

TOWN OF ORANGETOWN WORKSHOP MEETING
Tuesday, March 6, 2018

This Town Board Meeting was opened at _____ p.m.

Councilman Denis Troy _____

Councilman Thomas Diviny _____

Councilman Paul Valentine _____

Councilman Jerry Bottari _____

Supervisor Christopher Day _____

Pledge of Allegiance to the Flag

ANNOUNCEMENTS :

MARCH 8-14, 2018 / NATIONAL CATHOLIC SISTERS WEEK / ORANGETOWN TO
• HONOR THE DOMINICAN SISTERS OF BLAUVELT AND THE DOMINICAN SISTERS
OF SPARKILL WITH PROCLAMATIONS AT MARCH 8TH LUNCHEON

• PUBLIC HEARING / RTBM OF MARCH 13, 2018 AT 8:00 P.M. / ORANGEBURG
COMMONS MIXED USE / ZONING APPLICATION

• PUBLIC HEARING / RTBM OF MARCH 13, 2018 AT 8:15 P.M / BOND ISSUANCE
FOR INCREASE AND IMPROVEMENT OF SEWER FACILITIES

PUBLIC HEARING / RTBM OF MARCH 13, 2018 AT 8:25 P.M./APPROVE PROPOSAL
• / "1-800-GOT-JUNK" / 117 PROSPECT PLACE, PEARL RIVER PROPERTY /
CORRECT OFFENDING CONDITION

PAPER SHREDDING EVENT, APRIL 7, 2018 (8:00 A.M. - 12:00 P.M.) AT TOWN
• HALL, 26 ORANGEBURG RD., ORANGEBURG, NY - HELP SOMEONE GET AHEAD
WHILE YOU SHRED - PLEASE BRING NON-PERISHABLE FOOD DONATIONS FOR
LOCAL PANTRIES IN EXCHANGE FOR FREE SECURE PAPER SHREDDING

CONTINUATION OF PUBLIC HEARING/RTBM OF APRIL 10, 2018 AT 8:15 P.M.
• /PROPOSED LOCAL LAW AMENDING TOWN CODE CHAPTER 43, ENTITLED
ZONING – REGULATIONS OF DEVICES IN PUBLIC RIGHT-OF-WAYS AND
EASEMENTS (*Adjourned from Workshop of February 6, 2018*)

CONTINUE PUBLIC HEARING/RTBM OF APRIL 10, 2018 AT 8:25 P.M./PROPOSED
LOCAL LAW AMENDING ORANGETOWN CODE §6-5 (CHAPTER 6, BUILDING
• CONSTRUCTION ADMINISTRATION); AND ORANGETOWN ZONING CODE
(CHAPTER 43) §4.11, §4.12 AND §4.13 (PERFORMANCE STANDARDS), AND
§10.222, §10.323, §10.334 AND §10.335 (ADMINISTRATION AND ENFORCEMENT)
(*Adjourned from Workshop of February 6, 2018*)

ORANGETOWN HIGHWAY DEPARTMENT WINS NATIONAL SAFE AND SUSTAINABLE SNOW FIGHTING AWARD FROM THE SALT INSTITUTE FOR THEIR CONTINUED EXCELLENCE IN ENVIRONMENTAL MANAGEMENT IN THE

- STORAGE OF WINTER ROAD SALT FOR THE 24TH TIME! ONLY A HANDFUL OF LOCAL AGENCIES IN THE U.S. RECEIVE THIS RECOGNITION. CONGRATULATIONS TO OUR HIGHWAY DEPARTMENT!

PRESENTATIONS:

PROCLAMATION FOR WOMEN'S HISTORY MONTH (MARCH 2018) IN THE TOWN

- OF ORANGETOWN HONORING MARY CARDENAS, ORANGETOWN HISTORICAL MUSEUM DIRECTOR TO BE PRESENTED BY SUPERVISOR CHRIS DAY

PROCLAMATIONS FOR IRISH CULTURAL HERITAGE MONTH (MARCH 2018) IN THE TOWN OF ORANGETOWN HONORING JOHN MC GOWAN, DERMOT MOORE AND FRANCIS DUFFY TO BE PRESENTED BY COUNCILMAN DENIS TROY

ALEXA WARREN / GIRLS SCOUT TROUP #40493 / REQUEST TOWN BOARD

- APPROVAL FOR UPCOMING SILVER AWARD PROJECT / INSTALLATION OF MINI-LIBRARY AT VETERAN'S MEMORIAL PARK

CHRISTOPHER PAGLIAROLI / LIFE SCOUT / REQUEST TOWN BOARD APPROVAL

- FOR THEIR UPCOMING EAGLE SCOUT PROJECT / IMPROVEMENTS TO VETERAN MEMORIALS AT SPARKILL MEMORIAL PARK.

- PETITION FOR ZONE CHANGE / TOWN PLAZA II / TAX MAP 74.07-1-6

- PETITION FOR ZONE CHANGE / SAMI CONSTRUCTION / REQUEST FOR CORRECTION TO TOWN ZONING MAP

- ASSESSOR, BRIAN KENNEY / SCHOOL DISTRICT TAX EQUALIZATION UPDATE

FOR DISCUSSION:

1. PROPOSAL FOR INTER-MUNICIPAL DEFENSE AGAINST ORANGE & ROCKLAND ELECTRIC AND GAS RATE INCREASE

AGENDA ITEMS:

TOWN BOARD

**RESOLUTION TO APPOINT / REAPPOINT
SUBSTANCE ABUSE COMMITTEE / 2018**

2. **RESOLVED**, that the following are hereby appointed/reappointed as Members of the Substance Abuse Committee, for a 1 Year term, commencing on January 1, 2018 and expires on December 31, 2018:

Scott Salmon	Michael Murphy	Joanne Goodman
Sgt. Joe Sullivan	Chief Kevin Nulty	Jennifer Amos
Wayne Roimisher	Vicki Shaw	Capt. Don Butterworth
Norma Canals	Jean Horan	Ron Garcia
Stephanie Finucane	Jean Robert Zephir	Lisa Leote
Morgan Strand	Despina Vougioukas	

Councilman Denis Troy, Liaison

**RESOLUTION TO APPOINT KATIE BECKMANN, A
MEMBER OF ARCHITECTURE & COMMUNITY
APPEARANCE BOARD OF REVIEW FOR A 3 -YEAR
TERM**

3. **RESOLVED**, that KATIE BECKMANN is hereby appointed a Member to the Orangetown Architecture & Community Appearance Board of Review for a period of 3-Years, commencing January 1, 2018 and expiring on December 31, 2020.

**RESOLUTION TO APPOINT MARIA GAGLIARDI /
ORANGETOWN ENVIRONMENTAL COMMITTEE
FOR A 1-YEAR TERM**

4. **RESOLVED**, that MARIA GAGLIARDI is hereby appointed a Member to the Orangetown Environmental Committee for a period of 1-Year, commencing January 1, 2018 and expiring on December 31, 2018.

**RESCIND RESOLUTION NO. 89 / REAPPOINT
WAYNE GARRISON, A MEMBER OF HISTORIC
AREAS BOARD OF REVIEW FOR A 5 -YEAR
TERM**

5. **RESOLVED**, that the Town Board rescinds Resolution No. 89 in which WAYNE GARRISON was hereby reappointed a Member to the Orangetown Historic Areas Board of Review for a period of 5-Years, commencing January 1, 2018 and expiring on December 31, 2022.

RESOLUTION TO APPOINT NANETTE J. ALBANESE, A MEMBER OF BOARD OF ASSESSMENT REVIEW, TO FILL THE UNEXPIRED TERM OF MATT REID (RESIGNED 2018), FOR A TERM OF JANUARY 1, 2018 AND EXPIRING ON DECEMBER 31, 2020

6. **RESOLVED**, that NANETTE J. ALBANESE is hereby appointed a Member to the Orangetown Board of Assessment Review to fill the unexpired term of Matt Reid (*Resigned 2018*), commencing January 1, 2018 and expiring on December 31, 2020.

RESOLUTION TO APPOINT ROGER PELLEGRINI, A MEMBER OF BOARD OF ASSESSMENT REVIEW FOR A 3 -YEAR TERM

7. **RESOLVED**, that ROGER PELLEGRINI is hereby appointed a Member to the Orangetown Board of Assessment Review for an unexpired term for a period of 3-Years, commencing January 1, 2018 and expiring on December 31, 2020.

RESCIND RESOLUTION NO. 43 / 2018 INTER-MUNICIPAL AGREEMENT/ ROCKLAND COUNTY HI-TOR ANIMAL CARE CENTER

8. **RESOLVED**, that the Town Board hereby rescinds Resolution No. 43, 2018, authorizing and approving an inter-municipal agreement with Hi-Tor Animal Care Center for the 2018 calendar year.

RESOLUTION TO APPROVE / 2018 INTER-MUNICIPAL AGREEMENT/ ROCKLAND COUNTY/ HI- TOR ANIMAL CARE CENTER

9. **BE IT FURTHER RESOLVED**, that the Town Board authorizes, ratifies and approves an Inter- Municipal Agreement with the County of Rockland, regarding an animal shelter to be managed by Hi- Tor Animal Care Center Inc., in the amount of THIRTY NINE THOUSAND THREE NINETY NINE AND 30/100 (\$39,399.30) DOLLARS, to be paid to the County of Rockland by the Town by way of quarterly payments, for calendar year 2018, for the statutory shelter/pound services required to be provided by the Town, in accordance with the terms of said Inter-Municipal Agreement, a copy of which is expressly incorporated herein by reference, and the Supervisor is hereby authorized to sign same. The subject Inter-Municipal Agreement is attached.

PROPOSED RESOLUTION TO SET DATE FOR PUBLIC HEARING / RTBM OF APRIL 24, 2018 AT 8:05 P.M. / PETITION FOR ZONE CHANGE / TOWN PLAZA II / TAX MAP 74.07-1-6

10. *Proposed Text:* **RESOLVED**, that the Town Board set the date of April 24, 2018 at 8:05 P.M. for a public hearing for a Petition for Zone Change for property at Town Plaza II, Tax Map 74.07-1-6.

PROPOSED RESOLUTION TO ACCEPT PETITION TO AMEND CHAPTER 43 OF THE TOWN CODE (ZONING) AND ZONING MAP TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 500 ROUTE 303, ORANGEBURG, NEW YORK AND DIRECT CIRCULATION OF PROPOSED LOCAL LAW

11. *Proposed Text:* **WHEREAS**, the owner of premises located at 500 Route 303, Orangeburg, New York, bearing Tax Map designation 74.07-1-6, located in both the "CC" (Retail-Commerce) and the "LI" (Light Industrial) zoning district, has petitioned the Town Board to change the zoning classification of his property in its entirety to that of "CC" (Retail-Commerce); and

WHEREAS, upon preliminary review, the Town Board is favorably disposed to such a change, because the said premises, as developed and used are more in keeping with the uses permitted in the CC zoning district of which part of the parcel is already zoned; and

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

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

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Unlisted" action; and
3. The following are involved or interested or involved agencies in the review process:
 - Orangetown Planning Board;
 - Rockland County Department of Planning;
 - Rockland County Highway Department

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

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

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

**PROPOSED LOCAL LAW NO. ___ OF 2018,
AMENDING CHAPTER 43, § 2.2, OF THE TOWN CODE OF THE TOWN OF
ORANGETOWN (ZONING) TO CHANGE THE ZONING DISTRICT OF A
CERTAIN PARCEL IN THE HAMLET OF ORANGEBURG FROM “LI” TO
“CC”**

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:

500 Route 303, Orangeburg (Tax Map Designation 74.07-1-6) from the portions thereof that are located in the “LI” (Light Industrial) zoning district to the “CC” (Retail-Commerce) zoning district;

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

**PROPOSED RESOLUTION AUTHORIZING THE
CONSTRUCTION OF HEATING AND AIR CONDITIONING
IMPROVEMENTS AT THE TOWN HALL IN AND FOR THE
TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW
YORK, AT A MAXIMUM ESTIMATED COST OF \$165,000
AND AUTHORIZING, SUBJECT TO PERMISSIVE
REFERENDUM, THE ISSUANCE OF \$165,000 BONDS OF
SAID TOWN TO PAY THE COST THEREOF.**

12. *Proposed Text:* **BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. The construction of heating and air conditioning improvements at the Town Hall in and for the Town of Orangetown, Rockland County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$165,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$165,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such

year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

**PROPOSED RESOLUTION AUTHORIZING
PLAYGROUND IMPROVEMENTS IN AND FOR THE
TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW
YORK, AT A MAXIMUM ESTIMATED COST OF \$60,000
AND AUTHORIZING, SUBJECT TO PERMISSIVE
REFERENDUM, THE ISSUANCE OF \$60,000 BONDS OF
SAID TOWN TO PAY THE COST THEREOF.**

13. *Proposed Text:* **BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. Playground improvements in and for the Town of Orangetown, Rockland County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$60,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$60,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form

and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

PROPOSED RESOLUTION AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF ROADS IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,800,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$1,800,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

14. *Proposed Text:* **BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. The reconstruction and resurfacing of roads in and for the Town of Orangetown, Rockland County, New York, including sidewalks, curbs, gutters, drainage, landscaping and other incidental improvements, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$1,800,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,800,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the

Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

PROPOSED RESOLUTION AUTHORIZING THE REPLACEMENT OF TRAFFIC SIGNALS IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,110,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$1,110,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

15. *Proposed Text:* **BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. The replacement of traffic signals in and for the Town of Orangetown, Rockland County, New York, including engineering costs, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$1,110,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,110,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years, pursuant to subdivision 72 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said

Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

PROPOSED RESOLUTION AUTHORIZING CHERRY BROOK STORM DRAINAGE IMPROVEMENTS IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$400,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$400,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

16. *Proposed Text:* **BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. Cherry Brook storm drainage improvements in and for the Town of Orangetown, Rockland County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$400,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$400,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 3 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form

and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

PROPOSED RESOLUTION AUTHORIZING POND IMPROVEMENTS AT THE GOLF COURSE IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$150,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$150,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

17. *Proposed Text:* **BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. Pond improvements at the golf course in and for the Town of Orangetown, Rockland County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$150,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost

is by the issuance of \$150,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 54 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for

purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

PROPOSED RESOLUTION AUTHORIZING ACQUISITION OF HEAVY EQUIPMENT FOR THE HIGHWAY DEPARTMENT IN AND FOR THE TOWN OF ORANGETOWN, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,800,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$1,800,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

18. *Proposed Text:* **BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. The acquisition of heavy equipment for the Highway Department in and for the Town of Orangetown, Rockland County, New York, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$1,800,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,800,000 bonds of said Town, hereby authorized, to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Orangetown, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

**PROPOSED RESOLUTION TO
SEEK NYS EFC CLEAN WATER
GRANT / TELEMETRY UPGRADE**

19. *Proposed Text:* **Whereas**, the Town of Orangetown Department of Environment Management and Engineering conducted reviews of its existing analog Supervisory Control Data Acquisition system (SCADA) equipment at the Town's waste water treatment plant and 44 pump stations and found several issues that must be addressed in order to insure greater operating efficiency over the long term;

Whereas, the Town of Orangetown in order to determine the status of its SCADA system and identify equipment best suited to improve operating efficiency, engaged a consultant to assess the existing equipment and prepare recommendations for the design, equipment, software and construction services that would be needed to upgrade the system to a digital system that would provide effective communication from all the pump stations to the plant, and to each other, which is not currently the case because of the age of the system and the staggered dates of installation;

Whereas, the Town of Orangetown determined that a upgraded SCADA system as described by the consultants would provide improved efficiencies that would allow the Chief Plant Operator to eliminate back shift and possible weekend staff currently required to insure monitoring of the pump stations and shift these resources from 24-hour daily operations to preventive and proactive maintenance, increasing operating efficiencies and cost reductions over time;

Whereas, the State of New York, Environmental Facilities Corporation provides financial assistance to municipalities to upgrade waste water treatment systems through the New York State Water Infrastructure Improvement Act, Clean Water program;

Whereas, the Town of Orangetown intends to submit an application to the NYS Environmental Facilities Corporation for funding not to exceed 25% of the total project cost, and hereby authorizes the Supervisor, Christopher Day, to submit the application.

Whereas, the Town of Orangetown intends to bond for the additional 75% required to complete the project as detailed in bond resolution YYY

NOW, THEREFORE, BE IT RESOLVED BY the Board of the Town of Orangetown:

1. That Christopher Day, as Supervisor, is hereby authorized to file an application to the NYS Environmental Facilities Corporation for funding from the New York State Water Infrastructure Improvement Act for Clean Water projects.

**PROPOSED RESOLUTION TO SEEK NYS
EFC CLEAN WATER GRANT /
IMPROVEMENTS TO MEET REQUIRED
TOTAL RESIDUAL CHLORINE LIMIT**

20. *Proposed Text:* **Whereas**, the Town of Orangetown in order to comply with the revised SPDES permit issued by the New York State Department of Environmental Conservation to the Orangetown Waste Water Treatment Plant requiring modification of the daily maximum final effluent Total Residual Chlorine (TRC) limit from 0.5mg/L to 0.10m/L, engaged a consulting engineer to prepare an engineering report detailing the design basis, treatment unit type and sizing that will be used to comply with the maximum daily limit of TRC;

Whereas, the Town of Orangetown intends to implement the design, equipment and treatment improvements detailed in the consulting engineer's report of April 2017 in order to be in compliance with the requirements of the revised SPDES permit issued by the NYS DEC;

Whereas, the State of New York, Environmental Facilities Corporation provides financial assistance to municipalities to upgrade waste water treatment systems through the New York State Water Infrastructure Improvement Act, Clean Water program;

Whereas, the Town of Orangetown intends to submit an application to the NYS Environmental Facilities Corporation for funding to underwrite approximately 25% of the total project cost, and hereby authorizes the Supervisor, Christopher Day, to submit the application.

Whereas, the Town of Orangetown intends to bond for the additional 75% required to complete the project as detailed in bond resolution YYY

NOW, THEREFORE, BE IT RESOLVED BY the Board of the Town of Orangetown:

1. That Christopher Day, as Supervisor, is hereby authorized to file an application to the NYS Environmental Facilities Corporation for funding from the New York State Water Infrastructure Improvement Act for Clean Water projects.
2. That the Town of Orangetown agrees that it will fund at least 25% of the cost of the Project and that funds will be available upon execution of the contract with the NYS Environmental Facilities Corporation, and that the Town will apply to the Environmental Facilities Corporation for financing for the balance of the project.

I, Charlotte Madigan, Clerk of the Town of Orangetown, New York, do hereby certify that the above resolution was adopted at regular meeting of the Town Council held on March 13th, 2017, and is on file and that said resolution has not been altered, amended or revoked and is in full force and effect.

**PROPOSED RESOLUTION / SEQRA
DETERMINATION/TYPE II ACTION / UPGRADES
TO CHLORINATION EQUIPMENT AND
PROCESSES AT THE TOWN WASTEWATER
TREATMENT PLANT**

21. *Proposed Text:* **WHEREAS**, in connection with the Town's obligation to meet compliance requirements set by the N.Y.S. DEC for the Town's SPEDES Permit for the operation of the Town Wastewater Treatment Plant, the Town is required to upgrade chlorination equipment and final effluent treatment processes; and

WHEREAS, the improvements required to be made involve the installation of new equipment , including pumps, induction mixer, total residual chlorine (TRC) analyzers, piping and wiring and associated controls;, and the treatment processes will include the addition of sodium bisulfite for the dechlorination process; and

WHEREAS, the Town Board, with the assistance of the Department of Environmental Management and Engineering, has considered the proposed action in the light of the State Environmental Quality Control Act (SEQRA), and the implementing regulations adopted thereunder, and has concluded that the installation of the aforesaid upgrades and processes constitute a Type II action under SEQRA in that the action involves "the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. . . ." ; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines that the improvements to be made to the Town Wastewater Treatment Plant as aforesaid constitutes a Type II action under SEQRA, as a consequence of which no further action or review is required; and

BE IT FURTHER RESOLVED, that the Town Supervisor, or his designated representative is hereby authorized to submit an application to the NYS Environmental Facilities Corporation for funding and financing in connection with the required improvements.

**PROPOSED RESOLUTION / SEQRA
DETERMINATION/TYPE II ACTION /
UPGRADE TO SCADA EQUIPMENT AT THE
TOWN WASTEWATER TREATMENT PLANT**

22. **WHEREAS**, the Town of Orangetown Department of Environment Management and Engineering has conducted reviews of its existing analog Supervisory Control Data Acquisition system (SCADA) equipment at the Town's waste water treatment plant and 44 pump stations and found several issues that must be addressed in order to insure greater operating efficiency over the long term; and

WHEREAS, the Town has determined that an upgraded SCADA system as described and recommended by the Town's outside consultants would provide improved efficiencies that would allow the Chief Plant Operator to eliminate back shift and possible weekend staff currently required to insure monitoring of

the pump stations and shift these resources from 24-hour daily operations to preventive and proactive maintenance, increasing operating efficiencies and cost reductions over time; and

WHEREAS, the State of New York, Environmental Facilities Corporation provides financial assistance to municipalities to upgrade waste water treatment systems through the New York State Water Infrastructure Improvement Act, Clean Water program for which the Town of Orangetown intends to submit an application for funding; and

WHEREAS, the Town Board, with the assistance of the Department of Environmental Management and Engineering, has considered the proposed action in the light of the State Environmental Quality Control Act (SEQRA), and the implementing regulations adopted thereunder, and has concluded that the action consisting of the upgrading and funding of the wastewater treatment SCADA equipment, constitutes a Type II action under SEQRA in that the action involves “the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. . . .”

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines that the said action, as described, constitutes a Type II action under SEQRA, as a consequence of which no further action or review under SEQRA is required.

**PROPOSED RESOLUTION TO OPEN PUBLIC HEARING /
RTBM OF MARCH 13, 2018 AT 8:15 P.M / BOND
ISSUANCE FOR INCREASE AND IMPROVEMENT OF
SEWER FACILITIES**

23. *Proposed Text:* **RESOLVED**, the Town Board hereby opens the public hearing to discuss bond issuance for increase and improvement to sewer facilities

**PROPOSED RESOLUTION TO ADJOURN AND CONTINUE/PUBLIC
HEARING / RTBM OF MARCH 13, 2018 AT 8:15 P.M / BOND
ISSUANCE FOR INCREASE AND IMPROVEMENT OF SEWER
FACILITIES**

24. *Proposed Text:* **RESOLVED**, that the public portion is hereby adjourned and continued to public hearing on a future date.

**PROPOSED RESOLUTION TO APPROVE / DENY
PUBLIC HEARING / RTBM OF MARCH 13, 2018
AT 8:15 P.M / BOND ISSUANCE FOR INCREASE
AND IMPROVEMENT OF SEWER FACILITIES**

25. *Proposed Text:* **WHEREAS**, the Town Board of the Town of Orangetown, Rockland County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Orangetown Sewer District, in the Town of Orangetown, Rockland County, New York, consisting of the construction of various sewer system improvements and acquisition of vehicles, at a maximum estimated cost of \$2,327,000; and

WHEREAS, after a public hearing thereon the Town Board approved the project and authorized financing thereof:

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Orangetown Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202 b of the Town Law;

NOW, THEREFORE, IT IS HEREBY ORDERED, by the Town Board of the Town of Orangetown, Rockland County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, in Orangeburg, New York, in said Town, on March 13, 2018, at 8:15 P.M., Prevailing Time, on the question of the increase and improvement of the Orangetown Sewer District, in the Town of Orangetown, Rockland County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

**PROPOSED RESOLUTION TO OPEN PUBLIC HEARING /
RTBM OF MARCH 13, 2018 AT 8:25 P.M. / APPROVE
PROPOSAL / "1-800-GOT-JUNK" / 117 PROSPECT
PLACE, PEARL RIVER PROPERTY / CORRECT
OFFENDING CONDITION**

26. *Proposed Text:* **RESOLVED**, that the Town Board hereby opens the public hearing to consider decision to authorize "1-800-GOT-JUNK" to correct the offending condition and charge the cost to the owner of the property at 117 Prospect Place, Pearl River.

**PROPOSED RESOLUTION TO CONTINUE / CLOSE
PUBLIC HEARING / RTBM OF MARCH 13, 2018 AT 8:25
P.M. / APPROVE PROPOSAL / "1-800-GOT-JUNK" / 117
PROSPECT PLACE, PEARL RIVER PROPERTY /
CORRECT OFFENDING CONDITION**

27. *Proposed Text:* **RESOLVED**, that the public portion is hereby adjourned and / continued to public hearing on a future date.

**PROPOSED RESOLUTION TO APPROVE / DENY
PUBLIC HEARING / RTBM OF MARCH 13, 2018 AT 8:25
P.M. / APPROVE PROPOSAL / "1-800-GOT-JUNK" / 117
PROSPECT PLACE, PEARL RIVER PROPERTY /
CORRECT OFFENDING CONDITION**

28. *Proposed Text:* **RESOLVED**, that the Town Board approve proposal from "1-800-GOT-JUNK" to correct the offending condition at 117 Prospect Place, Pearl River and charge the cost to the owner of the property.

TOWN BOARD/IT

TOWN CLERK

TOWN ATTORNEY

**PROPOSED RESOLUTION TO SET PUBLIC HEARING
ON APRIL 10, 2017 AT 8:00 P.M. RE: PROPOSED
AMENDMENT TO MIXED USE DEVELOPMENT AND
MIXED USE EXPANSION SPECIAL PERMITS/ DAY CARE
CENTER / ORANGEBURG COMMONS (SECTION 74.15,
BLOCK 1, LOTS 21.1/1; 21.1/2; 21.1/3; 21.1/4; 21.1; AND
LOT 22)**

29. *Proposed Text:* **RESOLVED**, the Town Board hereby sets April 10, 2018 at 8:00 p.m. for a public hearing on certain proposed amendments to Special Permits previously granted for mixed use development and mixed use expansion development of property in the LI Zoning District, located in the vicinity the intersection of State Rte. 303 and the Palisades Interstate Parkway (Exit 5 Interchange), in the Town of Orangetown (Town of Orangetown Tax Map: Section 74.15, Block 1, Lots 21.1/1; 21.1/2; 21.1/3; 21.1/4; and 21.1; and Lot 22), allowing Child Day-Care on Parcel 74.15, Block 1, Lot 22

**PROPOSED RESOLUTION TO OPEN PUBLIC HEARING /
ORANGEBURG COMMONS / ZONING TEXT
AMENDMENT / DAY CARE SPECIAL PERMIT USE /
RTBM MARCH 13, 2018 AT 8:00PM**

- 30.

**PROPOSED RESOLUTION TO CONTINUE / CLOSE
PUBLIC HEARING / ORANGEBURG COMMONS /
ZONING TEXT AMENDMENT / DAY CARE SPECIAL
PERMIT USE / RTBM MARCH 13, 2018**

31. *Proposed Text:* **RESOLVED**, that the public portion is hereby adjourned and / continued to public hearing on a future date.

**PROPOSED RESOLUTION TO APPROVE / DENY
PUBLIC HEARING / ORANGEBURG COMMONS /
ZONING TEXT AMENDMENT / DAY CARE SPECIAL
PERMIT USE / RTBM MARCH 13, 2018**

32. (PLACE HOLDER)

TOWN ATTORNEY WILL HAVE LANGUAGE BY RTBM 3/13/18

**PROPOSED RESOLUTION TO SET PUBLIC HEARING /
PROPOSED CHANGE TO TOWN CODE, CHAPTER 43 /
ADD NEW ARTICLE, ARTICLE X-A ENTITLED
“PLANNING BOARD” PROVIDING FOR CLARIFICATION
ON MEMBERSHIP, DUTIES AND TRAINING / RTBM
APRIL 10, 2018 AT 8:35 PM**

33. *Proposed Text:* **RESOLVED**, that the Town Board will hold a public hearing on April 10, 2018, at 8:35 p.m., on a proposed Local Law, amending Chapter 43, by adding a new article, Article X-A entitled “Planning Board” providing for clarification on membership, duties and training for the Town Planning Board.

