

**TOWN OF ORANGETOWN WORKSHOP MEETING**  
**Tuesday, June 5, 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 :**

- At the RTBM June 26, 2018 / Presentation of the "Lt. Jack Lyman Auxiliary Police Service Award" (Presented by Chief Nulty)

**PRESENTATIONS:**

- Presentation by Zach Whitman, DVM regarding Orangetown Safe Turtle Crossing Project, Western Highway

**AGENDA ITEMS:**

**TOWN BOARD**

**RESOLUTION TO OPEN PUBLIC HEARING ON JUNE 5, 2018 AT 8:05 P.M. / PROPOSED ZONING TEXT AMENDMENT / "CS" TO A "PAC" DISTRICT / GALWAY BAY CONTRACTING INC./ 21 NORTH WILLIAM STREET, PEARL RIVER**

1. **RESOLVED**, that the public hearing on a proposed zoning text amendment / "CS" to a "PAC" District / GALWAY BAY CONTRACTING, INC. / 21 NORTH WILLIAM STREET, PEARL RIVER, is hereby opened.

PRESENTATIONS: Notice of Posting and Affidavit of Publication

SUMMARY OF PUBLIC COMMENTS:

**RESOLUTION TO CLOSE / CONTINUE PUBLIC HEARING / ON PROPOSED ZONING TEXT AMENDMENT / "CS" TO A "PAC" DISTRICT/ GALWAY BAY CONTACTING, INC. / 21 NORTH WILLIAM STREET, PEARL RIVER**

2. **RESOLVED**, that the public hearing on a proposed zoning text amendment / "CS" to a "PAC" District / **GALWAY BAY CONTRATCING, INC / 21 NORTH WILLIAM STREET, PEARL RIVER** is hereby closed, or continued to RTBM of July 24, 2018 at 8:05 P.M..

**PROPOSED RESOLUTION TO DECLARE LEAD AGENCY / SEQRA DETERMINATION / PROPOSED ZONING TEXT AMENDMENT / "CS" TO A "PAC" DISTRICT / GALWAY BAY CONTRACTING, INC. / 21 NORTH WILLIAM STREET, PEARL RIVER**

3. (Place Holder for Town Attorney)

**RESOLUTION TO OPEN / CONTINUE PUBLIC HEARING RTBM JUNE 5, 2018 AT 8:15 P.M. / PETITION FOR ZONE CHANGE / TOWN PLAZA II / TAX MAP 74.07-1-6**

4. **RESOLVED**, that the public portion of the public hearing is hereby opened and continued at the RTBM of June 5, 2018 at 8:15 P.M.

PRESENTATIONS: Notice of Posting and Affidavit of Publication

SUMMARY OF PUBLIC COMMENTS:

**RESOLUTION TO CLOSE PUBLIC HEARING / RTBM OF  
JUNE 5, 2018 / PETITION FOR ZONE CHANGE / TOWN  
PLAZA II / TAX MAP 74.07-1-6**

5. **RESOLVED**, that the public portion of the public hearing is hereby closed.

**ADOPT A NEGATIVE DECLARATION WITH RESPECT  
TO LOCAL LAW NO. \_\_ OF 2018, AMENDING THE  
TOWN ZONING LAW TO CHANGE THE ZONING  
DISTRICT, TAX LOT 74.07-1-6 FROM “CC” and “LI” to  
“CC” IN ITS ENTIRETY / 500 ROUTE 303,  
ORANGEBURG / TOWN PLAZA II**

6. **WHEREAS**, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2, of the Town Code, establishing the Town Zoning Map, to change the zoning classification of the entire parcel known as 500 Route 303 in the hamlet of Orangeburg, tax lot 74.07-1-6 from “CC” and “LI” to “CC” in its entirety.

**WHEREAS**, on or about April 6, 2018, pursuant to Town Board Resolution 2018-242 the Town Board circulated amongst various potential interested agencies notice of its intention to assume Lead Agency status for the purpose of the environmental review of the above referenced action; and

**WHEREAS**, being the only Involved Agency, the Town Board hereby assumes the role of Lead Agency for environmental review; and

**WHEREAS**, acting in its capacity as Lead Agency for environmental review, and after taking a “hard look” at all of the potential environmental impacts that might result from the proposed action, the Town Board has concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the zoning classification of the three parcels affected by the proposed Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts the Negative Declaration annexed hereto, and authorizes the Town Supervisor or his designated agent to execute the Environmental Assessment Form and to take such other and further steps as may be necessary to discharge the Town Board’s responsibilities as Lead Agency.

The aforesaid resolution was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and (adopted / rejected) by a vote of \_ Ayes Nays and Abstentions.

TOWN OF ORANGETOWN, ROCKLAND COUNTY  
ZONING TEXT AMENDMENT

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

DATE: June 5, 2018

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

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

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

TITLE OF ACTION:

Adoption of Local Law No. \_\_\_ of 2018 of the Town of Orangetown, amending the Town Zoning Law, and Zoning Map, to change the zoning classification the entire parcel known as 500 Route 303 in the hamlet of Orangeburg, tax lot 74.07-1-6 from "CC" and "LI" to "CC" in its entirety.

SEQRA STATUS:

Unlisted Action

DESCRIPTION OF ACTION:

The proposed action consists of a change to the zoning classification of the entire parcel known as 500 Route 303 in the hamlet of Orangeburg, tax lot 74.07-1-6 from "CC" and "LI" to "CC" in its entirety.

DETERMINATION:

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

REASONS SUPPORTING THIS DETERMINATION:

The proposed action simply changes the zoning district of an existing tax parcel which is partially located in a CC zoning district and an LI zoning district to make the entire parcel a CC zoning district. The parcel has consistently had uses that are primarily under the CC district.

The change is consistent with the existing use of the existing lot; is consistent with the Town's Master Plan; and is otherwise in the best planning and zoning interests of the Town and the owners' of the parcels, each of whom has requested the change of zoning classification.

