

It is further understood, in regard to the recreation contribution offered by the Petitioner, as hereinbefore set forth, that the said recreation fee shall not be due and owing unless the Town Planning Board as part of its site plan and/or subdivision approval shall waive the money-in-lieu of land requirement upon a finding that the recreation contribution agreed to be paid as a condition of this zone change, coupled with other on-site recreation lands and amenities provided, exceeds the amount that otherwise would have been due and owing under existing Town land use regulations.

- ***Site Development Plan and Other Required Municipal Approvals***

The adoption of this resolution granting the requested zoning amendment from OP to PAC based upon the illustrative site plan and related materials is not intended to, nor shall it be interpreted to, circumvent or usurp the authority of the Planning Board or of any other land use board having authority over site specific details. Pursuant to §4.6 (D), the Town Board reserves the right to review any proposed site development plan before preliminary approval by the Planning Board to determine whether, in the judgment of the Town Board, the proposed plan does not substantially deviate from the final concept plan that was reviewed and approved herein.

- ***Age Limitations Under the PAC Designation***

As required by § 4.6.5 of Local Law No.1 of 2004, occupancy of the units to be developed on the site as a result of this zoning amendment, at the time of initial conveyance, and thereafter, shall be restricted to persons fifty-five (55) years of age or older, or couples, one of whom is 55 years of age or older. Persons less than 18 years of age shall not be permanent residents under any circumstances.

The Petitioner, prior to the issuance of any building permits, shall file with the Rockland County Clerk, in a form both recordable and acceptable to the Town Attorney, a covenant, which shall run with land and bind all Owners and occupants, restricting the sale, re-sale, rental and occupancy of the units within the PAC development as set forth in this resolution.

Rockland County Planning Department Conditions

The Town Board has received, and has considered, the General Municipal Law § 239 L & M review submitted by the Rockland County Department of Planning and responds to its comments and conditions as follows:

County Comment 1 indicates that the proposed change seems reasonable and suggests that the Town Board should consider the change comprehensively, taking in to consideration surrounding parcels.

Response: The Town Board has taken this comment in to consideration and finds that the surrounding parcels could be considered for a PAC overlay zone in the future. The 2003 Comprehensive Plan indicates these areas could be considered as part of an “open space” category, but also indicates development in these areas for Planned Unit Developments (PUD) would be appropriate, taking into account the open space that such developments could provide as part of overall development. The PAC zone is a form of PUD, developed in response to the Comprehensive Plan. County Planning has indicated in this comment that the Comprehensive Plan and Official Town Zoning Map should be updated. The Town Board finds that the granting of this overly zone change is consistent with the Town Comprehensive Plan, however, it recognizes the Comprehensive Plan is 15 years old and with the zone changes since then, including PAC’s throughout the Town, an update to the Comprehensive Plan would be in order.

County Comment 2, indicates the matter should be referred to the Rockland County Highway Department. The zone change application has been submitted to RCHD but no response has been received. The matter will again be referred to County Highway as part of the site plan review by the Town Planning Board and all required permits must be obtained.

County Comments 3 and 4, indicate the applicant must amend the Full EAF in certain respects as set forth more fully therein.

Response: The applicant has made the requested amendments.

The aforesaid resolution was moved by _____, seconded by _____, and (adopted / rejected) by a vote of ____ Ayes ____ Nays and ____ Abstentions, as follows:

Aye

Nay

Abstain

Councilman Botari	_____	_____	_____
Councilman Diviny	_____	_____	_____
Councilman Troy	_____	_____	_____
Councilman Valentine	_____	_____	_____
Supervisor Day	_____	_____	_____

Dated: Orangeburg, New York
July __, 2018

Local Law #___ of 2018,

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

Section 1: The Zoning Map of the Town of Orangetown, which establishes the areas and boundaries of the various Town zoning districts, is hereby amended to change the zoning district of the following property from OP to PAC:

The property located in the hamlet of pearl river on the south side of Veterans Memorial Drive, east of the existing Blue Hill office complex and west of the existing Pointe at Lake Tappan, and shown on the tax map of the Town of Orangetown as Section, Block and Lot 73.10 – 1 – 5.

Schedule A Description

A parcel of land in the Town of Orangetown, County of Rockland, and State of New York, being Lot on a map titled "Pearl River, LLC 3 Lot Subdivision" prepared by Henningson, Durham, & Richardson, Architecture and Engineering, P.C. in Association with HDR Engineering, Inc., surveyed by Maser Consulting, dated August 23, 2006, and filed in the Rockland County Clerk's Office as Map No. 7884, and also being a portion of Lot 2 as shown on a map titled "Subdivision of Property for Blue Hill Plaza, Inc." prepared by Atzl & Scatassa, Associates P.C.' dated September 6, 1984 and filed in the Rockland County Clerk's Office as Map No. 5700, more particularly bounded and described as follows:

BEGINNING at a point along the southerly line of Veterans Memorial Drive at its point of intersection with the division line between the herein described parcel of land on the west and Lot C as shown on said Map No. 7784 on the east;

Thence along said division line the following seven courses and distances;

1. South 22 degrees 24 minutes 51 seconds West, 76.44 feet;
2. Southwesterly along the arc of a curve to the right having a radius of 150.00 feet, a central angle of 89 degrees 32 minutes 46 seconds and an arc length of 234.43 feet;
3. North 68 degrees 02 minutes 23 seconds West, 46.20 feet;
4. South 35 degrees 51 minutes 46 seconds West, 565.12 feet;
5. South 28 degrees 51 minutes 24 seconds West, 240.22 feet;
6. South 03 degrees 11 minutes 24 seconds West, 277.98 feet;
7. South 25 degrees 44 minutes 09 seconds East, 252.39 feet to a division line between the herein described parcel of land on the west and lands now or formerly of Corwick Realty Corporation on the east;

Thence along said division line, South 17 degrees 22 minutes 01 seconds West, 274.04 feet to the division line between the herein described parcel of land on the northeast and Lot A as shown on the aforesaid Map No. 7884 on the southwest;

Thence along said division line the following three courses and distances;

1. North 29 degrees 32 minutes 26 seconds West, 737.57 feet;
2. North 05 degrees 06 minutes 18 seconds West, 529.24 feet;
3. North 40 degrees 19 minutes 44 seconds West, 708.47 feet to a division line between the herein described parcel of land on the southeast and Lot 1 as shown on the aforesaid Map No 5700 on the northwest;

Thence along said division line the following three courses and distances;

1. North 49 degrees 38 minutes 45 seconds East, 591.15 feet;
2. South 40 degrees 21 minutes 15 seconds East, 100.00 feet;
3. North 49 degrees 38 minutes 45 seconds East, 99.88 feet to the aforesaid southerly line of Veterans Memorial Drive;

Thence along said southerly line of Veterans Memorial Drive southeasterly along the arc of a curve to the left having a radius of 1947.46 feet, a central angle of 21 degrees 22 minutes 57 seconds and an arc length of 726.79 feet and South 67 degrees 35 minutes 24 seconds East, 302.71 feet to the POINT OF BEGINNING

Section 2: This law shall take effect immediately upon filing with the Secretary of State.

EXHIBIT "B"

Legal Description

ALL that certain piece or parcel of property situate, lying and being located in the Town of Orangetown, County of Rockland, State of New York and being more particularly bounded and described as follows:

PARCEL I:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND, AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY CORNER OF THE PREMISES HEREIN DESCRIBED, SAID POINT ALSO BEING AT THE INTERSECTION OF THE SOUTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF KNIGHT AT THE WESTERLY SIDE OF NEW YORK STATE ROUTE 9W;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE SAID WESTERLY SIDE OF NEW YORK STATE ROUTE 9W, SOUTH 12° 14' 30" EAST FOR A DISTANCE OF 565.92 FEET TO A POINT AT THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF CORNETTA;

THENCE ALONG LANDS NOW OR FORMERLY OF CORNETTA THE FOLLOWING COURSES AND DISTANCES:

SOUTH 73° 29' 36" WEST, 237.55 FEET;

SOUTH 16° 25' 38" EAST, 2.50 FEET;

SOUTH 73° 29' 36" WEST, 69.29 FEET TO A POINT ON THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF RAIMONDO;

THENCE ALONG SAID LANDS OF RAIMONDO, SOUTH 73° 29' 36" WEST FOR A DISTANCE OF 702.39 FEET TO A POINT ON THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF COLLINS;

THENCE ALONG SAID LANDS OF COLLINS, NORTH 3° 30' 59" WEST FOR A DISTANCE OF 744.67 FEET TO A PIPE ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF THE ROCKLAND COUNTRY CLUB;

THENCE ALONG SAID LANDS NORTH 70° 03' 14" EAST FOR A DISTANCE OF 621.03 FEET TO A POINT ON THE WESTERLY LINE OF LANDS NOW OR FORMERLY OF KNIGHT;

THENCE ALONG SAID LANDS OF KNIGHT THE FOLLOWING COURSES AND DISTANCES:

SOUTH 9° 33' 50" EAST, 215.88 FEET;

NORTH 69° 53' 16" EAST, 290.69 FEET TO THE POINT AND PLACE OF BEGINNING.

PARCEL II:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY CORNER OF THE PREMISES HEREIN DESCRIBED, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF BONANNO AND ON THE WESTERLY SIDE OF NEW YORK STATE ROUTE 9W;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG SAID WESTERLY SIDE OF ROUTE 9W, SOUTH 12° 16' 20" EAST FOR A DISTANCE OF 281.25 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF RAIMONDO;

THENCE ALONG SAID LANDS OF RAIMONDO, THE FOLLOWING COURSES AND DISTANCES:

1. SOUTH 79° 56' 36" WEST 308.98 FEET;
2. NORTH 11° 35' 04" WEST 244.17 FEET TO A POINT ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF BONANNO;

THENCE ALONG SAID SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF BONANNO, THE FOLLOWING COURSES AND DISTANCES:

1. NORTH 73° 29' 36" EAST 69.29 FEET;
2. NORTH 16° 25' 38" WEST 2.50 FEET;
3. NORTH 73° 29' 36" EAST 237.55 FEET TO THE POINT AND PLACE OF BEGINNING.

PARCEL III:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY CORNER OF THE PREMISES HEREIN DESCRIBED, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF THE JOHN M. PERRY POST NO. 1044 OF THE AMERICAN LEGION WHERE IT IS INTERSECTED BY THE EASTERLY LINE OF THE PALISADES INTERSTATE PARK COMMISSION;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE SOUTHERLY LINE OF SAID LANDS OF THE JOHN M. PERRY POST NO. 1044 OF THE AMERICAN LEGION, NORTH $76^{\circ} 14' 06''$ EAST FOR A DISTANCE OF 192.40 FEET TO AN IRON PIPE AND LANDS OF THE ROCKLAND COUNTRY CLUB;

THENCE TURNING AND RUNNING ALONG SAID LAND NOW OR FORMERLY OF THE ROCKLAND COUNTRY CLUB, THE FOLLOWING COURSES AND DISTANCES:

1. SOUTH $19^{\circ} 06' 07''$ EAST 24.01 FEET TO AN IRON PIPE;
2. NORTH $73^{\circ} 41' 16''$ EAST 1,169.27 FEET;
3. NORTH $74^{\circ} 48' 15''$ EAST 700.01 FEET;
4. SOUTH $15^{\circ} 46' 09''$ EAST 32.44 FEET TO THE MEAN CENTERLINE OF A STONE WALL;

THENCE ALONG THE MEAN CENTERLINE OF SAID STONE WALL, THE FOLLOWING COURSES AND DISTANCES:

5. SOUTH $14^{\circ} 09' 55''$ EAST 52.50 FEET;
6. SOUTH $15^{\circ} 49' 44''$ EAST 65.51 FEET TO A POINT;

THENCE CONTINUING ALONG SAID LANDS OF THE ROCKLAND COUNTRY CLUB:

7. NORTH $70^{\circ} 07' 33''$ EAST 538.97 FEET TO AN IRON PIPE ON THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF BONANNO;
- THENCE ALONG THE WESTERLY LINE OF SAID LANDS OF BONANNO, SOUTH $3^{\circ} 30' 59''$ EAST FOR A DISTANCE OF 744.67 FEET TO A POINT ON THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF RAIMONDO;

THENCE TURNING AND RUNNING ALONG THE NORTHERLY AND WESTERLY LINE OF LANDS OF RAIMONDO, THE FOLLOWING COURSES AND DISTANCES:

1. SOUTH $73^{\circ} 22' 03''$ WEST 869.53 FEET TO A MONUMENT;
2. SOUTH $4^{\circ} 03' 04''$ EAST 257.69 FEET TO A MONUMENT;

3. SOUTH 4° 05' 55" EAST 23.15 FEET TO A PIPE;

4. SOUTH 4° 34' 49" EAST 245.13 FEET TO A PIPE AT THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF ANDERSON;

THENCE ALONG SAID LANDS OF ANDERSON, SOUTH 4° 33' 50" EAST FOR A DISTANCE OF 122.38 FEET TO A POINT BEING THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF PALISADES PARKWAY GARDENS;

THENCE ALONG SAID PALISADES PARKWAY GARDENS, THE FOLLOWING COURSES AND DISTANCES:

1. SOUTH 88° 22' 51" WEST 523.70 FEET;

2. SOUTH 48° 57' 36" WEST 442.03 FEET TO A POINT ON THE NORTHEASTERLY SIDE OF THE PALISADES INTERSTATE PARK COMMISSION;

THENCE ALONG SAID PALISADES INTERSTATE PARK COMMISSION THE FOLLOWING:

1. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5,329.00 FEET AND A LENGTH OF 723.49 FEET TO A MONUMENT;

2. THENCE SOUTH 87° 13' 17" EAST FOR A DISTANCE OF 56.22 FEET TO A MONUMENT;

3. THENCE NORTH 4° 40' 31" WEST FOR A DISTANCE 36.32 FEET TO A MONUMENT;

4. THENCE NORTH 87° 13' 17" WEST FOR A DISTANCE OF 84.28 FEET TO A MONUMENT;

5. THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5,329.00 FEET AND A LENGTH OF 473.02 FEET TO A MONUMENT;

6. THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4,891.00 FEET AND A LENGTH OF 232.93 FEET TO A MONUMENT;

7. THENCE NORTH 2° 13' 29" EAST FOR A DISTANCE OF 144.31 FEET TO A MONUMENT;

8. THENCE NORTH 7° 54' 59" WEST FOR A DISTANCE OF 90.25 FEET TO THE POINT AND PLACE OF BEGINNING.

PARCEL IV:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDE OF NEW YORK STATE ROUTE 9W AT THE SOUTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF CORNETTA;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG SAID WESTERLY SIDE OF ROUTE 9W THE FOLLOWING COURSES AND DISTANCES:

SOUTH 11° 43' 44" EAST, 49.61 FEET TO A MONUMENT;

SOUTH 79° 56' 36" WEST, 6.00 FEET TO A PIPE;

SOUTH 17° 18' 24" EAST, 200.00 FEET;

SOUTH 20° 16' 50" EAST, 118.36 FEET TO A PIPE AT THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY OF ANDERSON;

THENCE ALONG SAID LANDS OF ANDERSON, SOUTH 77° 14' 09" WEST,

1,973.90 FEET TO A PIPE ON THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF COLLINS;

THENCE ALONG SAID LANDS OF COLLINS THE FOLLOWING COURSES AND DISTANCES:

NORTH 4° 34' 49" WEST, 245.13 FEET TO A PIPE;

NORTH 4° 05' 55" WEST, 23.15 FEET TO A MONUMENT,

NORTH 4° 03' 04" WEST, 257.69 FEET TO A MONUMENT;

NORTH 73° 22' 03" EAST, 869.53 FEET TO THE SOUTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF BONANNO;

THENCE ALONG THE SOUTHERLY LINE OF LANDS OF SAID BONANNO, NORTH 73° 29' 36" EAST FOR A DISTANCE OF 702.39 FEET TO A POINT BEING THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF CORNETTA;

THENCE ALONG THE WESTERLY AND SOUTHERLY LINE OF LANDS OF SAID CORNETTA THE FOLLOWING COURSES AND DISTANCES:

SOUTH 11° 35' 04" EAST, 244.17 FEET;

NORTH 79° 56' 36" EAST, 308.98 FEET TO THE POINT AND PLACE OF BEGINNING.

PARCEL V:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND AND STATE OF NEW YORK, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY CORNER OF THE PREMISES HEREIN DESCRIBED, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OF RAIMONDO, SAID POINT ALSO BEING 1,323.61 FEET AS MEASURED WESTERLY ALONG SAID SOUTHERLY LINE OF LANDS OF RAIMONDO FROM A PIPE AT THE WESTERLY SIDE OF NEW YORK STATE ROUTE 9W;

RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG OTHER LANDS NOW OR FORMERLY OF ANDERSON, SOUTH 12° 50' 04" EAST FOR A DISTANCE OF 323.22 FEET TO A POINT ON THE NORTHERLY LINE OF LANDS NOW OR FORMERLY OF BOWLING;

THENCE ALONG SAID LANDS OF BOWLING AND ALONG LANDS NOW OR FORMERLY OF EWING AND PARTIALLY ALONG THE MEAN CENTERLINE OF A STONE WALL THE FOLLOWING COURSES AND DISTANCES:

SOUTH 77° 09' 56" WEST, 173.94 FEET;

SOUTH 77° 16' 56" WEST, 523.30 FEET TO A PIPE AT THE NORTHWESTERLY CORNER OF LANDS OF SAID EWING AND THE EASTERLY LINE OF LANDS NOW OR FORMERLY OF PALISADES PARKWAY GARDENS;

THENCE ALONG SAID LANDS OF PALISADES PARKWAY GARDENS, NORTH 4° 33' 50" WEST FOR A DISTANCE OF 203.97 FEET TO A POINT BEING THE SOUTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF COLLINS;

THENCE ALONG SAID LANDS OF COLLINS, NORTH 4° 33' 50" WEST FOR A DISTANCE OF 122.38 FEET TO A PIPE AT THE SOUTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF RAIMONDO;

THENCE ALONG SAID LANDS OF RAIMONDO, NORTH 77° 14' 09" EAST FOR A DISTANCE OF 650.29 FEET TO THE POINT AND PLACE OF BEGINNING.

PERIMETER DESCRIPTION:

ALL THAT CERTAIN PIECE OR PARCEL OF PROPERTY SITUATE, LYING AND BEING LOCATED IN THE TOWN OF ORANGETOWN, COUNTY OF ROCKLAND, STATE OF

NEW YORK AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE DIVISION LINE BETWEEN PROPERTY NOW OR FORMERLY ANDERSON, THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PROPERTY AND THE WESTERLY SIDE OF NEW YORK STATE ROUTE NO. 9W, (S.H. 8250), AKA HIGHLAND AVENUE, AS WIDENED, SAID POINT BEING THE SOUTHWEST CORNER OF "NEW YORK STATE DEPARTMENT OF TRANSPORTATION ACQUISITION MAP NO. 46, PARCEL 54";

THENCE FROM SAID POINT OF BEGINNING ALONG SAID PROPERTY OF ANDERSON, SOUTH 77° 14' 09" WEST, A DISTANCE OF 1,319.67 FEET TO A MONUMENT;

THENCE SOUTH 12° 50' 04" EAST, A DISTANCE OF 323.22 FEET TO A STONE WALL AND PROPERTY NOW OR FORMERLY DOWLING;

THENCE ALONG SAID PROPERTY NOW OR FORMERLY DOWLING AND GENERALLY ALONG A STONE WALL, SOUTH 77° 09' 56" WEST, A DISTANCE OF 173.94 FEET TO A MONUMENT;

THENCE ALONG PROPERTY NOW OR FORMERLY EWING AND GENERALLY ALONG A STONE WALL, SOUTH 77° 16' 56" WEST, A DISTANCE OF 523.30 FEET TO A MONUMENT;

THENCE NORTHERLY, WESTERLY AND SOUTHWESTERLY ALONG PROPERTY NOW OR FORMERLY PALISADES PARKWAY GARDENS THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. NORTH 04° 33' 50" WEST, A DISTANCE OF 203.97 FEET TO A MONUMENT;

2. SOUTH 88° 22' 51" WEST, A DISTANCE OF 523.70 FEET TO A MONUMENT;

3. SOUTH 48° 57' 36" WEST, A DISTANCE OF 442.03 FEET TO A MONUMENT AND THE NORTHEASTERLY SIDE OF THE PALISADES INTERSTATE PARK COMMISSION;

THENCE NORTHWESTERLY ALONG THE AFORESAID PALISADES INTERSTATE PARK COMMISSION THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1. A DISTANCE OF 723.49 FEET ALONG A NON TANGENT CURVE TO THE LEFT OF WHICH THE RADIUS POINT LIES SOUTH 58° 28' 32" WEST A RADIUS OF 5,329.00 FEET, AND HAVING A CENTRAL ANGLE OF 07° 46' 40" TO A MONUMENT;

2. THENCE SOUTH 87° 13' 17" EAST, DISTANCE OF 56.22 FEET TO A POINT;

3. THENCE NORTH 04° 40' 31" WEST, A DISTANCE OF 36.32 FEET TO A MONUMENT;

4. THENCE NORTH $87^{\circ} 13' 17''$ WEST, A DISTANCE OF 84.28 FEET TO A MONUMENT;

5. THENCE NORTHWESTERLY; A DISTANCE OF 473.02 FEET ALONG A NON TANGENT CURVE TO THE LEFT OF WHICH THE RADIUS POINT LIES SOUTH $50^{\circ} 10' 27''$ WEST A RADIUS OF 5,329.00 FEET, AND HAVING A CENTRAL ANGLE OF $05^{\circ} 05' 09''$ TO A MONUMENT;

6. THENCE NORTHWESTERLY, A DISTANCE OF 232.93 FEET ALONG A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 4,891.00 FEET AND A CENTRAL ANGLE OF $02^{\circ} 43' 43''$ TO A MONUMENT ON THE EASTERLY SIDE OF NEW YORK STATE ROUTE NO. 340, (AKA CARTERET ROAD);

THENCE ALONG SAID EASTERLY SIDE OF NEW YORK STATE ROUTE NO. 340, (AKA CARTERET ROAD), NORTH $02^{\circ} 13' 29''$ EAST, A DISTANCE OF 144.31 FEET; AND

THENCE NORTH $07^{\circ} 54' 59''$ WEST, A DISTANCE OF 90.25 FEET TO A REBAR SET ON THE SOUTHERLY SIDE OF PROPERTY NOW OR FORMERLY JOHN M. PERRY POST #1044 OF THE AMERICAN LEGION;

THENCE ALONG SAID DIVISION LINE, NORTH $76^{\circ} 14' 06''$ EAST, A DISTANCE OF 192.40 FEET TO A MONUMENT;

THENCE SOUTH $19^{\circ} 06' 07''$ EAST, A DISTANCE OF 24.01 FEET TO A MONUMENT;

THENCE ALONG SAID PROPERTY NOW OR FORMERLY JOHN M. PERRY POST #1044 OF THE AMERICAN LEGION AND PROPERTY NOW OR FORMERLY ROCKLAND COUNTY CLUB, NORTH $73^{\circ} 41' 16''$ EAST, A DISTANCE OF 1,169.27 FEET TO A MONUMENT;

THENCE NORTH $74^{\circ} 48' 15''$ EAST, A DISTANCE OF 700.01 FEET TO A MONUMENT;

THENCE ALONG THE MEAN CENTERLINE OF A STONE WALL THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. SOUTH $15^{\circ} 46' 09''$ EAST, A DISTANCE OF 32.44 FEET TO A MONUMENT;

2. SOUTH $14^{\circ} 09' 55''$ EAST, A DISTANCE OF 52.50 FEET TO A MONUMENT;

3. SOUTH $15^{\circ} 49' 44''$ EAST, A DISTANCE OF 65.51 FEET TO A MONUMENT;

THENCE CONTINUING ALONG SAID PROPERTY NOW OR FORMERLY ROCKLAND CLUB, NORTH $70^{\circ} 07' 33''$ EAST, A DISTANCE OF 538.97 FEET TO A MONUMENT;

THENCE NORTH $70^{\circ} 03' 14''$ EAST, A DISTANCE OF 621.03 FEET TO A MONUMENT;

THENCE ALONG SAID PROPERTY NOW OR FORMERLY OF KNIGHT, SOUTH $09^{\circ} 33' 50''$ EAST, A DISTANCE OF 215.88 FEET TO A MONUMENT;

THENCE NORTH $69^{\circ} 53' 16''$ EAST, A DISTANCE OF 286.76 FEET TO THE NORTHWEST CORNER OF "OUT PARCEL TO BE DEDICATED TO THE PEOPLE OF THE STATE OF NEW YORK";

THENCE ALONG SAID WESTERLY SIDE OF "OUT PARCEL TO BE DEDICATED TO THE PEOPLE OF THE STATE OF NEW YORK", SOUTH $10^{\circ} 33' 26''$ EAST, A DISTANCE OF 453.91 FEET;

THENCE SOUTH $49^{\circ} 15' 43''$ EAST, A DISTANCE OF 5.73 FEET TO THE NORTHWEST CORNER OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION ACQUISITION PARCEL 54, MAP NO. 46;

THENCE ALONG THE WESTERLY SIDE OF PARCEL 54 AS SHOWN ON NEW YORK STATE DEPARTMENT OF TRANSPORTATION ACQUISITION MAP NO. 46 THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

1. SOUTH $11^{\circ} 03' 39''$ EAST, A DISTANCE OF 195.00 FEET;
2. SOUTH $15^{\circ} 42' 40''$ EAST, A DISTANCE OF 108.07 FEET;
3. SOUTH $12^{\circ} 06' 09''$ EAST, A DISTANCE OF 41.00 FEET;
4. SOUTHERLY, A DISTANCE OF 120.85 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2,909.00 FEET AND A CENTRAL ANGLE OF $02^{\circ} 22' 49''$;
5. SOUTHERLY, A DISTANCE OF 291.68 FEET ALONG A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 1,949.00 FEET AND A CENTRAL ANGLE OF $08^{\circ} 34' 29''$ TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PROPERTY, THE POINT AND PLACE OF BEGINNING.