**DECLARATION OF INTENTION OF TOWN BOARD TO
SERVE AS LEAD AGENCY PURSUANT TO
SEQRA REGULATIONS REGARDING LOCAL LAW
TO AMEND CHAPTER 43, ARTICLE X-A**

34. **WHEREAS**, according to the available records of the Town Clerk, the Planning Board for the Town of Orangetown was originally established on or about September 19, 1948 and as further empowered pursuant to Chapter 21 of the Town Code, and

WHEREAS, the Town Board wishes to provide for specific enumeration of the duties, obligations, training and qualifications of the Planning Board and its members pursuant to New York Town Law Section 271 by adding a new Article to Chapter 43 of the Town Code,

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

1. The proposed action is one subject to review under the State Environmental Quality Review Act (“SEQRA”);
2. The proposed action as an “Unlisted” action; and
3. The following are involved or interested or involved agencies in the review process:
 - Orangetown Planning Board;
 - Rockland County Department of Planning;

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

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

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

**PROPOSED RESOLUTION /
APPROVE AGREEMENT /
CANDLE / 2018**

- 35. *Proposed Text:* **RESOLVED**, that the Town Board hereby authorizes the Supervisor, or his designated representative, to sign an Agreement between the TOWN and CANDLE, at a cost to the TOWN of \$35,132.50 pursuant to which CANDLE shall provide drug abuse and prevention awareness programs and services to the youth of the Town of Orangetown during and throughout calendar year 2018.

**PROPOSED RESOLUTION / TOWN
ATTORNEY / DEME / CERTIFICATE OF
REGISTRATION - SEWER / 2018**

- 36. *Proposed Text:* **RESOLVED**, that upon the recommendation of the Town Attorney and the Commissioner of the Department of Environmental Management and Engineering, a Certificate of Registration for 2018 Sewer Work is approved to:

Carmelo Scaffidi & Sons Blacktopping, Inc., 34 North Route 9W, West Haverstraw, NY 10993, 845-429-0081

Environmental Construction, Inc., 21 Holt Drive, Stony Point, NY 10980, 845-429-0497

OBZPAE

POLICE/TOWN ATTORNEY

POLICE

HIGHWAY/POLICE

**PROPOSED RESOLUTION / APPROVE
TAPPAN ZEE 7TH 5K ANNUAL
DUTCHMEN RUN / 2018**

37. *Proposed Text:* **RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes the Town of Orangetown Highway & Police Departments to lend assistance which includes the use of barricades from the Highway Dept., and (5) Auxiliary Police Officers from the Police Dept., for the Tappan Zee 7th Annual Flying Dutchmen 5K Run, on Saturday, March 24, 2018, from 9 am to 10 am.

**PROPOSED RESOLUTION/APPROVE
5K NUN RUN/2018**

38. *Proposed Text:* **RESOLVED**, upon the recommendation from the Superintendent of Highways, that the Town Board hereby authorizes the Town of Orangetown Highway & Police Departments to lend assistance which includes the use of barricades from the Highway Department & police detail from the Police Dept., for the 5k Nun Run on Saturday, May 12, 2018, from 8:30 am to 11:30 am.

HIGHWAY/PARKS/POLICE

PARKS AND RECREATION

**PROPOSED RESOLUTION TO
AUTHORIZE IMPROVEMENTS /
VETERAN'S MEMORIAL PARK**

39. *Proposed Text:* **RESOLVED**, Upon the recommendation of the Superintendent of Parks and Recreation, the Town Board authorizes improvements to be made to the Vietnam Veteran's Memorial located in Veteran's Memorial Park. All improvements will be funded by the Vietnam Veterans of America, Chapter 333.

**PROPOSED RESOLUTION TO AWARD BID
/ SPORT TECH CONSTRUCTION / CRACK
REPAIRS AT VARIOUS LOCATIONS**

40. *Proposed Text:* **RESOLVED**, upon the recommendation of the Superintendent of Parks and Recreation award the bid for crack repair to athletic courts at various locations to Sport Tech Construction from Brewster, NY in an amount not to exceed \$50,000.00.

**PROPOSED RESOLUTION TO ACCEPT
DONATION OF MEMORIAL BENCH / PLACE
ALONG BLAUVELT SECTION OF J.B. RAIL
TRAIL / HONORING MICHAEL AND VIRGINIA
LYNCH**

41. *Proposed Text:* **RESOLVED**, upon the recommendation of the Superintendent

of Parks and Recreation, accept with gratitude, the donation of one memorial bench to be placed along the Blauvelt section of the J.B. Rail Trail. Engraving upon the bench will read "In Honor of Michael and Virginia Lynch."

HIGHWAY

PROPOSED RESOLUTION / AWARD BID / CURB AND SIDEWALK CONSTRUCTION, REPLACEMENT AND REPAIR

42. *Proposed Text:* **RESOLVED**, that the Town Board hereby approves a contract with Bellavista Construction

for Curb and Sidewalk Repair and Replacement the lowest qualified bidder, for a one-year period, under Bid Option 1, for the price of \$148,750.00.

PROPOSED RESOLUTION / APPROVE INDUSTRIAL SERVICE UNIFORM CONTRACT / AMERICAN WEAR INC.

43. *Proposed Text:* **RESOLVED**, to award the bid for Industrial Service Uniforms, Option No. 2 (for a Two (2) Year Agreement) at a cost of \$1.69 per employee, per week to American Wear Inc., East Orange, New Jersey, the only bidder.

PROPOSED RESOLUTION TO DECLARE SURPLUS RADIO EQUIPMENT

44. Proposed text: **RESOLVED**, upon the recommendation of the Superintendent of Highways, declare 2-Way Radio Equipment Surplus.

PROPOSED RESOLUTION TO APPROVE 2017-2018 LUMP SUM MUNICIPAL SNOW & ICE AGREEMENT EXTENSION

45. Proposed text: **RESOLVED**, that upon the recommendation of the Superintendent of Highways, the Supervisor is hereby authorized to sign the Extended Indexed Lump Sum Municipal Snow and Ice Agreement, between the Town of Orangetown and the New York State Department of Transportation. The amount for the 2017-2018 Agreement is \$224,709.25

DEME

PERSONNEL

**PROPOSED RESOLUTION TO ACCEPT WITH REGRET
THE RESIGNATION/RETIREMENT OF SAMUEL
MOUNIER/MEO II/HIGHWAY DEPARTMENT**

46. *Proposed Text:* **RESOLVED**, that the Town Board hereby accepts, with regret, the resignation/retirement of Samuel Mounier (MEO II) of the Highway Department.

TRAFFIC ADVISORY BOARD

NEW BUSINESS

ADJOURNMENTS

CLYDE ROBERTS, HUSBAND OF RETIRED PRSD
ATLETIC OFFICE SECRETARY, CARMEN ROBERTS

- 47.

RICHARD E. SMITH “SMITTY”, RETIRED ORANGETOWN
POLICE SARGEANT, HUSBAND OF JUDI SMITH, PARKS
AND RECREATION DEPARTMENT

- 48.



Christopher D. Pagliaroli



February 25, 2018

Mr. Eric Gorton
Parks and Recreation Office
Town of Orangetown
81 Hunt Road
Orangeburg, NY 10962

Dear Mr. Gorton,

Thank you for taking my call.

As we discussed, I would like to do my Eagle project in Sparkill's Depot Square. I have been attending Memorial Day Services there since I was born. When I was a Cub Scout with Pack 88, we would clean up the park and plant flowers for the services. In recent years, I have been helping the Girl Scouts do the plantings and each year it seems like it gets more over grown and dull looking.

My plan is to revitalize the park by replacing plants and flowers around the WWI monument. I will be sanding and painting the cannons on each side of the WWI monument. Next, fixing the Belgian blocks around the Korean/Viet Nam monuments and repairing the steps going up to the WWII monument. The area behind the WWII monument, we will remove the layers of mulch and replace with new mulch. I am also planning to replace the mortars on the WWII monument landing.



As you can see, I am not making any structural changes in the park. It is all cosmetic work to the monuments only.

If you have any questions or need me to send any more information, please don't hesitate to contact me.

Yours in scouting,

Chris Pagliaroli
Life Scout

Chris Pagliaroli's Proposed Eagle Project 2018

Depot Square in Sparkill is home to the John M. Perry Post memorials .

This is the current state of the World War I monument.



There is a 2-tier railroad tie wall around the monument, flanked by two evergreens.

The mews that were planted many years ago have become over grown and are hard to get the leaves out of.



My plan is to take all the mews out and expose the tiers. In the top tier, my team will plant hosta plants for color, leaving space to plant traditional spring flowers such as geraniums.



Chris Pagliaroli's Proposed Eagle Project 2018

In the bottom tier, the plan is to plant 4 boxwoods one in each corner, similar to those planted by the Sparkill Fire Department monument.



Other plants will be added, and of course mulch.

The cannons that are on each side of the monument need to be sanded and painted.



Chris Pagliaroli's Proposed Eagle Project 2018

The Koren/Viet Nam memorial looks like it was started but not finished. I would like to continue the blocks all around it and secure the blocks so that the mulch does not come out.



The World War II memorial where every year the Perry Post has the podium set up and we watch as one veteran after another tries to make it up the steps without falling.....



With the help of mason, John A. Streppone, we will reconnect the stairs with their base.

Chris Pagliaroli's Proposed Eagle Project 2018

The mortars on each side of this monument are in bad shape.



I would like to replace these. I am working with the Legion on this. Replicas are @\$600 a piece.

Lastly the area behind the WWII monument, the mulch is so built up in there, that there is white mold. My team would pull this all out to preserve the plantings that are currently there. We will also replace with new mulch.



Ira M. Emanuel, P.C.

Four Laurel Road, New City, NY 10956
Tel: 845.634.4141 Fax: 845.634.9312
E-mail: Info@EmanuelLaw.com
www.EmanuelLaw.com

RECEIVED JAN 23 2018

Counsel to
Freeman & Loftus, RLLP

Amy Mele, Esq.
Of counsel

January 23, 2018

Ms. Charlotte Madigan, Town Clerk
Orangetown Town Hall
26 W. Orangeburg Road
Orangeburg, NY 10962

Re: Town Plaza II, LLC – Petition for Zone Change (Tax Map 74.07-1-6)

Dear Ms. Madigan:

We represent Town Plaza II, LLC and it is requesting a zone change for its property at 500 Route 303, Orangeburg (Tax Map 74.07-1-6).

Enclosed are 20 copies of the:

- Petition for Zone Change
- Short Environmental Assessment Form

Please place this matter on the next available Town Council agenda. If you require additional materials, please contact our office.

Very truly yours,



Susan Emanuel

cc: Client

Enclosures

TOWN OF ORANGETOWN
2018 JAN 23 P 1:23
TOWN CLERK'S OFFICE

DIST: TB, SUPV, TA.

TOWN COUNCIL: TOWN OF ORANGETOWN

X

Petition of

TOWN PLAZA II, LLC

PETITION FOR
ZONE CHANGE

For a Change of Zoning Designation for a Portion of Its Parcel
Located at 500 Route 303, Orangeburg, New York, Designated
on the Tax Map of the Town of Orangetown as Section 74.07,
Block 1, Lot 6, from LI to CC.

X

TO THE HONORABLE TOWN COUNCIL OF THE TOWN OF ORANGETOWN:

1. Your Petitioner is the owner of the referenced parcel of land, which is located at the northwesterly corner of the intersection of New York State Route 303 and Mountainview Avenue in the Hamlet of Orangeburg.
2. The parcel consists of a single tax lot containing 2.5 acres of land. It was developed as a shopping center, having received site plan approval in 1989.
3. There are two buildings on the parcel with a total floor area of 25,253 sf. The larger building (Building A) is aligned on a North-South axis and is located in the western portion of the parcel. The smaller building (Building B) runs East-West and is in the eastern portion. A copy of the original approved site plan, in reduced format, is annexed as Exhibit A.
4. Although the parcel consists of a single tax lot, it is divided between two zoning districts. The easterly portion, including Building B, is in a CC district, the westerly portion, including most of Building A, is in an LI district. A small portion of Building A is in the CC district.¹ A map showing the location of the parcel, the zoning of the parcel, and the surrounding zoning districts is annexed as Exhibit B.

¹ The entire parcel is also within the Route 303 Overlay District. Your Petitioner is not seeking to change that designation.

TOWN OF ORANGETOWN
2018 JAN 23 P 8: 25
TOWN CLERK'S OFFICE

5. The parcel was divided by the district line when the shopping center was approved in 1989 (the zoning boundary is depicted on the site plan attached as Exhibit A).
6. The CC district allows most of the uses that one would associate with a shopping center, such as retail, restaurant, and fast-food restaurant. The LI district does not allow restaurants of any type. Copies of the Use Tables for the CC and LI districts are annexed as Exhibits C and D, respectively.
7. Despite this, Building A, in the LI district, has historically included restaurant uses, and does so today. Current restaurant and fast food operations in Building A are: Wok King, Calabria Pizza, and Roy Thai. Former restaurant and fast food operations include Sweet Tomato, Little Scoops, and La Artista. Currently, there is almost 6,800 sf of vacant space in Building A. Building B has no vacancies.
8. It is not known why the district line has not been previously changed. However, the existence of the line has hindered your Petitioner's ability to rent space in the center. The uses permitted in the LI district are generally not compatible with the uses permitted in the CC district, or require more space than is available in the shopping center.
9. Section 10.522 of the Zoning Code sets forth areas of inquiry with respect to a zone change. Those considerations, and your Petitioner's responses, follow:
 - (a) *Whether the uses permitted by the proposed change would be appropriate in the area concerned.*

The uses permitted by the zone change are already in existence at the site and in the other portion of the existing shopping center. Attached as Exhibit E is a Generalized Land Use Map prepared using the Rockland County Geographic Information System. It shows land uses in the vicinity of the subject parcel as of 2012 (the latest available). Other nearby land uses include: another shopping

center on Mountainview Avenue, one- and two-family dwellings, and institutional (college) buildings. All are on the West side of Route 303. The East side of Route 303 is shown as vacant land.

- (b) Whether adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed as a result of such change.*

No public school facilities will be required. No additional residences are to be constructed, nor would any be permitted by the proposed change.

- (c) Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewers in the vicinity.*

No additional construction is contemplated by the proposed change. The center is adequately served by the existing public water supply and sanitary sewer system.

- (d) The amount of vacant land which is currently zoned for similar development in the Town, and particularly in the vicinity of the area included in the proposed amendment, and any special circumstances which may make a substantial part of such vacant land unavailable for development.*

The area in the vicinity of the subject parcel is fully developed. The proposed change is intended to more accurately reflect the types of uses operated in the existing shopping center. No additional uses are proposed for either the LI or the CC districts.

- (e) The recent rate at which land is being developed in the proposed district in the Town, and particularly in the vicinity of the area included in the proposed amendment.*

The proposed change will not affect other parcels.

(f) The effect of the proposed amendment upon the growth of existing communities in the Town as envisaged by the Comprehensive Plan.

The proposed change will continue existing uses in the shopping center.

(g) Whether the proposed amendment is likely to result in an increase or decrease in the total zoned residential capacity of the Town and the probable effect of such a change on the cost of providing public services.

The proposed amendment will have no impact on the total residential zoned capacity of the Town.

(h) Whether other areas designed for similar development are likely to be so developed if the proposed amendment is adopted, and whether the designation for such future development should be withdrawn from such areas by further amendment of the Zoning Map.

The proposed change is limited to a portion of a single tax lot, and should have no impact on any other development in the Town.

(i) If the proposed change involves a change from a residential to a nonresidential designation, whether more nonresidential land is needed in the proposed location to provide commercial services or employment for the residents of the Town.

Not applicable. The proposed change is from one non-residential designation to another non-residential designation.

10. In contemplation of seeking parking relief from the Planning Board, your Petitioner commissioned a parking study of the shopping center. The study assumed that all vacant space in the center would be used as restaurant space, a relatively intense use. Despite that assumption, the study found that the maximum occupancy of parking spaces would occur during the 1pm hour, at 64.4%. At 7pm, which is the peak hour for restaurant uses, the occupancy would actually drop, to 47.1%. Thus,

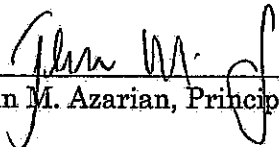
there is more than enough existing parking to accommodate the proposed zone change. A copy of the parking study is attached as Exhibit F.

11. Your Petitioner therefore asks that the zoning designation of the westerly portion of its parcel, together with the adjacent section of Mountainview Avenue to its centerline, be changed from LI to CC.

Dated: January 17, 2018
New City, New York

Midland Park, NJ

TOWN PLAZA II, LLC

By: 
John M. Azarian, Principal Manager

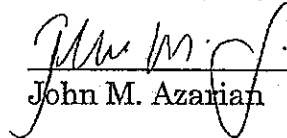
LLC VERIFICATION

STATE OF NEW JERSEY)
) ss.:
COUNTY OF BERGEN)

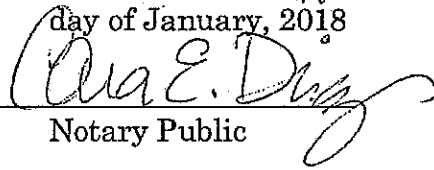
JOHN M. AZARIAN, being duly sworn, deposes and says:

I am the Principal Manager of Town Plaza II, LLC, a limited liability company, the Petitioner herein. I have read the annexed Petition, know the contents thereof, and the same are true to the best of my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters, I believe them to be true.

My belief, as to those matters therein not stated upon knowledge, is based upon information contained in the books and records of the company.

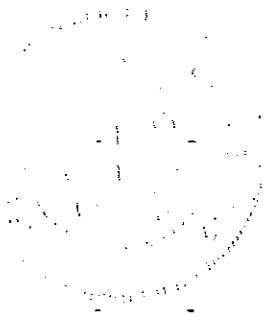


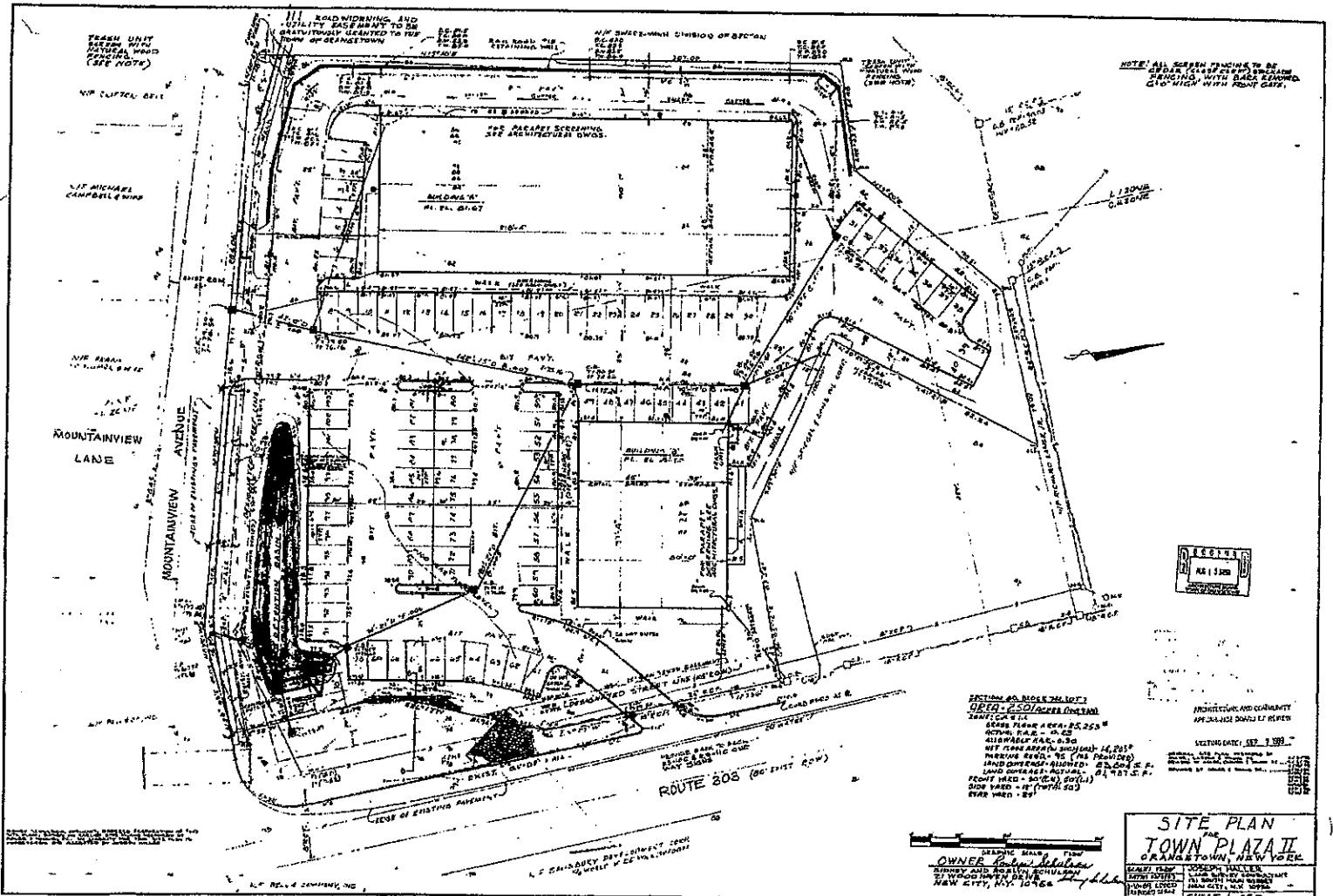
John M. Azarian

Sworn to before me this 11
day of January, 2018


Notary Public

CARA E. DIAZ
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50001304
My Commission Expires 04/2019





SECTION 20, BLOCK 26, LOT 7
 48.11 ACRES (APPROX)
 ZONING: C-1
 GROSS FLOOR AREA: 25,253 sq. ft.
 NET FLOOR AREA: 14,211 sq. ft.
 PERMITS: 75 (NO PERMITS)
 LAND COVERED: 23,204 sq. ft.
 FRONT YARD: 30' (MIN) 30' (L)
 SIDE YARD: 10' (MIN) 10' (L)
 REAR YARD: 10'

PROFESSIONAL AND COMPANY
 100-100-100-100-100-100
 SEETING DATE: SEP 1 1988

SITE PLAN
TOWN PLAZA II
 OF GRANTSTOWN, NEW YORK

OWNER: *James J. Sullivan*
 SURVEY AND DESIGN: *James J. Sullivan*
 21 WOODHURST DRIVE
 NEW CITY, NY 10843

DATE: 7/1/88

SCALE: 1" = 20' (APPROX)
 SHEET 1 OF 2

TOWN PLAZA II
ZONING MAP

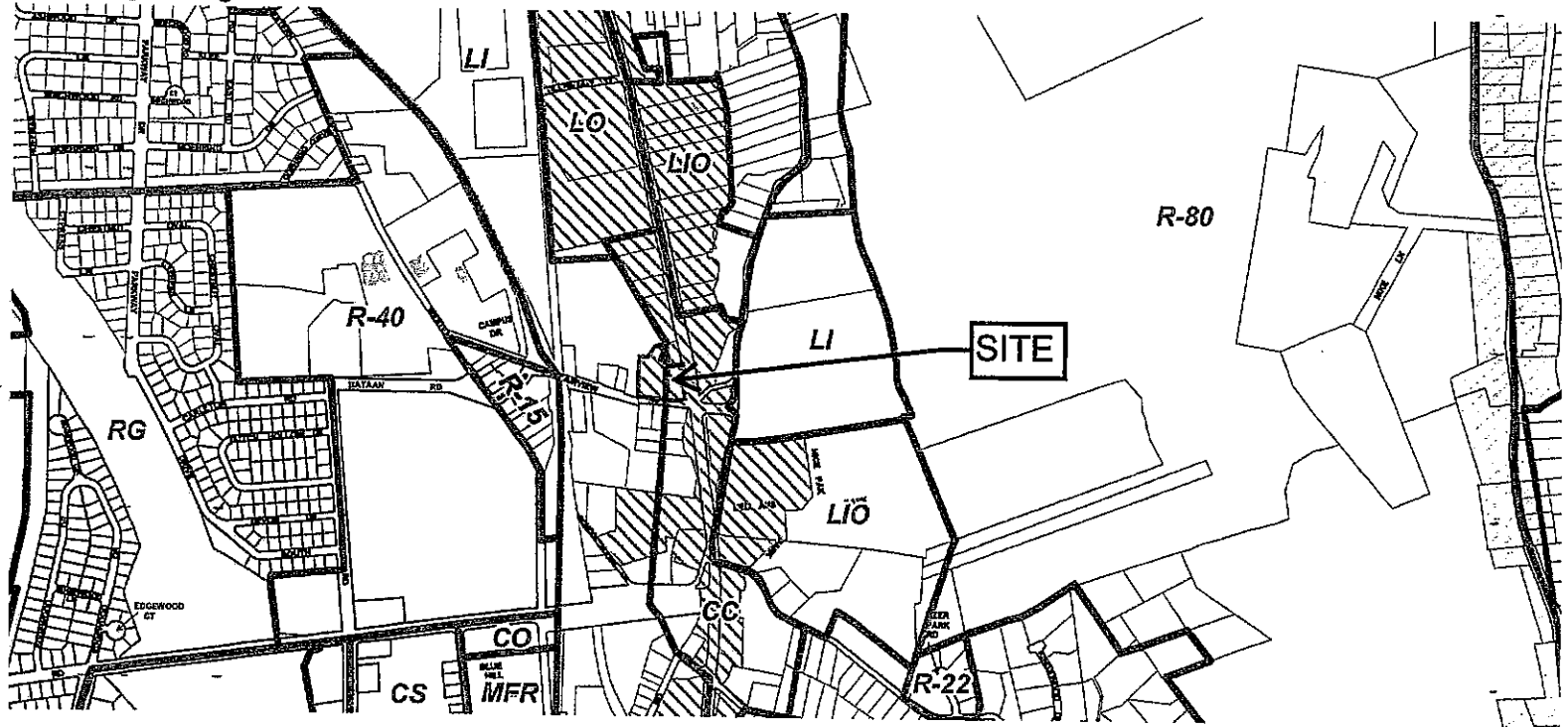


Exhibit C

ZONING

43 Attachment 6

Town of Orangeburg
Table of General Use Regulations
(§ 3.4B)
CC District

(Amended 6-24-1991 by L.L. No. 7-1991; 1-25-1993 by L.L. No. 1-1993; 9-27-2014 by L.L. No. R-2014; 9-23-2016 by L.L. No. 9-2016)

(For use of table, see § 3.2)

1	2	3	4	5	6	7	
District	Uses Permitted by Right	Uses by Special Permit	Conditional Uses by Planning Board	General Accessory Uses	Minimum Required Off-Street Parking Spaces	Additional Use Regulations (See Note 19)	
CC	<ol style="list-style-type: none"> Same as CS and pet shops, upholsterers, undertakers and commercial printing shops, including printing of a newspaper. Trade schools and other schools of special instruction. Telephone exchanges, but not including service or storage yards. Theater, except drive-in theaters. 	<p>Town Board</p> <ol style="list-style-type: none"> Same as CS. Amusements and drive-in theaters. <p>Zoning Board</p> <ol style="list-style-type: none"> Same as CS, except No. 2. 	<ol style="list-style-type: none"> Hotels and motels. Public parking lots and public garages, subject to Article VI and special requirements and conditions (e) and (f) in CS Column 3. Public utility substations and pump stations, but not including service or storage yards. Medical and offices in existing residential structures or in any structure that conforms to the neighborhood. Establishment with antennas. Fast-food restaurants. Gasoline service stations. Nightclubs. New dealer automobile service and repair facility to an existing new car dealership, within the Route 303 Overlay Zoning District, subject to Chapter 43 § 12.108(e). 	<ol style="list-style-type: none"> Same as CS, except sign regulations. Accessory production and servicing of goods subject to additional use regulations. Business signs with total sign area per establishment use not exceed 15% of the sign wall area, and in no event more than 40 square feet. For any business use conducted primarily in the open, such as a public parking lot, or similar use, the total sign area shall be 1 square foot for each foot of lot frontage, not to exceed 40 square feet. All of such sign area may be illuminated. However, illumination of theater marquees may be increased upon approval by the Board of Appeals; in no instance shall the total illuminated sign area be more than 30 square feet. Location of signs: <ol style="list-style-type: none"> A sign attached to a building shall not project more than 3 feet from the building wall or 3 feet from the roof of an arcade, but no sign, except a sign painted on an awning shall project more than 1 foot over a street. However, a sign erected as a part of a theater marquee may extend to the curbline. Maximum height of any sign shall not be more than 30 feet above ground level. Near R District boundaries, see additional use regulations and § 4.32(e). Except as modified by No. 4(c) above, sign not attached to a building shall be set back at least 25 feet from the front lot line, except that any accessory sign to a building in existence on the effective date of this code need not be set back from the front lot line a greater distance than the setback of such building. Child day-care centers, in conjunction with churches and similar places of worship, schools, offices, hotels and motels, with all parking and outdoor play areas complying with all required yards, as provided for in § 3.42. 	<ol style="list-style-type: none"> Same as R-80 Medical arts Offices Undertakers Restaurants Rail passenger and bus stations Theaters Theater and motels Retail sales and services Child day-care centers Nightclubs Trade schools and other schools of special instruction 	<p>Use</p> <ol style="list-style-type: none"> Same as R-80 Same as RC Same as CS Same as LIO Same as CS Same as CS 3 seats Client room, but no less than 1 per 5 people accommodated Same as CS Staff member, plus 1 parking space per 10 employees Same as CS Same as CS 	<ol style="list-style-type: none"> Same as R-80. Same as CS Nos. 1, 4, 5 and 6. All accessory production and servicing of goods and all commercial parking shops and personal service shops shall conform to the following restrictions: <ol style="list-style-type: none"> All such goods shall be sold or delivered to customers on the premises. The floor area used for such production and servicing shall be limited to 10% of the floor area of the establishment or 3,000 square feet, whichever is greater. Not more than 3 persons shall be engaged in such production or servicing. Only electrically driven machinery shall be used. Same as CS No. 2, except outdoor cafe necessary to a restaurant. Near R District boundaries; same as CS Nos. 4 and 5. There shall be no outdoor servicing or manufacturing permitted.