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

**POTENTIAL IMPACTS DETERMINED NOT TO BE SIGNIFICANT:**

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

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

**RESOLUTION TO ADOPT PROPOSED LOCAL LAW  
AMENDING CHAPTER 43, 2.2, OF THE ZONING LAW OF  
THE TOWN OF ORANGETOWN TO CHANGE THE  
ZONING DISTRICT OF THE PROPERTY LOCATED AT  
500 ROUTE 303, ORANGEBURG (TOWN PLAZA II), TAX  
LOT 74.07-1-6, FROM "CC" AND "LI" TO "CC" IN ITS  
ENTIRETY**

7. **WHEREAS**, the Town Board of the Town of Orangetown (the "Town Board") is the duly elected legislative body of the Town, authorized to adopt zoning text amendments to the Town's Zoning Law; and

**WHEREAS**, the Town Board has considered the adoption of an amendment to Chapter 43, § 2.2 to change the zoning district of the entire parcel known as 500 Route 303 in the hamlet of Orangeburg, tax lot 74.07-1-6 being located in both the "CC" (Retail-Commerce) and "LI" (Light Industrial) zoning districts, to change the zoning classification of the entire property to that of "CC" (Retail-Commerce), a zoning district that already includes and directly abuts the property

**WHEREAS**, by Resolution No. 242 of 2018, after notice duly given, and there being no other involved agency, by resolution duly adopted this 5th day of June, 2018, the Town Board assumed the role of Lead Agency under SEQRA for environmental review, and, acting in its capacity as such, concluded that there will be no significant environmental impact or effect caused or occasioned by the proposed change in the Town's Zoning Law and determines the issuance of Negative Declaration is appropriate; and

**WHEREAS**, following due notice, a public hearing was conducted on the proposed zone change amendment; and

**WHEREAS**, the Board has concluded that the proposed zone change which simply changes the zoning classification of the subject parcel, which has already developed in accordance with the "CC" zoning district zoning district, is consistent with the Town's Master Plan, and otherwise is in the best interests of the Town and the owner of the parcel, who has requested the change of zoning classification; and

**WHEREAS**, the Town Planning Board, pursuant to Town Code Chapter 43, § 10.5, and the County Planning Department, pursuant to General Municipal Law §§ 239 l & m, have each reviewed the proposed law; and

**WHEREAS**, the Town Planning Board, by Memorandum, dated April 10, 2018, following due consideration at a public meeting held on the same date, has indicated no further comment; and

**WHEREAS**, the County Department of Planning, by letter review dated April 10, 2018, has recommended

"Split zoning districts for individual parcels often cause problems, and should be avoided whenever possible. The site is currently developed with a

shopping center us, which currently contains several restaurant type vendors. Our biggest concern with the zone change is to ensure that adequate parking is provided for any potential uses associated with the new zoning district. Since the site fronts NYS Route 303, it is imperative that adequate parking for the site be provided. Given the design of the ingress/egress points, the fact that the parking requirement for restaurants in the LI zoning district is the same as in the CC zone, documentation that indicates that restaurant uses have already been located within the shopping center buildings with no cited parking issues, and that historically it appears that the parking lots have not been filled to capacity, based on aerial photography ranging from 2000 to 2016, the zone change should have no direct impact on the parking needs. Therefore, we offer the following comments:

1. A Review must be completed by the New York State Department of Transportation, and any comments or concerns addressed.
2. A review must be completed by the County of Rockland Drainage Agency and any comment addressed."

**WHEREAS**, the Rockland County Drainage Agency in an email dated April 24, 2018 has offered "No Comments" on the project, and the New York State DOT having indicated in a letter dated June 5, 2018 that it anticipates no significant impact to the State's highway system and offered no further comments,

**NOW, THEREFORE, BASED ON ALL OF THE INFORMATION BEFORE THE BOARD, AND THE FINDINGS MADE HEREIN, BE IT RESOLVED**, that the Town Board hereby adopts the within Local Law, amending the Town Zoning Law, and the Town Zoning Map made a part of the Town Code at Chapter 43, § 2.2., and changes the zoning classification of the referenced parcels to "CC" Retail-Commerce in its entirety.

The aforesaid was moved by \_\_\_\_\_, seconded by \_\_\_\_\_, and (adopted / rejected) by a roll call vote as follows:

- Aye Nay
- Supervisor Day \_\_\_\_ \_\_\_\_
- Councilman Troy \_\_\_\_ \_\_\_\_
- Councilman Diviny \_\_\_\_ \_\_\_\_
- Councilman Valentine \_\_\_\_ \_\_\_\_
- Councilman Bottari \_\_\_\_ \_\_\_\_

**PROPOSED LOCAL LAW AMENDING CHAPTER 43, § 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING DISTRICT OF THE PROPERTY LOCATED AT 500 ROUTE 303, ORANGEBURG, TAX LOT 74.07-1-6 FROM "CC" and "LI" to "CC" IN ITS ENTIRETY**

**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, NY (Town Plaza II) (Tax Map Designation 74.07-1-6) from the partial "CC" (Retail-Commercial) and partial "LI" (Light Industrial) zoning districts to the "CC" (Retail-Commercial) zoning district, which metes and bounds description is as follows:

All that certain plot, piece or parcel of land with improvement erected thereon, situate lying and being in Orangeburg, Town of Orangetown, Rockland County, New York, being shown and designated as **a portion of Parcel 1** on a certain map entitled "**Seymour Koff**" filed in the Rockland County clerk's office on **November 16, 1967** as **Map No. 3646 Book 74 Page 16** being more particularly bounded and described as follows:

**BEGINNING AT A POINT** in the center of Mountainview Avenue (AKA Chamberlain Road) said point being the intersection of a line measured 250 feet westerly and perpendicular to the centerline of Route 303 with the center line of Mountainview Avenue and running **THENCE**:

North 70 degrees 39 minutes 00 seconds West 162.13 feet along the centerline of Mountainview Avenue

**THENCE** North 58 degrees 59 minutes 00 seconds West 8.64 feet along the centerline of Mountainview Avenue

**THENCE** North 15 degrees 40 minutes 00 seconds East 324.11 feet along the easterly line of lands now or formerly Church of the Lord

**THENCE** South 82 degrees 43 minutes 00 seconds East 54.88 feet along the aforementioned lands **THENCE** North 53 degrees 20 minutes 00 seconds East 52.61 feet along the aforementioned lands

**THENCE** South 03 degrees 27 minutes 00 seconds West 395.42 feet through parcel 1 and parallel with Route 303 to the centerline line of Mountainview Avenue the **POINT OR PLACE OF BEGINNING**.

Said property contains 1.04 Acres more or less.

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

**RESOLUTION TO OPEN PUBLIC HEARING ON JUNE 5, 2018 at 8:30 P.M. / EMERGENCY TREE HAZARD / 20 LAWRENCE STREET, TAPPAN, NY**

8. **RESOLVED**, that the public portion of the public hearing regarding Emergency Tree Hazard at 20 Lawrence Street, Tappan, NY, is hereby opened.

PRESENTATIONS: Notice of Posting and Affidavit of Publication

SUMMARY OF PUBLIC COMMENTS:



**RESOLUTION TO CONTINUE / CLOSE PUBLIC HEARING ON JUNE 5, 2018 at 8:30 P.M. / EMERGENCY TREE HAZARD / 20 LAWRENCE STREET, TAPPAN, NY**

9. **RESOLVED**, that the public hearing regarding Emergency Tree Hazard at 20 Lawrence Street, Tappan, NY is hereby continued or closed.