445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

Neil J. Alexander
nalexander@cuddyfeder.com

July 16 , 2018

Town of Orangetown
26 Orangeburg Road
Orangeburg, NY 10962
Attn : Teresa M. Kenny
First Deputy Town Attorney

Re: Potential Sale & Leaseback of Town-owned Wireless Facilities

Dear Attorney Kenny:

This letter will serve as our Retainer Agreement. As required by New York State regulations, Cuddy & Feder LLP sends Retainer Agreements to our clients to set forth the scope of services to be rendered by our firm and the basis for billings of new matters. Firm policy requires that we have a fully executed Retainer Agreement before work may commence on your behalf.

Based on our discussions, the Town of Orangetown retains Cuddy & Feder LLP to provide legal services with respect to the potential sale and leaseback of Town-owned wireless facilities.¹ You acknowledge and agree that the basis for determining the value of such services and your responsibility with respect to payment therefor is set forth below. The terms hereof apply to this initial request for services as well as future work you may request of us unless we agree otherwise in a subsequent written agreement between us.

In determining the value of the firm's services, each lawyer and legal assistant is assigned hourly rates and maintains careful records of how his or her time is spent. A schedule of the ranges of our current billing rates for partners, associates, and legal assistants is attached. These assigned rates are adjusted from time to time and may change during the course of the engagement. The firm's custom is to revise rates annually at the beginning of the calendar year.

¹ You acknowledge that Cuddy & Feder LLP does not provide lobbying services. In the event that you should require lobbying services related to any legal matter for which you have retained Cuddy & Feder LLP, such work shall be referred to C&F Public Strategies Group LLC and, in the event that you should choose to retain C&F Public Strategies Group LLC for lobbying, you will be required to execute a separate retainer agreement for such work.



July 16, 2018

Page -2-

Time is billed in increments of six minutes. The time spent and the hourly rates are the principal factors considered in determining the value of the firm's services. In special cases, other factors may apply where appropriate in determining the fair value of the services rendered. These factors may include the types of services rendered, any special level of expertise required, the size and scope of the matter, and the results obtained.

Any estimates of anticipated fees we may provide, whether for budgeting purposes or otherwise, are, due to the uncertainties involved, necessarily only estimates. Such estimates are not a maximum quotation and actual fees will be determined as described in this Agreement.

Cuddy & Feder LLP endeavors to serve clients with the most effective support systems available, while at the same time allocating the costs of such systems in accordance with the extent of usage by individual clients. Therefore, in addition to fees for legal services, we will also charge separately for disbursements, including long distance telephone, telecopier, messenger, courier and other communication costs; photocopying; document retrieval; computer research facilities; secretarial overtime, if required by the urgency of the matter; and other costs and expenses advanced by the firm on your behalf. Some disbursement costs are passed through to you directly and some have an administrative mark-up. Large disbursement billings from sources outside our firm will be forwarded to you for direct payment. Billing statements will be rendered to you monthly. Statements are due and payable upon receipt and are considered delinquent if not paid within thirty days. A service charge will be assessed on amounts unpaid after forty-five days at the rate of one and one-half percent per month, and we reserve the right to require that unpaid balances be secured should the terms of this Agreement be dishonored. Also, we reserve the right to withdraw from your representation at any time for cause, including your failure to pay fees and costs in accordance with the terms set forth in this Agreement. In addition, you shall pay our attorney's fees should you default in your payment obligation to us thereby requiring that an action be commenced to enforce payment. In the unlikely event of a dispute concerning our fees, you may have the right to arbitration under applicable New York State regulations.

We will endeavor to keep you informed concerning your matters and regularly will send you copies of correspondence and relevant documents. It is our office's record retention policy to maintain files in storage for seven years. If we are requested to return a file to you during that seven-year period, we will do so. After that time, if you have not requested that the file be returned, its contents may be destroyed.

In order that we have complete and accurate information for correspondence and billing, please verify your information and return the enclosed "New Client Fact Sheet".

Your execution of this Agreement will acknowledge your receipt and understanding of the terms contained herein. Please return two copies of the Agreement and the New Client Fact Sheet in the



July 16, 2018

Page -3-

enclosed envelope together with a retainer in the amount of \$5,000 which will be applied against future billings. Upon our signing below and delivering a fully executed copy to you, this Retainer Agreement shall be binding on you and Cuddy & Feder LLP.

Should you wish to discuss our billing policies generally or a specific billing statement, please do not hesitate to call.

Very truly yours,

A handwritten signature in black ink, appearing to read "Neil J. Alexander". The signature is fluid and cursive, with the first name "Neil" being the most prominent.

Neil J. Alexander



THE TERMS OF THIS RETAINER AGREEMENT
ARE AGREED TO IN ALL RESPECTS

CLIENT:

(Responsible for Payment of Fees)

TOWN OF ORANGETOWN

By:

Teresa M. Kenny
First Deputy Town Attorney

FIRM:

CUDDY & FEDER LLP

By:

Neil J. Alexander, A Partner

SCHEDULE OF FEES

Partners/Counsels	\$330 to \$640 per hour
Associates	\$195 to \$365 per hour
Paralegals	\$160 to \$180 per hour



**CUDDY & FEDER LLP
NEW CLIENT FACT SHEET**

NAME: Town of Orangetown

COMPANY: Attn: Teresa M. Kenny, First Deputy Town Attorney

ADDRESS: 26 Orangeburg Road
Orangebury, NY 10962

TELEPHONE NO:

BUSINESS: 845-359-5100; ext 2215

OTHER: _____

CELL: _____

FAX: _____

EMAIL ADDRESS: TKenny@orangetown.com

**BILLING ADDRESS IF
DIFFERENT FROM ABOVE:** _____

HOW DID YOU HEAR ABOUT US?

WEBSITE _____

SEMINAR _____

REFERRAL _____

OTHER (DESCRIBE) _____

HOW WOULD YOU PREFER INVOICES TO BE FORWARDED?

E-MAIL ☐

MAIL ☐

FACSIMILE ☐

Service Order

Datacenter	Service Order
GHD Orangeburg, LLC 1 Ramland Rd Orangeburg, NY 10962	Service Order #195 Created by: Tad Szuwalski

Customer:

Town of Orangetown

Address:

26 Orangeburg Rd
Orangeburg, NY 10962

Service Details

Term: 24 months

Non-Recurring Charges

Name	Price	Qty	Subtotal
Blended IP Installation	\$250.00	1	\$250.00

Subtotal **\$250.00**

Total Recurring \$250.00

Monthly Recurring Charges



Name	Price	Qty	Subtotal
/29 IP Subnet 8 IP Addresses	\$20.00	1	\$20.00
Blended IP Blend of 4 Type 1 Carriers	\$6.00	20	\$120.00

Subtotal **\$140.00**

**Total Non
Recurring \$140.00**

Terms & Conditions

Term of Agreement:.

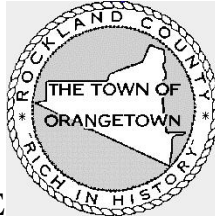
This Service Order shall be binding as of the latter-dated signature below. The term of this Service Order, as set forth above in the "Service Details" section (the "Term"), shall commence on the date Customer's ordered Services are available for use by Customer (the "Service Commencement Date").

This Service Order is made subject to the terms and conditions of the master services agreement between Customer and GHD Orangeburg, LLC.

Notwithstanding anything to the contrary in the agreement between the parties, during the Term, all service fees identified above shall increase on each 12-month anniversary of the Service Commencement Date in an amount equal to the greater of three percent (3%) or CPI. Such increase shall be automatically invoiced to Customer upon each 12-month anniversary of the Service Commencement Date.

Signatures: IN WITNESS HEREOF, and acknowledging acceptance and agreement of the foregoing, Customer and GHD Orangeburg, LLC affix their signatures hereto.

<u>Customer</u>	<u>GHD Orangeburg, LLC</u>
<hr/>	<u>John, Bonczek, President</u> <hr/>
Name-Title	
<hr/>	<hr/>
Signature	Signature
<hr/>	<hr/>
Date	Date



TOWN ATTORNEY'S OFFICE

INTER-OFFICE MEMORANDUM

DATE: July 11, 2018

TO: Charlotte Madigan, Town Clerk (with originals)

cc: Town Board Members (w/o encl.)
Kimberly Allen, Administrative Secretary to the Supervisor (w/o encl.)
Ellie Fordham, Secretarial Assistant II, DEME (w/o encl.)

FROM: Dennis D. Michaels, Deputy Town Attorney

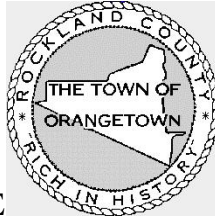
RE: Certificate of Plumbing Registration (Sewer Work) 2018

The following applicant is qualified, pursuant to the qualification certificate received from Joe Moran, P.E., Commissioner of the Department of Environmental Management and Engineering (original attached), and the bond and insurance certificates having been reviewed and approved (originals attached), from a legal standpoint, by the Office of the Town Attorney.

Petillo, Inc.
167 Flanders Netcong Road
Flanders, NJ 07836
973-347-6166

This Certificate of Registration request will be placed on the next Workshop agenda scheduled for July 17, 2018 and the Regular Town Board Meeting agenda scheduled for July 24, 2018. Should you have any questions, please do not hesitate to contact this Office.

/mf
encl.



TOWN ATTORNEY'S OFFICE

INTER-OFFICE MEMORANDUM

DATE: July 11, 2018

TO: Charlotte Madigan, Town Clerk (with originals)

cc: Town Board Members (w/o encl.)
Kimberly Allen, Administrative Secretary to the Supervisor (w/o encl.)
Ellie Fordham, Secretarial Assistant II, DEME (w/o encl.)

FROM: Dennis D. Michaels, Deputy Town Attorney

RE: Certificate of Plumbing Registration (Sewer Work) 2018

The following applicant is qualified, pursuant to the qualification certificate received from Joe Moran, P.E., Commissioner of the Department of Environmental Management and Engineering (original attached), and the bond and insurance certificates having been reviewed and approved (originals attached), from a legal standpoint, by the Office of the Town Attorney.

United Sewer & Drain Service Corp.
P.O. Box 123
Slate Hill, NY 10973
888-845-2564

This Certificate of Registration request will be placed on the next Workshop agenda scheduled for July 17, 2018 and the Regular Town Board Meeting agenda scheduled for July 24, 2018. Should you have any questions, please do not hesitate to contact this Office.

/mf
encl.