ZONING

43 Attachment 7

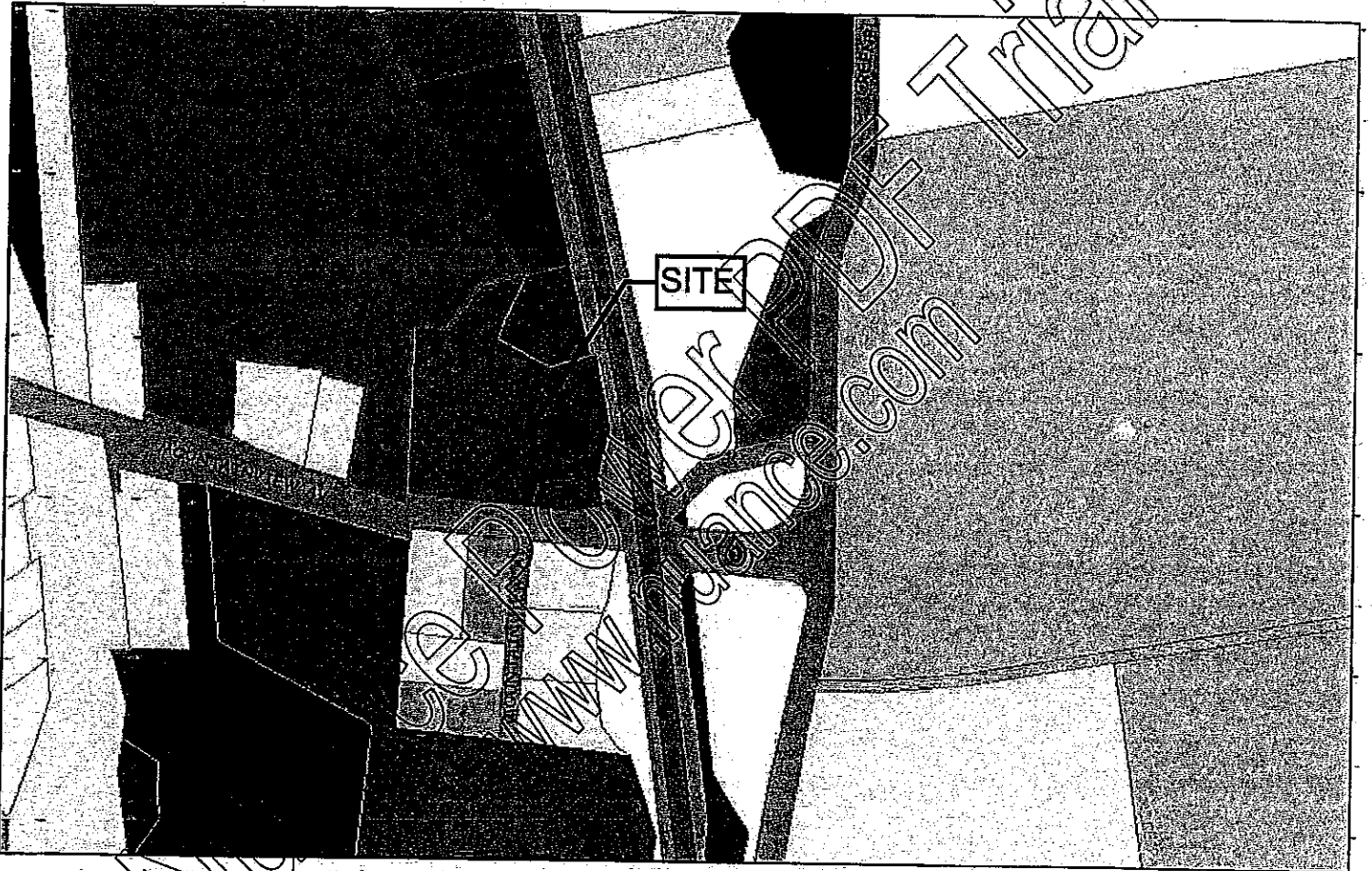
Town of Oremington

Table of General Use Regulations
(§ 3.11)
LI District

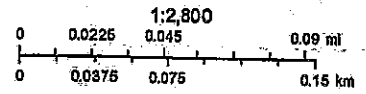
[Amended 3-12-1990 by L.L. No. 3-1990; 6-24-1991 by L.L. No. 7-1991; 6-8-1992 by L.L. No. 9-1992; 1-25-1993 by L.L. No. 1-1993; 3-1-2004 by L.L. No. 4-2004; 10-21-2014 by L.L. No. 6-2014]

1	2	3	4	5	6	7	
District	Uses Permitted by Right	Uses by Special Permit	Conditional Uses by Planning Board	General Accessory Uses	Minimums Required Off-Street Parking Spaces	Additional Use Regulations (See Note 12)	
LI	<ol style="list-style-type: none"> 1. Offices. 2. Fire, police and community-owned ambulance stations, government offices and office buildings. 3. Business and professional offices. 4. Commercial recreation establishments, such as bowling alleys, dance halls, billiard parlors, driving ranges and miniature golf courses. 5. Service establishments, including frozen-food lockers and sale of grain feed, agricultural products, building materials and monuments. 6. Commercial dog kennels and animal hospitals, and provided that no kennel, manure or exercise pen is located within 200 feet of any R District boundary. 7. Automotive and machinery repair shops and open automobile and trailer sales lots, subject to additional use regulations. 8. Automobile salesrooms. 9. All types of manufacturing uses (except those specifically prohibited in § 4.4) subject to performance standards procedure, § 4.12, and additional use regulations. 10. Wholesale sales or storage warehouses. 	<p>Town Board</p> <ol style="list-style-type: none"> 1. Same as CS Nos. 2 and 3. 2. Mixed-use developments on sites of 10 acres or larger, with frontage on the Falladales Interstate Parkway, and with frontage on, and/or with direct access to, Route 303, as provided in § 4.32(D). 3. Mixed-use expansions on sites of not less than 0.5 acre nor more than 2 acres in areas that adjoin a site for which a mixed-use development special permit has been issued as provided in § 4.32(P). <p>Zoning Board</p> <ol style="list-style-type: none"> 1. Adult entertainment subject to § 4.32(E). 2. Adult uses as defined in § 4.32. 	<ol style="list-style-type: none"> 1. Retailing shops. 2. Public parking garages. 3. Auction establishments, farms' markets and stores specializing in second-hand merchandise. 4. Auto laundries, subject to special requirements and conditions (a) and (b) in CS Column 3 above, and provided there shall be reserved space of 300 square feet per automobile on the lot for not less than 15 automobiles per washing machine, and that adequate provision be made for disposal of wastewater in accordance with town requirements. 5. Filling stations, no lots with an area of at least 20,000 square feet and a minimum lot coverage of 150 feet, provided that all gasoline pumps and service facilities are set back at least 20 feet from the front lot line and subject to additional use regulations and conditional use standards except that no conditional use for a filling station shall be granted within a distance of 2,000 feet from any other filling station with a certificate of occupancy in force prior to the submission of such application. Said distance shall be measured in a straight line between the nearest points of each of the lots or premises, regardless of the distance where other premises are located. 6. Additional conditional uses, <ol style="list-style-type: none"> (a) Dry-cleaning, rug-cleaning and laundry plants. (b) Bus, truck and railroad freight terminals, major public utility transformers and stations and railroad yards. (c) Bulk storage of fuel oil and bottled gas and other open storage yards, except those expressly prohibited in § 4.4. (d) Concrete and precast-concrete plants. (e) Gas holders, coal yards and refrigeration plants; storage and handling of papers within a completely enclosed building. 7. Satellite dish antennas. 8. Same as LD No. 6. 9. Nightclubs. 	<ol style="list-style-type: none"> 1. Same as CC No. 2. 2. Accessory storage subject to additional use regulations. 3. Other accessory buildings. 4. Incineration of waste materials subject to § 4.32(F). 5. Helicopters by special permit of the Town Board only as an accessory use to a use permitted by right, special permit or conditional use. 6. Accessory signs, same as LIO for these uses permitted in LI District. 7. Same as CC for these uses allowed in the LI District except that the total sign area shall not exceed 60 square feet, and the illuminated portion shall not exceed 20 square feet. For mixed-use developments and mixed-use expansions, the sign regulations included in § 4.32(O)(i) and § 4.32(P)(ii), respectively, shall control in instances where such provisions are inconsistent with this table or any other provisions of the Zoning Law. 8. Location of signs: <ol style="list-style-type: none"> (a) A sign attached to a building may not project more than 3 feet from the building wall or 1 foot from the roof of an awning, but no sign shall project over a street, which shall include sidewalk. (b) Maximum height 20 feet above ground level. (c) All signs shall be set back at least 30 feet from the front lot line, except that any sign accessory to a building or extension on the effective date of this code need not be set back from the front lot line a greater distance than the set back of such building. (d) New R District boundaries same as CC No. 4(c). 9. Same as LO No. 13. 	<p>Use</p> <ol style="list-style-type: none"> 1. Same as R-30 2. Light manufacture or laboratories 3. Retail sales and service 4. Restaurants 5. Theaters 6. Banks 7. Farmer's market 8. Bowling alley 9. Dance halls 10. Billiard parlors 11. Driving range, miniature golf 12. Skating rinks 13. Bus, truck and rail terminals 14. Automobile sales 15. Wholesale and warehouse, manufacturing, dry cleaning and rug cleaning 16. Child day-care centers 17. Nightclub 	<p>At Least 1 Parking Space for Each</p> <p>Same as R-30</p> <p>Same as LIO</p> <p>Same as CS</p> <p>Same as CS</p> <p>Same as CC</p> <p>Same as CS</p> <p>5 feet front wall or 600 square feet of display area, whichever is greater</p> <p>1/4 alley</p> <p>50 square feet of gross floor area</p> <p>1/2 table</p> <p>Tree</p> <p>75 square feet of skating area</p> <p>2 employees</p> <p>600 square feet of display area sales area</p> <p>2 employees or 300 square feet of gross floor area</p> <p>Same as LD</p> <p>Same as CS</p>	<ol style="list-style-type: none"> 1. Same as R-30. 2. Same as CS Nos. 4, 5 and 6. 3. All open storage yards shall be screened from adjacent lots and from the street line. 4. All necessary production and marketing of goods shall conform to the following restrictions: <ol style="list-style-type: none"> (a) The floor area used for such production and marketing shall be limited to 10,000 square feet. (b) Only electrically driven machinery shall be used. 5. The following uses and all storage of goods necessary to such uses shall be within completely enclosed buildings: retail and wholesale sales and service establishments, commercial printing shops, commercial recreation establishments, public garages, automobile repair shops, auto laundries and warehouses (except sale of agricultural products, automobiles, monuments, driving ranges and miniature golf courses). 6. For all filling stations and public garages and automobile repair shops, the following additional regulations shall apply: <ol style="list-style-type: none"> (a) All repair and servicing of automobiles shall be within completely enclosed buildings, except for dispensing of gasoline and oil and furnishing of air and water. (b) Only currently licensed vehicles shall be parked or stored for no more than 5 days, with the total number based on 3 plus 4 for each service bay. (c) On filling stations, no storage or parking of vehicles of any type shall be permitted on required landscaped or graded areas. 7. There shall be no outdoor servicing or manufacturing permitted. 8. No parking is permitted in any required yard, unless permitted by any local or town agency having jurisdiction. This permission may be granted at the time of site review or at the time of the approval of a commercial subdivision.

Town Plaza II - Generalized Land Use 2012



January 13, 2018





HARRY BAKER & ASSOCIATES, 3 Dolphin Road, New City, New York 10956 (914) 638-2361

October 8, 2017

Mr. John Azarian
 Town Plaza II, LLC
 c/o The Azarian group
 6 Prospect Street, Suite 2A
 Midland Park, NJ 07432

Re: Parking Study for Town Plaza II, 500 Route 303, Orangeburg, NY

Dear Mr. Azarian:

INTRODUCTION

The existing Town Plaza II shopping center currently has 10 stores totaling 18,125 sq. ft. with 5,213 sq. ft. currently vacant. The C & E Island Flavor restaurant is planned with a space 1,580 sq. ft and a parking demand of 16 spaces. The type of development for the balance of the 3,420 sq. ft has yet to be determined. Table 1 summarizes the list of stores and square footage and their parking requirements based on the Orangetown zoning code

TABLE 1				
OCCUPANT	USE	SQUARE FEET	PARKING REQUIREMENT	PARKING SPACES REQUIRED
Mountain View Liquors	Retail	1,760	1/200 sq. ft.	9
Wok King	Fast Food	900	1/75 sq. ft.	12
Angela's Nails	Retail	900	1/200 sq. ft.	5
Calabria Pizza	Restaurant	1,760	1/100 sq. ft.	18
Roy Thai	Restaurant	1,909	1/100 sq. ft.	19
A & A Deli	Retail	3,260	1/200 sq. ft.	17
Marty's Bagels	Retail	2,613	1/200 sq. ft.	13
Food & Body Works	Retail	1,280	1/200 sq. ft.	7
Amazing Cuts	Retail	1,280	1/200 sq. ft.	7
Tiffany Cleaners	Retail	2,463	1/200 sq. ft.	13
TOTALS		18125		120



A parking study was conducted on Thursday, September 7, 2017 and Saturday, September 9, 2017 from 7 AM to 9 PM. An occupancy count was conducted every two hours. The results are shown in Table 2.

Time	September 7, 2017 (Thursday)		September 9, 2017 (Saturday)	
	# of Cars Parked	% Occupied	# of Cars Parked	% Occupied
7 AM	18	17.3%	16	15.4%
9 AM	24	23.1%	38	36.5%
11 AM	44	42.3%	45	43.3%
1 PM	59	56.7%	49	47.1%
3 PM	43	41.3%	47	45.2%
5 PM	34	32.7%	40	38.5%
7 PM	32	30.8%	33	31.7%
9 PM	17	16.3%	20	19.2%

Total number of existing parking spaces = 104

The results of the existing parking survey show that the peak parking occupancy occurred at 1 PM on Thursday when 56.7% of the parking spaces were filled. On Saturday, the maximum parking occupancy occurred at 1 PM when 47.1% of the parking spaces were filled. When a parking lot reaches 85% capacity, it is time to think about potential expansion. Actual expansion of the parking lot would not occur until the lot reaches approximately 95%. The parking demand would need to increase to 88 vehicles parked or an increase of 29 vehicles at the 1 PM hour reach 85% and 99 vehicles parked to reach 95%.

FUTURE PARKING DEMAND

The future parking analysis is divided into two sections. The first portion of the analysis is for the planned C & E Island Flavor restaurant. Under the Zoning Code, this restaurant of 1,580 sq. ft. will require 16 parking spaces. The restaurant would be open for lunch and dinner. Table 3 summarizes the parking demand with this restaurant. We have assumed for this analysis that 50% of the parking spaces will be filled between 1 PM and 5 PM and 100% will be filled at 7 PM and 9 PM.



TABLE 3
FUTURE PARKING OCCUPANCY WITH C & E FLAVOR ISLAND

Time	THURSDAY		SATURDAY	
	# of Cars Parked	% Occupied	# of Cars Parked	% Occupied
7 AM	18	17.3%	16	15.4%
9 AM	24	23.1%	38	36.5%
11 AM	44	42.3%	45	43.3%
1 PM	67	64.4%	57	54.8%
3 PM	51	49.0%	55	52.9%
5 PM	42	40.4%	48	46.2%
7 PM	48	46.2%	49	47.1%
9 PM	33	31.7%	36	34.6%
Total number of existing parking spaces = 104				

The results show that the maximum occupancy would occur at 1 PM on both a weekday and Saturday. As the day continues, the parking occupancy goes down as stores close. This would provide additional parking for the restaurant in the evening when most of the patrons would be expected.

The shopping center is located in both a CC and an LI zone. According to the Orangetown Zoning code, for commercial space located in these zones, the parking requirements vary depending on whether there are fast food stores, restaurants, or retail space. The parking demand varies from 1 space/75 sq. ft. to 1 space/ 200 sq. ft. of gross floor-area. If the current vacant store areas of 5,213 sq. ft. were occupied using the maximum parking requirement of 1 space/200 sq. ft., (retail) a total of 26 parking spaces would be required. If the space was developed as restaurant space, the parking requirement would be 1 space/100 sq. ft. and a total of 53 parking spaces would be required.

The Orangetown Zoning Code allows for combined use of spaces:

"Sec. 6.38. Combined uses. When any lot contains two or more uses having different parking requirements, the parking requirements for each use shall apply to the extent of that use. Where it can be conclusively demonstrated that one or more such uses will be generating a demand for parking spaces primarily during periods when the other use or uses is not or are not in operation, either the Planning Board as part of site plan approval or the Board of Appeals may reduce the total parking spaces required by 50% of the parking spaces required for the use with the least requirement."



Restaurants are typically busy in the late afternoon and evening hours. The survey results show that after 3 PM, the parking occupancy rate drops to under 50% and then to the mid-forties on Saturday at 5 PM and 7 PM. After 7 PM, the rate drops to under 35%. If the vacant space was developed as half retail and half restaurant, then a total of 39 parking spaces would be required. Assuming the retail open at 10 AM and the restaurant open at 3 PM,

For the retail portion (13 parking spaces), we would expect the parking demand to ramp up over the day. The distribution of the parking would be as follows:

- 9 AM – 2 cars
- 11 AM – 4 cars
- 1 PM – 8 cars
- 3 PM – 10 cars
- 5 PM – 7 cars
- 7 PM – 3 cars

For the restaurant portion (26 parking spaces), we would expect the restaurant to open at 3 PM with some staff arriving at 1 PM. The distribution of the parking would be as follows:

- 1 PM – 4 cars
- 3 PM – 12 cars
- 5 PM – 16 cars
- 7 PM – 23 cars
- 9 PM – 15 cars

Table 4 shows the summary of the parking using this distribution.



TABLE 4				
FUTURE PARKING OCCUPANCY WITH 100% OCCUPANCY				
Time	THURSDAY		SATURDAY	
	# of Cars Parked	% Occupied	# of Cars Parked	% Occupied
7 AM	18	17.3%	16	15.4%
9 AM	26	25.0%	40	38.5%
11 AM	48	46.2%	49	47.1%
1 PM	79	76.0%	69	66.3%
3 PM	73	70.2%	77	74.0%
5 PM	65	62.5%	71	68.3%
7 PM	74	71.2%	75	72.1%
9 PM	48	46.2%	51	49.0%
Total number of existing parking spaces = 104				

Table 4 shows that the maximum occupancy occurs at 1 PM on a weekday and 3 PM on a Saturday. To reach the 85th percentile, 6 and 8 additional parked cars would be required. Furthermore, after 7PM, the parking occupancy drops to under 50%. This means that there is room to park between 14 and 40 cars additional cars between 7 PM and 9 PM before reaching the 85th percentile occupancy rate.

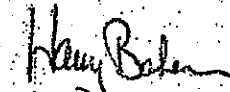
We compared the Town of Orangetown parking rates to those in the Institute of Transportation Engineers, 4th Edition "Parking Generation Manual." For restaurants, and retail. For retail there are two calculations. One is for Friday (non-December) and the other for Saturday (non-December). For the Friday (non-December), the 85th percentile average is 3.90 vehicles/1,000 sq. ft. GLA. For Saturday (non-December) the 85th percentile is 3.4 vehicles/1,000 sq. ft. GLA. Based on a 25,000 sq. ft. shopping center, the parking demand for Friday is $(3.9 \times 25) = 98$ parking spaces and for Saturday the parking demand is $(3.4 \times 25) = 85$ parking spaces. These number are lower because they account for all of the different store types in a shopping center as opposed to calculating the number of parking spaces by uses type.



CONCLUSION

The results of the parking survey show that with the plaza filled to 80% of leasable space, the peak vehicle occupancy rate is 56.7% of capacity on a Friday at 1 PM. If we project the building 100% leased, then the peak vehicle occupancy rate will increase to 76.0% if all of the parking spaces for the C & E Island Flavor restaurant and current vacant stores were occupied at one time at 1 PM on a weekday and 74.0% at 3 PM on a Saturday. As the evening progresses, the occupancy rate drops to below 70% by 9 PM. Therefore, in accordance with the Town of Orangetown's Zoning Code, a variance should be granted to permit the 104 existing parking spaces for all uses and occupancies in the shopping center.

Sincerely,


Harry Baker

TOWN OF ORANGETOWN
2018 JAN 23 P 1:25
TOWN CLERK'S OFFICE

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

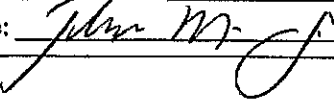
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

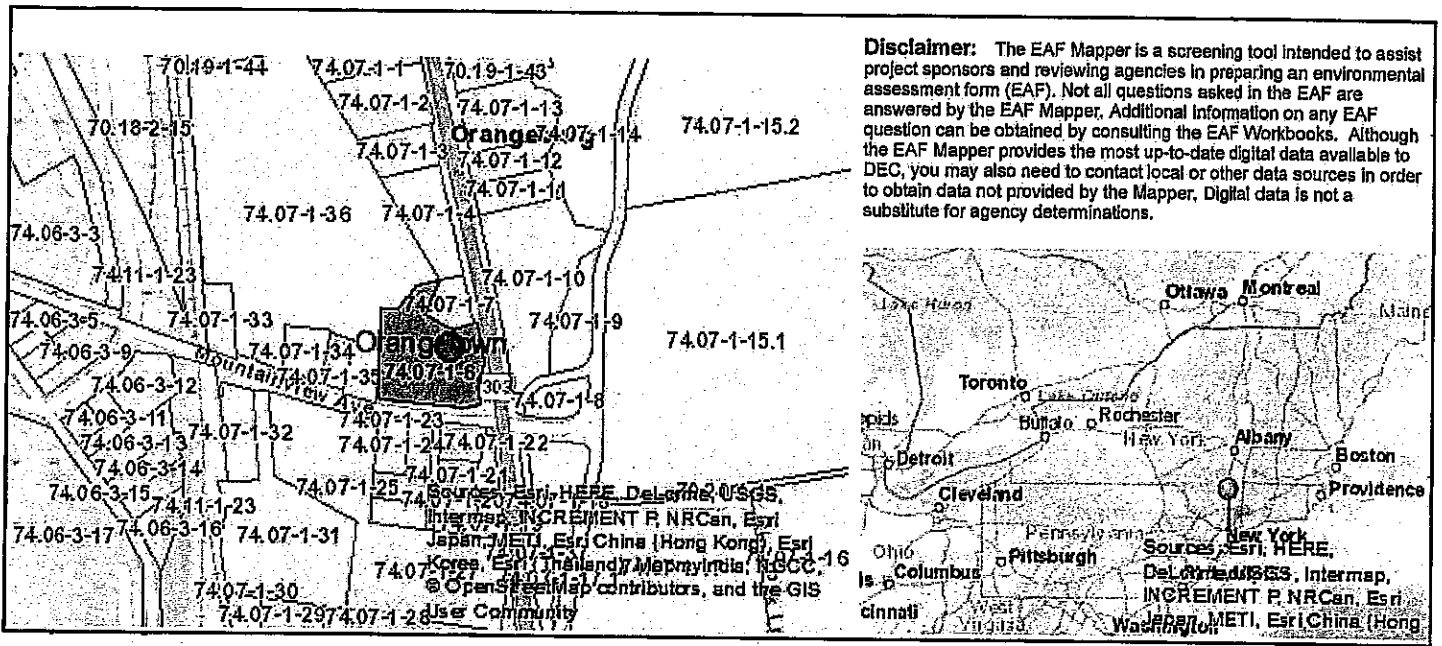
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Town Plaza II, LLC			
Project Location (describe, and attach a location map): 500 Route 303, Orangeburg, NY (Tax Map # 74.07-1-6)			
Brief Description of Proposed Action: Request that the zoning designation of the westerly portion of the parcel, together with the adjacent section of Mountainview Avenue to its centerpoint, be changed from LI to CC			
Name of Applicant or Sponsor: Town Plaza II, LLC		Telephone: (201) 444-7211 x101	
Address: c/o The Azarian Group, LLC, 6 Prospect Street, Suite 2A		E-Mail:	
City/PO: Midland Park		State: NJ	Zip Code: 07432
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			NO <input type="checkbox"/>
b. Total acreage to be physically disturbed? _____ acres			YES <input type="checkbox"/>
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

TOWN OF ORANGETOWN
2018 JAN 23 1:29
TOWN CLERK'S OFFICE

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>John M. Azarian</u></p>		<p>Date: <u>1/16/18</u></p>
<p>Signature: <u></u></p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

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

-----X
In the Matter of the Application of

SAMI MUHAMETAJ,

for a zone change from R-40 to R-15 to Real Property
designated as 70 Hickory Hill Road, Tappan, New York
10983 and Town of Orangetown tax map section 77.09,
Block 1, lot 25.

PETITION FOR
ZONE CHANGE



-----X
TO THE HONORABLE TOWN BOARD OF THE TOWN OF ORANGETOWN:

The Petition of SAMI MUHAMETAJ respectfully shows to this Honorable Board upon direct knowledge, and upon information and belief, as follows:

SUMMARY

1. Petitioner Sami Muhametaj ("Property Owner") owns a 43,549 square foot property located at 70 Hickory Hill Road, Tappan, New York 10983 with a tax map designation of section 77.09, Block 1, lot 25 (the "Premise", or "Property").
2. From 1969 until 1991, the premise was located wholly within an R-15 zone classification.
3. On or about May 21, 1991, a large portion of the Petitioner's parcel was rezoned by the Town Board to an R-40 zone, with a smaller portion of the same parcel remaining in the R-15 zone. (See, Exhibit "A").
4. The rezoning was inadvertently left off of the Orangetown Official Zoning Map, which, for the past twenty seven years, erroneously indicated the premise was completely in the R-15 zone. (See, Exhibit "B").

5. The Petitioner purchased the property in October of 2016 under the misunderstanding that the parcel was correctly depicted on the Official Town zoning map as being entirely in the R-15 zone.
6. In December of 2016, the Petitioner submitted a minor subdivision application to the Town of Orangetown seeking to divide the parcel into two lots, one containing the existing single family home on 16,822 square feet of land, and the other a vacant lot containing 26,727 square feet.
7. On or about February 8, 2017, while proceeding through the minor subdivision process, the Petitioner was advised by Orangetown that the parcel was mostly in the R-40 zone, but that "The Town's Zoning Map does not accurately reflect the (1991) zone change...". (See, Exhibit "B").
8. This Petition seeks to change the Zoning District for that section of the parcel which is in the R-40 zone back to the R-15 zone.
9. The property is more particularly described on the attached metes and bound description labelled "Exhibit "C". (See, also, Exhibit "A").
10. Public records show the adjoining property on the North side of this parcel as being owned by "Spring Valley Water Works".
11. The adjoining property on the Western border is in the R-15 zone. Exhibit "A".
12. The adjoining property to the East was issued a certificate of occupancy in 2010 based upon being in the R-15 zone. Exhibit "D".

HISTORICAL ZONING AND 1991 REZONING OF PREMISES

13. By local law number 4 of 1969 (Chapter 43 of the Code of the Town of Clarkstown) the property subject to this Petition was zoned R-15.