**PROPOSED RESOLUTION TO OPEN PUBLIC HEARING ON JUNE 26, 2018 AT 8:05 P.M. / THE POINTE AT LAKE TAPPAN / BNE REAL ESTATE GROUP / PROPOSED ZONING CODE ORDINANCE AMENDMENT / "OP" TO A "PAC" DISTRICT / SECTION 73.10, Block 1, Lot 5 18-2113C-4**

10. *Proposed Text:* **RESOLVED**, that the public hearing on a proposed zoning code ordinance amendment, "OP" to a "PAC" DISTRICT / BNE REAL ESTATE GROUP / Section 73.10, Block 1, Lot 5 18-2113C-4, is hereby opened.

PRESENTATIONS: Notice of Posting and Affidavit of Publication

SUMMARY OF PUBLIC COMMENTS:

**PROPOSED RESOLUTION / CLOSE OR CONTINUE PUBLIC HEARING / THE POINTE AT LAKE TAPPAN / BNE REAL ESTATE GROUP PROPOSED ZONING CODE ORDINANCE AMENDMENT / "OP" TO A "PAC" DISTRICT / SECTION 73.10, Block 1, Lot 5 18-2113C-4**

11. *Proposed Text:* **RESOLVED**, that the public hearing on a proposed zoning code ordinance amendment, The Pointe at Lake Tappan / BNE Real Estate Group / "OP" to a "PAC" District / Section 73., Block 1, Lot 5 18-2113C-4, is hereby closed or continued to TBWS of July 17, 2018 at 8:25 P.M.

**PROPOSED RESOLUTION TO DECLARE LEAD AGENCY / SEQRA DETERMINATION / PROPOSED ZONING CODE ORDINANCE AMENDMENT / "OP" TO "PAC" DISTRICT / THE POINTE AT LAKE TAPPAN / BNE REAL ESTATE GROUP**

12. (Place Holder for Town Attorney)

**PROPOSED RESOLUTION TO ADOPT PROPOSED LOCAL LAW AMENDING CHAPTER 43, 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING DISTRICT OF THE PROPERTY / THE POINTE AT LAKE TAPPAN / BNE REAL ESTATE GROUP PROPOSED ZONING CODE ORDINANCE AMENDMENT / "OP" TO A "PAC" DISTRICT / SECTION 73.10, Block 1, Lot 5 18-2113C-4**

13. (Place Holder for Town Attorney)

**PROPOSED RESOLUTION TO OPEN PUBLIC HEARING ON JUNE 26, 2018 AT 8:15 P.M. / KAZZIEGIRL LLC AND LSB10924 LLC / PROPOSED ZONING CODE CHANGE / TAX MAP 73.15-1-11**

14. *Proposed Text:* **RESOLVED**, that the public hearing on a proposed zoning code change / **Kazziegirl LLC and LSB10924 LLC**, is hereby opened.

PRESENTATIONS: Notice of Posting and Affidavit of Publication

SUMMARY OF PUBLIC COMMENTS

**PROPOSED RESOLUTION TO CONTINUE / CLOSE PUBLIC HEARING / KAZZIEGIRL LLC and LSB10924 LLC / PROPOSED ZONING CODE CHANGE / 37 HUNT ROAD, ORANGEBURG / FROM "LIO" TO "R-80" / TAX MAP 73.15-1-11**

15. *Proposed Text:* **RESOLVED**, that the public hearing on a proposed zoning code change for **Kazziegirl LLC and LSB10924 LLC** / is hereby closed / or continued to TBWS July 17, 2018 at 8:35 P.M.

**PROPOSED RESOLUTION TO DECLARE LEAD AGENCY / SEQRA DETERMINATION / PROPOSED ZONING CODE CHANGE / KAZZIEGIRL LLC AND LSB10924 LLC / 37 HUNT ROAD, ORANGEBURG / TAX MAP 73.15-1-11**

16. (Place Holder for Town Attorney)

**PROPOSED RESOLUTION TO ADOPT PROPOSED LOCAL LAW AMENDING CHAPTER 43, 2.2, OF THE ZONING LAW OF THE TOWN OF ORANGETOWN TO CHANGE THE ZONING DISTRICT OF THE PROPERTY / KAZZIEGIRL LLC AND LSB10924 LLC / 37 HUNT ROAD, ORANGEBURG / FROM "LIO" TO "R-80" / TAX MAP 73.15-1-11**

17. (Place Holder for Town Attorney)

**PROPOSED RESOLUTION TO OPEN PUBLIC HEARING / JUNE 26, 2018  
AT 8:30 PM / 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)**

18. *Proposed Text:* **RESOLVED**, that the Public Hearing, to consider the adoption of a Local Law amending the Code of the Town of Orangetown, Chapter 6, entitled Building Construction Administration, §6-5; and Chapter 43, entitled Zoning, Article IV, §4.1, entitled Performance Standards, and §4.11, §4.12 and §4.13 thereof, and Article X, entitled Administration and Enforcement, §10.222, §10.323, §10.334 and §10.335 thereof; was held open at the April 10, 2018, meeting of the Town Board, and continued to this evening and has remained open.

**PRESENTATION:** Correspondence received:

- (1). Report from expert consultant to the Town Board, dated 05/02/2018, entitled "Town Performance Standard for Odors and Odorous Emissions," by Sander Bonvell, of Earth View Environmental;
- (2). Attorney-client privileged confidential memorandum from the Town Board's outside legal counsel, dated 04/16/2018, entitled "Proposed Amendments to Performance Standards," by Christine A. Fazio, Esq. and Karen E. Meara, Esq., of Carter Ledyard & Milburn LLP (not for public disclosure);
- (3). \_\_\_\_\_;
- (4). \_\_\_\_\_;
- (5). \_\_\_\_\_;
- (6). \_\_\_\_\_;
- (7). \_\_\_\_\_;
- (8). \_\_\_\_\_.

**Summary of Public Comments:**

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**/ JUNE 26, 2018 AT 8:30 PM / 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)**

19. *Proposed Text:* **RESOLVED**, that the public portion of the public hearing is hereby closed.