RECEIVED

JUN 19 2018

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

PERMIT #

18-SP-27

RECEIVED

JUN 21 2018

Orangetown Police Department

EVENT NAME:

Crown Day - Tappan Town Historical Society

APPLICANT NAME:

Carol LaVelle, President

ADDRESS:

73 Main St. Tappan N.Y. 10983

PHONE #:

845-359-1923

CELL #

845-826-6075

FAX #

CHECK ONE: PARADE

RACE/RUN/WALK

OTHER

The above event will be held on

Sept 29 from 8 to 6

RAIN DATE:

None

Location of event:

DeWitt House, 20 Livingston St. Tappan NY 10983

Sponsored by:

Tappan Town Hist. Society

Telephone #:

845-359-1923

Address:

P.O. Box 71, Tappan N.Y. 10983

Estimated # of persons participating in event:

500 +

vehicles

100 +

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

Carol LaVelle, 73 Main St. Tappan N.Y. 845-359-1923

Signature of Applicant:

Carol LaVelle

Date:

6/19/2018

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)

Letter of Request to Town Board requesting aid for event - Received On:

6.19.18

Certificate of Insurance - Received On:

6.19.18

FOR HIGHWAY DEPARTMENT USE ONLY:

Road Closure Permit: Y/N - Received On:

6.19.18

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

X

NYSDOT Permit: Y/N - Received On:

X

Route/Map/Parking Plan: Y/N - Received On:

X

RFS #:

42801

BARRICADES: Y/N

CONES: Y/N

TRASH BARRELS: Y/N

OTHER:

(6) metal recycling

Kia SKS

APPROVED:

[Signature]

DATE:

6.19.18

Superintendent of Highways

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Show Mobile: Y/N - Application Required:

—

Fee Paid - Amount/Check #

RECEIVED

Port-o-Sans: Y/N

Other:

JUN 22 2018

APPROVED:

[Signature]

DATE:

6/19/18

Superintendent of Parks & Recreation

FOR POLICE DEPARTMENT USE ONLY:

Police Detail: Y/N:

see

Items:

No Parking Signs - placed on 6/28

midnight shift

APPROVED:

[Signature]

DATE:

6/28/18

Chief of Police

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

Workshop Agenda Date:

7.17.18

Approved On:

TBR #:

* Signs need to be put up the night before: 9/28/18

JAMES J. DEAN

Superintendent of Highways
Roadmaster II

Orangetown Representative

R.C. Soil & Water Conservation Dist.-Chairman

Member:

Regional Public Works Association NY Metro Chapter

NYS Association of Town Superintendents of Highways

Hwy. Superintendents' Association of Rockland County

JUN 19 2018



**HIGHWAY DEPARTMENT
TOWN OF ORANGETOWN**

119 Route 303 • Orangeburg, NY 10962

(845) 359-6500 • Fax (845) 359-6062

E-mail - highwaydept@orangetown.com

18 SP-27

**TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT**

USE
ROAD CLOSING PERMIT APPLICATION
Section 139 Highway Law

NAME Carol Valle DATE June 19, 2018

COMPANY Tappan Historical Society

ADDRESS P.O. Box 71, Tappan, N.Y. 10983

TELEPHONE 845-359-1923 845-826-6075 (cell)
(INCLUDE 24 HOUR EMERGENCY NUMBERS)

ABOVE MENTIONED PARTY REQUESTS PERMISSION TO ~~CLOSE~~ Restrict parking

West side of Livingston St., Tappan NO PARKING
(Address number and name of road)

note: south: OAK Tree Rd. / Route 303
(Intersecting streets and/or description of exact location)

REASON FOR CLOSING Colonial Day

DATE OF CLOSING September 29, 2018 RAIN DATE NONE

TIME ROAD WILL BE ~~CLOSED~~ Restricted 8am - 6pm

WILL ROAD BE OPEN TO LOCAL TRAFFIC? yes

WILL ROAD BE OPEN TO EMERGENCY VEHICLES? yes

PLEASE PROVIDE A DETAILED MAP AND DESCRIPTION OF DETOUR IF TRAVEL WILL BE RESTRICTED.

PRELIMINARY APPROVAL [Signature] DATE 6-19-18

JAMES J. DEAN
SUPERINTENDENT OF HIGHWAYS

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

8-13-02bjd

HAMLETS: PEARL RIVER • BLAUVELT • ORANGETOWN • TAPPAN • SPARKILL • PALISADES • UPPER GRANDVIEW



CLEAN STREETS = CLEAN STREAMS

June 19, 2018
Tappantown

*Founded November 15, 1965
Charter Granted February 23, 1968
Box 71, Tappan, NY 10983*

Orangetown Town Board
26 Orangeburg Road
Orangeburg, N.Y. 10962



Historical Society

*Member of the National Trust for Historic Preservation
501(c) (3) Non-profit organization
www.tappantown.org*

18-SP-27

RECEIVED

JUN 19 2018

Dear Supervisor Day, **TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT**

HWY

On behalf of the Tappantown Historical Society Board of Directors, I am requesting the use of six metal recycling kiosks from the Orangetown Highway Department for Colonial Day on September 29, 2018, from 8am to 5 pm at the DeWint House grounds on Livingston St. in Tappan. Over the years, they have been a most valuable aid in maintaining the grounds and facilitating clean-up at the end of the day.

We are also again requesting that the Orangetown Police Department put up "No Parking" signs on the west side of Livingston Street between Oak Tree Road to the north and Route 303 to the south from 8am to 5pm on September 29 so that traffic can move safely and pedestrians parking on the neighboring streets are able to walk safely to the grounds, where there is limited parking available. YOPD

Attached are the insurance certificate and forms for the kiosks and parking restrictions.
Thank you for all your helping making Colonial Day a safe and successful event.

Yours truly,

Carol LaValle, President
clavalle46@yahoo.com
845-359-1923

cc. James Dean, Superintendent of Highways



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/19/2018

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

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

PRODUCER Bauer-Crowley, Inc. 643 Main Street PO Box 358 Sparkill TOWN OF ORANGETOWN HIGHWAY DEPARTMENT Tappantown Historical Society Box 71 Tappan NY 10983		RECEIVED JUN 19 2018 18-SP-27		CONTACT NAME: House Account PHONE (A/C, No, Ext): (845) 359-4114 FAX (A/C, No): (845) 359-4684 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Hartford Fire Insurance Co. INSURER B: Hartford Insurance Group INSURER C: INSURER D: INSURER E: INSURER F:		NAIC # 19682 00914
--	--	--	--	--	--	---------------------------------

COVERAGES **CERTIFICATE NUMBER:** CL1861909712 **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			16SBAVR4550	06/17/2018	06/17/2019	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input type="checkbox"/> N/A						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Directors and Officers			16KDFZU2036	05/22/2018	05/22/2019	General Aggregate \$1,000,000 Deductible \$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: COLONIAL DAY, SEPTEMBER 29, 2018, FROM 8:00 AM TO 6:00 PM.

CERTIFICATE HOLDER**CANCELLATION**

Town of Orangetown 26 Orangeburg Road Orangeburg NY 10962	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	---

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RECEIVED

JUN 29 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

18-SP-31

June 29, 2018

Orangetown Town Board
Town Hall
26 West Orangeburg Road
Orangeburg, NY 10962

Rockland County Ancient Order of Hibernians
28 Railroad Avenue
Pearl River, NY 10965

Dear Sirs,

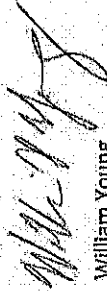
The Rockland County Ancient Order of Hibernians (RC AOH) is planning a bagpipe and drum competition on August 4, 2018 at the Rockland County Gaelic Athletic Association (RC GAA) field. We are hoping to have 1,000 people attend our event. ^{HWY}

We are respectfully requesting that the Orangetown Highway Department set up a trash dumpster behind the RC GAA club and drop off ~~twenty~~ ^{thirty} (30) barrier barrels to help and control pedestrian traffic on the RC GAA grounds during the event. We would also like the assistance of the Orangetown Auxiliary Police for the day of this event. ^{OPD}

We understand that this request would need to be presented to the Orangetown Town Board for approval in advance. If there are any questions or concerns you may have regarding this request, please do not hesitate to contact me directly at (973) 222-0470.

Thank you for your time and assistance.

Sincerely,



William Young
Vice President – Rockland County Ancient Order of Hibernians
(973) 222-0470 (cell)
wpyoung@optonline.net

RECEIVED

TOWN OF ORANGETOWN
JUN 29 2018 SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY/ITEMS
PERMIT # 18-52-31

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

EVENT NAME:

GEOL MOL BAGPIPES & DRUMS COMPETITION

APPLICANT NAME:

WILLIAM YOUNG (ROCKLAND COUNTY AOH)

ADDRESS:

28 RAILROAD AVENUE, PEARL RIVER, NY 10965

PHONE #:

(845) 627-1684 CELL # (973) 222-0470 FAX #

CHECK ONE: PARADE

RACE/RUN/WALK

OTHER

X

The above event will be held on 08/04/18 from 0900AM to 2100 RAIN DATE: 090PM

Location of event:

ROCKLAND COUNTY GAELIC ATHLETIC ASSOCIATION (GAA)

Sponsored by:

RC AOH

Telephone #:

Address: 28 RAILROAD AVENUE, PEARL RIVER, NY 10965

Estimated # of persons participating in event: 1000

vehicles

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

ROCKLAND COUNTY GAA

Signature of Applicant:

William Young

Date:

6/29/18

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)

6-29-18

Letter of Request to Town Board requesting aid for event - Received On:

Certificate of Insurance - Received On:

X (private property)

FOR HIGHWAY DEPARTMENT USE ONLY:

Road Closure Permit: Y (N) - Received On:

X

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

X

NYSDOT Permit: Y (N) - Received On:

X

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

X

RES #:

42813

BARRICADES Y (N)

CONES: Y (N)

TRASH BARRELS Y (N)

OTHER:

trash dumpster

APPROVED:

Debra J. Superintendent of Highways

DATE:

7/2/18

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Show Mobile: Y (N) - Application Required:

Fee Paid - Amount/Check #

Port-o-Sans: Y (N)

Other:

Auxiliary parking Orangetown Soccer Complex
separated permit

APPROVED:

Superintendent of Parks & Recreation

DATE:

7/3/18

RECEIVED

FOR POLICE DEPARTMENT USE ONLY:

Police Detail: Y (N)

Auxiliary Police

Items:

JUL 05 2018

TOWN OF ORANGETOWN

HIGHWAY DEPARTMENT

APPROVED:

Chief of Police

DATE:

7/1/18

Chief of Police

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

Workshop Agenda Date:

7.17.18

Approved On:

TBR #:

JAMES J. DEAN
Superintendent of Highways
Roadmaster II

Orangetown Representative
R.C. Soil & Water Conservation Dist.-Chairman
Member:
American Public Works Association NY Metro Chapter
NYS Association of Town Superintendents of Highways
Hwy. Superintendents' Association of Rockland County



HIGHWAY DEPARTMENT
TOWN OF ORANGETOWN
119 Route 303 • Orangeburg, NY 10962
(845) 359-6500 • Fax (845) 359-6062
E-mail - highwaydept@orangetown.com

INTEROFFICE MEMO

June 20, 2018

TO: Town Board
FROM: Helen Wilson *HW*
RE: 2018 – Releaf Conference

Proposed Text: **RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby approves Michael Donahue, HMS I, to attend the 26th Annual NYS Urban Forestry Council Releaf Conference, from July 26-28, 2018, in Rochester, NY, to be charged to account # D-5140441 in the amount of \$ 271.00.



TOWN OF ORANGETOWN

REQUEST TO ATTEND CONFERENCE, MEETING, SEMINAR OR SCHOOL

(Complete and forward original to Finance Office. Retain copy for your records.)

REQUESTING DEPARTMENT: Highway Department DATE: 6-14-18

NAME(S) OF PERSON(S) TO ATTEND: Michael Dmahue

CONFERENCE, ETC. - NAME & LOCATION: NYS Urban Forestry Council -
1 Lamb Memorial Drive Rochester NY 14623

CONFERENCE, ETC. DATE(S): July 26 - 28, 2018

WHAT DO YOU EXPECT TO GAIN FROM ATTENDANCE (ATTACH COPY OF BROCHURE):

See attached brochure

DATE(S) LAST ATTENDED A SIMILAR CONFERENCE, ETC.: /

ESTIMATED EXPENSES:

Item	Charge to: <u>Schls & Confs</u>	Charge to: <u>Travel Exp*</u>	Total
Registration Fee	\$ <u>85.00</u>	\$ <u> </u>	\$ <u>85.00</u>
Lodging	<u>106.00</u>	<u> </u>	<u>106.00</u>
Meals	<u>40.00</u>	<u> </u>	<u>40.00</u>
Travel	<u> </u>	<u>40.00</u>	<u>40.00</u>
Other	<u> </u>	<u> </u>	<u> </u>
Total	\$ <u>231.00</u>	\$ <u>40.00</u>	\$ <u>271.00</u>

*Use if only travel expense involved

REMAINING BALANCE IN 0441 Account: \$

IF TRAVEL ONLY, REMAINING BALANCE IN 0480 Account: \$

DEPARTMENT HEAD APPROVAL/SIGNATURE (if not an attendee): [Signature]

FINANCE OFFICE VERIFICATION OF FUNDS AVAILABILITY: 0441-\$ 271.00 0480-\$

TOWN BOARD ACTION: Approved Disapproved Date: Res. No.