14. On or about May 13, 1991, the Town of Orangetown Town Board adopted resolution number 316, rezoning a portion of the premises to R-15. (See Exhibit "E").
15. During that 1991 rezoning, a total of forty (40) parcels, which were part of a larger development, were outlined by the Board for possible R-40 rezoning. (See, Exhibit "A").
16. Despite the 1991 rezoning, the Official Zoning Map of the Town of Orangetown was not modified to reflect that rezoning, and as of February 8, 2017 that map was still uncorrected, showing that Petitioner's parcel is still in the R-15 zone. (See, Exhibit "E").

ZONING TREATMENT AND ACTIVITY SUBSEQUENT TO THE 1991 REZONING

17. The 1991 rezoning encircled a part of a larger development which initially contained forty (40) parcels of land. (See, Exhibit "A").
18. As a result of certain language in that 1991 rezoning resolution, of those forty (40) parcels described in the resolution, ten (10) parcels were excluded from the R-40 rezoning as a consequence of being in some type of development process, leaving thirty parcels.
19. Of those thirty (30), two (2), including the property subject to this Petition, were only partially rezoned. (See, Exhibit "A").
20. In addition, after that 1991 rezoning, through the present day, sixteen (16) of the remaining thirty (30) parcels were issued building permits or otherwise received certificates of occupancy based on the prior R-15 zoning. (Exhibit "A").
21. Thus, only fourteen (14) parcels, or about 35%, of the originally selected forty (40) properties in the proposed R-40 zone were left within the R-40 designation, with Petitioner's and one other only partially in the R-40 rezoned.

22. Further to the above, five (5) of those parcels initially in the R-40 zone were granted variances based upon the R-15 zone, and one was the subject of litigation also based upon the R-15 zone. (Exhibit "A").
23. In sum, of the forty (40) parcels originally described in the 1991 proposed R-40 zone, none were zoned as such on the Official Town Zoning Map, and twenty six (26), or 65%, have been treated by the Town for various purposes as being in the R-15 zone between 1991 and the present.

PETITIONER'S 2016 MINOR SUBDIVISION APPLICATION

24. On or about December 5, 2016, the Petitioner herein under the name "SAMI CONSTRUCTION MINOR SUBDIVISION" applied for a minor subdivision based upon the R-15 zone.
25. As part of that application, Petitioner submitted the appropriate State Environmental Quality Review Act (SEQRA) forms, and both the Rockland County Department of Health and the Town of Orangetown Zoning Board of Appeals consented to the Town of Orangetown Planning Board acting as Lead Agency for the coordinated environmental review.
26. On February 2, 2017, the drainage consultant for the Town of Orangetown Planning Board, Brooker Engineering, issued an opinion approving the subdivision application, stating that the drainage and stormwater issues were able to be adequately mitigated.
27. The application proceeded until February 8, 2017, at which time the Orangetown Director of the Office of Building, Zoning and Planning advised the Planning Board of the 1991

rezoning, and the fact that such zoning change was not reflected on the Official Town Zoning Map. (See, Exhibit "B").

28. This Petition respectfully followed.

ZONE CHANGE CONSIDERATIONS

29. It is respectfully submitted that granting the Petition herein will not adversely affect any surrounding property owners, and will bring this parcel into uniformity with the adjoining property to the West.
30. The rezoning will serve the general welfare of the community and the Town in that it will correct the existence of a parcel or property subject to two different zoning classifications, again while having no detrimental effect on the nearby land owners.
31. Pursuant to applicable Town Law § 265, the requirements for this Petition to be granted are respectfully incorporated herein by reference.
32. The proposed rezoning to R-15 would be identical to the adjoining parcel to the West; would have no effect on the commercial/utility zoning to the North; and will have no adverse consequences to the health, safety and welfare of nearby Town of Orangetown property owners.
33. For these reasons, Petitioner believes that the granting of the request to amend the Zoning Ordinance will be beneficial to the public at large.
34. Additionally, as was the case with the prior minor subdivision application, a hard look at the potential environmental impacts of the requested rezoning by the Town Board will confirm that no significant adverse environmental impact will take place if the Petition is granted.

35. The Premises is within 500 feet of a State Highway, a County Park, a Town Boundary or a County Road and as such referral pursuant to GML Section 239 would apply.
36. Part 1 of the New York State SEQRA Short Environmental Assessment Form is included herewith as Exhibit "F".
37. No prior formal application for the relief sought herein has been made by Petitioner herein.

CONCLUSIONS AND REQUEST FOR RELIEF

38. The Petitioner purchased the parcel at issue here in October of 2016 under the reasonable but mistaken belief that the premise was located entirely in the R-15 zone.
39. The Official Town Zoning map erroneously showed the parcel as being wholly within the R-15 zone.
40. Sixteen (16) Certificates of Occupancy's, five (5) variances, and one (1) Court case were acted upon in this same zone as if they were in the R-15 zone between 1991 and 2017.
41. Part of Petitioner's parcel is still in the R-15 zone.
42. No adverse public safety, health, welfare or environmental impacts will result if the requested relief is granted.
43. It is respectfully requested that the portion of 70 Hickory Hill Road, Tappan, New York 10983, tax map designation of section 77.09, Block 1, lot 25, which is currently in the R-40 zone, be granted a zone change from R-40 to R-15.
44. Accordingly, the Town Board is respectfully requested to provide notice of any required Hearings or other proceedings as set forth in Town Law for this Petition to be lawfully considered.

WHEREFORE, Petitioner respectfully requests this Honorable Board to process this Petition and refer the same to any appropriate other Boards or bodies for any required recommendation on the matter and to take the remaining necessary steps, including a Public Hearing, for the purposes of amending the Zoning Code and Ordinance of the Town of Orangetown to rezone the property from its existing R-40 and R-15 mixed zone to the R-15 residential zoning district as requested herein.

DATED: May 15, 2017

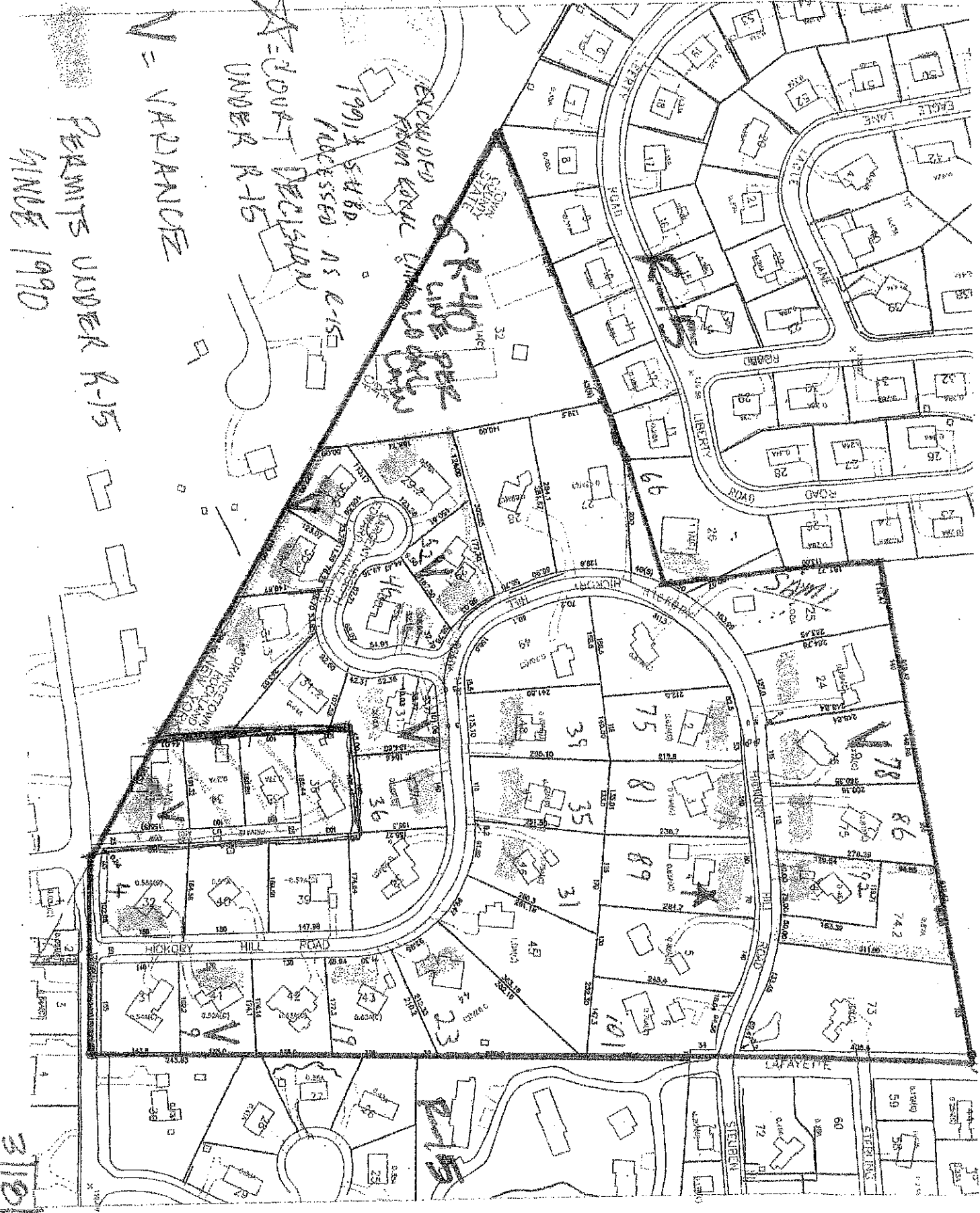
Respectfully submitted,

Sami Muhametaj, Petitioner

By. 

Dwight D. Joyce, Esq.

EXHIBIT A



N = VARIANCE

COURT DECISION UNDER R-15

1991 F.S. 48.00
 ADDED AS C-15

EXCLUDED ROOM LOCAL LIMITS ONLY
 R-40 PER LINE PER

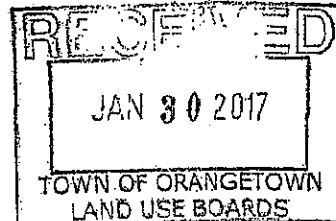
PERMITS UNDER R-15

SINCE 1990

3/18/17

EXHIBIT B

OFFICE OF BUILDING, ZONING AND PLANNING
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
MEMORANDUM



Date: February 8, 2017

To: Cheryl Coopersmith, Chief Clerk
Planning Board

From: John Giardiello, PE
Director O.B.Z.P.A.E. 

Subject: **Sami Construction Minor Subdivision Plan**
Prepreliminary/Preliminary/Final Subdivision Plan and SEQRA Review
70 Hickory Hill Road, Tappan
PB#17-10; R-15 zoning district
Section 77.09 Block 1 Lots 25

Submission reviewed: 1) Subdivision of property for Sami Construction dated
December 5, 2016.
2) Short EAF dated January 6, 2017.

- 1) Please be advised the property was rezoned from R-15 to R-40 by the Town Board on May 13, 1991 as Resolution # 316. The Town's Zoning Map does not accurately reflect the zone change, however resolution # 316 includes this property as part of an R-40 Zone District. Therefore the proposed subdivision map's bulk table needs to be amended to reflect the R-40 Zone District requirements. Attached are copies of the Town Board Resolution # 316 and Local Law 6, 1991 amending the Zoning Map.

JG/gr
1/27/17

EXHIBIT C

Schedule A Description

Title Number FF-1566-R

Policy Number: B06 122275

Page 1

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

BEGINNING at a point on the northerly line of Hickory Hill Road where it is intersected by the westerly line of lands now or formerly Tozer and the easterly line of Jas;

THENCE North 5 degrees 37' 00" West 263.454 feet along the aforesaid lands of Tozer to a old iron pipe found and lands now or formerly the Spring Valley Water Company;

THENCE South 88 degrees 20' 08" West 119.47 feet along the aforesaid lands of the Spring Valley Water Company to a point, said point being located 1.75 feet West of the easterly line of "Prell Park - Section XII-B filed Map No. 3409,

THENCE South 2 degrees 10' 00" West 161.767 feet through the aforesaid lands to a point and the southerly line of "Prell Park - Section XII-B Filed Map No. 3409;

THENCE South 85 degrees 27' 21" West 40.420 feet along the aforesaid southerly line "Prell Park - Section XII-B Filed Map No. 3409 to a point and the easterly line of lands now or formerly Aronson;

THENCE South 20 degrees 01' 05" East 190.565 feet along the aforesaid lands of Aronson to the northerly line of Hickory Hill Road;

THENCE along the northerly line of Hickory Hill Road on a curve to the right having a radius of 310.00 and a central angle of 28 degrees 27' 38" an arc length of 153.987 feet to the point of BEGINNING.

EXHIBIT D

CERTIFICATE OF OCCUPANCY
OFFICE OF BUILDING, ZONING AND PLANNING
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN

Permit Type : Res. Kitchen Certificate # : 38656
Completion Date : 10/8/2010

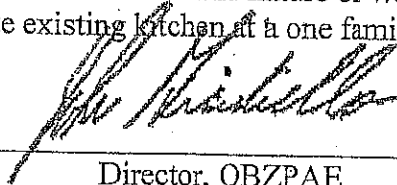
Location of Property : 74 Hickory Hill Rd, 74 Hickory Hill Rd
Sec - Blk - Lot : 77.09-1-24 Zoned :

Owner of Property : Eliot Tozer
Address of Owner : 74 Hickory Hill Rd

Construction Type : Occupancy Class :

THIS CERTIFIES THAT PERMISSION is hereby granted for the OCCUPANCY of the premises herein described, situated on the above mentioned premises for the purposes specified as follows.

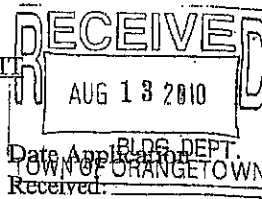
Use and designation for the structure or land and nature of work for which this C.O. is issued :
Renovate existing kitchen at a one family dwelling.



Director, OBZPAE

APPLICATION FOR BUILDING/DEMOLITION PERMIT

Phone: (845) 359-8410 Office Hours: 8 to 4
Fax: (845) 359-8526



Name of Municipality: Town of Orangetown

Inspector: JP <u>CS</u>	OFFICIAL USE ONLY		
Zoning District: <u>CS</u>	Acreage: _____		
Permit Information:			
Permit No.: 38656 <u>38656</u>	Date: <u>8.19.10</u>	_____	
C.O. No.: _____	Date: <u>10-8-10</u>	_____	
Check Amount: <u>470⁰⁰</u>	Check Date: <u>8/13/10</u>	Receipt #:	_____
Check #: <u>8745</u>	From: <u>Creative Design</u>	Receipt #:	_____
S.M.F. Ck. No.: _____	Receipt #:	_____	
1st 6Mo Extension/Date: _____	Ck. # _____	Amt. _____	Receipt #: _____
2nd 6Mo Extension/Date: _____	Ck. # _____	Amt. _____	Receipt #: _____
GIS Fee: From <u>Creative Design</u>	Ck. # <u>8746</u>	Amt. <u>20</u>	Receipt #: _____ Date: <u>8/13/10</u>

Rockland County Home Improvement - please submit a copy of license
Workmen's Compensation and Disability Carrier - please submit a copy of the policy
Note: See inside for instructions for completing this application

Property Location: 74 Hickory Hill Rd.

Section: ~~7710~~ 77.09 Block 1 Lot ~~1183~~ 24

Property Owner: Eliot Tozer Phone # Home: 845-359-1293

Address: 74 Hickory Hill Road, Tappan NY 10983 Work: _____

Lessee: _____ Phone #: _____

Address: _____

Contact Person: Ravign; Cathy Tozer Nicole Phone # 201-765-5813

Architect/Engineer: _____ NYS Lic # _____ Phone # _____

Address: _____

Builder/General Contractor: Creative Design Construction RC Lic # H-06401-A10-00-00

Address: 204 Livingston St Northvale NJ 07647 Phone # 201-768-5813

Plumber: Kabaci Properties LLC DBA Crossroads Plumbing & Heating RC Lic # 7102

Address: 14 Spring Street, Bergenfield NJ 07621 Phone # 201-324-3003

Heat/Cooling: _____ RC Lic # _____

Address: _____ Phone #: _____

Electrician: Lightning Electric / R. Bella Corp RC Lic # 414

Address: 11 Wall Terrace, Bunnell NY 10913 Phone # 845-305-2285

Existing use of structure or land: Residential

Proposed Project Description: Remove existing kitchen, Replace Appliances
New in existing location, new cabinets

Proposed Square Footage: _____ Estimated Construction Value (\$): 23,100.00

Board Decisions: _____

PLANS REVIEWED: _____

PERMIT REFERRED/DENIED FOR: _____

77.09-1-24

TOZER

38656

38656

BULK

Zone: <u>K15</u>	Group:	Use:	
	Required	Existing	Proposed
Floor Area Ratio			
Lot Area			
Lot Width			
Street Frontage	<u>N/A</u>		
Front yard setback			
Side yard setback			
Total side yard setback			
Rear yard setback			
Maximum building height in feet and inches per foot of distance from lot line			

SIZE OF BUILDING

	Existing	Proposed	Completed
Square feet floor area			
Front in feet			
Rear in feet	<u>N/A</u>		
Maximum depth in feet			
Number of stories			
Construction Type:		Occ. Class:	

AFFIDAVIT

IS PROPERTY LOCATED IN A FLOOD PLAIN?

State of New York
 County of Rockland SS.:
 Town/Village of Orangetown

YES NO

I, Melissa Mancinelli, being duly sworn, deposes and says that is the owner (lessee, engineer, surveyor, architect, builder, or agent of the owner) in fee of the premises to which this application applies; that he (the applicant) is duly authorized to make this application and that the statements contained in the papers submitted herein are true to the best of his knowledge and belief, and that the work will be performed in the manner set forth in the application and in the plans and specifications filed therewith, and in accordance with the State Uniform Building Code and all other applicable laws, ordinances and regulations of the municipality. I also declare that the structure or area described in this application will not be occupied or used until I have obtained a Certificate of Occupancy.

Signature and Mailing Address

Melissa Mancinelli
201 Livingston Str.
Northvale, NJ 07647

SWORN to before me this 13 day of August, 2010

Witness: Colleen Pracolici

If not witnessed by Building Department personnel, Notary signature is required.

Notary Public

OFFICIAL USE ONLY

Checked by: <u>[Signature]</u>	Date: <u>8/16/10</u>
Permit Granted for: <u>Renovate Existing Kitchen at a One Family Dwelling</u>	
Signature: <u>[Signature]</u>	Date: <u>8/19/10</u>
Director, OHZPAE	

EXHIBIT E

RTMB 5/13/91

Page 6

RESOLUTION NO. 315

CLOSE P/H ZONE CHANGE-
HICKORY HILL

Councilman Connie O'Sullivan offered the following resolution, which was seconded by Councilman McLiverty and was unanimously adopted:

RESOLVED, That this public hearing is hereby closed.

Ayes: Councilmen Connie O'Sullivan, McLiverty, Niel O'Sullivan, Swift, Supervisor Pellegrini

Noes: None

* * *

RESOLUTION NO. 316

TB DECISION RE ZONE CHANGE
HICKORY HILL

Councilman Swift offered the following resolution, which was seconded by Councilman Swift and on roll call was unanimously adopted:

RESOLVED, That this public hearing to reconsider a local law amending Local Law No. 4, 1969 (Chapter 43 of the Code of the Town of Orangetown entitled "Zoning") (Hickory Hill) is hereby adopted; with current applicants who now have pending applications before the Planning Board be grandfathered to R-15.

Yes
==

✱

Ayes: Councilmen Swift, Connie O'Sullivan, Niel O'Sullivan, McLiverty, Supervisor Pellegrini

Noes: None

* * *

RESOLUTION NO. 317

APPROVE MINUTES

Councilman Niel O'Sullivan offered the following resolution, which was seconded by Councilman Connie O'Sullivan and was unanimously adopted:

RESOLVED, That the minutes of Special Town Board Meetings with Police of April 1, 1991, April 15, 1991, April 19, 1991 and April 22, 1991; and Audit and Regular Town Board meetings of April 22, 1991; and Special Town Board Meeting of April 29, 1991 are hereby approved.

Ayes: Councilmen Niel O'Sullivan, Connie O'Sullivan, McLiverty, Swift, Supervisor Pellegrini

Noes: None

* * *

LOCAL LAW NO. 6, 1991
TOWN OF ORANGETOWN

A LOCAL LAW AMENDING LOCAL LAW NO. 4, 1969 (CHAPTER 43 OF THE CODE OF THE TOWN OF ORANGETOWN ENTITLED "ZONING")

Be it enacted by the Town Board of the Town of Orangetown that Local Law No. 4, 1969 (Chapter 43 of the Code of the Town of Orangetown entitled "Zoning") and specifically §2.2 (Zoning Map) is amended as follows:

1. That the property described as follows in the hamlet of Tappan, New York, presently included in a R-15 zone is hereby changed from R-15 to zone R-40:

ALL that certain lot, piece or parcel of land, situate, lying and being in the Hamlet of Tappan, Town of Orangetown, County of Rockland and State of New York, as shown on a map of property of Estate of Peter McGillicuddy, Borough of Old Tappan and Northvale, Bergen County and State of New Jersey, and Tappan, Rockland County and State of New York, compiled by William A. YUDA, C. E. Palisades, New York, September 20, 1947, showing premises on Old Tappan Road, bounded and described as follows, viz:-

BEGINNING at the center line of Old Tappan Road and extending north 9 degrees 25 minutes east 1588.05 feet more or less to land of Spring Valley Water Works and Supply Company, thence south 88 degrees 55 minutes west 903.75 feet more or less to the lands of the United States of America, thence in a southerly line 3 degrees 30 minutes west 396.86 feet more or less to a point thence in a westerly direction south 89 degrees 15 minutes west 268.5 feet more or less to a point continuing in a westerly direction south 77 degrees 23 minutes west 540 feet more or less to the New York-New Jersey State line, thence extending in a south easterly direction along the New York-New Jersey State line 1490 feet more or less, thence extending in a southerly direction 20 feet more or less to the center line of Old Tappan Road, thence in an easterly direction along the center line of Old Tappan Road 350 feet more or less to the point or place of beginning.

Excepting all that lot piece or parcel of land beginning at a point on the northerly side of Old Tappan Road approximately 350 feet west of the point or place of beginning, thence running in a northerly direction 470 feet more or less, to a point and thence westerly 185 feet more or less to a point and thence southerly 330 feet more or less to the New York-New Jersey State line thence southeasterly along said line, 230 feet more or less, to the point or place of beginning.

SUBJECT to easement for sanitary sewer owned by the State of New York, which said easement is recorded in the office of the County Clerk of Rockland County in Liber 323 of Deeds at page 127.

SUBJECT to such a state of facts as an accurate survey would disclose.

BEING a portion of premises owned by the Estate of Henry Mc Gillicuddy deceased, and by Peter Mc Gillicuddy who died seized and possessed a 50% interest, leaving a last Will and Testament which was duly admitted to probate by the Surrogate of the County of Rockland, all the grantors herein being residuary legatees of said Peter F. Mc Gillicuddy, with the exception of Katherine F. Mc Gillicuddy.

2. Pending Planning Board Applications. All existing subdivision applications which are currently pending before the Orangetown Planning Board prior to the effective date herein shall continue in full force and effect, and all boards of the Town of Orangetown may process said subdivision applications which may be pending pursuant to the local law as it existed at the time said application was made without this local law amendment having effect as to the change from R-15 to R-40.

3. This local law shall take effect upon publishing, posting and upon filing a copy with the Secretary of State as required by law.

EXHIBIT F

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
SAMI MUHAMETAJ			
Name of Action or Project: 70 Hickory Hill Road Zone Change			
Project Location (describe, and attach a location map): 70 Hickory Hill Road, Tappan, New York, 10983			
Brief Description of Proposed Action: Petition requesting the rezoning of the above described parcel from a mixed R-40 and R-15 zone, to R-15 zone.			
Name of Applicant or Sponsor: Dwight D. Joyce, Attorney at Law		Telephone: 845-429-9323	
		E-Mail: office@dwightjoycelaw.com	
Address: 2 Joyce Plaza			
City/PO: Stony Point		State: New York	Zip Code: 10980
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.0 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.0 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Dwight D. Joyce, attorney for Petitioner</u></p>	<p>Date: <u>May 15, 2017</u></p>	
<p>Signature: _____</p>		



Salt Institute presents the

**Safe and
Sustainable
Snowfighting Award**

to

Town of Orangetown Highway Department

for demonstrating best practices in salt storage and snowfighting and ensuring uncompromised winter safety, mobility, and protection of the environment.

Lori Roman

Lori Roman, President

January 31, 2018

Date

DICHTER LAW LLC
ATTORNEYS AT LAW
118 N. BEDFORD RD.
SUITE 300
MOUNT KISCO, N.Y. 10549

TELEPHONE: (212) 593-4202
FAX: (212) 994-5394
Website: www.dichterlaw.com

JOEL R. DICHTER
Dichter@dichterlaw.com

February 28, 2018

The Honorable Howard T. Phillips, Jr. (via email – supervisor@townofhaverstraw.org)
Supervisor
Town of Haverstraw
One Rosman Road
Garnerville, N.Y. 10923

Re: Orange & Rockland Electric and Gas Rate Case

Dear Supervisor Phillips:

Pursuant to your request, we have undertaken an initial review of the Orange & Rockland (“O&R”) rate case filed with the New York Public Service Commission (“PSC”) on January 26, 2018. This letter sets forth our initial analysis and a proposal for our representation of the Town of Haverstraw in the proceeding on the rate case before the PSC.

Rate Case Analysis

O&R has filed for an electric rate hike of \$20.3 million or 2.3% overall. The increase is professed to increase rates for delivery services by 6.7% and residential rates by 5.1%. For natural gas service, rates would increase by \$4.5 million (1.5% overall) and 3.1% on residential customers. The increase would be effective January 1, 2019.

The proposed rate increase amounts are misleading. As you are aware, the recently enacted reform to Federal tax law reduced the corporate tax rate from 35% to 21%. The current rates of O&R are based upon recovery of taxes at the 35% rate. Although O&R incorporates the reduction in its rate case, the impact is still to obscure the real rate increase. The estimate of savings from the federal tax reduction are \$13 million for electric and \$6 million for natural gas. Thus, the true impact of the rate proposed is a \$34 million relative increase in revenues or over 10% on delivery services.

Moreover, the tax decrease will also affect both 2018 receipts and Deferred Federal Income Taxes. O&R forecasts tax savings for 2018 of \$10.4 million for electric and \$4.57 million for gas. For DFIT, the excess deferral is \$64 million for electric and \$52 million for natural gas. All of the above is to be refunded to customers. However, O&R proposes to return the funds over 46 years (electric) and 53 years (gas). This is remaining service life of its facilities. Thus, the savings to current customers is watered down to virtually nothing. While the treatment for the

return of excess deferral amounts is subject to the Tax Reform Act of 1986, the speed at which it can be returned would be explored through discovery and consultation with experts.

There are many other issues such as return on equity (9.75%), inflation (4.45%), property tax forecast (4% annually), labor (28 new employees) and rate design that would be examined.

Proposal

Dichter Law, LLC would undertake representation of the Town at the hourly rate of \$325.00. This is the same hourly rate as for the Suez rate case. As with any litigation, it is difficult to estimate in advance the time required to participate fully in the proceeding. Participation includes attendance at conferences and hearings in Albany, preparation of discovery, review of responses to discovery of other parties, analysis of testimony, preparation of cross-examination, briefs, settlement meetings etc.

A rough estimate would be \$39,000 plus disbursements. However, based upon our experience, the actual time required can range from \$20,000 to \$90,000, including consultation with experts and disbursements. An initial authorization of \$45,000 would be requested. We would advise, in advance, of any need for additional authorization. We may also scale the level of participation within budgetary limits.

Schedule

The initial conference is scheduled to be held in Albany on March 8, 2018. It would be helpful if an appearance could be entered before that date. At the conference a hearing schedule will be established and initial issues will be identified.

If you have any questions or if it would be helpful to attend a meeting, please let me know.