**PROPOSED RESOLUTION TO DECLARE TOWN BOARD AS SEQRA LEAD AGENCY / 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)**

20. *Proposed text:* **RESOLVED** that, in considering adoption of text amendments to: (a) Orangetown Code §6-5 (Chapter 6, Building Construction Administration), (b) Orangetown Zoning Code (Chapter 43) §4.11, §4.12 and §4.13 (Performance Standards), and (c) Zoning Code §10.222, §10.323, §10.334 and §10.335 (Administration and Enforcement), in accordance with the implementing Regulations of the New York State Environmental Quality Review Act (“SEQRA”), found at Title 6, NYCRR, Part 617, and more than thirty days having elapsed since the Town Board issued its Notice of Intention to Declare itself SEQRA Lead Agency, and not having received any objection to such Notice of Intention, the Town Board hereby Declares itself to be Lead Agency in the environmental quality review of this proposed land use action, as per SEQRA Regulation 6 NYCRR §617.6(b)(5)(v); and the Town Board also hereby directs that the Orangetown Department of Environmental Management and Engineering prepare and sign (by a NYS licensed Professional Engineer thereof), and submit to the Town Board, Part 1 of the SEQRA Short Environmental Assessment Form (i.e., “Short EAF”).

**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)**

21. (SEE ATTACHED PROPOSED AMENDMENTS TO TOWN CODE)

**RESOLUTION TO SET PUBLIC HEARING DATE / TBWS JULY 17, 2018 at 8:15 P.M. / PROPOSED CHANGE TO TOWN CODE, CHAPTER 14C REGARDING COMMERCIAL FILMING IN THE TOWN OF ORANGETOWN**

22. **RESOLVED**, that the Town Board will hold a public hearing on July 17, 2018, at 8:15 p.m. on a proposed Local Law, amending Chapter 14C regarding commercial filming in the Town of Orangetown.

**RESOLUTION TO DECLARE INTENT OF TOWN BOARD TO SERVE AS LEAD AGENCY PURSUANT TO SEQRA / PROPOSED CHANGE TO TOWN CODE, CHAPTER 14C REGARDING COMMERCIAL FILMING IN THE TOWN OF ORANGETOWN**

23. **WHEREAS**, the Town Code currently provides for the issuance of permits for commercial filming within the Town of Orangetown under certain circumstances as more fully set forth in Chapter 14C, and

**WHEREAS**, the Town Board has determined that as the desire for commercial filming has become more prevalent, and certain changes to the Code are necessary to address filming on public and private property, the circumstances under which additional fees shall be provided for and that any permitting is more appropriately directed out of the Town Supervisor's Office, and

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

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

PROPOSED LOCAL LAW NO. \_\_ OF 2018, AMENDING CHAPTER 14C OF THE TOWN CODE REGARDING COMMERCIAL FILMING IN THE TOWN OF ORANGETOWN

(SEE ATTACHED PROPOSED LOCAL LAW)

**PROPOSED RESOLUTION TO SCHEDULE  
SPECIAL TOWN BOARD MEETING /  
SATURDAY, SEPTEMBER 8, 2018 / 8:00 AM  
- 1:00 PM / 2019 TOWN BUDGET**

24. *Proposed Text:* **RESOLVED**, that the Town Board hereby schedules a public Special Town Board Meeting on Saturday, September 8, 2018, at 8:00 A.M. to hear 2019 Budget Presentations, by Town Department Heads, which meeting is expected to continue until 1:00 P.M., and directs the Town Clerk to notify the public of this meeting.

**PROPOSED RESOLUTION TO APPROVE**

**AGREEMENT / BUSINESS EXPENSE ADVISORS, LLC / CONSULTANT SERVICES / GENERATE SAVINGS / GOLDKAP COST ANALYSIS AUDITING AGREEMENT**

- 25. *Proposed Text:* **RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute an Agreement, on behalf of the Town, with Business Expense Advisors, LLC, subject to review and approval of the proposed agreement by the Town Attorney’s Office, which agreement is to provide professional services to the Town including but not limited to: negotiation with new vendors, and/or re-negotiation with current vendors of some Town departments to provide more cost-effective spending within the framework and the constraints of the Town Procurement Policy, the monetary thresholds of the Competitive Bidding requirements, or exceptions thereto, Best Value Purchasing, Piggybacking on certain government contracts, the Town Code and Town Ethics Code, the NYS Town Law and the NYS General Municipal Law, at a cost of ONE HUNDRED SEVENTY FIVE DOLLARS (\$175.00) PER HOUR for savings as a result of elimination of services and/or the suggestions of BUSINESS EXPENSE ADVISORS, LLC that cannot be measured in cost savings, with a maximum cost of \_\_\_\_\_THOUSAND AND 00/100 (\$\_\_\_\_,000.00) DOLLARS, or FIFTY (50%) PERCENT of any savings found and identified for the first TWELVE (12) MONTHS from the date the agreement is signed by the TOWN for a period of TWENTY-FOUR MONTHS.

AYES:  
NOES:

**PROPOSED RESOLUTION TO AUTHORIZE AGREEMENT / 2018 / ALL BRIGHT ELECTRIC**

- 26. (Place Holder for Town Attorney)

**PROPOSED RESOLUTION TO AUTHORIZE PURCHASE / PUBLIC ANNOUNCEMENT MESSAGE BOARD / DOWNTOWN PEARL RIVER**

- 27. *Proposed Text:* **RESOLVED**, that the Town Board hereby authorizes the purchase and installation of a public announcement message board in the amount of \$14,985.00 (funds to be sourced from account sp. 5650.300) to be located in Downtown Pearl River at the intersection of Central Avenue and Middletown Road.

**PROPOSED RESOLUTION TO CREATE NEW**

**TOWN EMPLOYEE POSITION / DIRECTOR OF  
ECONOMIC DEVELOPMENT, TOURISM, AND  
FILMING**

28. *Proposed Text:* **RESOLVED**, that the Town Board hereby authorizes the creation of a new Town employee position, Director of Economic Development and Tourism, a salaried position of \$80,000 to be appointed by the Town Supervisor.

**PROPOSED RESOLUTION TO  
AUTHORIZE SALE OF CELL TOWER  
SPACE AT TOWN HIGHWAY  
DEPARTMENT UPON TOWN  
PROPERTY**

29. *Proposed Text:* **RESOLVED**, that the Town Supervisor is hereby authorized to sign an agreement between the Town of Orangetown and Black Dot Capital Real Estate Group, LLC, for sale of space on the cell tower at the Highway Department, owned by the Town of Orangetown, in the amount of \$1,040,534.69, subject to Town Attorney approval.

**TOWN CLERK**

**PROPOSED RESOLUTION TO ACCEPT / RECEIVE /  
FILE DOCUMENTS RECEIVED IN THE TOWN CLERK'S  
OFFICE**

30. *Proposed Text:* **RESOLVED**, that the following documents are accepted, received and filed in the Town Clerk's Office:
1. Agreement: ADS Environmental Services, LLC, to monitor, analyze, and report final flow reductions / Nyack Sanitary Sewer System.
  2. MS4 Annual Report Year 15 (DRAFT), dated April 24, 2018.
  3. Town Board minutes: 4/10/18, 4/24/18 & 5/15/18 Regular Town Board Meeting; 4/17/18 & 5/8/18 Workshop; and 4/17/18 & 5/8/18 Police Commission.