REASON FOR DISAPPROVAL:

TOWN SUPERVISOR'S SIGNATURE:

DISTRIBUTION BY TOWN CLERK:

Original to Head of Requesting Department: Date:
Retain photocopy for file.

26th Annual New York State



New York
ReLeaf

ReLeaf Conference

July 26-28, 2018

Rochester Institute of
Technology

Who Should Attend: All those involved in the field of urban and community forestry: educators, volunteers, tree commissions, arborists, horticulturists, landscape architects, planners, nursery professionals, community/state/utility foresters, local government officials, public works and parks departments, planning and zoning boards and researchers.

Credits for Workshops and Tours:

- SAF, ISA, DEC PESTICIDE, CNLP and SMA, LA—topics previously approved
- Required credits for Planning Board and Zoning Board of Appeals available

Workshops Include:

- New York Tree Law
- Screening of "The Hemlock Woolly Adelgid"
- EcoDistricts: Resilient and Sustainable Cities
- Under-Utilized Trees in the Landscape
- Decay Fungi and Tree Health in the Urban Forest
- Saturday Forest Health Update Plenary
Inventory Management Discussion and Demonstration

Invited Speakers Include:

- Laura Ayers, Mark Whitmore, Tom Draves and Jerry Carlson

Tours will include: RIT Campus Sustainability walking tour, Mt. Hope Cemetery Tree and History Tour and Trees for Tribs – Getting Dirty Service Project

REDUCED PRICING AVAILABLE FOR MEMBERS!

For Registration Information and to Register Online:

<http://nysufc.org/2018-releaf-conference-registration/> or
www.dec.ny.gov/lands/30859.html

Call the NYS DEC Urban Forestry Program for a printed brochure:
518-402-9428



Department of
Environmental
Conservation



RECEIVED

TOWN OF ORANGETOWN
SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY
PERMIT #

18-SP-07

RECEIVED
JUL 2 2018
Orangetown Police Department

FEB 12 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

EVENT NAME: PEARL RIVER DAY FESTIVAL

APPLICANT NAME: ANTOINETTE FLYNN FOR PEARL RIVER CHAMBER

ADDRESS: P.O. BOX 829, PEARL RIVER, NY 10965

PHONE #: 914-806-5455 CELL # FAX #

CHECK ONE: PARADE RACE/RUN/WALK OTHER ☒

The above event will be held on 10/6/18 from 7AM to 9PM RAIN DATE:

Location of event: CENTRAL AVE FROM JOHN ST. TO MAIN ST.

Sponsored by: PEARL RIVER CHAMBER Telephone #: 914-806-5455 (Antoinette)

Address: P.O. BOX 829, PEARL RIVER

Estimated # of persons participating in event: 6,000+ vehicles

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

PEARL RIVER CHAMBER - Pearl River Day Committee - MATT REID, CHAIR PERSON 845-548-4272

Signature of Applicant: Antoinette Flynn Date: 2-11-18

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS)

Letter of Request to Town Board requesting aid for event - Received On: 2.20.18

Certificate of Insurance - Received On: 6.28.18

FOR HIGHWAY DEPARTMENT USE ONLY:

Road Closure Permit: ☒ N - Received On: 2.12

Rockland County Highway Dept. Permit: ☒ N - Received On:

NYSDOT Permit: ☒ N - Received On: X

Route/Map/Parking Plan: ☒ N - Received On: X

RFS #: 39914 BARRICADES: ☒ Y/N CONES: ☒ Y/N TRASH BARRELS: ☒ Y/N OTHER: Message Board Recycling Cans

APPROVED: [Signature] DATE: 6.28.18
Superintendent of Highways

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Showmobile: ☒ N - Application Required: App received July approval Fee Paid - Amount/Check #

Port-o-San: ☒ Y/N: ok Other:

APPROVED: [Signature] DATE: 6/29/18
Superintendent of Parks & Recreation

FOR POLICE DEPARTMENT USE ONLY:

APPROVED: [Signature] DATE: 7/2/18
Chief of Police

** (Please return to the Highway AND/OR Parks Department to be placed on the Town Board Agenda) **

7.17.18

Workshop Agenda Date: Approved On: TBR #:

RECEIVED

JUL - 3 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

RECEIVED

FEB 12 2018

JAMES J. DEAN

Superintendent of Highways
Roadmaster 1
TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

Orangetown Representative:
R.C. Soil & Water Conservation Dist.-Chairman
R.C. Water Quality Commission
Member:
American Public Works Association
Assoc. of Town Superintendents of Hwys.
Hwy. Superintendents' Assoc. of R.C.



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

Permit # 18-SP-07

ROAD CLOSING PERMIT APPLICATION
Section 139 Highway Law

NAME ANTOINETTE FLYNN DATE 2-11-18
COMPANY PEARL RIVER CHAMBER OF COMMERCE
ADDRESS P.O. BOX 829, PEARL RIVER, NY 10965
TELEPHONE 914-806-5455 (CELL)
(INCLUDE 24 HOUR EMERGENCY NUMBERS)

ABOVE MENTIONED PARTY REQUESTS PERMISSION TO CLOSE:

WILLIAM STREET
(Address number and name of road)

FROM E. WASHINGTON TO FRANKLIN AVENUE
(Intersecting streets and/or description of exact location)

REASON FOR CLOSING PEARL RIVER DAY FESTIVAL

DATE OF CLOSING 10/6/18 RAIN DATE —

TIME ROAD WILL BE CLOSED 7 AM - 9 PM

WILL ROAD BE OPEN TO LOCAL TRAFFIC? NO

WILL ROAD BE OPEN TO EMERGENCY VEHICLES? NO

PLEASE PROVIDE A DETAILED MAP AND DESCRIPTION OF DETOUR, IF TRAVEL WILL BE RESTRICTED.

PRELIMINARY APPROVAL [Signature] DATE 2-28-18

JAMES J. DEAN
SUPERINTENDENT OF HIGHWAYS

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

8-13-02bjd

HAMLETS: PEARL RIVER • BLAUVELT • ORANGEBURG • TAPPAN • SPARKILL • PALISADES • UPPER GRANDVIEW



Pearl River's future is our business

PO Box 829
Pearl River, NY 10965
www.pearlriverny.org

FEB 20 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

February 12, 2018

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

To The Town Board,

The Pearl River Chamber of Commerce's Pearl River Day Committee is requesting the use of the below items from the Highway Department for Pearl River Day, 10/6/18:

50 trash cans
barricades for 4 intersections
12 additional barricades for ride control
electronic sign to be placed a few days before the 10/6 event by TD Bank
detour signs that we can post on the barricades

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

Thank you,

Matt Reid
Pearl River Day Committee Chairperson
Pearl River Chamber of Commerce



PO Box 829
Pearl River, NY 10965
www.pearlriverny.org

RECEIVED

FEB 20 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

February 12, 2018

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

To The Town Board,

The Pearl River Chamber of Commerce's Pearl River Day Committee is requesting the use of the below items from the Parks Department for Pearl River Day, 10/6/18:

Showmobile
6 port-a-potties

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

Thank you,

Matt Reid
Pearl River Day Committee Chairperson
Pearl River Chamber of Commerce



PEARRIV-01

SOHARE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/26/2018

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

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

JUN 28 2018

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

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: American Casualty Co. of Reading, PA

20427

INSURED

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

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

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X		4025932540	07/01/2018	07/01/2019	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMPOP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	OTHER:						
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR						EACH OCCURRENCE \$
	EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$
	DED <input type="checkbox"/> RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NY)	Y/N	N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

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

CERTIFICATE HOLDER

CANCELLATION

Town of Orangetown
Orangetown Road
Orangetown, NY 10962

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

AUTHORIZED REPRESENTATIVE



PEARRIV-01

SOHARE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/26/2018

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PRODUCER Maury, Donnelly & Parr 24 Commerce St. Baltimore, MD 21202	JUN 28 2018 TOWN OF ORANGETOWN HIGHWAY DEPARTMENT	CONTACT NAME:	
		PHONE (A/C, No, Ext): (410) 685-4625	FAX (A/C, No): (410) 685-3071
		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A: American Casualty Co. of Reading, PA	20427
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVVO	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X		4025932540	07/01/2018	07/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
County of Rockland is named as Additional Insured.

CERTIFICATE HOLDER

CANCELLATION

County of Rockland 11 New Hempstead Road New City, NY 10956	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---



PEARRIV-01

SOHARE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/26/2018

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

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

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

RECEIVED

JUN 28 2018

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

INSURED

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT
The Pearl River Chamber of Commerce
P.O. Box 829
Pearl River, NY 10965

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

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X		4025932540	07/01/2018	07/01/2019	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000
	OTHER:						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY						BODILY INJURY (Per person) \$
	<input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> NON-OWNED AUTOS ONLY						\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						\$
	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)		N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Pearly River School District is an Additional Insured.

CERTIFICATE HOLDER

CANCELLATION

Pearly River School District
275 E. Central Avenue
Pearl River, NY 10965

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

AUTHORIZED REPRESENTATIVE



TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGEBURG, NY 10962
(845) 359-6503



SHOWMOBILE RESERVATION PROCEDURES Town of Orangetown, Orangeburg NY

The Town of Orangetown through the Parks & Recreation Department supports a variety of non-profit organization community events. Priority scheduling is given to Orangetown Parks & Recreation events and then Town of Orangetown Department requests.

Due to the Orangetown Summer Concert Series the Orangetown Showmobile will not be available beginning July 1st to August 20th this year.

Use of the Showmobile is NOT confirmed until:

1. Your completed application is received by the Orangetown Office of Recreation & Parks.
2. A certificate of insurance listing the Town of Orangetown as additionally insured is provided. Certificate of insurance must accompany the completed application.
3. Your organization has been informed that the application is complete.
4. Your application is approved by resolution by the Orangetown Town Council and the Office of Recreation and Parks has notified you of such.

There are two fees associated with the rental of the Showmobile:

A rental fee of \$400.00 (applicable to all groups)

Staffing overtime (waived by the Town Board for non-profits)

The organization will receive an emailed invoice after their event is complete. Payment is expected no later than 14 days after receipt of such invoice.

Space and Placement

The total area required for the showmobile placement is 50 feet in length, 15 feet in width and 25 feet in height.

The placement of the Showmobile is at the discretion of the Orangetown Parks & Recreation staff. Although all efforts will be made to meet requests, this equipment does not go off road, over curbing or over rough terrain.

A member of the organization renting the unit must be on site at time arrival for proper set up as well as time of departure to assure all event tasks have been completed (i.e. removal of equipment)

Any changes/cancellations (unless otherwise agreed upon) to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com

By initialing below the applicant agrees to having read the procedures listed above:

(over)

(Renter's initials required)



TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGEBURG, NY 10962
(845) 359-6503



2018 Application for Showmobile Use

Event/Festival Name: PEARL RIVER DAY 2018
Organization Name: PEARL RIVER CHAMBER OF COMMERCE
Applicant's Name: ANTOINETTE FLYNN Phone: 914-806-5455
Address: P.O. BOX 829 City: PEARL RIVER Zip: 10965
Cell Phone: 914-806-5455 E-Mail: SECRETARY@PEARLRIVER.NY.ORG
Day: SATURDAY Date: 10/6/18 Time of Set-up: 7 AM Time of Take-down: 9 AM
Requested Location (park, street, location on premises, etc., be specific, attach map if needed):
WILLIAM STREET + CENTRAL AVENUE

Showmobile stage measures 28 feet long x 14 feet 7 inches deep x 25 feet high when open. One set of stairs is available with hand railings. (Please note that this measurement does not include the trailer hitch or the tow vehicle. See space requirements below.) *The Showmobile does not have a sound system and comes with fluorescent lighting only.*

Stair Arrangement: (1 set of stairs) ☐ Left side of stage ☒ Right side of stage ☐ Front of stage

The lights require a 110 volt, 20 amp circuit to plug into within 150 feet of the right front side of the Showmobile. The stage does not come with a generator. Additional electrical equipment must be plugged into a separate circuit. Sign or banners may only be hung with permission.