Respectfully submitted,



Joel R. Dichter

**Federal ID#: 14-6002126, Federal ID#: 13-6007298, Federal ID#: 13-6007311,
Federal ID#: 13-6007324, Federal ID#: 13-6007332, Federal ID#: 13-6007331**

**INTERMUNICIPAL AGREEMENT
TOWN OF CLARKSTOWN, HAVERSTRAW, ORANGETOWN,
RAMAPO, STONY POINT, VILLAGE OF SPRING VALLEY
AND COUNTY OF ROCKLAND**

WITNESSETH:

THIS AGREEMENT made the ____ day of _____, 2018 by and between the COUNTY OF ROCKLAND, a municipal corporation of the State of New York, having its principal office at 11 New Hempstead Road, New City, New York 10956, hereinafter referred to as "COUNTY", and TOWN OF CLARKSTOWN, a municipal corporation of the State of New York with offices located at 10 Maple Avenue, New City, New York 10956; TOWN OF HAVERSTRAW, a municipal corporation of the State of New York with offices located at One Rosman Road, Garnerville, New York 10923; TOWN OF ORANGETOWN, a municipal corporation of the State of New York with offices located at 26 Orangeburg Road, Orangeburg, New York 10962; TOWN OF RAMAPO, a municipal corporation of the State of New York with offices located at 237 Route 59, Suffern, New York 10901; TOWN OF STONY POINT, a municipal corporation of the State of New York with offices located at 74 East Main Street, Stony Point, New York 10980; hereinafter referred to as "TOWNS" and VILLAGE OF SPRING VALLEY, a municipal corporation of the State of New York with offices located at 200 North Main Street, Spring Valley, New York 10977, hereinafter referred to as "VILLAGE", in the manner following:

WHEREAS, the COUNTY and the TOWNS and VILLAGE are municipal corporations as defined by Section 119-n of Article 5-G of the General Municipal Law of the State of New York, and

WHEREAS, Section 119-o of Article 5-G of the General Municipal Law of the State of New York authorizes municipal corporations to contract to perform together that which each is authorized to perform individually, provided that any such agreement to do so "be approved by each participating municipal corporation" "by a majority vote of the voting strength of its governing body," and

WHEREAS, In 1973 the COUNTY constructed an Animal Shelter on land owned by the COUNTY located at 65 Fireman's Memorial Drive, Pomona, New York 10970, for the temporary care, shelter and disposition of neglected, abused, and abandoned dogs and other animals pursuant to Article 7 of the New York State Agriculture and Markets Law and other laws of the State of New York applicable thereto, and has historically accepted dogs and other similar domestic animals brought to the Animal Shelter by the TOWNS and VILLAGE animal control officer, law enforcement officer, residents and humane organizations for the proper care and provision of

proper food and shelter for these dogs and other similar domestic animals until redeemed or otherwise disposed of; and

WHEREAS, It is the desire of the COUNTY and the TOWNS and VILLAGE to continue the operation of such Animal Shelter in accordance with the laws of the State of New York, and the regulations established for such purposes by the Legislature of Rockland County; and

WHEREAS, on the day of , 2018, the Town Board of the TOWN OF CLARKSTOWN, by Resolution No. of 2018, approved this agreement and authorized its execution by the Supervisor, and

WHEREAS, on the day of , 2018, the Town Board of the TOWN OF HAVERSTRAW, by Resolution No. of 2018, approved this agreement and authorized its execution by the Supervisor, and

WHEREAS, on the day of , 2018, the Town Board of the TOWN OF ORANGETOWN, by Resolution No. of 2018, approved this agreement and authorized its execution by the Supervisor, and

WHEREAS, on the day of , 2018, the Town Board of the TOWN OF RAMAPO, by Resolution No. of 2018, approved this agreement and authorized its execution by the Supervisor, and

WHEREAS, on the day of , 2018, the Town Board of the TOWN OF STONY POINT, by Resolution No. of 2018, approved this agreement and authorized its execution by the Supervisor, and

WHEREAS, on the day of , 2018, the Village Board of the VILLAGE OF SPRING VALLEY, by Resolution No. of 2018, approved this agreement and authorized its execution by the Mayor, and

WHEREAS, on the day of , 2018, the Legislature of Rockland County by Resolution No. of 2018, approved this agreement and authorized its execution by the County Executive, and

NOW, THEREFORE, IT IS AGREED, That the parties hereto, in consideration of the covenants, agreements, terms and conditions herein contained, do agree as follows:

1. SERVICES: COUNTY, shall render and perform services for and to TOWNS and VILLAGE and their residents, as itemized on the attached **Schedule "A"**. COUNTY represents and warrants to TOWNS and VILLAGE that it, and its employees, agents and servants possess all the skills, experience, expertise and independence to render these services to TOWNS and VILLAGE.

2. TERM: COUNTY services to be performed under this agreement shall commence on January 1, 2018 and terminate on December 31, 2018.

3. PAYMENT: THE TOWNS and VILLAGE agree to pay to COUNTY and COUNTY agrees to accept on a quarterly basis the sums set forth on the attached **Schedule "B"** for the provision of services set forth in the attached **Schedule "A"**. In the event the quarterly payment is not received from TOWNS or VILLAGE as herein agreed, the COUNTY may, thirty (30) days from the date of delinquent payment, refuse to accept dogs and other similar domestic animals brought to the Animal Shelter by the TOWNS and VILLAGE animal control officer, law enforcement officer, residents and humane organizations; or, in the COUNTY's sole discretion, COUNTY may accept dogs and other similar domestic animals and charge the TOWNS and VILLAGE a per diem rate for the care of each dog and other similar domestic animal brought to the Animal Shelter by the TOWNS and VILLAGE animal control officer, law enforcement officer, residents and humane organizations.

4. TERMINATION/AMENDMENT: This agreement may be terminated or amended on at least thirty (30) days written notice by the COUNTY or TOWNS and VILLAGE.

5. ENTIRE AGREEMENT/NO MODIFICATION: This agreement constitutes the entire agreement between the parties and supersedes all prior negotiations, representations or agreements either oral or written. It may not be modified except by a writing signed by the parties.

6. EXECUTION: This Agreement may be signed in counterparts. Facsimile and electronic signatures are acceptable, where the original follows within ten (10) days. Failure to timely provide original signatures will be a ground for termination by COUNTY.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first written. It is understood and agreed by the parties that this agreement is not valid and enforceable by any signatory until fully executed by all parties.

DEPARTMENT OF HEALTH
(Approved for the signature of
the County Executive)

TOWN OF CLARKSTOWN

By: _____
PATRICIA S. RUPPERT, DO, MPH, DABFM, FAAFP
Commissioner

By: _____
GEORGE HOEHMANN
Supervisor

Dated: _____

Dated: _____

TOWN OF HAVERSTRAW

By: _____
HOWARD T. PHILLIPS, JR.
Supervisor

Dated: _____

TOWN OF RAMAPO

By: _____
MICHAEL SPECHT
Supervisor

Dated: _____

VILLAGE OF SPRING VALLEY

By: _____
ALAN M. SIMON
Mayor

Dated: _____

**DEPARTMENT OF LAW
(Approved for the signature of
the County Executive)**

By: _____
LINDA H. GRANT
Principal Assistant County Attorney

Dated: _____

2017-04015

TOWN OF ORANGETOWN

By: _____
CHRISTOPHER DAY
Supervisor

Dated: _____

TOWN OF STONY POINT

By: _____
JIM MONAGHAN
Supervisor

Dated: _____

**DEPARTMENT OF LAW
(Approved for the signature of
the County Executive)**

By: _____
BRIGITTE M. NAHAS BOTTA
Deputy County Attorney

Dated: _____

COUNTY OF ROCKLAND

By: _____
EDWIN J. DAY
County Executive

Dated: _____

STATE OF NEW YORK)
 ss:
COUNTY OF ROCKLAND)

ON THE ____ DAY OF _____, 2018 BEFORE ME CAME **EDWIN J. DAY**, TO ME KNOWN, BEING DULY SWORN BY ME, DID DEPOSE AND SAY THAT HE IS THE COUNTY EXECUTIVE OF ROCKLAND COUNTY, A MUNICIPAL CORPORATION; HIS OFFICE ADDRESS IS 11 NEW HEMPSTEAD ROAD, NEW CITY, NEW YORK, AND HE EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF THE COUNTY OF ROCKLAND.

NOTARY PUBLIC

ATTESTATION:

AS CLERK TO THE LEGISLATURE, I HEREBY ATTEST THAT I KNOW THE SEAL OF THE LEGISLATURE OF ROCKLAND COUNTY, AND THAT THE SEAL AFFIXED TO THIS INSTRUMENT IS SUCH SEAL.

LAURENCE O. TOOLE
Clerk to the Legislature

STATE OF NEW YORK)
 ss:
COUNTY OF ROCKLAND)

ON THE ____ DAY OF _____, 2018 BEFORE ME CAME **GEORGE HOEHMANN**, TO ME KNOWN, BEING DULY SWORN BY ME, DID DEPOSE AND SAY THAT HE IS THE SUPERVISOR OF THE TOWN OF CLARKSTOWN, A MUNICIPAL CORPORATION; HIS OFFICE ADDRESS IS 10 MAPLE AVENUE, NEW CITY, NEW YORK 10956, AND HE EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF THE TOWN OF CLARKSTOWN.

NOTARY PUBLIC

STATE OF NEW YORK)

ss:

COUNTY OF ROCKLAND)

ON THE ____ DAY OF _____, 2018 BEFORE ME CAME **HOWARD T. PHILLIPS, JR.**, TO ME KNOWN, BEING DULY SWORN BY ME, DID DEPOSE AND SAY THAT HE IS THE SUPERVISOR OF THE TOWN OF HAVERSTRAW, A MUNICIPAL CORPORATION; HIS OFFICE ADDRESS IS ONE ROSMAN ROAD, GARNERVILLE, NEW YORK 10923, AND HE EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF THE TOWN OF HAVERSTRAW.

NOTARY PUBLIC

STATE OF NEW YORK)

ss:

COUNTY OF ROCKLAND)

ON THE ____ DAY OF _____, 2018 BEFORE ME CAME **CHRISTOPHER DAY**, TO ME KNOWN, BEING DULY SWORN BY ME, DID DEPOSE AND SAY THAT HE IS THE SUPERVISOR OF THE TOWN OF ORANGETOWN, A MUNICIPAL CORPORATION; HIS OFFICE ADDRESS IS 26 ORANGEBURG ROAD, ORANGEBURG, NEW YORK 10962, AND HE EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF THE TOWN OF ORANGETOWN.

NOTARY PUBLIC

STATE OF NEW YORK)

ss:

COUNTY OF ROCKLAND)

ON THE ____ DAY OF _____, 2018 BEFORE ME CAME **MICHAEL SPECHT**, TO ME KNOWN, BEING DULY SWORN BY ME, DID DEPOSE AND SAY THAT HE IS THE SUPERVISOR OF THE TOWN OF RAMAPO, A MUNICIPAL CORPORATION; HIS OFFICE ADDRESS IS 237 ROUTE 59, SUFFERN, NEW YORK 10901, AND HE EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF THE TOWN OF RAMAPO.

NOTARY PUBLIC

STATE OF NEW YORK)
 ss:
COUNTY OF ROCKLAND)

ON THE ____ DAY OF _____, 2018 BEFORE ME CAME JIM MONAGHAN, TO ME KNOWN, BEING DULY SWORN BY ME, DID DEPOSE AND SAY THAT HE IS THE SUPERVISOR OF THE TOWN OF STONY POINT, A MUNICIPAL CORPORATION; HIS OFFICE ADDRESS IS 74 EAST MAIN STREET, STONY POINT, NEW YORK 10980, AND HE EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF THE TOWN OF STONY POINT.

NOTARY PUBLIC

STATE OF NEW YORK)
 ss:
COUNTY OF ROCKLAND)

ON THE ____ DAY OF _____, 2018 BEFORE ME CAME ALAN M. SIMON, TO ME KNOWN, BEING DULY SWORN BY ME, DID DEPOSE AND SAY THAT HE IS THE MAYOR OF THE VILLAGE OF SPRING VALLEY, A MUNICIPAL CORPORATION; HIS OFFICE ADDRESS IS 200 NORTH MAIN STREET, SPRING VALLEY, NEW YORK 10977, AND HE EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF THE VILLAGE OF SPRING VALLEY.

NOTARY PUBLIC

Schedule "A"

1. The County shall provide and maintain a shelter or pound for seized domestic companion animals and for lost, strayed or homeless domestic companion animals pursuant to § 114 of the Agriculture and Markets Law at Firemen's Memorial Drive, Pomona, New York, shall humanely euthanize, where necessary, seized and unredeemed domestic companion animals pursuant to and as provided in the Agriculture and Markets law, and the Rules and Regulations promulgated thereunder by the Commission of Agriculture and Markets, and shall properly care for all animals in such shelter, that shall at all times during the term hereof, be under the care and charge of a competent employee.
2. The shelter shall be available to the Dog Control Officer, Highway Department workers and police officers of the Towns/Village during all operating hours, as well as Towns/Village residents with valid proof of residency, for routine receptions and at all other times as hereinafter provided.
3. The County shall accept "community" (a/k/a feral) cats pursuant to a policy to be developed by Hi-Tor, Inc.
4. The County shall include in its agreement with Hi-Tor, Inc, a term requiring each Town's Supervisor, or his/her designee, and the Mayor of Spring Valley, or his/her designee, to be a non-voting member of the Board of Directors of Hi-Tor, Inc.
5. The County will enforce the provisions of § 117 of the Agriculture and Markets Law with respect to impoundment periods and fees, proper licensing and rabies vaccinations.
 - (a) At the end of the legally established impoundment period, as set forth in § 117 of the Agriculture and Markets Law, unredeemed, aged, diseased or otherwise unadoptable domestic companion animals (in the judgment of the County), unless otherwise specified by the Dog Control officer, may be disposed of humanely as provided by applicable laws and regulations.
 - (b) Upon the expiration of the statutory seven (7) day redemption period, and unless such animal shall have been humanely disposed of, any unredeemed, seized, lost, strayed or homeless domestic companion animal shall be deemed transferred to, and shall become the property of the County, which, thereafter, may release such unredeemed animal for adoption, place such animal, or otherwise act with respect to such animal as permitted by law as set forth in § 117 of the Agriculture and Markets Law. Following such transfer, the County shall be released and held harmless from any cost, expense or other liability that may be incurred relating to such animal.
 - (c) In the event that a seized, lost or strayed domestic companion animal impounded by an employee of the Town/Village and/or Town/Village resident is claimed by its owner prior to the expiration of the statutory redemption period of seven (7) days, the owner must make payment of the impoundment fee required

pursuant to Article 7 of the Agriculture and Markets Law payable to the County, plus boarding fees payable to the County in an amount to be determined by the County for each twenty-four (24) hour period the animal has been in the care of the County.

- (d) The County shall not release a dog to any Towns/Village resident without such resident providing acceptable proof of licensing and rabies vaccination; any deviations will be reported to the Dog Control Officer for enforcement.
- (e) In the event an animal has been transferred to the County and released for adoption due to the expiration of the statutory redemption period, pursuant to § 117(7-a) of the Agriculture and Markets Law, but has not yet been placed, the County may permit the former owner, if verified, to reclaim the animal upon the payment of both the Impound and Boarding fees required by law and due to the Towns/Village, plus such amount as may be established by the County as a charge for each twenty-four (24) hour period the animal has been in the care of the County beyond the seven (7) day redemption period.
- (f) The per diem fees beyond the statutory redemption period shall be the property of the County and shall be receipted to the payer by the County. The statutory impoundment fee shall be kept by the County and applied to the maintenance and operation of the animal shelter.

Schedule "B"

MUNICIPALITY	ANNUAL NOT TO EXCEED AMOUNT	QUARTERLY SUM
Town of Clarkstown	\$111,034.80	\$27,758.70
Town of Haverstraw	\$39,399.30	\$9,849.83
Town of Orangetown	\$39,399.30	\$9,849.83
Town of Ramapo	\$75,217.50	\$18,804.38
Town of Stony Point	\$21,491.10	\$5,372.78
Village of Spring Valley	\$68,053.50	\$17,013.38

Ira M. Emanuel, P.C.

Four Laurel Road, New City, NY 10956
Tel: 845.634.4141 Fax: 845.634.9312
E-mail: Info@EmanuelLaw.com
www.EmanuelLaw.com

RECEIVED JAN 23 2018

Counsel to
Freeman & Loftus, RLLP

Amy Mele, Esq.
Of counsel

January 23, 2018

Ms. Charlotte Madigan, Town Clerk
Orangetown Town Hall
26 W. Orangeburg Road
Orangeburg, NY 10962

Re: Town Plaza II, LLC – Petition for Zone Change (Tax Map 74.07-1-6)

Dear Ms. Madigan:

We represent Town Plaza II, LLC and it is requesting a zone change for its property at 500 Route 303, Orangeburg (Tax Map 74.07-1-6).

Enclosed are 20 copies of the:

- Petition for Zone Change
- Short Environmental Assessment Form

Please place this matter on the next available Town Council agenda. If you require additional materials, please contact our office.

Very truly yours,



Susan Emanuel

cc: Client

Enclosures

TOWN OF ORANGETOWN
2018 JAN 23 P 1:23
TOWN CLERK'S OFFICE

DIST: TB, SUPV, TA.

TOWN COUNCIL: TOWN OF ORANGETOWN

X

Petition of

TOWN PLAZA II, LLC

PETITION FOR
ZONE CHANGE

For a Change of Zoning Designation for a Portion of Its Parcel
Located at 500 Route 303, Orangeburg, New York, Designated
on the Tax Map of the Town of Orangetown as Section 74.07,
Block 1, Lot 6, from LI to CC.

X

TO THE HONORABLE TOWN COUNCIL OF THE TOWN OF ORANGETOWN:

1. Your Petitioner is the owner of the referenced parcel of land, which is located at the northwesterly corner of the intersection of New York State Route 303 and Mountainview Avenue in the Hamlet of Orangeburg.
2. The parcel consists of a single tax lot containing 2.5 acres of land. It was developed as a shopping center, having received site plan approval in 1989.
3. There are two buildings on the parcel with a total floor area of 25,253 sf. The larger building (Building A) is aligned on a North-South axis and is located in the western portion of the parcel. The smaller building (Building B) runs East-West and is in the eastern portion. A copy of the original approved site plan, in reduced format, is annexed as Exhibit A.
4. Although the parcel consists of a single tax lot, it is divided between two zoning districts. The easterly portion, including Building B, is in a CC district, the westerly portion, including most of Building A, is in an LI district. A small portion of Building A is in the CC district.¹ A map showing the location of the parcel, the zoning of the parcel, and the surrounding zoning districts is annexed as Exhibit B.

TOWN OF ORANGETOWN
2018 JAN 23 P 8: 25
TOWN CLERK'S OFFICE

¹ The entire parcel is also within the Route 303 Overlay District. Your Petitioner is not seeking to change that designation.

5. The parcel was divided by the district line when the shopping center was approved in 1989 (the zoning boundary is depicted on the site plan attached as Exhibit A).
6. The CC district allows most of the uses that one would associate with a shopping center, such as retail, restaurant, and fast-food restaurant. The LI district does not allow restaurants of any type. Copies of the Use Tables for the CC and LI districts are annexed as Exhibits C and D, respectively.
7. Despite this, Building A, in the LI district, has historically included restaurant uses, and does so today. Current restaurant and fast food operations in Building A are: Wok King, Calabria Pizza, and Roy Thai. Former restaurant and fast food operations include Sweet Tomato, Little Scoops, and La Artista. Currently, there is almost 6,800 sf of vacant space in Building A. Building B has no vacancies.
8. It is not known why the district line has not been previously changed. However, the existence of the line has hindered your Petitioner's ability to rent space in the center. The uses permitted in the LI district are generally not compatible with the uses permitted in the CC district, or require more space than is available in the shopping center.
9. Section 10.522 of the Zoning Code sets forth areas of inquiry with respect to a zone change. Those considerations, and your Petitioner's responses, follow:
 - (a) *Whether the uses permitted by the proposed change would be appropriate in the area concerned.*

The uses permitted by the zone change are already in existence at the site and in the other portion of the existing shopping center. Attached as Exhibit E is a Generalized Land Use Map prepared using the Rockland County Geographic Information System. It shows land uses in the vicinity of the subject parcel as of 2012 (the latest available). Other nearby land uses include: another shopping

center on Mountainview Avenue, one- and two-family dwellings, and institutional (college) buildings. All are on the West side of Route 303. The East side of Route 303 is shown as vacant land.

- (b) Whether adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed as a result of such change.*

No public school facilities will be required. No additional residences are to be constructed, nor would any be permitted by the proposed change.

- (c) Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewers in the vicinity.*

No additional construction is contemplated by the proposed change. The center is adequately served by the existing public water supply and sanitary sewer system.

- (d) The amount of vacant land which is currently zoned for similar development in the Town, and particularly in the vicinity of the area included in the proposed amendment, and any special circumstances which may make a substantial part of such vacant land unavailable for development.*

The area in the vicinity of the subject parcel is fully developed. The proposed change is intended to more accurately reflect the types of uses operated in the existing shopping center. No additional uses are proposed for either the LI or the CC districts.

- (e) The recent rate at which land is being developed in the proposed district in the Town, and particularly in the vicinity of the area included in the proposed amendment.*

The proposed change will not affect other parcels.

(f) The effect of the proposed amendment upon the growth of existing communities in the Town as envisaged by the Comprehensive Plan.

The proposed change will continue existing uses in the shopping center.

(g) Whether the proposed amendment is likely to result in an increase or decrease in the total zoned residential capacity of the Town and the probable effect of such a change on the cost of providing public services.

The proposed amendment will have no impact on the total residential zoned capacity of the Town.

(h) Whether other areas designed for similar development are likely to be so developed if the proposed amendment is adopted, and whether the designation for such future development should be withdrawn from such areas by further amendment of the Zoning Map.

The proposed change is limited to a portion of a single tax lot, and should have no impact on any other development in the Town.

(i) If the proposed change involves a change from a residential to a nonresidential designation, whether more nonresidential land is needed in the proposed location to provide commercial services or employment for the residents of the Town.

Not applicable. The proposed change is from one non-residential designation to another non-residential designation.

10. In contemplation of seeking parking relief from the Planning Board, your Petitioner commissioned a parking study of the shopping center. The study assumed that all vacant space in the center would be used as restaurant space, a relatively intense use. Despite that assumption, the study found that the maximum occupancy of parking spaces would occur during the 1pm hour, at 64.4%. At 7pm, which is the peak hour for restaurant uses, the occupancy would actually drop, to 47.1%. Thus,

there is more than enough existing parking to accommodate the proposed zone change. A copy of the parking study is attached as Exhibit F.

11. Your Petitioner therefore asks that the zoning designation of the westerly portion of its parcel, together with the adjacent section of Mountainview Avenue to its centerline, be changed from LI to CC.

Dated: January 17, 2018
New City, New York

Midland Park, NJ

TOWN PLAZA II, LLC

By: John M. Azarian
John M. Azarian, Principal Manager

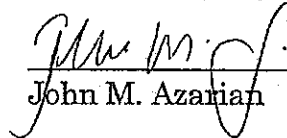
LLC VERIFICATION

STATE OF NEW JERSEY)
) ss.:
COUNTY OF BERGEN)

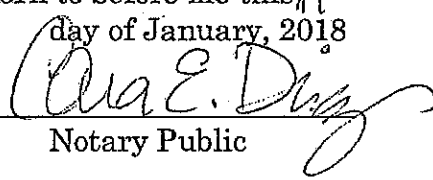
JOHN M. AZARIAN, being duly sworn, deposes and says:

I am the Principal Manager of Town Plaza II, LLC, a limited liability company, the Petitioner herein. I have read the annexed Petition, know the contents thereof, and the same are true to the best of my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters, I believe them to be true.

My belief, as to those matters therein not stated upon knowledge, is based upon information contained in the books and records of the company.



John M. Azarian

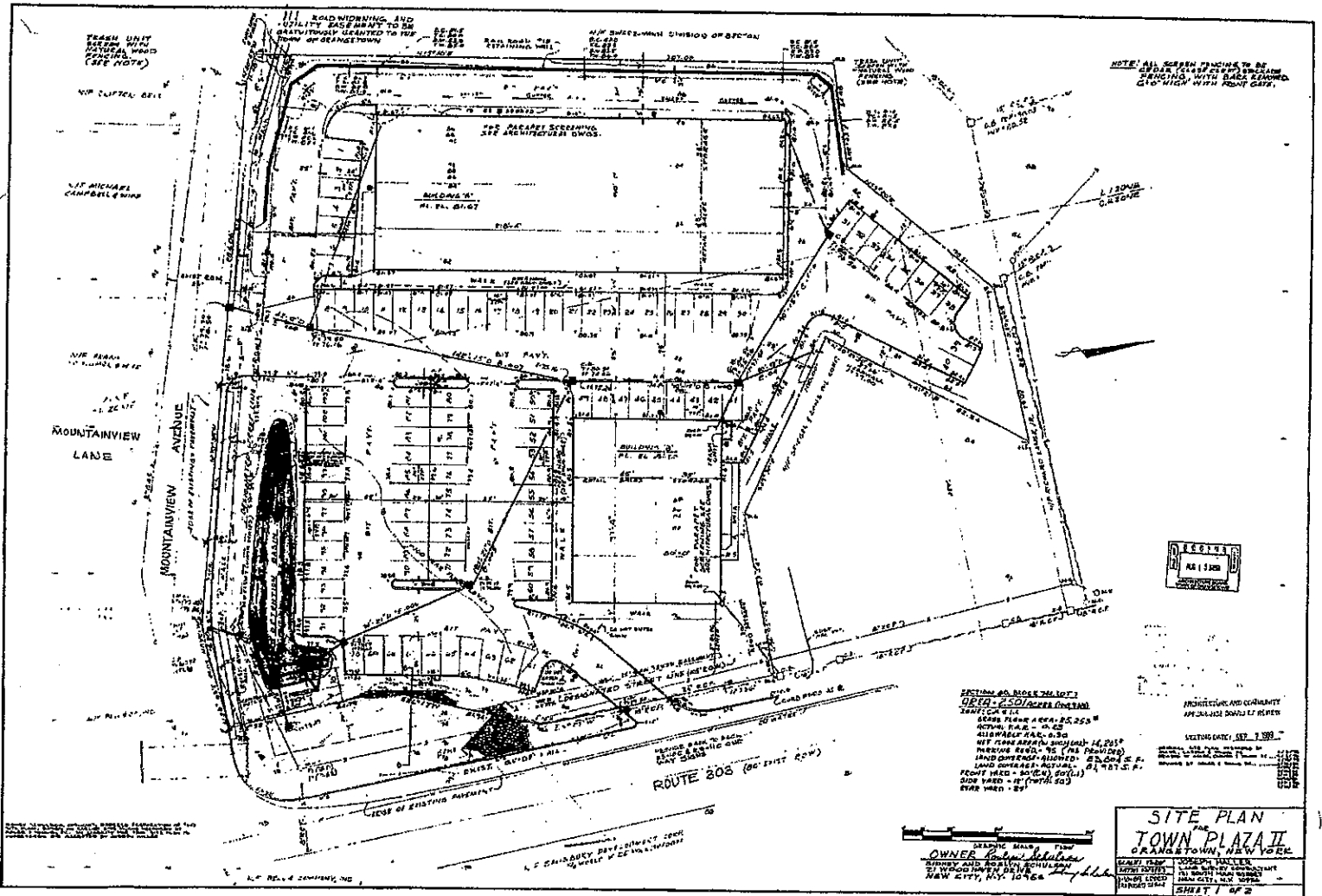
Sworn to before me this 11
day of January, 2018


Notary Public

CARA E. DIAZ
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50001304
My Commission Expires 04/2019