**TOWN ATTORNEY**



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

31. *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:

CIOFFI 1, INC., 27 Skyline Drive, Thiells, New York 10984

**PROPOSED RESOLUTION TO APPROVE  
RIGHT-OF-WAY DEDICATION AND NON-  
EXCLUSIVE DEED OF EASEMENT FOR BUS  
SHELTER / PB #14-24, WALGREENS SITE  
PLAN**

32. *Proposed Text:* **RESOLVED**, that upon the recommendation of the Town Attorney's Office, Department of Environmental Management and Engineering, and the Superintendent of Highways, the Right-of-Way Dedication, dated September 8, 2017, and the Non-Exclusive Deed of Easement for Bus Shelter, dated September 8, 2017, both relating to Planning Board #14-24, Walgreens Site Plan, are hereby accepted and received; and

**BE IT FURTHER RESOLVED**, that the Supervisor or his designee is hereby authorized to execute all documents necessary to effectuate the acceptance and filing of the respective deeds with the Rockland County Clerk.

**OBZPAE**

**RESOLUTION TO SET PUBLIC HEARING / TBWS JULY  
17, 2018 at 8:05 P.M. / PROPOSED CHANGE TO TOWN  
CODE, CHAPTER 43, ARTICLE V AND ARTICLE XI TO  
PROVIDE FOR THE REGULATION OF TEMPORARY  
STORAGE CONTAINERS (PODS)**

33. **RESOLVED**, that the Town Board will hold a public hearing on TBWS July 17, 2018, at 8:05 P.M., on a proposed Local Law, amending Chapter 43, Article V and Article XI providing for the definition and regulation of temporary storage containers (PODS).

**RESOLUTION TO DECLARE INTENT OF TOWN**

**BOARD TO SERVE AS LEAD AGENCY  
PURSUANT TO SEQRA / REGULATION OF  
TEMPORARY STORAGE CONTAINERS (PODS)**

34. **WHEREAS**, temporary storage containers, also known as PODS, are more frequently being used by homeowners for temporary storage either during renovation work or at other times and necessary, and

**WHEREAS**, the use of these temporary storage containers are convenient for homeowners, however the Town Board finds that there is a need to regulate their use so as to not create a permanent structure on the property and for consideration of the neighborhoods and the impact of permitting such temporary storage containers have on the aesthetics and values of neighboring properties, and

**WHEREAS**, the Town Board finds that it would be appropriate to provide for the regulation of the use of temporary storage containers throughout the Town and

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

1. The proposed action is one subject to review under the State Environmental Quality Review Act ("SEQRA");
2. The proposed action as an "Unlisted" action; and
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 LOCAL LAW NO. \_\_\_ OF 2018, AMENDING CHAPTER 43  
OF THE TOWN CODE ARTICLE V AND ARTICLE XI TO PROVIDE FOR  
THE DEFINITION AND REGULATION OF TEMPORARY STORAGE  
CONTAINERS (PODS)

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

As amended, Additions are underlined, Deletions are stricken. The said section  
of the Code is amended as follows:

Section 1.

A) ARTICLE V

Section 5.2 Exceptions to bulk regulations

5.330 Temporary portable storage containers shall be permitted under the provisions of this section. Not more than one container shall be allowed per residential lot. Enclosed containers shall not exceed 128 square feet and eight feet in height. The temporary storage container must be a minimum of 5 feet from any side or rear yard property line; in no instance shall the container be placed in a required front yard, unless in a permitted driveway, nor shall it be placed in a public right-of-way or easement. A permit is required from the Building Inspector for the placement of a temporary portable storage container after being in place for more than 14 days. The permit shall authorize such container to remain for a period not to exceed 180 days thereafter. No permit shall be issued for another temporary storage container for the same residential lot until two years from the issuance of a previously issued permit, except if the ownership of the lot changes. The permit must be displayed in a conspicuous place on the temporary portable storage container. Failure to obtain a permit and/or any container that is situated in violation of an issued permit or this section shall constitute a violation of the zoning code, subject to penalty as per §10.6 of the code. The fee for the permit for the temporary storage container shall be established as per Town Board resolution.

B) ARTICLE XI

Section 11.2 Definitions:

TEMPORARY STORAGE CONTAINER

Any portable container, receptacle, or device of a type commonly used for the temporary storage of personal property and other matter. The term shall include, but not be limited to, portable on-demand storage units (PODS).

Section 2. Severability Clause

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

Section 3. Effective Date.

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

**PROPOSED RESOLUTION TO SET PUBLIC HEARING /  
TBWS AUGUST 7, 2018 at 8:05 P.M. / ON PROPOSED  
CHANGE TO TOWN CODE, CHAPTER \_\_, ARTICLE(S) \_  
\_ TO PROVIDE FOR THE REGULATION OF  
COMMERCIAL BUILDING INTERNAL SUB-DIVISIONS**

35. *Proposed Text:* **RESOLVED**, that the Town Board will hold a public hearing on TBWS August 7, 2018, at 8:05 P.M., on a proposed Local Law, amending Chapter \_\_, Article(s) \_\_ providing for the definition and regulation of commercial building internal sub-divisions.

**PROPOSED RESOLUTION TO DECLARE INTENT OF  
TOWN BOARD TO SERVE AS LEAD AGENCY  
PURSUANT TO SEQRA / REGULATION OF  
COMMERCIAL BUILDING INTERNAL SUB-DIVISIONS**

36. (Place Holder for Town Attorney)

**HIGHWAY/POLICE**

**PROPOSED RESOLUTION TO  
APPROVE / LEND ASSISTANCE /  
2018 FATHER'S DAY RUN / JUNE  
17, 2018 / PEARL RIVER**

37. *Proposed Text:* **RESOLVED**, upon the recommendation from the Superintendent of Highways and the Chief of Police, that the Town Board hereby authorizes the Town of Orangetown Highway & Police Departments to lend assistance which includes the use of Town roads from the Highway Department and Auxiliary Police from the Orangetown Police Department, for the Pearl River Elks Club annual Father's Day Run to be held on Sunday, June 17th, 2018, from 8:30 am to 9:30 am.