Please describe in detail what the stage will be used for and how you intend to set it up: (Note: The Town seal is not to be covered and no nails, staples or tacks may be used to attach any items to the Showmobile)

EMCEE, D.J., BANDS

Showmobile space requirements:

- The showmobile must be parked in a relatively level space.
- The area must be free of obstructions such as overhanging tree limbs, electrical wires, etc.
- The total area needed for the showmobile is a space 50 feet in length, 15 feet in width and 25 feet in height.
- The tow vehicle must remain with the showmobile for the duration of the event.
- In the event of winds or wind gusts in excess of 30 MPH, the stage canopy must be closed.

Additional Requirements:

- Certificate of insurance required at time of reservation naming the Town of Orangetown as additionally insured.
- Any changes to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com

I have read, understand and agree to all conditions listed on above:

Applicant's Signature: Antoinette Flynn Date: 2/11/18

Department Approval: _____ Date: _____

RECEIVED

JUN 28 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

ROCKLAND COUNTY HIGHWAY DEPARTMENT

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

In the space provided the applicant must state their name and address. If the applicant is a corporation, state the location of the local office and the title of the person signing this application.

ANTOINETTE FLYNN
CHAMBER ADMINISTRATOR
PEARL RIVER CHAMBER OF COMMERCE
P.O. BOX 829
PEARL RIVER, NY 10965

In the space provided describe why the road needs to be closed where (intersection to intersection), and when the proposed closure will take place.

PEARL RIVER DAY FESTIVAL WILL TAKE PLACE ON CENTRAL AVENUE
AND JOHN STREET TO CENTRAL AVENUE AND MAIN STREET. ON
SATURDAY, OCTOBER 6, 2018, FROM 11:00 AM - 6:00 PM, BAND
PERFORMANCE FROM 6:00 - 8:00 PM. CLOSURE FROM 6 AM - 9 PM.

In the space provided describe the proposed detour route, barricades and signs required by the New York State Manual of Uniform Traffic Control Devices.

DETOUR ROUTE - USE FRANKLIN AVENUE OR E. WASHINGTON.
BARRICADES HAVE BEEN REQUESTED FROM THE TOWN OF ORANGETOWN.
ELECTRONIC SIGNS WILL BE AT JOHN STREET AND CENTRAL AVENUE.
DETOUR SIGNS PROVIDED BY TOWN OF ORANGETOWN.

Dated this 11th Day of FEBRUARY, 2018

Address: PEARL RIVER CHAMBER OF COMMERCE
P.O. BOX 829
PEARL RIVER, NY 10965

Applicant: Antoinette Flynn

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

RECEIVED

TOWN OF ORANGETOWN
SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY/ITEMS
 PERMIT # 18-SP-28

JUN 25 2018

EVENT NAME: Pearl River Car ShowTOWN OF ORANGETOWN
HIGHWAY DEPARTMENTAPPLICANT NAME: Pearl River Hook & Ladder MARCADDRESS: 145 S. William St Pearl River NYPHONE # 845-304-4181

CELL # _____

FAX # _____

CHECK ONE: PARADE _____ RACE/RUN/WALK _____ OTHER Car ShowThe above event will be held on Sept. 15-16 from 6:00A to 6:00pm RAIN DATE: Sept 22-23Location of event: Central ave Field Pearl RiverSponsored by: Pearl River Hook & Ladder Telephone #: 845-304-4181Address: 58 E. Central aveEstimated # of persons participating in event: 2500-3 vehicles 300

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

Pearl River Hook & LadderSignature of Applicant: [Signature]Date: 6/25/18**GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)**Letter of Request to Town Board requesting aid for event - Received On: 6-26-18Certificate of Insurance - Received On: 6/25/18**FOR HIGHWAY DEPARTMENT USE ONLY:**Road Closure Permit: Y ☒ N ☐ Received On: _____ XRockland County Highway Dept. Permit: Y ☒ N ☐ Received On: _____ XNYSDOT Permit: Y ☒ N ☐ Received On: _____ XRoute/Map/Parking Plan: Y ☒ N ☐ Received On: _____ XRFS #: 42805 BARRICADES: Y ☒ N ☐ CONES: Y ☒ N ☐ TRASH BARRELS: Y ☒ N ☐ OTHER: (15)APPROVED: [Signature]

Superintendent of Highways

DATE: 6-28-18**FOR PARKS & RECREATION DEPARTMENT USE ONLY:**Show Mobile: Y ☒ N ☐ Application Required: _____

Fee Paid - Amount/Check # _____

Port-o-Sans: Y ☒ N ☐ (2)

Other: _____

APPROVED: [Signature]

Superintendent of Parks & Recreation

DATE: _____

FOR POLICE DEPARTMENT USE ONLY:Police Detail: Y ☒ N ☐ XItems: XAPPROVED: [Signature]

Chief of Police

DATE: 7/2/18

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

Workshop Agenda Date: _____

Approved On: _____

TBR #: _____

RECEIVED
 JUL 2 2018
 Orange County Police Department

RECEIVED

JUL - 3 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

Pearl River Car Show

mark outwater [mso10965@yahoo.com]

Sent: Tuesday, June 26, 2018 11:26 AM

To: highwaydept

RECEIVED

JUN 26 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

Hi Helen,

Pearl River Hook & Ladder Co. wishes the town to provide 15 large trash cans and 2 porta johns for are annual fund raiser car show to be held on the Central Ave. Field next to firehouse on September 15th and 16th with a rain date of September 22nd and 23rd .

Thank you in advance.

Mark S. Outwater
Car Show Chairman
845-304-4181

6/28/2018



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/25/2018

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

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

COVERAGES

CERTIFICATE NUMBER: CL1862500798

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y		VFIS-TR-2063033-10	07/24/2018	07/24/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
A	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			VFIS-TR-2063033-10	07/24/2018	07/24/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			VFIS-TR-2063033-10	07/24/2018	07/24/2019	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 8,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	11873205	07/24/2018	07/24/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Town of Orangetown listed as additional insured per written contact.

CERTIFICATE HOLDER

CANCELLATION

Town of Orangetown
20 South Greenbush Road

Orangeburg

NY 10962

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

AUTHORIZED REPRESENTATIVE

Elizabeth McConeghy

From: Stephen Munno
Sent: Monday, July 09, 2018 1:48 PM
To: Elizabeth McConeghy
Subject: FW: Containers

From: Nelan, Robert [<mailto:NelanR@pearlriver.org>]
Sent: Thursday, June 28, 2018 12:07 PM
To: Stephen Munno
Subject: Containers

Stephen,

Can you provide us with containers to be filled with accumulated organic material (brush, tree limbs, weeds, etc.) in order for us to clean up an area of the Pearl River High School. The area is near the football field. Either myself or a member of our staff can provide definite location.

Thank you

Bob Nelan
Director of Facilities
Pearl River School District
845 620 3864



TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGEBURG, NY 10962
(845) 359-6503



2018 Application for Showmobile Use

Event/Festival Name: Halloween Parade

Organization Name: Nyack Chamber of Commerce

Applicant's Name: Tom Moskowitz Phone (w): 845-353-2221

Address: PO Box 677 City: Nyack Zip: 10960

Cell Phone: 845-494-3408 E-Mail: pam@nyackchamber.org

Day: Saturday Date: 10/27/18 Time of Set-up: 12pm Time of Take-down: 9pm

rain Date: 10/28/18

Requested Location (park, street, location on premises, etc., be specific, attach map if needed): Village of Nyack Municipal Parking Lot at RiverSpace Theater, main Street & Franklin, Bordered by Antwerp Way to be positioned on the west side of the lot facing Riverspace

Showmobile stage measures **28 feet long x 14 feet 7 inches deep x 25 feet high** when open. One set of stairs is available with hand railings. (Please note that this measurement does not include the trailer hitch or the tow vehicle. See space requirements below.) The Showmobile does not have a sound system and comes with fluorescent lighting only.

Stair Arrangement: (1 set of stairs) ☒ Left side of stage ☐ Right side of stage ☐ Front of stage

The lights require a 110 volt, 20 amp circuit to plug into within 150 feet of the right front side of the Showmobile. The stage does not come with a generator. Additional electrical equipment must be plugged into a separate circuit. Sign or banners may only be hung with permission.

Please describe in detail what the stage will be used for and how you intend to set it up: (Note: The Town seal is not to be covered and no nails, staples or tacks may be used to attach any items to the Showmobile)

Music Venue

Showmobile space requirements:

- The showmobile must be parked in a relatively level space.
- The area must be free of obstructions such as overhanging tree limbs, electrical wires, etc.
- **The total area needed for the showmobile is a space 50 feet in length, 15 feet in width and 25 feet in height.**
- The tow vehicle must remain with the showmobile for the duration of the event.
- In the event of winds or wind gusts in excess of 30 MPH, the stage canopy must be closed.

Additional Requirements:

- **Certificate of insurance required at time of reservation naming the Town of Orangetown as additionally insured.**
- **Any changes to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com**

I have read, understand and agree to all conditions listed on above:

Applicant's Signature: Tom Moskowitz Date: 5/15/18

Department Approval: Mal W Date: 5/22/18



TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGETOWN, NY 10962
(845) 359-6503



SHOWMOBILE RESERVATION PROCEDURES
Town of Orangetown, Orangeburg NY

The Town of Orangetown through the Parks & Recreation Department supports a variety of non-profit organization community events. Priority scheduling is given to Orangetown Parks & Recreation events and then Town of Orangetown Department requests.

Due to the Orangetown Summer Concert Series the Orangetown Showmobile will not be available beginning July 1st to August 20th this year.

Use of the Showmobile is NOT confirmed until:

1. Your completed application is received by the Orangetown Office of Recreation & Parks.
2. A certificate of insurance listing the Town of Orangetown as additionally insured is provided. Certificate of insurance must accompany the completed application.
3. Your organization has been informed that the application is complete.
4. Your application is approved by resolution by the Orangetown Town Council and the Office of Recreation and Parks has notified you of such.

There are two fees associated with the rental of the Showmobile:

A rental fee of \$400.00 (applicable to all groups)

Staffing overtime (waived by the Town Board for non-profits)

The organization will receive an emailed invoice after their event is complete. Payment is expected no later than 14 days after receipt of such invoice.

Space and Placement

The total area required for the showmobile placement is 50 feet in length, 15 feet in width and 25 feet in height.

The placement of the Showmobile is at the discretion of the Orangetown Parks & Recreation staff. Although all efforts will be made to meet requests, this equipment does not go off road, over curbing or over rough terrain.

A member of the organization renting the unit must be on site at time arrival for proper set up as well as time of departure to assure all event tasks have been completed (i.e. removal of equipment)

Any changes/cancellations (unless otherwise agreed upon) to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com

By initialing below the applicant agrees to having read the procedures listed above:

(over)

(Renter's initials required)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/25/2017

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PRODUCER Cambridge Brokerage Group Ltd. 55 Old Turnpike Rd Ste. 112 Nanuet NY 10954		CONTACT NAME: Cambridge Brokerage Group, Ltd. PHONE (A/C, No. Ext): (845) 627-5111 FAX (A/C, No): (845) 627-6111 E-MAIL ADDRESS: stevens@cambridgeinsurance.com	
INSURED NYACK CHAMBER OF COMMERCE P.O. Box 677 Nyack NY 10960		INSURER(S) AFFORDING COVERAGE INSURER A: GREAT AMERICAN INSURANCE COMP INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

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

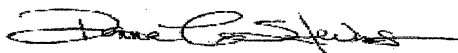
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	Y		GLP0006681-09	10/21/2017	10/21/2018	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRE AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

TOWN OF ORANGETOWN IS NAMED AS AN ADDITIONAL INSURED AS THEIR INTEREST MAY APPEAR AS PER WRITTEN CONTRACT IN RESPECT TO THE HALLOWEEN PARADE OCTOBER 28TH, 2017.