EXHIBIT A



TOWN PLAZA II
ZONING MAP

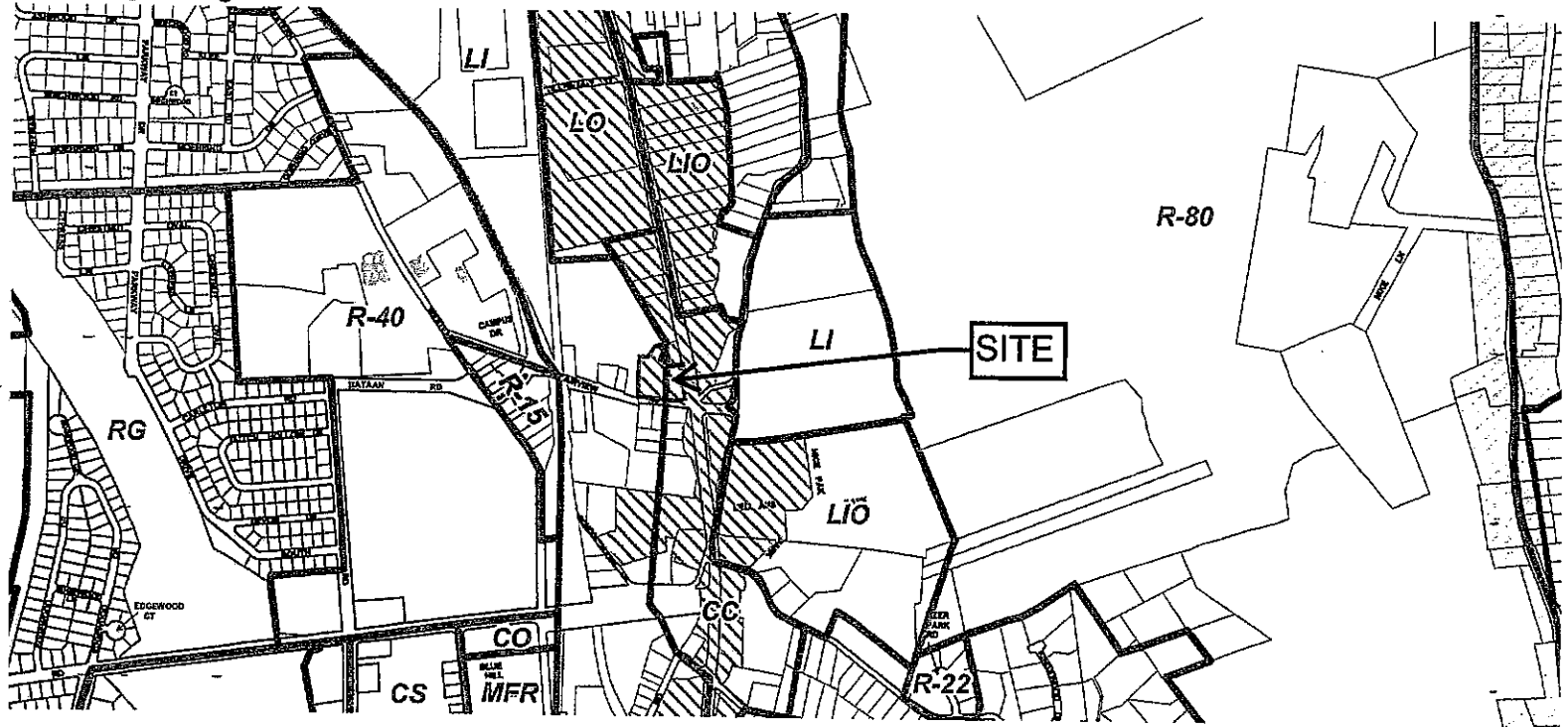


Exhibit C

ZONING

43 Attachment 6

Town of Orangeburg

Table of General Use Regulations
(§ 3.4B)
CC District

(Amended 6-24-1991 by L.L. No. 7-1991; 1-25-1993 by L.L. No. 1-1993; 9-27-2014 by L.L. No. R-2014; 9-23-2016 by L.L. No. 9-2016)

(For use of table, see § 3.2)

1	2	3	4	5	6	7	
District	Uses Permitted by Right	Uses by Special Permit	Conditional Uses by Planning Board	General Accessory Uses	Minimum Required Off-Street Parking Spaces	Additional Use Regulations (See Note 19)	
CC	<ol style="list-style-type: none"> Same as CS and pet shops, upholsterers, undertakers and commercial printing shops, including printing of a newspaper. Trade schools and other schools of special instruction. Telephone exchanges, but not including service or storage yards. Theater, except drive-in theaters. 	<p>Town Board</p> <ol style="list-style-type: none"> Same as CS. Amusements and drive-in theaters. <p>Zoning Board</p> <ol style="list-style-type: none"> Same as CS, except No. 2. 	<ol style="list-style-type: none"> Hotels and motels. Public parking lots and public garages, subject to Article VI and special requirements and conditions (e) and (f) in CS Column 3. Public utility installations and pump stations, but not including service or storage yards. Medical arts offices in existing residential structures or in any structure that conforms to the neighborhood. Establishment antennas. Fast-food restaurants. Gasoline service stations. Nightclubs. New dealer automobile service and repair facility to an existing new car dealership, within the Route 303 Overlay Zoning District, subject to Chapter 43 § 12.108(e). 	<ol style="list-style-type: none"> Same as CS, except sign regulations. Accessory production and servicing of goods subject to additional use regulations. Business signs with total sign area per establishment use not exceed 15% of the sign wall area, and in no event more than 40 square feet. For any business use conducted primarily in the open, such as a public parking lot, or similar use, the total sign area shall be 1 square foot for each foot of lot frontage, not to exceed 40 square feet. All of such sign area may be illuminated. However, illumination of theater marquees may be increased upon approval by the Board of Appeals; in no instance shall the total illuminated sign area be more than 30 square feet. Location of signs: <ol style="list-style-type: none"> A sign attached to a building shall not project more than 3 feet from the building wall or 3 feet from the roof of an arcade, but no sign, except a sign painted on an awning shall project more than 1 foot over a street. However, a sign erected as a part of a theater marquee may extend to the curbline. Maximum height of any sign shall not be more than 30 feet above ground level. Near R District boundaries, see additional use regulations and § 4.32(e). Except as modified by No. 4(c) above, sign not attached to a building shall be set back at least 25 feet from the front lot line, except that any accessory sign to a building in existence on the effective date of this code need not be set back from the front lot line a greater distance than the setback of such building. Child day-care centers, in conjunction with churches and similar places of worship, schools, offices, hotels and motels, with all parking and outdoor play areas complying with all required yards, as provided for in § 3.42. 	<ol style="list-style-type: none"> Same as R-80 Medical arts Offices Undertakers Restaurants Rail passenger and bus stations Theaters Theater and motels Retail sales and services Child day-care centers Nightclubs Trade schools and other schools of special instruction 	<p>Use</p> <ol style="list-style-type: none"> Same as R-80 Same as RC Same as CS Same as LIO Same as CS Same as CS 3 seats Client room, but no less than 1 per 5 people accommodated Same as CS Staff member, plus 1 parking space per 10 employees Same as CS Same as CS 	<ol style="list-style-type: none"> Same as R-80. Same as CS Nos. 1, 4, 5 and 6. All accessory production and servicing of goods and all commercial parking shops and personal service shops shall conform to the following restrictions: <ol style="list-style-type: none"> All such goods shall be sold or delivered to customers on the premises. The floor area used for such production and servicing shall be limited to 10% of the floor area of the establishment or 3,000 square feet, whichever is greater. Not more than 5 persons shall be engaged in such production or servicing. Only electrically driven machinery shall be used. Same as CS No. 2, except outdoor cafe necessary to a restaurant. Near R District boundaries; same as CS Nos. 4 and 5. There shall be no outdoor servicing or manufacturing permitted.

ZONING

43 Attachment 7

Town of Oremington

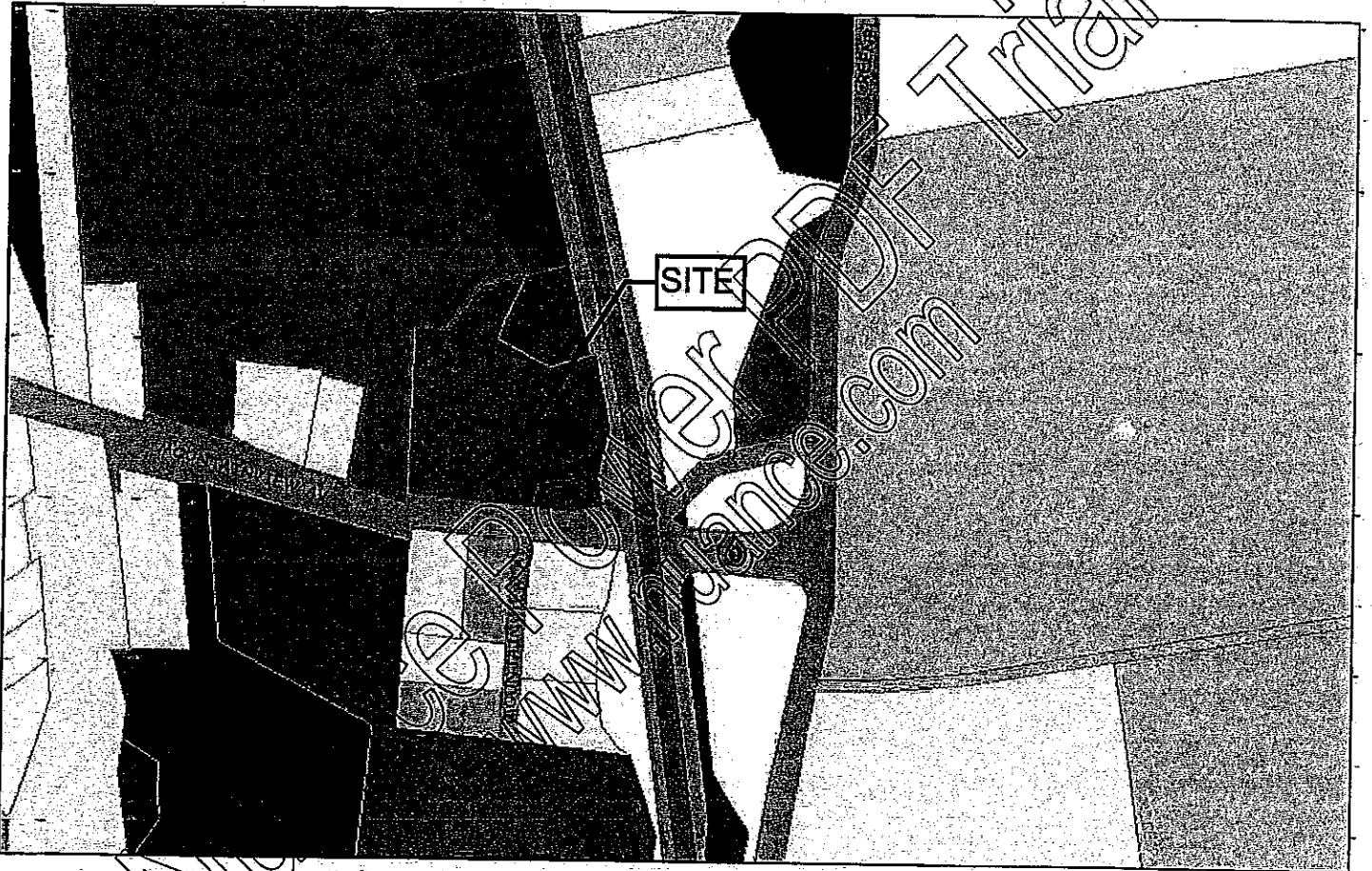
Table of General Use Regulations
(§ 3.11)
LI District

[Amended 3-12-1990 by L.L. No. 3-1990; 6-24-1991 by L.L. No. 7-1991; 6-8-1992 by L.L. No. 9-1992; 1-25-1993 by L.L. No. 1-1993; 3-1-2004 by L.L. No. 4-2004; 10-21-2014 by L.L. No. 6-2014]

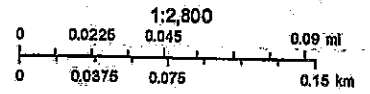
(For use of table, see § 3.2)

1	2	3	4	5	6	7	
District	Uses Permitted by Right	Uses by Special Permit	Conditional Uses by Planning Board	General Accessory Uses	Minimums Required Off-Street Parking Spaces	Additional Use Regulations (See Note 1B)	
LI	<ol style="list-style-type: none"> 1. Theaters. 2. Fire, police and community-owned ambulance stations, government offices and office buildings. 3. Business and professional offices. 4. Commercial recreation establishments, such as bowling alleys, dance halls, billiard parlors, driving ranges and miniature golf courses. 5. Service establishments, including frozen-food lockers and sale of grain feed, agricultural products, building materials and monuments. 6. Commercial dog kennels and animal hospitals, and provided that no kennel, manure or exercise pen is located within 200 feet of any R District boundary. 7. Automotive and machinery repair shops and open automobile and trailer sales lots, subject to additional use regulations. 8. Automobile salesrooms. 9. All types of manufacturing uses (except those specifically prohibited in § 4.4) subject to performance standards procedure, § 4.12, and additional use regulations. 10. Wholesale sales or storage warehouses. 	<p>Town Board</p> <ol style="list-style-type: none"> 1. Same as CS Nos. 2 and 3. 2. Mixed-use developments on sites of 10 acres or larger, with frontage on the Falladales Interstate Parkway, and with frontage on, and/or with direct access to, Route 303, as provided in § 4.32(D). 3. Mixed-use expansions on sites of not less than 0.5 acre nor more than 2 acres in areas that adjoin a site for which a mixed-use development special permit has been issued as provided in § 4.32(P). <p>Zoning Board</p> <ol style="list-style-type: none"> 1. Adult entertainment subject to § 4.32(E). 2. Adult uses as defined in § 4.32. 	<ol style="list-style-type: none"> 1. Skating rinks. 2. Public parking garages. 3. Auction establishments, farms' markets and stores specializing in second-hand merchandise. 4. Auto laundries, subject to special requirements and conditions (a) and (b) in CS Column 3 above, and provided there shall be reserved space of 300 square feet per automobile on the lot for not less than 15 automobiles per washing machine, and that adequate provision be made for disposal of wastewater in accordance with town requirements. 5. Filling stations, no lots with an area of at least 20,000 square feet and a minimum lot footage of 150 feet, provided that all gasoline pumps and service facilities are set back at least 20 feet from the front lot line and subject to additional use regulations and conditional use standards except that no conditional use for a filling station shall be granted within a distance of 2,000 feet from any other filling station with a certificate of occupancy in force prior to the submission of such application. Said distance shall be measured in a straight line between the nearest points of each of the lots or premises, regardless of the distance where other premises are located. 6. Additional conditional uses, <ol style="list-style-type: none"> (a) Dry-cleaning, rug-cleaning and laundry plants. (b) Bus, truck and railroad freight terminals, major public utility transformers and stations and railroad yards. (c) Bulk storage of fuel oil and bottled gas and other open storage yards, except those expressly prohibited in § 4.4. (d) Concrete and precast-concrete plants. (e) Gas holders, coal yards and refrigeration plants; storage and handling of papers within a completely enclosed building. 7. Satellite dish antennas. 8. Same as LD No. 6. 9. Nightclubs. 	<ol style="list-style-type: none"> 1. Same as CC No. 2. 2. Accessory storage subject to additional use regulations. 3. Other accessory buildings. 4. Incineration of waste materials subject to § 4.32(F). 5. Helicopters by special permit of the Town Board only as an accessory use to a use permitted by right, special permit or conditional use. 6. Accessory signs, same as LIO for these uses permitted in LI District. 7. Same as CC for these uses allowed in the LI District except that the total sign area shall not exceed 60 square feet, and the illuminated portion shall not exceed 20 square feet. For mixed-use developments and mixed-use expansions, the sign regulations included in § 4.32(O)(i) and § 4.32(P)(ii), respectively, shall control in instances where such provisions are inconsistent with this table or any other provisions of the Zoning Law. 8. Location of signs: <ol style="list-style-type: none"> (a) A sign attached to a building may not project more than 3 feet from the building wall or 1 foot from the roof of an awning, but no sign shall project over a street, which shall include sidewalk. (b) Maximum height 20 feet above ground level. (c) All signs shall be set back at least 30 feet from the front lot line, except that any sign accessory to a building or extension on the effective date of this code need not be set back from the front lot line a greater distance than the set back of such building. (d) New R District boundaries same as CC No. 4(c). 9. Same as LO No. 13. 	<p>Use</p> <ol style="list-style-type: none"> 1. Same as R-30 2. Light manufacture or laboratories 3. Retail sales and service 4. Restaurants 5. Theaters 6. Banks 7. Farmer's market 8. Bowling alley 9. Dance halls 10. Billiard parlors 11. Driving range, miniature golf 12. Skating rinks 13. Bus, truck and rail terminals 14. Automobile sales 15. Wholesale and warehouse, manufacturing, dry cleaning and rug cleaning 16. Child day-care centers 17. Nightclub 	<p>At Least 1 Parking Space for Each</p> <p>Same as R-30</p> <p>Same as LIO</p> <p>Same as CS</p> <p>Same as CS</p> <p>Same as CC</p> <p>Same as CS</p> <p>5 feet front wall or 600 square feet of display area, whichever is greater</p> <p>1/4 alley</p> <p>50 square feet of gross floor area</p> <p>1/2 table</p> <p>Tree</p> <p>75 square feet of skating area</p> <p>2 employees</p> <p>600 square feet of display area sales area</p> <p>2 employees or 300 square feet of gross floor area</p> <p>Same as LD</p> <p>Same as CS</p>	<ol style="list-style-type: none"> 1. Same as R-30. 2. Same as CS Nos. 4, 5 and 6. 3. All open storage yards shall be screened from adjacent lots and from the street line. 4. All necessary production and marketing of goods shall conform to the following restrictions: <ol style="list-style-type: none"> (a) The floor area used for such production and marketing shall be limited to 10,000 square feet. (b) Only electrically driven machinery shall be used. 5. The following uses and all storage of goods necessary to such uses shall be within completely enclosed buildings: retail and wholesale sales and service establishments, commercial printing shops, commercial recreation establishments, public garages, automobile repair shops, auto laundries and warehouses (except sale of agricultural products, automobiles, monuments, driving ranges and miniature golf courses). 6. For all filling stations and public garages and automobile repair shops, the following additional regulations shall apply: <ol style="list-style-type: none"> (a) All repair and servicing of automobiles shall be within completely enclosed buildings, except for dispensing of gasoline and oil and furnishing of air and water. (b) Only currently licensed vehicles shall be parked or stored for no more than 5 days, with the total number based on 3 plus 4 for each service bay. (c) On filling stations, no storage or parking of vehicles of any type shall be permitted on required landscaped or graded areas. 7. There shall be no outdoor servicing or manufacturing permitted. 8. No parking is permitted in any required yard, unless permitted by any local or town agency having jurisdiction. This permission may be granted at the time of site review or at the time of the approval of a nonresidential subdivision.

Town Plaza II - Generalized Land Use 2012



January 13, 2018





HARRY BAKER & ASSOCIATES, 3 Dolphin Road, New City, New York 10956 (914) 638-2361

October 8, 2017

Mr. John Azarian
 Town Plaza II, LLC
 c/o The Azarian group
 6 Prospect Street, Suite 2A
 Midland Park, NJ 07432

Re: Parking Study for Town Plaza II, 500 Route 303, Orangeburg, NY

Dear Mr. Azarian:

INTRODUCTION

The existing Town Plaza II shopping center currently has 10 stores totaling 18,125 sq. ft. with 5,213 sq. ft. currently vacant. The C & E Island Flavor restaurant is planned with a space 1,580 sq. ft and a parking demand of 16 spaces. The type of development for the balance of the 3,420 sq. ft has yet to be determined. Table 1 summarizes the list of stores and square footage and their parking requirements based on the Orangetown zoning code

TABLE 1				
OCCUPANT	USE	SQUARE FEET	PARKING REQUIREMENT	PARKING SPACES REQUIRED
Mountain View Liquors	Retail	1,760	1/200 sq. ft.	9
Wok King	Fast Food	900	1/75 sq. ft.	12
Angela's Nails	Retail	900	1/200 sq. ft.	5
Calabria Pizza	Restaurant	1,760	1/100 sq. ft.	18
Roy Thai	Restaurant	1,909	1/100 sq. ft.	19
A & A Deli	Retail	3,260	1/200 sq. ft.	17
Marty's Bagels	Retail	2,613	1/200 sq. ft.	13
Food & Body Works	Retail	1,280	1/200 sq. ft.	7
Amazing Cuts	Retail	1,280	1/200 sq. ft.	7
Tiffany Cleaners	Retail	2,463	1/200 sq. ft.	13
TOTALS		18125		120



A parking study was conducted on Thursday, September 7, 2017 and Saturday, September 9, 2017 from 7 AM to 9 PM. An occupancy count was conducted every two hours. The results are shown in Table 2.

Time	September 7, 2017 (Thursday)		September 9, 2017 (Saturday)	
	# of Cars Parked	% Occupied	# of Cars Parked	% Occupied
7 AM	18	17.3%	16	15.4%
9 AM	24	23.1%	38	36.5%
11 AM	44	42.3%	45	43.3%
1 PM	59	56.7%	49	47.1%
3 PM	43	41.3%	47	45.2%
5 PM	34	32.7%	40	38.5%
7 PM	32	30.8%	33	31.7%
9 PM	17	16.3%	20	19.2%

Total number of existing parking spaces = 104

The results of the existing parking survey show that the peak parking occupancy occurred at 1 PM on Thursday when 56.7% of the parking spaces were filled. On Saturday, the maximum parking occupancy occurred at 1 PM when 47.1% of the parking spaces were filled. When a parking lot reaches 85% capacity, it is time to think about potential expansion. Actual expansion of the parking lot would not occur until the lot reaches approximately 95%. The parking demand would need to increase to 88 vehicles parked or an increase of 29 vehicles at the 1 PM hour reach 85% and 99 vehicles parked to reach 95%.

FUTURE PARKING DEMAND

The future parking analysis is divided into two sections. The first portion of the analysis is for the planned C & E Island Flavor restaurant. Under the Zoning Code, this restaurant of 1,580 sq. ft. will require 16 parking spaces. The restaurant would be open for lunch and dinner. Table 3 summarizes the parking demand with this restaurant. We have assumed for this analysis that 50% of the parking spaces will be filled between 1 PM and 5 PM and 100% will be filled at 7 PM and 9 PM.



TABLE 3
FUTURE PARKING OCCUPANCY WITH C & E FLAVOR ISLAND

Time	THURSDAY		SATURDAY	
	# of Cars Parked	% Occupied	# of Cars Parked	% Occupied
7 AM	18	17.3%	16	15.4%
9 AM	24	23.1%	38	36.5%
11 AM	44	42.3%	45	43.3%
1 PM	67	64.4%	57	54.8%
3 PM	51	49.0%	55	52.9%
5 PM	42	40.4%	48	46.2%
7 PM	48	46.2%	49	47.1%
9 PM	33	31.7%	36	34.6%
Total number of existing parking spaces = 104				

The results show that the maximum occupancy would occur at 1 PM on both a weekday and Saturday. As the day continues, the parking occupancy goes down as stores close. This would provide additional parking for the restaurant in the evening when most of the patrons would be expected.

The shopping center is located in both a CC and an LI zone. According to the Orangetown Zoning code, for commercial space located in these zones, the parking requirements vary depending on whether there are fast food stores, restaurants, or retail space. The parking demand varies from 1 space/75 sq. ft. to 1 space/ 200 sq. ft. of gross floor-area. If the current vacant store areas of 5,213 sq. ft. were occupied using the maximum parking requirement of 1 space/200 sq. ft., (retail) a total of 26 parking spaces would be required. If the space was developed as restaurant space, the parking requirement would be 1 space/100 sq. ft. and a total of 53 parking spaces would be required.

The Orangetown Zoning Code allows for combined use of spaces:

"Sec. 6.38. Combined uses. When any lot contains two or more uses having different parking requirements, the parking requirements for each use shall apply to the extent of that use. Where it can be conclusively demonstrated that one or more such uses will be generating a demand for parking spaces primarily during periods when the other use or uses is not or are not in operation, either the Planning Board as part of site plan approval or the Board of Appeals may reduce the total parking spaces required by 50% of the parking spaces required for the use with the least requirement."



Restaurants are typically busy in the late afternoon and evening hours. The survey results show that after 3 PM, the parking occupancy rate drops to under 50% and then to the mid-forties on Saturday at 5 PM and 7 PM. After 7 PM, the rate drops to under 35%. If the vacant space was developed as half retail and half restaurant, then a total of 39 parking spaces would be required. Assuming the retail open at 10 AM and the restaurant open at 3 PM,

For the retail portion (13 parking spaces), we would expect the parking demand to ramp up over the day. The distribution of the parking would be as follows:

- 9 AM – 2 cars
- 11 AM – 4 cars
- 1 PM – 8 cars
- 3 PM – 10 cars
- 5 PM – 7 cars
- 7 PM – 3 cars

For the restaurant portion (26 parking spaces), we would expect the restaurant to open at 3 PM with some staff arriving at 1 PM. The distribution of the parking would be as follows:

- 1 PM – 4 cars
- 3 PM – 12 cars
- 5 PM – 16 cars
- 7 PM – 23 cars
- 9 PM – 15 cars

Table 4 shows the summary of the parking using this distribution.



TABLE 4				
FUTURE PARKING OCCUPANCY WITH 100% OCCUPANCY				
Time	THURSDAY		SATURDAY	
	# of Cars Parked	% Occupied	# of Cars Parked	% Occupied
7 AM	18	17.3%	16	15.4%
9 AM	26	25.0%	40	38.5%
11 AM	48	46.2%	49	47.1%
1 PM	79	76.0%	69	66.3%
3 PM	73	70.2%	77	74.0%
5 PM	65	62.5%	71	68.3%
7 PM	74	71.2%	75	72.1%
9 PM	48	46.2%	51	49.0%
Total number of existing parking spaces = 104				

Table 4 shows that the maximum occupancy occurs at 1 PM on a weekday and 3 PM on a Saturday. To reach the 85th percentile, 6 and 8 additional parked cars would be required. Furthermore, after 7PM, the parking occupancy drops to under 50%. This means that there is room to park between 14 and 40 cars additional cars between 7 PM and 9 PM before reaching the 85th percentile occupancy rate.

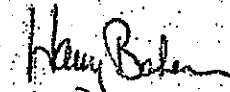
We compared the Town of Orangetown parking rates to those in the Institute of Transportation Engineers, 4th Edition "Parking Generation Manual." For restaurants, and retail. For retail there are two calculations. One is for Friday (non-December) and the other for Saturday (non-December). For the Friday (non-December), the 85th percentile average is 3.90 vehicles/1,000 sq. ft. GLA. For Saturday (non-December) the 85th percentile is 3.4 vehicles/1,000 sq. ft. GLA. Based on a 25,000 sq. ft. shopping center, the parking demand for Friday is $(3.9 \times 25) = 98$ parking spaces and for Saturday the parking demand is $(3.4 \times 25) = 85$ parking spaces. These number are lower because they account for all of the different store types in a shopping center as opposed to calculating the number of parking spaces by uses type.



CONCLUSION

The results of the parking survey show that with the plaza filled to 80% of leasable space, the peak vehicle occupancy rate is 56.7% of capacity on a Friday at 1 PM. If we project the building 100% leased, then the peak vehicle occupancy rate will increase to 76.0% if all of the parking spaces for the C & E Island Flavor restaurant and current vacant stores were occupied at one time at 1 PM on a weekday and 74.0% at 3 PM on a Saturday. As the evening progresses, the occupancy rate drops to below 70% by 9 PM. Therefore, in accordance with the Town of Orangetown's Zoning Code, a variance should be granted to permit the 104 existing parking spaces for all uses and occupancies in the shopping center.