**HIGHWAY/PARKS**

**PROPOSED RESOLUTION TO ACCEPT STATE AND  
MUNICIPAL FACILITIES PROGRAM GRANT (#7032) IN  
THE AMOUNT OF \$125,000 FOR TOWN  
IMPROVEMENTS / SITE PREPARATION AND  
CONSTRUCTION OF THE GREENBUSH BIKE BYPASS  
(\$100,000) / ADDITION OF PLAYGROUND TO CHERRY  
BROOK PARK, PEARL RIVER (\$25,000) / NEGATIVE  
DECLARATION PURSUANT TO SEQRA**

38. (Place Holder for Town Attorney)

**PARKS AND RECREATION**

**PROPOSED RESOLUTION TO EXTEND AGREEMENT / 2018 / DOWNES TREE SERVICE / TREE PRUNING AND REMOVAL TOWN OWNED PROPERTIES**

39. *Proposed Text:* **WHEREAS**, in 2017, the Town entered into an agreement with Downes Tree Service to provide for tree pruning and related services within Town Parks and property owned by the Town for the 2017 calendar year, and

**WHEREAS**, the Town and Downes Tree Service have mutually agreed to extend their current agreement for tree pruning and removal within Town Parks and on Town owned properties for the calendar year 2018 as authorized by subsection i of the Specifications and Requirements section of the 2017 agreement,

**NOW THEREFORE BE IT RESOLVED**, upon the recommendation of the Superintendent of Parks and Recreation, authorize the extension of the 2017 agreement for tree pruning and removal in Town Parks and on Town owned properties through calendar year 2018 with Downes trees Service of Hawthorne, NJ under the same terms and conditions.

**PROPOSED RESOLUTION TO AWARD BID / ORANGETOWN TOWN HALL / NEW SIDE BOILER REPLACEMENT**

40. *Proposed Text:* **RESOLVED**, upon the recommendation of the Superintendent of Parks and Recreation award the bid in the amount of \_\_\_\_\_ for Town Hall New Side Boiler Replacement to: \_\_\_\_\_, the lowest qualified bidder.

**RESOLUTION TO APPROVE ORANGETOWN SUMMER DAY CAMP / EXTENSION OF AGREEMENT / 2018 / THE NOBLE NINTH, INC / USE OF NOBLE NINTH'S PICNIC GROUNDS**

41. **RESOLVED**, that the Town Supervisor is hereby authorized to sign The Letter of Extension Agreement with The Noble Ninth, Inc., dated May 2018, for use of the Noble Ninth's picnic grounds for the Town of Orangetown's 2018 Summer Day Camp, from June 27, 2018 through August 3, 2018, under the same terms and conditions as set forth in a certain agreement entered into between the Town of Orangetown and the German Masonic Home Corporation dated, May 18, 1991, as received and filed in the Town Clerk's Office.

**HIGHWAY**

**PROPOSED RESOLUTION TO  
AWARD BID / PURCHASE OF  
VARIABLE MESSAGE BOARDS**

42. *Proposed text:* **RESOLVED**, upon the recommendation from the Superintendent of Highways, award the bid for Variable Message Boards to Glenco Supply Inc, Oakhurst, New Jersey, lowest qualified bidder to meet specifications, in the amount of \$36,062.

**DEME**

**PROPOSED RESOLUTION TO AMEND DATES  
AFFECTED BY RESOLUTION NO. 328 (RTBM 5-15-18) /  
GRANT PERMISSION / DAVID ALVAREZ TO ATTEND  
WASTEWATER OPERATOR CERTIFICATION COURSE /  
GRADE 3 SUPERVISION AND TECHNICAL  
OPERATIONS**

43. *Proposed Text:* **RESOLVED**, that upon the recommendation of the Commissioner of DEME, the Town Board grants permission David Alvarez to attend the Wastewater Operator Certification Course, Grade 3 Supervision and Technical Operations, in Morrisville, NY, from October 22 – 26, 2018 at a total cost of \$1,536.15 to be charged to Account 8130.441 and 8130.480.

**PROPOSED RESOLUTION TO GRANT  
PERMISSION / MICHAEL WEBER /  
ATTEND USEPA NORTHEAST PRE-  
TREATMENT TRAINING**

44. *Proposed Text:* **RESOLVED**, that upon the recommendation of the Commissioner of DEME, the Town Board grants permission to Michael Weber to attend the USEPA Northeast Pre-Treatment Training, in Albany NY, from June 26 – 27, 2018, at a total cost of \$445.74 to be charged to Account 8130.441 and 8130.480.

**RESOLUTION TO APPOINT \_\_\_\_\_,  
MAINTENANCE SUPERVISOR (SEWAGE SYSTEMS) /**

**PERMANENT / DEME**

45. **RESOLVED**, the Town Board appoints \_\_\_\_\_, Maintenance Supervisor (Sewage Systems), DEME, permanent, from EL #18006 (OC) effective 06/06/2018.

**RESOLUTION TO APPOINT \_\_\_\_\_, ASSISTANT  
MAINTENANCE SUPERVISOR (SEWAGE SYSTEMS) /  
PERMANENT / DEME**

46. **RESOLVED**, the Town Board appoints \_\_\_\_\_, Assistant Maintenance Supervisor (Sewage Systems), DEME, permanent, from EL #18007 (PROM) effective 06/06/2018.

**PERSONNEL**

**PROPOSED RESOLUTION  
TO APPROVE / TOWN  
BUDGET CALENDAR /  
2019 BUDGET YEAR**

47. *Proposed Text:* **WHEREAS**, Article 8 of the Town Law of the State of New York provides for a budget system for a Town and the Town Board wishes to set up a budget schedule as provided in Article 8 of the Town Law by designating various dates to implement the 2019 budget;

**NOW, THEREFORE, BE IT RESOLVED**, that the following dates are hereby set as official dates of the Town of Orangetown for the submission and adoption of the budget as required by law:

**SEPTEMBER 8, 2018:** At the Special Town Board meeting at 8:00 A.M. will take place a 2019 budget hearing will be held at Town Hall, Orangeburg, New York, to include all department heads;

**SEPTEMBER 25, 2018:** At the RTBM meeting of the Town Board at 7:30 P.M. at Town Hall, Orangeburg, New York, the Town Clerk shall distribute to the Town Board the 2019 Tentative Budget for the Town and publish it on the Town's website;

**SEPTEMBER 25, 2018:** Schedule a public hearing for October 16, 2018, 8:00 P.M. regarding the Blauvelt Fire District contract.

**OCTOBER 16, 2018:** Last day for the Town Board to complete review of Tentative Budget and file the Preliminary Budget with the Town Clerk who will publish it on the Town's website:

**NOVEMBER 13, 2018:** At 8:00 P.M. a public hearing on the Preliminary Budget shall be held at Town Hall, Orangeburg, New York. At the conclusion of the hearing, the Town Board may by resolution adopt a final budget, by either accepting or amending the Preliminary Budget and said budget may become the legally Adopted Budget for the Town of Orangetown for the year commencing January 1, 2019;

**ADJOURNMENTS**



**Sue Ann Esposito, South Nyack**

48.

**Margaret Kelly, Pearl River**

49.