CERTIFICATE HOLDER**CANCELLATION**

TOWN OF ORANGETOWN 25 ORANGEBURG ROAD ORANGEBURG NY 10962	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGEBURG, NY 10962
(845) 359-6503



2018 Application for Showmobile Use

Event/Festival Name: Fire In The Sky
Organization Name: Dominican College
Applicant's Name: Rachel McGinty Phone (w): 845-848-4034
Address: 470 Western Hwy City: Orangetown NY Zip: 10962
Cell Phone: (845) 826-1315 / (845) 987-4292 E-Mail: rachel.mcginty@dc.edu
Day: Saturday Date: Sept 22, 2018 Time of Set-up: 9:00 am Time of Take-down: 9:00 pm

Requested Location (park, street, location on premises, etc., be specific, attach map if needed):

Campus Quad - between the Prusmack Center & Granito Center

Showmobile stage measures **28 feet long x 14 feet 7 inches deep x 25 feet high** when open. One set of stairs is available with hand railings. (Please note that this measurement does not include the trailer hitch or the tow vehicle. See space requirements below.) *The Showmobile does not have a sound system and comes with fluorescent lighting only.*

Stair Arrangement: (1 set of stairs) Left side of stage ☒ Right side of stage ☐ Front of stage ☐
Stairs should be on the right side when looking at stage from audience
The lights require a 110 volt, 20 amp circuit to plug into within 150 feet of the right front side of the Showmobile. The stage does not come with a generator. Additional electrical equipment must be plugged into a separate circuit. Sign or banners may only be hung with permission.

Please describe in detail what the stage will be used for and how you intend to set it up: (Note: The Town seal is not to be covered and no nails, staples or tacks may be used to attach any items to the Showmobile)

We will have a variety of performances from two outside groups & some student groups for our annual Family Day & Fire in the Sky event

Showmobile space requirements:

- The showmobile must be parked in a relatively level space.
- The area must be free of obstructions such as overhanging tree limbs, electrical wires, etc.
- **The total area needed for the showmobile is a space 50 feet in length, 15 feet in width and 25 feet in height.**
- The tow vehicle must remain with the showmobile for the duration of the event.
- In the event of winds or wind gusts in excess of 30 MPH, the stage canopy must be closed.

Additional Requirements:

- **Certificate of insurance required at time of reservation** naming the Town of Orangetown as additionally insured.
- **Any changes to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com**

I have read, understand and agree to all conditions listed on above:

Applicant's Signature: Rachel McGinty Date: 6/19/18
Department Approval: Mark W. Albert Date: 7/10/18



TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGETOWN, NY 10962
(845) 359-6503



SHOWMOBILE RESERVATION PROCEDURES
Town of Orangetown, Orangeburg NY

The Town of Orangetown through the Parks & Recreation Department supports a variety of non-profit organization community events. Priority scheduling is given to Orangetown Parks & Recreation events and then Town of Orangetown Department requests.

Due to the Orangetown Summer Concert Series the Orangetown Showmobile will not be available beginning July 1st to August 20th this year.

Use of the Showmobile is NOT confirmed until:

1. Your completed application is received by the Orangetown Office of Recreation & Parks.
2. A certificate of insurance listing the Town of Orangetown as additionally insured is provided. Certificate of insurance must accompany the completed application.
3. Your organization has been informed that the application is complete.
4. Your application is approved by resolution by the Orangetown Town Council and the Office of Recreation and Parks has notified you of such.

There are two fees associated with the rental of the Showmobile:

A rental fee of \$400.00 (applicable to all groups)

Staffing overtime (waived by the Town Board for non-profits)

The organization will receive an emailed invoice after their event is complete. Payment is expected no later than 14 days after receipt of such invoice.

Space and Placement

The total area required for the showmobile placement is 50 feet in length, 15 feet in width and 25 feet in height.

The placement of the Showmobile is at the discretion of the Orangetown Parks & Recreation staff. Although all efforts will be made to meet requests, this equipment does not go off road, over curbing or over rough terrain.

A member of the organization renting the unit must be on site at time arrival for proper set up as well as time of departure to assure all event tasks have been completed (i.e. removal of equipment)

Any changes/cancellations (unless otherwise agreed upon) to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com

By initialing below the applicant agrees to having read the procedures listed above:

(over)

(Renter's initials required)

RM



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/2/2018

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

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

PRODUCER
Waldorf Risk Solutions
PO Box 590
Huntington NY 11743

CONTACT
NAME:
PHONE
(A/C, No, Ext): 631-423-9500 FAX
(A/C, No): 631-424-3610
E-MAIL
ADDRESS: info@wrs1928.com

INSURED
Dominican College of Blauvelt
470 Western Highway
Orangeburg NY 10962

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Certain Underwriters at Lloyds, London - AA1122000	
INSURER B : UNITED EDUCATORS INS RRG INC	10020
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES**CERTIFICATE NUMBER:** 1624074815**REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		18W1258	7/1/2018	7/1/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 25,000			S57-86E	7/1/2018	7/1/2019	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is also listed as additional insured when required by written contract.

RE: 9/22/2018

CERTIFICATE HOLDER**CANCELLATION**

Town of Orangetown
Parks & Recreation
81 Hunt Road
Orangeburg NY 10962

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

AUTHORIZED REPRESENTATIVE

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Mark Albert

From: Melody Partrick <recreation@nyack-ny.gov>
Sent: Thursday, June 28, 2018 11:51 AM
To: Mark Albert
Subject: [Junk released by Allowed List] Question about port-o-potties

Mark,

I hope you are having a great start to your summer. Last year, I requested port-o-potties from Orangetown for a 5K event we did in the fall.

I would like to request 8 port-o-potties for our community day that will be held on September 15.

2 ADA 6 Regular as per Melody.

Last year, in our first year of The Great Nyack Get-Together, we had approx. 2500 people come to Memorial Park to learn about and mingle with 80 non-profit and for-profit businesses that serve Nyack and the surrounding communities. It is an event where everything in the park - from inflatables to rides to two live music stages - is free and open to the public. The only vendors selling are food vendors. And every non-profit provides a free activity for people that walk by.

Please let me know if I need to do anything more to request the use of Orangetown's port-o-potties for this event.

Thank you so much. And Happy Summer!
Melody

Melody Partrick
Village of Nyack, Recreation Director
914-629-9748
recreation@nyack-ny.gov

Save the Date
September 15 - The Great Nyack Get-Together



**THE
GREAT NYACK
GET-TOGETHER**



TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGEBURG, NY 10962
(845) 359-6503



2018 Application for Showmobile Use

Event/Festival Name: Rockland County Volunteer Firefighters Association Parade

Organization Name Piermont Fire Department

Applicant's Name: Tom Temple Phone (w): 845-359-1717

Address: 478 Piermont Avenue City: Piermont Zip: 10968

Cell Phone _____ E-Mail: TTemple@Piermont-NY.gov

Day Saturday Date Sept. 8th Time of Set-up: 9:00a.m. Time of Take-down: 4:00p.m.

Requested Location (park, street, location on premises, etc., be specific, attach map if needed):

Main Street across from Piermont Village Hall

Showmobile stage measures **28 feet long x 14 feet 7 inches deep x 25 feet high** when open. One set of stairs is available with hand railings. (Please note that this measurement does not include the trailer hitch or the tow vehicle. See space requirements below.) The Showmobile does not have a sound system and comes with fluorescent lighting only.

Stair Arrangement: (1 set of stairs) ☒ Left side of stage _____ Right side of stage _____ Front of stage

The lights require a 110 volt, 20 amp circuit to plug into within 150 feet of the right front side of the Showmobile. The stage does not come with a generator. Additional electrical equipment must be plugged into a separate circuit. Sign or banners may only be hung with permission.

Please describe in detail what the stage will be used for and how you intend to set it up: (**Note: The Town seal is not to be covered and no nails, staples or tacks may be used to attach any items to the Showmobile**)

The unit will be utilized as the reviewing stand for the Parade.

Showmobile space requirements:

- The showmobile must be parked in a relatively level space.
- The area must be free of obstructions such as overhanging tree limbs, electrical wires, etc.
- **The total area needed for the showmobile is a space 50 feet in length, 15 feet in width and 25 feet in height.**
- The tow vehicle must remain with the showmobile for the duration of the event.
- In the event of winds or wind gusts in excess of 30 MPH, the stage canopy must be closed.

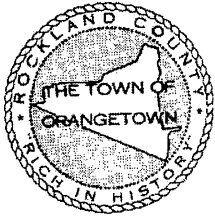
Additional Requirements:

- **Certificate of insurance required at time of reservation** naming the Town of Orangetown as additionally insured.
- Any changes to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com

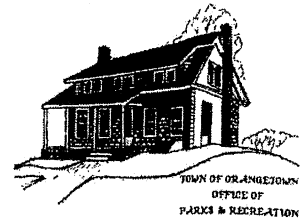
I have read, understand and agree to all conditions listed on above:

Applicant's Signature [Signature] Date 4/25/18

Department Approval _____ Date _____



TOWN OF ORANGETOWN PARKS & RECREATION
81 HUNT ROAD, ORANGEBURG, NY 10962
(845) 359-6503



SHOWMOBILE RESERVATION PROCEDURES

Town of Orangetown, Orangeburg NY

The Town of Orangetown through the Parks & Recreation Department supports a variety of non-profit organization community events. Priority scheduling is given to Orangetown Parks & Recreation events and then Town of Orangetown Department requests.

Due to the Orangetown Summer Concert Series the Orangetown Showmobile will not be available beginning July 1st to August 20th this year.

Use of the Showmobile is NOT confirmed until:

1. Your completed application is received by the Orangetown Office of Recreation & Parks.
2. A certificate of insurance listing the Town of Orangetown as additionally insured is provided. Certificate of insurance must accompany the completed application.
3. Your organization has been informed that the application is complete.
4. Your application is approved by resolution by the Orangetown Town Council and the Office of Recreation and Parks has notified you of such.

There are two fees associated with the rental of the Showmobile:

A rental fee of \$400.00 (applicable to all groups)

Staffing overtime (waived by the Town Board for non-profits)

The organization will receive an emailed invoice after their event is complete. Payment is expected no later than 14 days after receipt of such invoice.

Space and Placement

The total area required for the showmobile placement is 50 feet in length, 15 feet in width and 25 feet in height.

The placement of the Showmobile is at the discretion of the Orangetown Parks & Recreation staff. Although all efforts will be made to meet requests, this equipment does not go off road, over curbing or over rough terrain.

A member of the organization renting the unit must be on site at time arrival for proper set up as well as time of departure to assure all event tasks have been completed (i.e. removal of equipment)

Any changes/cancellations (unless otherwise agreed upon) to the event must be made 24 hours in advance by contacting Mark Albert at malbert@orangetown.com

By initialing below the applicant agrees to having read the procedures listed above:

(over)

(Renter's initials required)



VILLA-5

OP ID: 7PAT

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/25/2018

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PRODUCER CLG Insurance 172 Main Street Nanuet, NY 10954 DSL Enterprises LLC		845-623-3434		CONTACT NAME: PHONE (A/C, No, Ext): 845-623-3434 FAX (A/C, No): 845-623-4332 E-MAIL ADDRESS: certificates@clginsurance.com	
INSURED Village of Piermont 478 Piermont Avenue Piermont, NY 10968		INSURER(S) AFFORDING COVERAGE		NAIC #	
		INSURER A: New York Municipal Insurance		20690	
		INSURER B: State Ins. Fund-Safety Group			
		INSURER C:			
		INSURER D:			
		INSURER E:			
		INSURER F:			

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

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
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A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		MCAVPIE001	07/09/2017	07/09/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		MECVPIE001	07/09/2017	07/09/2018	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 20,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	Z 2281 787-8	07/01/2017	07/01/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Piermont Fire Department Parade use of Orangetown's Showmobile. Town of Orangetown is included as additional insureds under the General Liability as per the written agreement with regard to work performed by the named insured. Per the terms of the blanket additional insured endorsement, coverage for the additional insureds is contingent upon a written "(Cont'd)"

CERTIFICATE HOLDER

CANCELLATION

TOWN-31 Town of Orangetown Parks & Recreation 81 Hunt Road Orangeburg, NY 10962	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

Amanda Hyland

From: Jensen, Christopher <JensenC@co.rockland.ny.us>
Sent: Tuesday, July 3, 2018 2:06 PM
To: Galvin, Patrice
Subject: Rockland County Multi-Jurisdictional Natural Hazard Mitigation Plan

Good Afternoon,

Below is the link to the 2016 Plan. Through this link, you can access all pertinent information pertaining to your municipality.

http://www.rocklandhmp.com/Pages/docs_review.aspx

Please do not hesitate to contact me with any questions. Happy 4th of July!