Sincerely,


Harry Baker

TOWN OF ORANGETOWN
2018 JAN 23 P 1:25
TOWN CLERK'S OFFICE

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

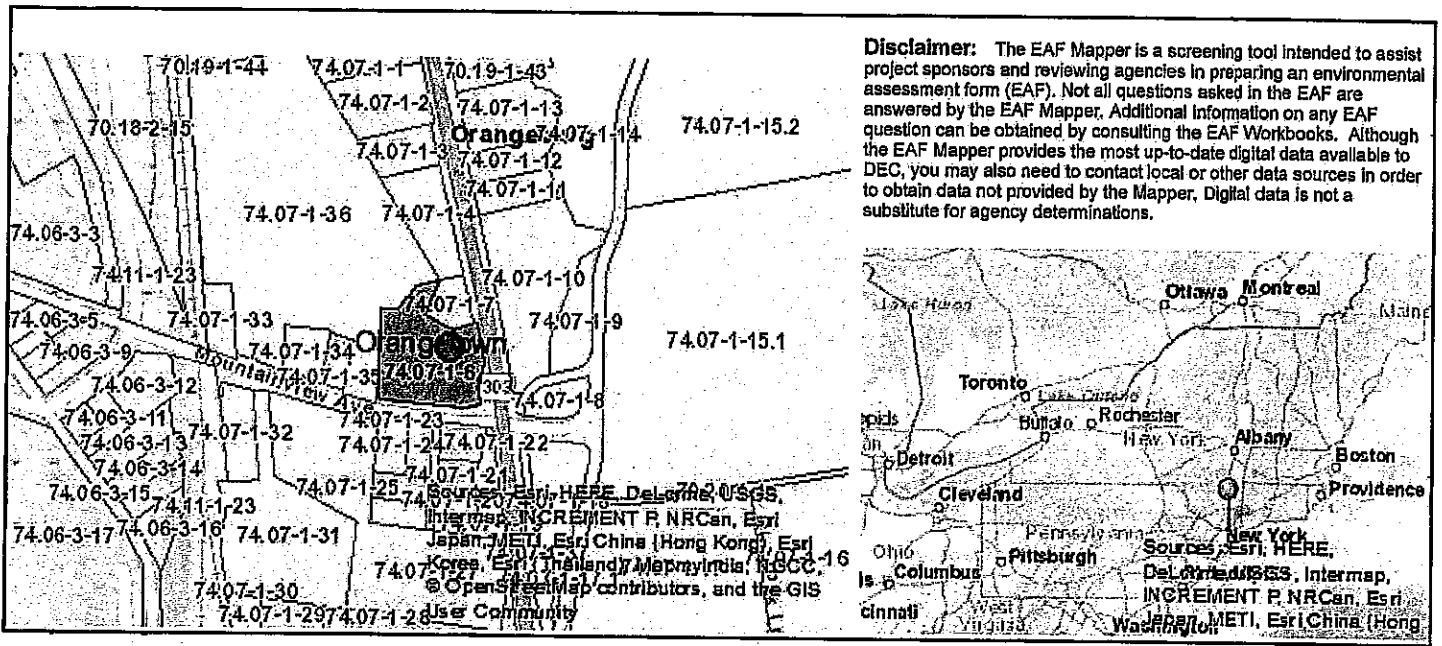
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Town Plaza II, LLC			
Project Location (describe, and attach a location map): 500 Route 303, Orangeburg, NY (Tax Map # 74.07-1-6)			
Brief Description of Proposed Action: Request that the zoning designation of the westerly portion of the parcel, together with the adjacent section of Mountainview Avenue to its centerpoint, be changed from LI to CC			
Name of Applicant or Sponsor: Town Plaza II, LLC		Telephone: (201) 444-7211 x101	
		E-Mail:	
Address: c/o The Azarian Group, LLC, 6 Prospect Street, Suite 2A			
City/PO: Midland Park		State: NJ	Zip Code: 07432
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

TOWN OF ORANGETOWN
2018 JAN 23 1:29
TOWN CLERK'S OFFICE

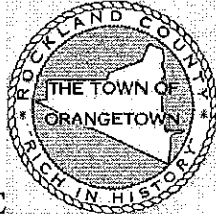
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input type="checkbox"/>	YES <input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input type="checkbox"/>	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO <input type="checkbox"/>	YES <input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO <input type="checkbox"/>	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO <input type="checkbox"/>	YES <input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES		NO <input type="checkbox"/>	YES <input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>John M. Azarian</u></p>	<p>Date: <u>1/16/18</u></p>	
<p>Signature: <u><i>John M. Azarian</i></u></p>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes



TOWN ATTORNEY'S OFFICE INTER-OFFICE MEMORANDUM

DATE: February 27, 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

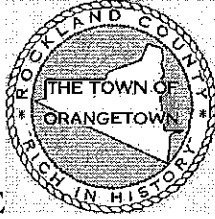
RE: Certificate of Plumbing Registration (Sewer Work) 2018

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.

Environmental Construction, Inc.
21 Holt Drive
Stony Point, NY 10980
845-429-0497

This Certificate of Registration request will be placed on the next Workshop agenda scheduled for March 6, 2018 and the Regular Town Board Meeting agenda scheduled for March 13, 2018. Should you have any questions, please do not hesitate to contact this Office.

/mf
encl.



TOWN ATTORNEY'S OFFICE INTER-OFFICE MEMORANDUM

DATE: February 27, 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.

Carmelo Scaffidi & Sons Blacktopping, Inc.
34 North Route 9W
West Haverstraw, NY 10993
845-429-0081

This Certificate of Registration request will be placed on the next Workshop agenda scheduled for March 6, 2018 and the Regular Town Board Meeting agenda scheduled for March 13, 2018. Should you have any questions, please do not hesitate to contact this Office.

/mf
encl.

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

PERMIT # 18-57-05

EVENT NAME: Tappan Zee 7th Annual Flying Dutchmen 5k

APPLICANT NAME: Patrick Driscoll

ADDRESS: 15 Dutch Hill Rd. Orangeburg, NY 10962

PHONE #: 845-304-6015 CELL #: 845-304-6015 FAX #: 845-680-

RECEIVED

JAN 26 2018

CHECK ONE: PARADE _____ RACE/RUN/WALK OTHER _____

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

The above event will be held on Saturday March 24 from 9am to 10am RAIN DATE: None

Location of event: Tappan Zee High School and surrounding roads

Sponsored by: Tappan Zee Cross Country Telephone #: 845-304-6015

Address: 15 Dutch Hill Rd Orangeburg, NY 10962

Estimated # of persons participating in event: 200 vehicles 0

Person (s) responsible for restoring property to its original condition: Name-Address-Phone #:
Patrick Driscoll 845-304-6015

Signature of Applicant: Patrick Driscoll Date: 01/25/18

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS/POLICE)

Letter of Request to Town Board requesting aid for event - Received On: 1-26-18

Certificate of Insurance - Received On: 1-26-18

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: 1-26-18

RFS #: 38896 BARRICADES: Y (N) CONES: Y (N) TRASH BARRELS: Y (N) OTHER: _____

APPROVED: [Signature] DATE: 1-29-18
Superintendent of Highways

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Show Mobile: Y (N) Application Required: _____ Fee Paid - Amount/Check # _____

Port-o-Sans: Y (N) Other: X

APPROVED: [Signature] DATE: 1/30/18
Superintendent of Parks & Recreation

FOR POLICE DEPARTMENT USE ONLY:

Police Detail: Y (N) (5) Auxiliary Police Items: _____

APPROVED: [Signature] DATE: 1/30/18
Chief of Police

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

Workshop Agenda Date: 3-6-18 Approved On: _____ TBR #: _____

RECEIVED

FEB - 5 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

January 25, 2018

Town of Orangetown
26 Orangeburg Road
Orangeburg, NY 10962

RECEIVED

JAN 26 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

To Whom it May Concern:

The Tappan Zee HS Cross Country team plans on holding its 7th Annual "Flying Dutchmen 5k" on Saturday March 24, 2018 from 9:00am- 10:00am. As in the past we have attached the appropriate permit application and request that the following items if they could be provided.

From the Highway Department:

Barricades at the following locations:

- 3- Parkway Drive South and Carlton Road
- 3- Parkway Drive South and Convent Road
- 3- Parkway Drive North and Blauvelt Road

From the Orangetown Police Department:

5 Auxiliary Police Officers for Safe Crossings throughout the route.

Any questions or concerns may be directed to my cell #: 845-304-6015

Regards,



Patrick Driscoll
Tappan Zee High School
Boys & Girls Cross Country

CERTIFICATE OF LIABILITY INSURANCE

01/25/2018

PRODUCER

NEW YORK SCHOOLS INSURANCE RECIPROCAL
333 Earle Ovington Blvd.
Uniondale NY, 11553

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

INSURERS AFFORDING COVERAGE

INSURED

South Orangetown Central School District
160 Van Wyck Road
Blauvelt, NY 10913

RECEIVED

JAN 26 2018

INSURER A: NEW YORK SCHOOLS INSURANCE RECIPROCAL NAIC#: 34843

INSURER B:

INSURER C:

INSURER D:

INSURER E:

TOWN OF ORANGETOWN

COVERAGES

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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	SSPSOR001	07/01/2017	07/01/2018	EACH OCCURRENCE	\$ 1,000,000
	FIRE DAMAGE (Any one fire)				\$ 1,000,000	
	MED EXP (Any one person)				\$ 10,000	
	PERSONAL & ADV INJURY				\$ 1,000,000	
	GENERAL AGGREGATE				\$ UNLIMITED	
	PRODUCTS - COMP/OP AGG				\$ 1,000,000	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea. Accident)	\$
					BODILY INJURY (Per person)	\$
					BODILY INJURY (Per accident)	\$
					PROPERTY DAMAGE (Per accident)	\$
					AUTO ONLY - EA ACCIDENT	\$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> NON-OWNED AUTOS				OTHER THAN EA ACC	\$
					AUTO ONLY: AGG	\$
A	EXCESS LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$	ECLSOR001	07/01/2017	07/01/2018	EACH OCCURRENCE	\$ 25,000,000
	AGGREGATE				\$ UNLIMITED	
					\$	
	SCHOOL BOARD LIABILITY <input type="checkbox"/> <input type="checkbox"/>				OCCURRENCE	\$
					AGGREGATE	\$
					DEDUCTIBLE	\$
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

Certificate Holder is named as Additional Insured only as respects to the use of premises/facilities for the District's 5k Run on March 24, 2017.

CERTIFICATE HOLDER **ADDITIONAL INSURED**

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Richard J. Lendon

Town of Orangetown
26 West Orangeburg Road
Orangeburg, NY 10962

Flying Dutchmen 5k Race Route

Start at North entrance to high school: Bataan Rd.

Go on Dutch Hill Rd, Make immediate right onto Carlton.

Make Right on Parkway Drive.

Make left onto Blauvelt Rd.

Turn around by Theodore Roosevelt Dr.

Come back towards Tappan Zee High School the same way.

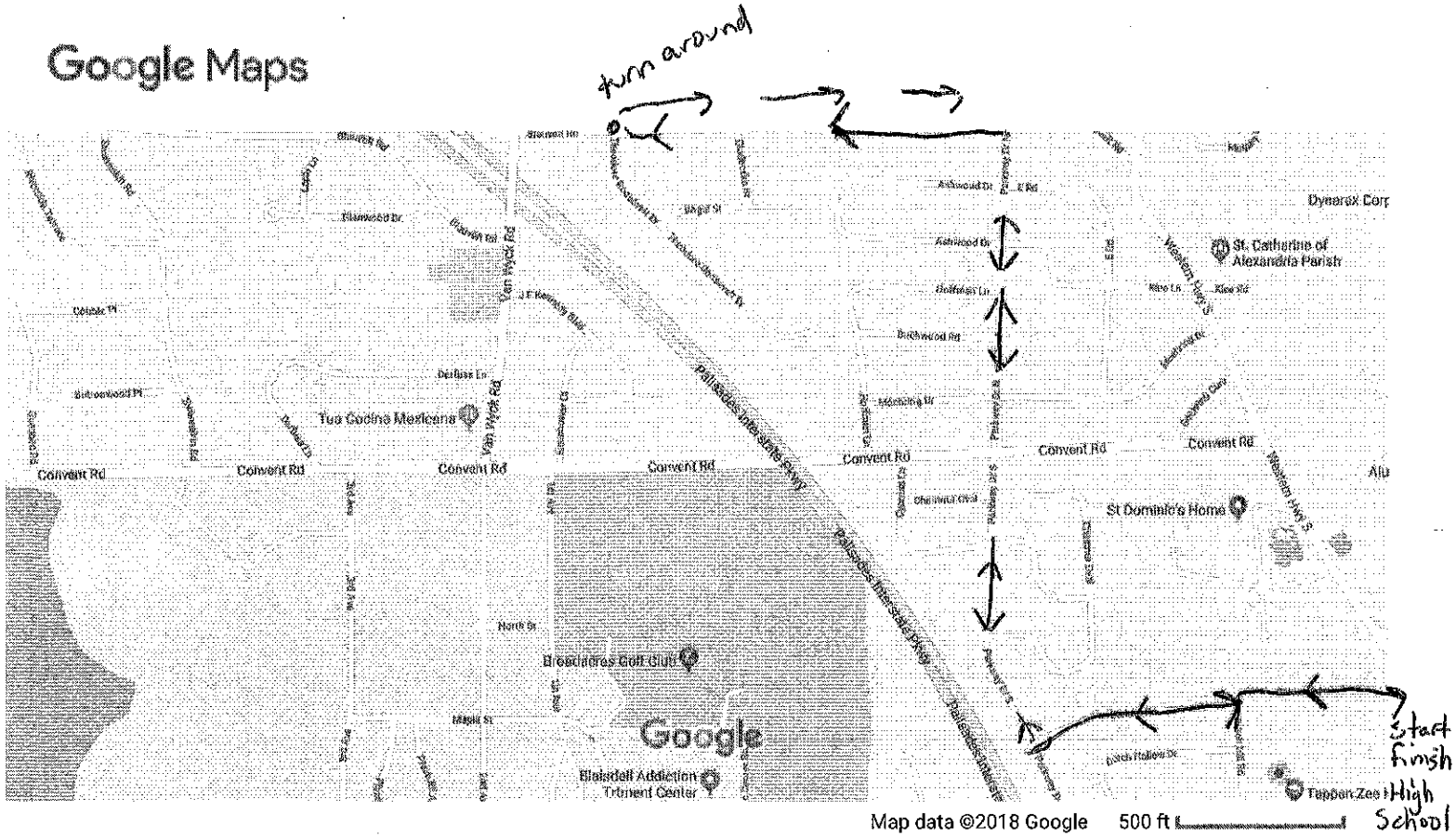
Finish is in Tappan Zee High School back parking lot.

RECEIVED

JAN 26 2018

TOWN OF ORANGETOWN
HIGH SCHOOL DEPARTMENT

Google Maps



RECEIVED

JAN 29 2018

TOWN OF ORANGETOWN
SPECIAL USE PERMIT FOR USE OF TOWN PROPERTY

18-52-06

PERMIT #

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

EVENT NAME: 2018 NUN RUN 5K

APPLICANT NAME: SISTERS OF SAINT DOMINIC OF BLAUVELT, NY

ATTN: KATHY BECKMAN

ADDRESS: 496 Western Hwy, Blauvelt, NY 10913

PHONE #: 845 359 7327 CELL #: 845 558 1490 FAX #

CHECK ONE: PARADE _____ RACE/RUN/WALK OTHER _____

The above event will be held on May 12 2018 from 8:30^{AM} to 11:30^{AM} RAIN DATE: N/A

Location of event: Blauvelt, NY

Sponsored by: SISTERS OF SAINT DOMINIC OF BLAUVELT NY Telephone #: Same as above

Address: Same as above

Estimated # of persons participating in event: 150 vehicles N/A

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

Same as above

Signature of Applicant: *[Signature]* Date: 1/29/2018

GENERAL INFORMATION REQUIRED: (HIGHWAY/PARKS)

Letter of Request to Town Board requesting aid for event - Received On: 1.29.18

Certificate of Insurance - Received On: 1.29.18

FOR HIGHWAY DEPARTMENT USE ONLY:

Road Closure Permit: Y/N - Received On: X

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

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

Route/Map/Parking Plan: Y/N - Received On: 1.29.18

RFS #: 39897 BARRICADES: Y/N CONES: Y/N TRASH BARRELS: Y/N OTHER:

APPROVED: *[Signature]* DATE: 1.30.18
Superintendent of Highways

FOR PARKS & RECREATION DEPARTMENT USE ONLY:

Showmobile: Y/N - Application Required: _____ Fee Paid - Amount/Check # _____

Port-o-Sans: Y/N: _____ Other: _____

APPROVED: *[Signature]* DATE: 1/30/18
Superintendent of Parks & Recreation

FOR POLICE DEPARTMENT USE ONLY:

APPROVED: *[Signature]* #221 DATE: 2/1/18
Chief of Police

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

Workshop Agenda Date: 3.6.18 Approved On: _____ TBR #: _____

RECEIVED

FEB - 5 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT



Sisters of Saint Dominic of Blauvelt, New York
Futuring the Charism for the Life of the World.

RECEIVED

JAN 29 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

January 29, 2018

Dear Orangetown Town Board,

The Sisters of Saint Dominic of Blauvelt, NY are holding their fourth annual Nun Run 5K Run/Walk on Saturday, May 12, 2018. The race will begin and end at St. Dominic Convent and last from 8:30 AM – 11:00 AM.

As a part of this race, we are requesting police detail for the following roads to help direct traffic and runners during the race:

- Western Highway (Between Mountain View Avenue and Blauvelt Road)
- Convent Road (Between Western Highway and Hoffman Lane)
- Hoffman Lane
- Blauvelt Road (Between Bluefields Lane and Western Highway)
- Bluefields Lane
- Mountainview Avenue (Between Glenshaw Street and Western Highway)

Also, please note that we will be using the Rail Trail from the Blauvelt Library entrance (on Western Highway) to Mountainview Avenue. We have already spoken with Aric Gorton and he has approved this request. We are also requesting any available barricades for help with directing traffic and runners for this race.

We shall be very grateful for your assistance with the items mentioned above. It will be most helpful to us in making the 2017 Nun Run 5K a success.

Gratefully,

Katie Beckmann
Communications Director
Sisters of Saint Dominic of Blauvelt, NY



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/25/2018

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.

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 Artex Risk Solutions, Inc. (CB) 2850 Golf Road, 5th Floor Rolling Meadows IL 60008-4050	JAN 29 2018 TOWN OF ORANGETOWN HIGHWAY DEPARTMENT	CONTACT NAME: Christian Brothers Services	PHONE (A/C, No, Ext): 800-807-0300	FAX (A/C, No): 630-378-2508
		E-MAIL ADDRESS:		
		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Pennsylvania Manufacturers Assoc Ins Co		12262
		INSURER B:		
		INSURER C:		
		INSURER D:		
		INSURER E:		
		INSURER F:		

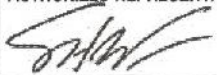
COVERAGES	CERTIFICATE NUMBER: 1559624319	REVISION NUMBER:
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THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION 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 CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIM'T APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			821700 0578617	6/15/2017	6/15/2018	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$Included MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$Included GENERAL AGGREGATE \$N/A PRODUCTS - COMP/OP AGG \$Included \$
	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						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)

Evidence of coverage for The Nun Run to be held on May 12, 2018 at times agreed upon.

CERTIFICATE HOLDER Town of Orangetown 26 Orangeburg Rd Orangeburg NY 10962 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Kate Beckmann
359-5773 FAX

RECEIVED

JAN 30 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

ROCKLAND COUNTY HIGHWAY DEPARTMENT

APPLICATION FOR PERMIT TO ^{USE/} 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.

Kate Beckmann (845-359-7327) | kbeckmann@
sisters of saint dominic of blauvelt, ny ^{cpblauv}
496 western hwy ^{org}
blauvelt, ny 10913

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

The Sisters of Saint Dominic will be hosting their fourth annual Nun Run 5K on Saturday May 12, 2018 from 8:00 AM - 11:30 AM. We would like to use convent road (western hwy to Hoffman lane) and western highway (mountainview ave to blauvelt rd)

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

We will be working with the Town of Orangetown and Orangetown Police Dept. to direct traffic and runners.

Dated this 1/30/2018 Day of January, 30
Address: 496 Western Hwy Blauvelt NY 10913

Applicant: [Signature]

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.



From: Charles Maushardt <cmaushardt@aol.com>
To: agorton <agorton@orangetown.com>
Subject: vietnam veterans memorial
Date: Thu, Jan 25, 2018 10:29 am

good morning Sir,

I have an up date on the Vietnam memorial. we have decided on who will do the work, I would like to send to a copy of his proposal. I made him aware of all insurance that he may need. After all said and done the funds were raised with no problem and I would like Floyd, form Custom Lawns and Gardens to stop by you and the both of you can get on the same page. as for what's needed. As far as a start date that will be up to you and him. We did discuss the electric out of the building and you said you would like a town person to do that. That's great. I will send you a copy and if you need me please contact me . I will fax copy to you.

Thank you
Charlie Maushardt

1/25/2018

CUSTOM LAWNS & LANDSCAPING, INC.
14 Pasadena Place
Spring Valley, NY 10977
84-354-4494

Renovation of Vietnam Veterans Memorial

- Rip out and removal of existing plant material
- Removal of existing paver patio and Flag
- Re-grade for larger instillation - (approx. 22' x 30')
- Install new base material
- Install black onyx paver border around new patio (Blue 60)
- Install new field of pavers - (Blue 60 Slate or Flat Finish)
- Install two corner fence partitions
- Install planting behind stone memorial - (to be discussed)
- Install new paver art Nam Flag inlay
- Install two new stone benches or possible third
- Install pavers around existing Flag pole (for raising of Flag)
- ❖ Possible 12V night lighting system as an add on to job - To be discussed

All labor and materials as written - \$18,500. To \$19,500.

Floyd Lang - Owner Operator

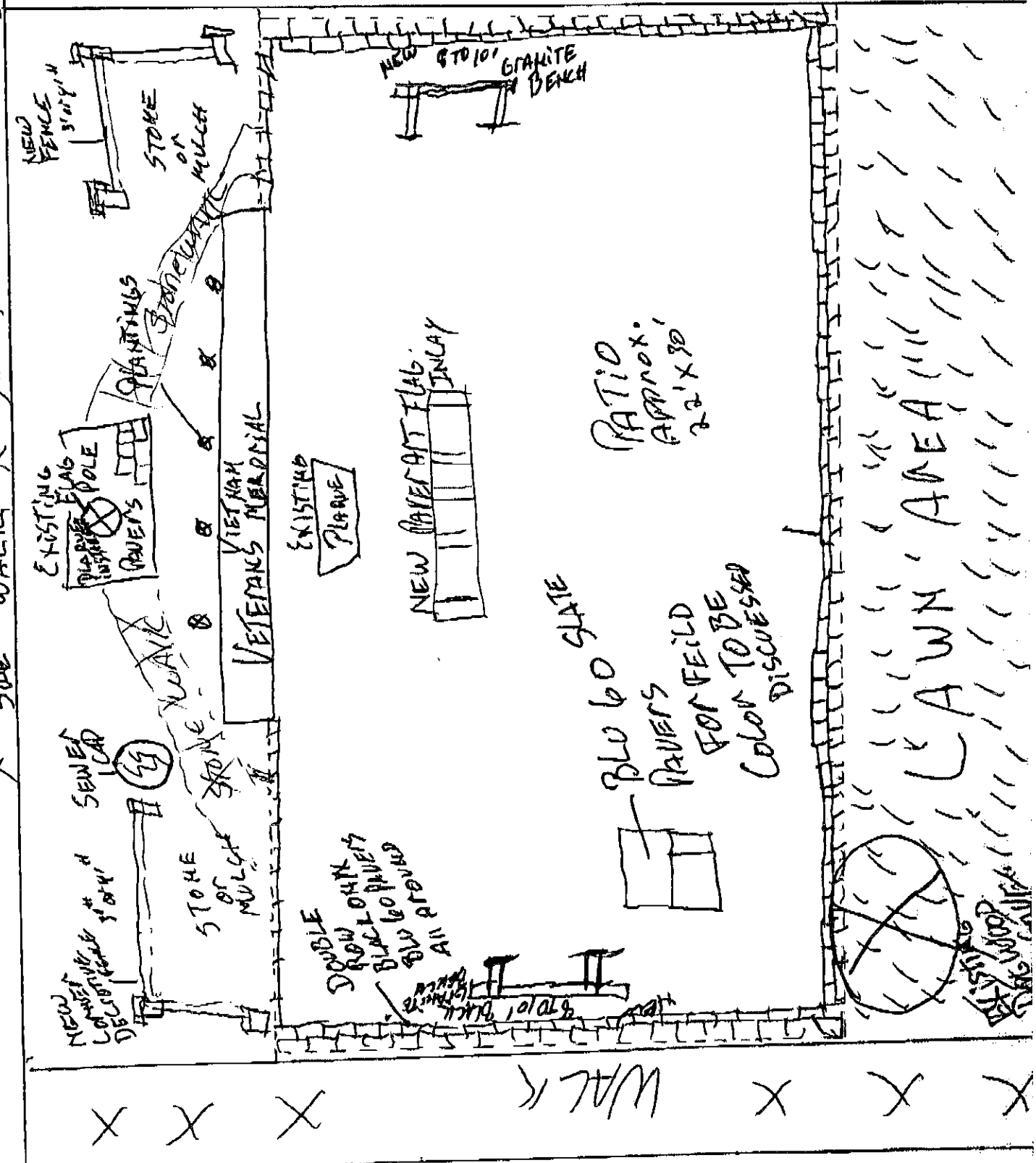
NEW DESIGN

BUILDING

SIDE WALK

WALK

WALK



NEW FENCE SURROUND

EXISTING FLAG POLE
PAVERS

SEWER LINE

STONE OR MULCH

VETERANS MEMORIAL

EXISTING PLAQUE

DOUBLE ROW LAYOUT
BLACK PAVERS
ALL PAVED

NEW 6 TO 10' GRANITE BENCH

NEW PAVED FLAG INLAY

PLU 60 GLAZE
PAVERS FOR FIELD
COLOR TO BE DISCUSSED

PATIO APPROX. 22' X 30'

LAWN AREA

EXISTING WOOD FLAG POLE

Various Parks within the Town of Orangetown

BID OPENING TIME

11:00AM

DATE

March 1, 2018

CONTRACTOR
NAME
&
ADDRESS

DeRosa Sports Const.
Mamere Neck
Sports Team Const.
Brewster NY

RECEIVED MAR 06 2018

DATE RECEIVED

2/28/18 3/1/18

TIME RECEIVED

11:45am 8:54am

NON COLLUSION
STATEMENT

BID BOND or
CERTIFIED CHECK

Due to budgetary restrictions, the TOWN may NOT award all items

VETERENS MEMORIAL PARK

Crack Repair:

In - Line Rink	\$ 27,000.00	\$ 6,600.00	\$	\$	\$
Basketball Court	\$26,000.00	\$ 27,100.00	\$	\$	\$
Tennis Court (alternate)	\$33,000.00	\$ 30,000.00	\$	\$	\$

Painting:

In - Line Rink	\$37,000.00	\$ 5,600.00	\$	\$	\$
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Pickle- Ball Stripping: Stripping (alternate)

	\$13,000.00	\$ 4,500.00	\$	\$	\$
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INDEPENDENCE PARK

Crack Repair:

Tennis Court	\$ 310,000.00	\$ 9,000.00	\$	\$	\$
Basketball Court (alternate)	\$39,000.00	\$12,000.00	\$	\$	\$

Stripping

Handball Court (alternate)	\$ 8,000.00	\$ 4,500.00	\$	\$	\$
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CHERRY BROOK PARK

Crack Repair:

Tennis Court	\$ 35,000.00	\$10,000.00	\$	\$	\$
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Post Repair

Tennis Court	\$ 9,000.00	\$16,000.00	\$	\$	\$
--------------	-------------	-------------	----	----	----

Stripping

Handball Court (alternate)	\$ 8,000.00	\$ 4,500.00	\$	\$	\$
----------------------------	-------------	-------------	----	----	----

DIST: A6(BARKS), 5D, TB, TA

BID ITEM CURB and SIDEWALK CONSTRUCTION SHEET 1 OF 2
REPLACEMENT and REPAIR

BID OPENING TIME 11:00AM **DATE** December 20, 2017

CONTRACTOR NAME & ADDRESS	<i>Jorrey Excavating Middlebury, NY</i>	<i>Champion Maintenance Ryebrook, NY</i>	<i>CONSOFT BROS. Newburgh, NY</i>	<i>Boyer Excavating Slate Hill, NY</i>	<i>Upstate Concrete Monticue, NY</i>	<i>Bellerose Suffern, NY</i>
DATE RECEIVED	12/20/17	12/20/17	12/20/17	12/20/17	12/20/17	12/20/17
TIME RECEIVED	8:59AM	9:19AM	9:51AM	10:03AM	10:04AM	9:56AM
NON COLLUSION STATEMENT	✓	✓	✓	✓	✓	✓
BID BOND or CERTIFIED CHECK	✓	✓	✓	✓	✓	check

OPTION No. 1 (FOR A ONE (1) YEAR AGREEMENT)

ITEM # 1 - Estimated Quantity - 500 LF*

Removal and Replacement and / or Installation of Concrete Curbs, utilizing Fiber Additive

UNIT PRICE	\$ 100.00	\$ 17.00	\$ 80.00	\$ 135.00	\$ 28.25	30.50
TOTAL PRICE	\$ 50000.00	\$ 8500.00	\$ 40000.00	\$ 67500.00	\$ 14125.00	15250.00

ITEM # 2 - Estimated Quantity - 3000 SF*

Removal and Replacement of Existing Concrete Sidewalks, utilizing Fiber Additive

UNIT PRICE	\$ 20.00	\$ 7.50	\$ 42.00	\$ 120.00	\$ 13.00	8.50
TOTAL PRICE	\$ 60,000	\$ 22,500	\$ 126,000	\$ 360,000	\$ 39,000	25500

ITEM # 3 - Estimated Quantity - 2000 SF*

Installation of New Concrete Sidewalks, utilizing Fiber Additive

UNIT PRICE	\$ 20.00	\$ 7.00	\$ 36.00	\$ 105.00	\$ 10.00	8.00
TOTAL PRICE	\$ 40,000	\$ 14,000	\$ 72000	\$ 210,000	\$ 20000	16,000