**Stanley Simon, former Accountant II / RCSWMA**

50.

**PROPOSED AMENDMENTS TO ORANGETOWN CODE:  
CHAPTER 43, ZONING (PERFORMANCE STANDARDS), §4.11, §4.12, §4.13, §10.222,  
§10.323, §10.334 AND §10.335; AND  
CHAPTER 6, BUILDING CONSTRUCTION ADMINISTRATION, §6-5  
MAY 1, 2018, REVISIONS (ITALICIZED)**

PROPOSED LOCAL LAW NO. \_\_\_\_ OF 2018, AMENDING CHAPTER 6, *BUILDING CONSTRUCTION ADMINISTRATION*, § 6-5, ~~OF THE TOWN CODE;~~ AND AMENDING CHAPTER 43, *ZONING*, § 4.11, § 4.12, § 4.13 (PERFORMANCE STANDARDS), AND § 10.2, § 10.323, § 10.334 AND § 10.335; OF THE ZONING CODE OF THE TOWN OF ORANGETOWN

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

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

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

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

\*\*\*

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

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

- D. Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable statutes, codes, laws, ordinances or regulations ~~covering~~ relating to building construction, ~~he~~ the Building Inspector may require the performance of tests in the field, ~~or on-site of private property subject of a building permit application~~, by ~~experienced, qualified~~ professional(s) persons, or by ~~accredited and authoritative~~ reputable testing laboratories, ~~or service~~ bureaus or agencies.
- E. Whenever the same may be necessary or appropriate to assure compliance with the provisions of applicable statutes, codes, laws, ordinances or regulations relating to the use, maintenance or occupancy of land or buildings, including, but not limited to, assuring compliance with the Performance Standards set forth in § 4.1 of Chapter 43 (Zoning Code) of the Orangetown Code, and/or to assure compliance with the conditions of any applicable Orangetown land use board approval decisions, the Building Inspector may inspect, investigate and/or conduct tests, on-site of private property subject of a building permit application, which may include, with regard to the Performance Standards, inspecting, investigating and/or conducting tests while all mechanical equipment, machinery, installations and systems, that are appurtenant to the use that is subject to the Performance Standards, are in full operation. For purposes of said inspections, investigations and/or tests, the Building Inspector may engage, employ or retain the services of the Orangetown Department of Environmental Management and Engineering (hereinafter referred to as "DEME"), and/or expert consultants, to the extent, type and/or degree that the Building Inspector, DEME, and/or the expert consultants, deem necessary.
- (i). If, as a result of the Building Inspector's said inspection, investigation and/or testing, relating to an alleged violation of, or non-compliance with, the Performance Standards (Zoning Code §4.1) on the part of any nonresidential use subject to the Performance Standards (hereinafter referred to as "industrial user"), the Building Inspector has reasonable grounds to believe that a

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

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

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

**§ 4.1. Performance standards.**

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

**4.11.** Applicable to all nonresidential uses. No land or building shall be used or occupied for a nonresidential use in any manner as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare; liquid or solid refuse or wastes; a condition conducive to the breeding of rodents or insects or other substance, condition or element, all referred to herein as “dangerous or objectionable elements,” in a manner or amount as to adversely affect the surrounding area. However, any nonresidential use, except those expressly prohibited by ~~this code in~~ §4.4, may be undertaken, and maintained, if it conforms to the district regulations, and the regulations of §4.1, ~~P~~performance standards, limiting dangerous and objectionable elements at the point of determination of their existence as provided in ~~this section~~ §4.1.

**4.12.** Performance standards procedure. Only those uses specified in the Zoning Code Use Table, Columns 2, 3 and 4, as are subject to the performance standards procedure of §10.334, §4.12, are subject to performance standards procedure requiring the Orangetown Zoning Board of Appeals’ (hereinafter referred to as

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

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

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

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

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

(ii). The industrial user’s full, and complete, compliance with any and all laws, statutes, rules and regulations of the NYS Department of

Environmental Conservation and federal Environmental Protection Agency, that also regulate the use that is subject to the performance standards (§4.1).

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

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#### 4.163. Smoke.

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

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

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

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

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

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4.181. Noise. At the specified points of measurement,

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

would unreasonably or unnecessarily interfere with public health, safety, and or welfare.

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

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

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



**TABLE I**

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

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

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

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

**TABLE II**

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

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

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

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

(b). Upon documented assessment by the Town, ~~pursuant to the procedures in this section,~~ of the existence of an objectionable odor, the Town will notify the odor-producing facility and direct that an Odor Management and Control Plan ~~acceptable to the Town~~ be submitted, ~~to the Town,~~ that outlines the operational cause of the ~~violation~~ objectionable odor, and, if available, chemistry of the offending odor(s); and literature evidence of odor thresholds and impacts, methods proposed to mitigate the problem, and the schedule by which the Plan will be implemented and completed. ~~The Town will review the Odor Management and Control Plan, and either approve it, or request supplemental information from the facility to complete any deficiencies or shortcomings.~~

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

- (i). A Town inspector/code enforcement officer ~~detects~~ documents an objectionable odor ~~that, by its nature, intensity, duration, location, and level of complaint,~~ is, at least minimally, a nuisance or annoyance to persons or to the public; or
- (ii). The Town receives initially five (5) or more complaints from individuals, households or businesses within seven (7) days, or fifteen (15) or more complaints within a 30-day period, and the odor issue is verified by the Town. The Town's odor complaint records will include:

- (a) Name, address, email and phone number of complainant,;
  - (b) Time and date of submission of complaint to the Town, ~~call.~~
  - (c) Description of nuisance odor,;
  - (d) Estimated location or source of complaint;
  - (e) If possible, prevailing wind or weather conditions observed, and
  - (f) ~~If OBZPAE or DEME finds noncompliance per above (first bullet), then there shall be deemed noncompliance; and~~
- (iii). One (1) volume of the odorous air has been diluted with up to five (5) volumes of odor-free air and the odor is still perceptible, as measured by the Town through the use of ~~reliable~~ olfactometer field instruments, devices, or methods.; *and*

**Section 34:** This local law shall become effective immediately upon filing with the *New York State* Secretary of State.

**PROPOSED LOCAL LAW NO. \_\_ OF 2018,  
AMENDING CHAPTER 14C OF THE TOWN CODE  
REGARDING COMMERCIAL FILMING IN THE  
TOWN OF ORANGETOWN**

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

The said section of the Code, Chapter 14C, is amended as follows (Additions to the existing law are **Bold and underline**; Deletions are designated by ~~strike through~~):

**Section 1.**

Chapter 14C – Filming (Originally adopted by the Town Board on 1/16/1996 by LL No. 2-1996; amended in its entirety 5/8/2006 by LL No. 7-2006; Amended on 12/19/2017 by LL No. 12-2017)

Legislative intent.