Chris

Town of Orangetown

Town Hall 26 Orangeburg Road • Orangeburg, NY 10962

Telephone: (845) 359-5100 ext. 2261 • Fax: (845) 359-2623

e-mail: supervisor@orangetown.com

website: www.orangetown.com



Andrew Y. Stewart, Ph.D.
Supervisor

Chris Day

September 20, 2016

Christopher F. Jensen, Program Coordinator
ROCKLAND COUNTY OFFICE OF FIRE AND EMERGENCY SERVICES
35 Firemen's Memorial Drive
Pomona, New York 10970

Subject: Rockland County FEMA Hazard Mitigation Plan Update
Authorization and Letter of Intent to Participate – Town of Orangetown

Dear Mr. Jensen:

The Town of Orangetown is committed to participating in the regulatory 5-year update of the Rockland County Multi-Jurisdictional All Hazards Mitigation Plan (HMP) Project. By way of this letter, the Town of Orangetown:

1. Authorizes the Rockland County Office of Fire and Emergency Services and the County Hazard Mitigation Steering Committee ("Steering Committee"), to guide and direct this planning process, perform certain parts of the planning process, and prepare certain parts of the plan documents on our behalf.
2. Agrees to meet the minimum requirements of municipal participation (a.k.a. the Planning Partner Expectations), specifically:
 - Execute and return this "Authorization and Acknowledgement" letter to the Rockland County Office of Fire and Emergency Services, attention: Christopher F. Jensen.
 - Identify municipal representatives to serve as the planning point of contacts (POC), below. These people will be responsible for representing their community and assuring that these participation expectations are met by their community.
 - Support the Steering Committee selected to oversee the development of this plan.
 - Provide representation at municipal Planning Committee meetings (~ 3 meetings over 6-8 months, including a Kick-Off Meeting and a Mitigation Strategy Workshop).

- Provide data and information about your community as requested by the Steering Committee or the contract consultant, including:
 - Structure and facility inventory data
 - Identification of new development and anticipated development
 - Identification of natural hazard risk areas
 - the last five years
 - Identification of plans, studies, reports and ordinances addressing natural hazard risk
 - Identify mitigation activity in your community in the last five years, including progress on previously identified mitigation actions.
- Support public outreach efforts in your community which may include:
 - Providing notices of the planning project on your municipal website with links to a County project website
 - Providing notice of the planning project, the availability of Plan documents, and notice of public meetings via available local media (e.g. newsletters, flyers, email blasts, social media, etc.)
 - Advertising and supporting public meetings in your area
 - Supporting outreach to National Flood Insurance Program (NFIP) Repetitive Loss and Severe Repetitive Loss property owners in your community.
- Assist with the identification of stakeholders within your community that should be informed and potentially involved with the planning process.
- Completing data and information collection survey forms in a timely manner.
- Identify specific mitigation actions to address each of the natural hazards posing significant [or high or medium] risk to your community.
- Involve your local NFIP Floodplain Administrator in the planning process.
- Review draft Plan sections when requested and provide comment and input as appropriate.
- Adopt the Plan by resolution of their governing body after FEMA conditional approval.
- Periodically provide the Steering Committee with reports of municipal staff and volunteer labor spent on the planning process.

3. Assigns the following persons to be the Points of Contact for our jurisdiction. We understand that these POCs are responsible for assuring municipal representation at municipal Planning Committee meetings, and assuring that the other minimum requirements of jurisdictional participation, as detailed in the Planning Partner Expectations above, are met.

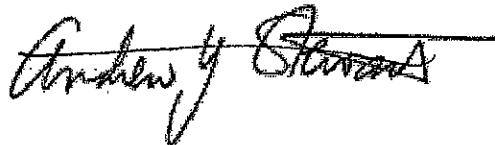
Primary POC: James Dean	Position/Department: Superintendent/Highway Department
Phone Number: (845) 359-6500 ext 4510	Email Address: jdean@orangetown.com
Alternate/Secondary POC: Stephen Munno	Position/Department: Admin Asst/Highway Dept
Phone Number: (845) 359-6500 ext 4506	Email Address: smunno@orangetown.com

4. Our designated local Floodplain Administrator (FPA) under the NFIP is:

Name of NFIP FPA: John Giardiello, P.E. Jane Slavin, RA	Position/Department: OBZPAE Director
Phone Number: (845) 359-8410 ext 4302	Email Address: jgiardiello@orangetown.com jslavin@orangetown.com

5. Recognizes that failure to meet the minimum participation expectations and deadlines, as determined by the Steering Committee will result in our municipality being excluded from the planning process.

Sincerely,

 Chris Day

RECEIVED

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

JUN 13 2018

PERMIT # 18-SP-25

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

EVENT NAME:

APPLICANT NAME:

ADDRESS:

PHONE #:

CELL #

FAX #

CHECK ONE: PARADE

RACE/RUN/WALK

OTHER

The above event will be held on

Location of event:

Sponsored by:

Address:

Estimated # of persons participating in event:

vehicles

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

Applicant Name/Address/Phone #

Signature of Applicant:

Date:

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)

Letter of Request to Town Board requesting aid for event: Received On:

Certificate of Insurance - Received On:

FOR HIGHWAY DEPARTMENT USE ONLY:

Road Closure Permit: Y (N) Received On:

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

NYSDOT Permit: Y (N) Received On:

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

RFS #:

BARRICADES: Y (N)

CONES: Y (N)

TRASH BARRELS: Y (N) OTHER:

APPROVED:

Superintendent of Highways

DATE:

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Show Mobile: Y (N) Application Required:

Fee Paid - Amount/Check #

Port-o-Sans: Y (N)

Other:

APPROVED:

Superintendent of Parks & Recreation

DATE:

FOR POLICE DEPARTMENT USE ONLY:

Police Detail: Y (N)

Items:

APPROVED:

Chief of Police

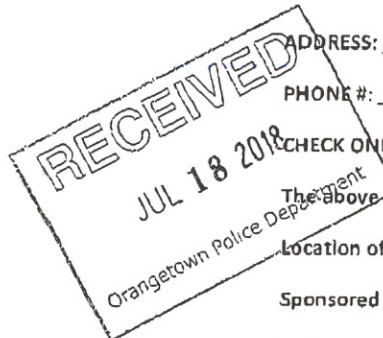
DATE:

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

Workshop Agenda Date:

Approved On:

TBR #:



RECEIVED

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

RECEIVED

JUN 14 2018



TOWN OF ORANGETOWN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/29/2018

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

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

PRODUCER	Cedar Risk Management & Insurance Services Inc 349 State Hwy 31 Ste 201 Flemington, NJ 08822	CONTACT NAME:	Debbie Jackle	
		PHONE (A/C, No, Ext):	(908)237-1800	FAX (A/C, No):
		E-MAIL ADDRESS:	djackle@cedarrisk.com	
		INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED	GENTLE GIANT BREWING, LLC 7 NORTH MAIN STREET PEARL RIVER, NY 10965	INSURER A:	New Hampshire Insurance Company	
		INSURER B:		
		INSURER C:		
		INSURER D:		
		INSURER E:		
		INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 00000000-0

REVISION NUMBER: 1

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


INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y		01-LX-062797053-0	03/15/2018	03/15/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability			01-LX-062797053-0	03/15/2018	03/15/2019	Each Common Cause 1,000,000 Aggregate 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Town of Orangetown is listed as Additional Insured with regard to General Liability Insurance as required by written contract.

CERTIFICATE HOLDER

CANCELLATION

Town of Orangetown 20 Greenbush Road Orangeburg, NY 10962	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  (DAJ)

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June 13, 2018
TO: Town Board
FROM: Matthew Winkler

RECEIVED

JUN 13 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

PROPOSED PARKING SPACE CLOSING/RESERVATION

LOCATION: 2 PARKING SPOTS IMMEDIATELY SOUTH ADJACENT TO THE DRIVEWAY LOCATED AT 7 NORTH MAIN STREET, PEARL RIVER, NY 10965

DATE: 07/28/2018 – 12AM – 07/29/2018 – 12AM



PURPOSE: Gentle Giant Brewing Company will be hosting an event during the first ever Rockland Craft Beer Week and would like to setup a few trailers to service the event both inside and outside of the building. The parking spaces as well as the driveway space will be sectioned off and will also allow for the general public to pass through the proposed closing. If approved, the brewery may team up with the Pearl River Chamber of Commerce to make this an even bigger event for the future and would bring in more tourists and wealth into downtown Pearl River. Any lines, lights, tables, chairs, etc would be secured and would not pose as tripping hazards. We believe in the safety and security of our patrons and will provide extra personnel on this date to assist with any issues.

Matthew Winkler
6.14.18

(2) Signed Barbecue
(Hwy. Dept)

ADD

RECEIVED

JUL 13 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

ACABOR #18-24: Gentle Giant Brewing
Outdoor Dining Plan Approved with Conditions

Permit #47723

Town of Orangetown – Architecture and Community Appearance
Board of Review Decision

July 5, 2018

Page 1 of 1

TO: Matthew Worgul, 7 North Main Street, Pearl River,
New York, 10965
FROM: Architecture and Community Appearance Board of Review

RE: Gentle Giant Brewing Company Outdoor Dining Plan: The application of Gentle Giant Brewing Company, applicant for Peach Properties LLC, owner, for review of an Outdoor Dining Plan, at a site known as "Gentle Giant Brewing Company Outdoor Dining Plan", in accordance with Article 16 of the Town Law of the State of New York and Chapter 2 of the Code of the Town of Orangetown. The site is located at 7 North Main Street, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.16, Block 1, Lot 16 in the CS zoning district.

Heard by the Architecture and Community Appearance Board of Review of the Town of Orangetown at a meeting held **Thursday, July 5, 2018**, at which time the Board made the following determinations:

Matthew Worgul appeared and testified.

The Board received the following items:

- A. Photographs of the furniture of the proposed outdoor dining area.
- B. Site Plan depicting location of outdoor dining area in relation to existing restaurant and sidewalk.

FINDINGS OF FACT:

1. The Board found that the applicant presented a layout of the outdoor dining area, however, the tables and chairs were too large for the layout. The Board recommended using smaller tables; 3 foot round or 36" x 48" rectangle or square tables. The chairs would be downsized to match the smaller table size. The color of the street furniture would be solid black color in wrought iron or similar material, or equal.
2. The Board found that due to New York State Liquor License requirements, the dining area needed to be a defined area. The applicant proposed to create a "Roped In Section", delineating the dining area from the public sidewalk. The Board noted that 5 feet is required for pedestrian access on the sidewalk and that the dining area to be roped off could be enlarged.

The hearing was then opened to the Public. There being no one to be heard from the public, the Public Hearing portion of the meeting was closed.

DECISION: In view of the foregoing and the testimony before the Board, the application was **Approved Subject to the following Condition:**

1. The outdoor dining street furniture shall be reduced in size, using smaller tables; 3 foot round or 36" x 48" rectangle or square tables and chairs. A revised layout shall be submitted noting smaller scaled furniture.

The foregoing resolution was presented and moved by Katie Beckmann and seconded by Christopher Dunnigan and carried as follows: Andrew Andrews, Chairman, aye; Brian Terry, absent; Shirley Goebel Christie, absent; Deborah Stuhlweissenburg, aye; Christopher Dunnigan, aye; Katie Beckmann, aye and Brian Aitchison, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **Decision** and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

Dated: July 5, 2018

Cheryl Cooper Smith
Cheryl Cooper Smith; Chief Clerk Boards and Commissions

Revised Plan Per School

18-24

GENTLE GIANT BREWING COMPANY OUTDOOR DINING PLAN
7 NORTH MAIN STREET, PEARL RIVER
68.16/1/16; CS ZONING DISTRICT



JUL 13 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

- Tables would sit up against the wall of the building and would protrude the radius of the tables, 36 inches or similar, or rectangular 3 ft x 4 ft.
- Chairs would be located next to the tables and would not protrude more than 18 inches from the table at any time other than the patrons entering or leaving the tables.
- The total distance from the front of the building to the curb is 12' 6".
- With the tables and the chairs aligned correctly, there would be more than enough space for pedestrians to pass through with a 5 ft minimum walkway. Also, there will be a small chain barrier blocking patrons from spilling out onto the sidewalk from their seats and interfering with the public foot traffic.