ITEM # 4 - Estimated Quantity - 1 EA*

Removal of Existing Handicap Ramp and Installation of New Handicap Curb Ramps with "Armor Tile" Fiberglass Resin Detectable Warning Device or Equal

UNIT PRICE	\$ 5000	\$ 2200	\$ 5500	\$ 11000	\$ 2000	2,000
TOTAL PRICE	\$ 5000	\$ 2200	\$ 5500	\$ 11000	\$ 2000	2,000

ITEM # 5 - Estimated Quantity - 6 EA*

Installation of New Handicap Curb Ramps with "Armor Tile" Fiberglass Resin Detectable Warning Device or Equal

UNIT PRICE	\$ 4000.00	\$ 1800	\$ 4500	\$ 9500	\$ 1600	2,000
TOTAL PRICE	\$ 24000.00	\$ 10800	\$ 27000	\$ 57000	\$ 9600	12000

ITEM # 6 - Estimated Quantity - 1500 LF

Repair, Replace and / or Install Belgian Block Curbs

UNIT PRICE	\$ 100.00	\$ 3.75	\$ 80.00	\$ 135.00	\$ 24.75	32.00
TOTAL PRICE	\$ 150,000	\$ 5625	\$ 120000	\$ 202500	\$ 37125	48000

ITEM # 7 - Estimated Quantity - 1500 SF*

Removal of Existing Pavers and Reset Existing Pavers

UNIT PRICE	\$ 20.00	\$ 37.50	\$ 52.50	\$ 100.00	\$ 22.50	20.00
TOTAL PRICE	\$ 30,000	\$ 56250	\$ 52,500	\$ 90000	\$ 33750	30,000

DIST:

BID OPENING TIME

11:00AM

DATE

December 20, 2017

CONTRACTOR
NAME
&
ADDRESS

*Jorrey Excavating
Middletown NY*
*Champion
Auburn NY*
*Consort Bros
Newburgh NY*
*Boyer Excavating
State Hill NY*
Upstate
*Bellerose
Suffern NY*

DATE RECEIVED	<i>12/20/17</i>					
TIME RECEIVED	<i>9:56AM</i>					
NON COLLUSION STATEMENT						
BID BOND or CERTIFIED CHECK						

OPTION NO. 2 (FOR A TWO (2) YEAR AGREEMENT)

ITEM #1 - Estimated Quantity - 500 LF*
Removal & Replacement and/or Installation of
Concrete Curbs, utilizing Fiber Additive

UNIT PRICE	<i>\$ 110.00</i>	<i>\$ 110.00</i>	<i>\$ 80.00</i>	<i>\$ 155.00</i>	<i>\$ 28.25</i>	<i>\$ 0.50</i>
TOTAL PRICE	<i>\$ 55,000</i>	<i>\$ 8200.00</i>	<i>\$ 40000</i>	<i>\$ 77500</i>	<i>\$ 14125</i>	<i>15250</i>

ITEM #2 - Estimated Quantity - 3000 SF*
Removal & Replacement of Existing Concrete
Sidewalks, utilizing Fiber Additive

UNIT PRICE	<i>\$ 20.00</i>	<i>\$ 7.50</i>	<i>\$ 42.00</i>	<i>\$ 133.00</i>	<i>\$ 13.00</i>	<i>\$ 8.50</i>
TOTAL PRICE	<i>\$ 60000</i>	<i>\$ 22500</i>	<i>\$ 126000</i>	<i>\$ 414000</i>	<i>\$ 39000</i>	<i>29,500</i>

ITEM #3 - Estimated Quantity - 2000 SF*
Installation of New Concrete Sidewalks
utilizing Fiber Additive

UNIT PRICE	<i>\$ 20.00</i>	<i>\$ 7.00</i>	<i>\$ 720.360</i>	<i>\$ 121.00</i>	<i>\$ 10.00</i>	<i>\$ 8.00</i>
TOTAL PRICE	<i>\$ 40,000</i>	<i>\$ 14,000</i>	<i>\$ 72000</i>	<i>\$ 242000</i>	<i>\$ 20000</i>	<i>16000</i>

ITEM #4 - Estimated Quantity - 1 EA *
Removal of Existing Handicap Ramp and Installation of New Handicap Curb Ramps with
"Armor Tile" Fiberglass Resin Detectable Warning Device or Equal

UNIT PRICE	<i>\$ 5,000</i>	<i>\$ 2200</i>	<i>\$ 5500</i>	<i>\$ 12650</i>	<i>\$ 2000</i>	<i>2000</i>
TOTAL PRICE	<i>\$ 5000</i>	<i>\$ 2200</i>	<i>\$ 5500</i>	<i>\$ 12650</i>	<i>\$ 2000</i>	<i>2000</i>

ITEM #5 - Estimated Quantity - 6 EA*
Installation of New Handicap Curb Ramps with
"Armor Tile" Fiberglass Resin Detectable Warning Device or Equal

UNIT PRICE	<i>\$ 4,000</i>	<i>\$ 1800</i>	<i>\$ 4500</i>	<i>\$ 10925</i>	<i>\$ 1600</i>	<i>2000</i>
TOTAL PRICE	<i>\$ 24,000</i>	<i>\$ 10,800</i>	<i>\$ 27000</i>	<i>\$ 65550</i>	<i>\$ 9600</i>	<i>12000</i>

ITEM #6 - Estimated Quantity - 1500 LF*
Repair, Replace and/or Install Belgium Block Curbs

UNIT PRICE	<i>\$ 110.00</i>	<i>\$ 3.75</i>	<i>\$ 80.00</i>	<i>\$ 155.00</i>	<i>\$ 24.75</i>	<i>\$ 22.00</i>
TOTAL PRICE	<i>\$ 165,000</i>	<i>\$ 5625</i>	<i>\$ 120,000</i>	<i>\$ 232,500</i>	<i>\$ 37,125</i>	<i>48,000</i>

ITEM #7 - Estimated Quantity - 1500 SF*
Removal of Existing Pavers & Reset Existing Pavers

UNIT PRICE	<i>\$ 20.00</i>	<i>\$ 3.75</i>	<i>\$ 35.00</i>	<i>\$ 69.00</i>	<i>\$ 22.50</i>	<i>20.00</i>
TOTAL PRICE	<i>\$ 30,000</i>	<i>\$ 5625</i>	<i>\$ 52000</i>	<i>\$ 103500</i>	<i>\$ 33750</i>	<i>30000</i>

ITEM #

				JORREY EXC			
DESCRIPTION	NAME	QUANTITY	YEAR 1	TOTAL 1	YEAR 2	TOTAL 2	
1 Remove and Replace Concrete	Curbs	500	\$ 100.00	\$ 50,000.00	\$ 110.00	\$ 55,000.00	
2 Remove and Replace Concrete	Sidewalks	3000	\$ 20.00	\$ 60,000.00	\$ 20.00	\$ 60,000.00	
3 Installation of New Concrete	Sidewalks	2000	\$ 20.00	\$ 40,000.00	\$ 20.00	\$ 40,000.00	
4 Remove and Replace Concrete	Handicap Ramps	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	
5 Installation of New Concrete	Handicap Ramps	6	\$ 4,000.00	\$ 24,000.00	\$ 4,000.00	\$ 24,000.00	
6 Remove, Replace, Install	Belgium Block Curbs	1500	\$ 100.00	\$ 150,000.00	\$ 110.00	\$ 165,000.00	
7 Remove & Reset Concrete	Pavers	1500	\$ 20.00	\$ 30,000.00	\$ 20.00	\$ 30,000.00	
				\$ 359,000.00		\$ 879,000.00	
				\$		738,000.00	

Bellavista	\$ 297,500.00
Upstate	\$ 311,200.00
Champion	\$ 694,875.00
Jorrey	\$ 738,000.00
Consortl	\$ 886,000.00
Boyce	\$ 2,145,700.00

CHAMPION			
YEAR 1	TOTAL 1	YEAR 2	TOTAL 2
\$ 17.00	\$ 8,500.00	\$ 16.00	\$ 8,000.00
\$ 7.50	\$ 22,500.00	\$ 7.50	\$ 22,500.00
\$ 7.00	\$ 14,000.00	\$ 7.00	\$ 14,000.00
\$ 2,200.00	\$ 2,200.00	\$ 2,200.00	\$ 2,200.00
\$ 1,800.00	\$ 10,800.00	\$ 1,800.00	\$ 10,800.00
\$ 3.75	\$ 5,625.00	\$ 3.75	\$ 5,625.00
\$ 375.00	\$ 562,500.00	\$ 3.75	\$ 5,625.00
		\$ 626,125.00	\$ 687,500.00
		\$	694,875.00

CONSORTI			
YEAR 1	TOTAL 1	YEAR 2	TOTAL 2
\$ 80.00	\$ 40,000.00	\$ 80.00	\$ 40,000.00
\$ 42.00	\$ 126,000.00	\$ 42.00	\$ 126,000.00
\$ 36.00	\$ 72,000.00	\$ 36.00	\$ 72,000.00
\$ 5,500.00	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00
\$ 4,500.00	\$ 27,000.00	\$ 4,500.00	\$ 27,000.00
\$ 80.00	\$ 120,000.00	\$ 80.00	\$ 120,000.00
\$ 35.00	\$ 52,500.00	\$ 35.00	\$ 52,500.00
		\$ 443,000.00	\$ 443,000.00
		\$	886,000.00

BOYCE			
YEAR 1	TOTAL 1	YEAR 2	TOTAL 2
\$ 135.00	\$ 67,500.00	\$ 155.00	\$ 77,500.00
\$ 120.00	\$ 360,000.00	\$ 138.00	\$ 414,000.00
\$ 105.00	\$ 210,000.00	\$ 121.00	\$ 242,000.00
\$ 11,000.00	\$ 11,000.00	\$ 12,650.00	\$ 12,650.00
\$ 9,500.00	\$ 57,000.00	\$ 10,925.00	\$ 65,550.00
\$ 135.00	\$ 202,500.00	\$ 155.00	\$ 232,500.00
\$ 60.00	\$ 90,000.00	\$ 69.00	\$ 103,500.00
		\$ 988,000.00	\$ 1,147,700.00
		\$	2,145,700.00

UPSTATE			
YEAR 1	TOTAL 1	YEAR 2	TOTAL 2
\$ 28.25	\$ 14,125.00	\$ 28.25	\$ 14,125.00
\$ 13.00	\$ 39,000.00	\$ 13.00	\$ 39,000.00
\$ 10.00	\$ 20,000.00	\$ 10.00	\$ 20,000.00
\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
\$ 1,600.00	\$ 9,600.00	\$ 1,600.00	\$ 9,600.00
\$ 24.75	\$ 37,125.00	\$ 24.75	\$ 37,125.00
\$ 22.50	\$ 33,750.00	\$ 22.50	\$ 33,750.00
		\$ 155,600.00	\$ 155,600.00
		\$	311,200.00

BELAVISTA			
YEAR 1	TOTAL 1	YEAR 2	TOTAL 2
\$ 30.50	\$ 15,250.00	\$ 30.50	\$ 15,250.00
\$ 8.50	\$ 25,500.00	\$ 8.50	\$ 25,500.00
\$ 8.00	\$ 16,000.00	\$ 8.00	\$ 16,000.00
\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
\$ 2,000.00	\$ 12,000.00	\$ 2,000.00	\$ 12,000.00
\$ 32.00	\$ 48,000.00	\$ 32.00	\$ 48,000.00
\$ 20.00	\$ 30,000.00	\$ 20.00	\$ 30,000.00
		\$ 148,750.00	\$ 148,750.00
		\$	297,500.00

PROPOSAL

TO: TOWN BOARD, TOWN OF ORANGETOWN, TOWN HALL
NO. 26 ORANGEBURG ROAD, ORANGEBURG, NEW YORK 10962

THE UNDERSIGNED, having a principal place of business at
261 North 18th Street, East Orange, NJ 07017,

(permanent street address required if mailing is different)

and being experienced and responsible for the performance of same, proposes to furnish and deliver INDUSTRIAL SERVICE UNIFORMS in accordance with the Specifications and Contract Documents hereto attached for the following prices:

OPTION NO. 1 (FOR A ONE (1) YEAR AGREEMENT)

Bid Per Employee Per Week \$ 1.69

OPTION NO. 2 (FOR A TWO (2) YEAR AGREEMENT)

Bid Per Employee Per Week \$ 1.69

The prices listed above shall be firm for the full period of the Agreement per Option No. 1 (1 year) or Option No. 2 (2 years).

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

The Non-Collusion Statement attached hereto forms a part of this bid.

DATED: February 8, 2018

John Auricemma
NAME

John Auricemma, President
TITLE

American Wear, Inc.
FIRM NAME

HIGHWAY DEPARTMENT SURPLUS RADIO INVENTORY 2018

Motorola	AAM25DKC9AA1AN	103TMJC534	no			
Motorola	AAM25DKC9AA1AN	103TLL1374	yes			
Motorola	AAM25DKC9AA1AN	103TFCE981	yes			
CES	UUD-0042	CES 101923	no			
Motorola	D51MJA93A5AK	356T2Q1739	yes			
Motorola	D51MJA93A5AK	356TYS0975	yes			
Motorola	D51MJA93A5AK	356TYS0974	no			
Astron	RS-35A	99080229	no			
Motorola	AAM25DKC9AA1AN	103TJS0054	no			
Motorola	D51MJA93A5AK	356TZY0743	no			
Motorola	D51MJA93A5AK	356TZY9776	no			
Motorola	D51MJA93A5AK	356TZY0976	yes			
Motorola	D51MJA93A5AK	428ASW2910	no			
Motorola	D51MJA93A5AK	356TAY0572	yes			
Motorola	AAM25DKC9AA1AN	103TEAE743	yes			
Motorola	AAM25DKC9AA1AN	103TFQ5194	no			
Motorola	AAM25DKC9AA1AN	103TNW0061	yes			
Motorola	AAM25DKC9AA1AN	103THSG979	yes			
Motorola	D51MJA93A5AK		yes			
Motorola	AAM25DKC9AA1AN	103TPU4862	no			
Motorola	AAM25DKC9AA1AN	103TBWM032	yes			
Motorola	AAM25DKC9AA1AN	103TFCE753	yes			
Motorola	D51MJA93A5AK	356TZS2804	yes			
Motorola	AAM25DKC9AA1AN	103TJA3536	yes			
CES	UUD-0042	CES 102174	no			
Motorola	D51MJA93A5AK	356TYN1985	yes			
Motorola	D51MJA93A5AK	356TZU1773	no			
CES	GPS-150		no			
Motorola	D51MJA93A5AK	356TAQ2564	no			
Cimarron Technologies	Sky III	010419-07	no			
Cimarron Technologies	Sky III	010419-13	no			
Motorola	AAM25DKC9AA1AN	103TJUG134	no			
Motorola	D51MJA93A5AK	356TZQ1736	yes			
Motorola	AAM25DKC9AA1AN	103TGE2535	no			
Motorola	AAM25DKC9AA1AN	103TEQN252	yes			
Cimarron Technologies	Sky III/RF	020305-01	no			
CES	UUD-0042	CES 101490	no			
CES		CES 403259	no			
Motorola	AAM25DKC9AA1AN	103TGE2644	yes			
Motorola	D51MJA93A5AK	356TZW0827	yes			
Motorola	AAM25DKC9AA1AN	103LTQ8361	yes			
Motorola	AAM25DKC9AA1AN	103TGE2137	no			
Motorola	D51MJA93A5AK	356TYN1983	yes			
CES	GPS-150	CES 400949	no			
Cimarron Technologies	Sky III/RF	020709-01	no			
Cimarron Technologies	Sky III	010419-11	no			
Cimarron Technologies	Sky III/R	000201-02	no			

HIGHWAY DEPARTMENT SURPLUS RADIO INVENTORY 2018

Motorola	D51MJA93A5AK	356TYN1981	yes		
CES	MDC-150	CES 0010285	no		
Cimarron Technologies	AVLB II	G0014	no		
CES	GPS-150	CES 403275	no		
Motorola	AAM25DKC9AA1AN	104THSH041	yes		
Motorola	AAM25DKC9AA1AN	103TCJ7589	yes		
Motorola	AAM25DKC9AA1AN	103TCN8605	yes		
Motorola	AAM25DKC9AA1AN	103TLQ8367	yes		
Motorola	AAM25DKC9AA1AN	103TFCE755	no		
Motorola	AAM25DKC9AA2AN	103THJ8775	yes		
CES	TRK-240	CES 101491	no		
Cimarron Technologies	Sky III	010419-06	no		
Motorola	AAM25DKC9AA1AN	103TEEE643	yes		
Motorola	MaxTrac		yes		
Motorola	CDM750	GCN6112C	yes		
Motorola	D51MJA93A5AK	356TZS2791	no		
Motorola	CDM750	GCN6112C	yes		
Motorola	AAM25DKC9AA1AN	103TBUJ401	no		
Motorola	CDM1250	GCN6113C	yes		
Motorola	AAM25DKC9AA1AN	103TJA3594	no		
Motorola	D51MJA93A5AK	356TZY0775	yes		
Motorola	AAM25DKC9AA1AN	103TGQG278	yes		
CES	TRK-240	CES 101497	no		
Motorola	AAM25DKC9AA1AN	103TFY5215	yes		
Motorola	AAM25DKC9AA1AN	103TMS6654	yes		
Motorola	D51MJA93A5AK	356TYS0996	yes		
CES	GPS-150	CES 0012360	no		
Motorola	D51MJA93A5AK	356TYN1982	yes		
Cimarron Technologies	Sky III	010419-04	no		
CES	GPS-150	CES 402338	no		
Motorola	AAM25DKC9AA1AN	103TFCE761	yes		
Motorola	AAM25DKC9AA1AN	103TCC1279	yes		
Motorola	AAM25DKC9AA1AN	103TJY4477	yes		
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1056D		yes		lose microphone
Motorola	1035C		yes		lose microphone
Motorola	AARMN4025C	1328	yes		lose microphone



**Department of
Transportation**

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

RECEIVED

FEB - 5 2018

TODD WESTHUIS, P.E.
Regional Director

January 29, 2018

TOWN OF ORANGETOWN
HIGHWAY DEPARTMENT

Mr. James J. Dean, Superintendent of Highways
Orangetown Highway Department
119 Route 303
Orangeburg, NY 10962

Dear Mr. Dean:

Attached are the documents for the 2017-2018 Municipal Snow & Ice Agreement Extension between the Town and New York State: four (4) Agreements, four (4) Estimated Expenditure/Agreement Adjustment Worksheets, and four (4) maps. The Town must issue a signed and sealed Resolution authorizing a Town Official to enter into the Agreement.

Please return the following for further processing by our Department:

- Four (4) Agreements with blanks complete on both pages; original signatures, and notary seal on each;
- Four (4) Estimated Expenditure/Agreement Adjustment Worksheets;
- Four (4) Resolutions with original signatures, and Municipal Seal on each;
- Four (4) maps with original signatures from the Town's responsible Official

Please also be aware that the Town should submit SI-7 (Equipment Operator Report) forms on a monthly basis for our records.

Very truly yours,

Stephen DeMassio, PE
Acting Resident Engineer
Rockland County Residency
275 Ridge Road
New City, NY 10956

Contract #	Municipality	Ext. season	Region #
D009818	Town of Orangetown / Rockland County	2017/18	8

AGREEMENT TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT

This Agreement made this _____ day of _____, _____ by and between THE PEOPLE OF THE STATE OF NEW YORK (hereinafter referred to as "STATE"), acting by and through the Commissioner of Transportation of the State of New York (hereinafter referred to as "COMMISSIONER"), and the _____ of the Town of Orangetown of (hereinafter referred to as "MUNICIPALITY") as follows:

WHEREAS, the COMMISSIONER and the MUNICIPALITY have entered into an Agreement No. D009818 entitled "Indexed Lump Sum Snow and Ice Agreement between the New York State Department of Transportation and the Municipality of Town of Orangetown dated January 16, 1996; and

WHEREAS, the term of the said Agreement is for a period of three years commencing July 1, 1995 and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, **2017**; and

WHEREAS, Section 7 of the said Agreement provides that the COMMISSIONER shall furnish the MUNICIPALITY with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement.

WHEREAS, Section 9 of the said Agreement provides for an annual update of the estimated expenditure to be determined by the COMMISSIONER subject to the provisions of Section 9 at the time for extension of the Agreement;

WHEREAS, Section 9 of the said Agreement also provides for an adjustment to the actual payment amount based on the intensity and severity of the winter season;

NOW, THEREFORE, in consideration of the mutual covenants and benefits between the parties;

WITNESSETH:

1. The aforementioned "Indexed Lump Sum Snow and Ice Agreement Between New York State Department of Transportation and the MUNICIPALITY" is hereby extended for a period of one year; now to expire on June 30, **2018**, unless further extended.

2. The State Highways or parts thereof affected by this Agreement are as delineated on the attached map, agreed upon by the COMMISSIONER and the MUNICIPALITY, which shall be effective for the remainder of the term of the Agreement commencing July 1, **2017**, unless changed by future agreement between the COMMISSIONER and the MUNICIPALITY.

3. All the terms and conditions of the original contract remain in effect except as follows. The indexed lump sum estimated expenditure specified in Section 9 of the aforementioned Agreement shall be \$ 224,709.25 for 62.50 lane miles for the **2015/16** season and for the remainder of the term of the Agreement commencing July 1, **2015**, unless changed by future update.

IN WITNESS WHEREOF, This Agreement has been executed by the State, acting by and through the duly authorized representative of the COMMISSIONER, and the MUNICIPALITY, which has caused this Agreement to be executed by its duly authorized officer on the date and year first above written.

Over ↘

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

THE PEOPLE OF THE STATE OF NEW YORK

MUNICIPALITY

BY _____
for Commissioner of Transportation

BY _____

ATTORNEY GENERAL'S SIGNATURE

COMPTROLLERS SIGNATURE

Dated _____

Dated _____

STATE OF NEW YORK)

) SS:

COUNTY OF Rockland County)

On the _____ day of _____ in the year _____ before me personally came _____ to me known who, being by me duly sworn, did depose and say that he resides in _____, New York; that he is the _____ of _____ the municipality described in and which executed the above instrument; that he executed said instrument by order of the Governing Body of said municipality pursuant to a resolution which was duly adopted on _____; a certified copy of such resolution attached hereto and made a part hereof.

Notary Public

AGREEMENT ADJUSTMENT WORKSHEET

2017/18 Extension Year

Municipality	Town of Orangetown	Contract	D009818
County	Rockland	Region	8

2016/17 Extension's Estimated Expenditure				\$213,600.60		
%	Labor	41.03%	Materials	27.83%	Equipment	31.13%
Value	\$ 87,650.31		\$ 59,449.27		\$ 66,501.02	

LABOR *

Labor Portion of 2016/17 Extension's Estimated Expenditure	\$ 87,650.31
% Labor Increase/Decrease for 2015/16 Season	x 2.5 %
Additional/Less Labor Costs for 2017/18	2191.26
Labor Portion of 2017/18 Extension's Estimated Expenditure	\$ 89,841.57

* Attach Municipality's certification of applicable labor cost increase

MATERIALS

Materials Portion of 2016/17 Extension's Estimated Expenditure \$ 59,449.27

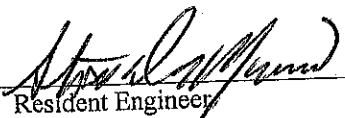
	% Materials	2016/17 Total Material \$	I. Proportionate \$ Amount	2015/16 Price Per Unit	2014/15 Price Per Unit	Difference (Show +/-)	II. ± ▲ %	I. x II. Inc/Dec
Salt	100%	\$ 59,449.27	\$ 59,449.27	\$71.99	\$62.60	\$9.39	15.00%	\$8,917.39
Sand								
Other								
Materials Total								\$68,366.66

Materials Portion of 2017/18 Extension's Estimated Expenditure	\$68,366.66
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EQUIPMENT

Equipment Portion of 2016/17 Extension's Estimated Expenditure	\$ 66,501.02
% Equipment Increase/Decrease for 2015/16 Season	x 0.00 %
Additional/Less Equipment Costs for 2017/18	\$0.00
Equipment Portion of 2017/18 Extension's Estimated Expenditure	\$66,501.02

2017/18 EXTENSION AMOUNT (Labor + Materials + Equipment)	\$ 224,709.25
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Recommended by:  Resident Engineer Approved by: _____ S&I Program Manager

MAP SHOWING

TOWN OF ORANGETOWN

RESPONSIBILITY FOR SNOW & ICE CONTROL ON STATE HIGHWAYS FOR THE SEASONS

OF 2015/16 - 2017/18

CENTER LANE MILES	CONTRACT LANE MILES
20.18	62.50

SNOW AND ICE CONTROL

SIGNED

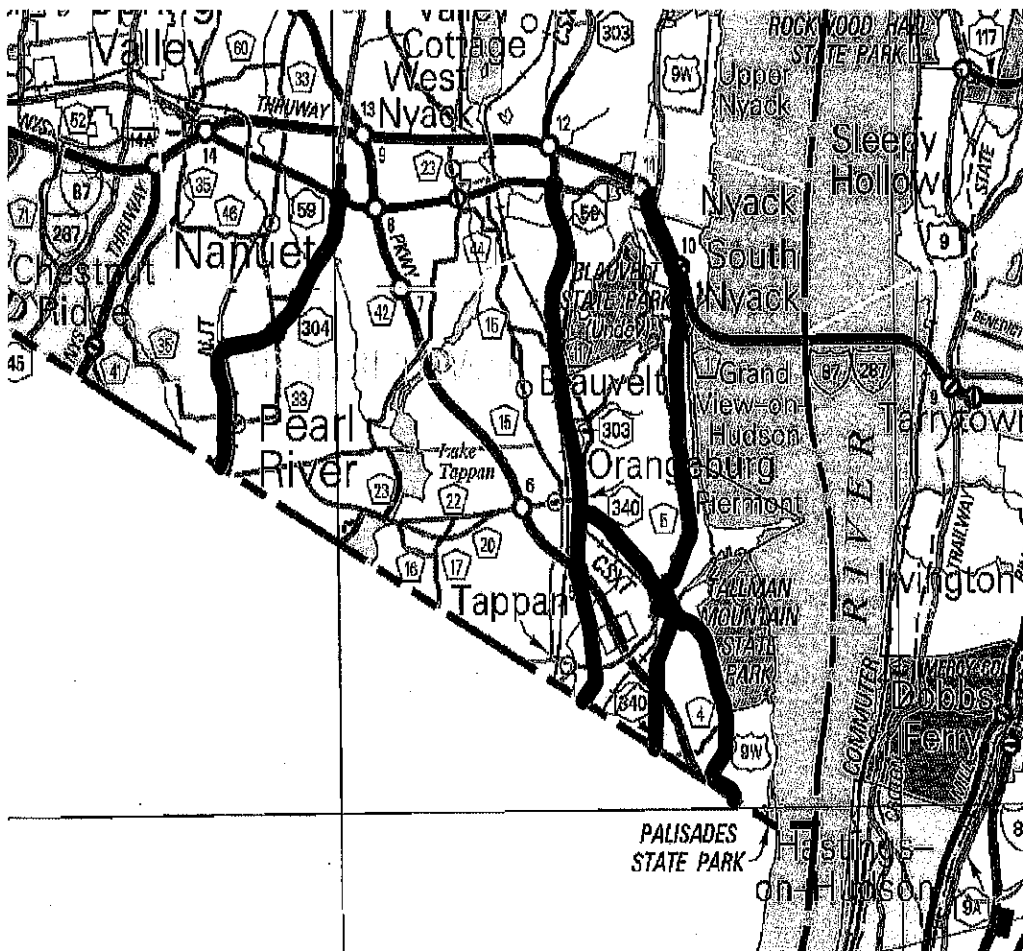
REGIONAL DIRECTOR OF OPERATIONS

DATE

SIGNED

FOR MUNICIPALITY

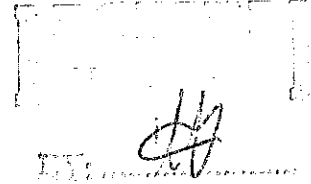
DATE



SAMUEL MOUNIER
237 South Middletown Road
Pearl River, New York 10965

(MEO II)

February 14, 2018



James J. Dean, Superintendent of Highways
119 Route 303
Orangeburg, N.Y. 10962

Dear Mr. Dean:

Please accept this letter as formal notification that I am resigning from my position at the Highway Department effective March 31, 2018.

Thank you for the opportunities you have provided me during my time with the Highway Department.

Sincerely,

A handwritten signature in dark ink, which appears to be 'Samuel Mounier', is written over a horizontal line.

Samuel Mounier