The Town Board of the Town of Orangetown recognizes that the Town’s natural beauty, geographical location and historical sites are attractive to individuals, organizations, corporations, groups and other entities involved in the businesses of still photography, motion pictures and television.

B. It is hereby found by the Town Board of the Town of Orangetown that because such filming activities may create a threat to public safety, health or welfare due to the time, location or duration of the filming, or may unduly interfere with vehicular and/or pedestrian traffic, it is necessary to provide for the regulation of the taking of still or motion pictures within the Town through the issuance of permits and that said regulation is a matter affecting the public interest and therefore should be subject to supervision and administrative control for the purpose of safeguarding the public against the impact of such activities

14C-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FILMING — The taking of still or motion pictures, either on film, videotape, digital recording or similar recording medium, for commercial purposes intended for viewing on television, in theaters, **through online platforms including but not limited to video streaming**, or for institutional use.

PUBLIC LANDS — Any and every public street, highway, sidewalk or square, public park or playground or other public place within the Town which is within the jurisdiction of the Town.

**PRIVATE LANDS – Any land within the unincorporated portions of the Town of Orangetown that is not public land, a public place, or a public building.**

**HANDHELD DEVICE — Any device that is able to be operated by a single person without substantial supporting equipment and can be held in hand, to include smartphones, camcorders, cameras, and other such similar devices, but excluding aerial drones.**

§ 14C-2. Permits.

A. No person shall film or permit filming within the unincorporated section of Town of Orangetown on public or private lands ~~utilize public lands for filming on private property~~ without first obtaining a permit therefor, which permit shall set forth the location of such filming, the date or dates when filming shall take place, the name, address and telephone number of the applicant, a brief description of the activities, the number of cameras on the shoot, identify if a feature commercial or industrial shoot, the name of the producer, the type of equipment and props to be used, the number of persons to be employed, specific locations where the work will be done and vehicles which are to be used, including the description thereof and their license numbers. ~~Any incidental use of public lands that obstructs any public lands or interferes with the use of any public lands requires a permit; provided, however, that nothing contained in this section shall prevent persons from temporarily loading or unloading filming equipment on any public right of way, provided that such loading or unloading is done without unnecessary delay, and provided that such filming equipment is not allowed or permitted to remain on such public right of way for a period longer than 15 minutes.~~

B. Permits must be obtained from the **Town Supervisor** ~~Police Chief~~ of the Town of Orangetown, or **his/her** designee, during normal business hours. Applications shall be in such form approved by the Town Board and accompanied by a permit fee in the amount established by the Town Board. ~~Applications for filming at public parks are subject to an additional permit to be completed and approved by the Office of Parks and Recreation.~~

C. In addition, all applicants for said permits:

(1) Must submit their permit applications to the **Town Supervisor or his/her or her designee** ~~Police Chief~~ at least seven days in advance of any anticipated filming; application(s) received less than seven days in advance of any anticipated filming will be accepted at the discretion of the **Town Supervisor** ~~Police Chief~~ and, if approved, subject to an additional fee, to be set forth by Town Board resolution.

(2) Must submit with their application a parking plan map for all vehicles to be parked on all impacted roadways **and public parking lots**, as well as a traffic detour plan/map: and

(3) Are to provide a form notification letter to be distributed by the applicant to all property owners who may be impacted by any filming, **with additional regulations as per § 14C-5, Subsections J and K.**

D. One permit shall be required for each location.

E. If a permit is issued and due to inclement weather or other good cause, not within the control of the applicant, filming does not in fact take place on the date or dates specified, the **Supervisor or his/her designee** ~~Police Chief~~ may, at the request of the applicant, issue an amended permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be required for an amended permit under this section.

F. Exemptions.

Notwithstanding the requirements of this chapter, the filming activities designated below do not require a permit to be obtained pursuant to this chapter, if such activity does not obstruct or interfere with the use of any public lands. For purposes of this section, the term “obstruct or interfere with the use of any public lands” shall mean any filming activity which impedes or which involves the blockage, interruption or closure, in whole or in part, of any public lands.

(1) Filming and coverage by news media.

(2) Filming by and intended for the exclusive use of the owner and his/her immediate family.

(3) Filming occurring on public lands or on private property resulting in an incidental use of public lands, and involving the **personal, non-commercial** use of a handheld device, as defined herein.

§ 14C-3. Rules and regulations.

A. No permit shall be issued for filming on public lands or for using public lands for filming on private property unless the applicant for such permit provides proof of insurance coverage for bodily injury for any person in the amount of \$1,000,000 and for any aggregate occurrence in the amount of **\$3,000,000** ~~\$2,000,000~~ and agrees, in writing, to indemnify and save harmless the Town of Orangetown from any and all liability or damages resulting from the use of such public lands.

B. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic and shall provide traffic control personnel and approved traffic control devices as per the New York State Manual of Uniform Traffic Control Devices. The holder of the permit shall also comply with all lawful directives of the Orangetown Police Department.

C. The holder of the permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities.

D. The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for removing all equipment, debris and other rubbish from the filming location upon the completion of filming or the expiration of the permit.

E. Unless otherwise permitted pursuant to this chapter, filming in residential zones shall generally be permitted only Monday through Friday between the hours of 8:00 a.m. and 7:00 p.m. or sunset ~~sundown~~, whichever is earlier.

F. The Supervisor or his/her or her designee ~~Police Chief~~ may refuse to issue a permit whenever he determines, on the basis of objective facts and after review of the application and a report from the Orangetown Police Department, Highway Superintendent, Superintendent of Parks and Recreation and/or any other Town Department head, that filming at the location and/or time set forth in the application would violate any law or ordinance or would unreasonably interfere with the public's use of the public lands.

G. The Supervisor or his/her designee ~~Police Chief~~ may revoke a permit that has been issued due to permittee failure to comply with permit terms, but any permit fees paid or unpaid remain due.

#### § 14C-4. Violations and penalties.

Any person violating this chapter or rules and regulations contained herein shall be subject to a fine not to exceed \$5,000 and/or to imprisonment for a term not to exceed 90 days, or both.

#### § 14C-5. Fees.

A. The applicant shall pay to the Supervisor or his/her designee ~~Police Chief~~ all fees set forth by Town Board resolution. ~~In addition, filming in any public park is subject to fees as per town board resolution payable to the Office of Parks and Recreation at the time the park permit is approved.~~

B. If the applicant intends to change his or her activities in any respect that deviates from the information put forth when the permit was issued, further written application must be made to the Supervisor or his/her designee ~~Police Chief~~.

C. If, in the discretion of the Chief of the Police, Superintendent of Highways, or Superintendent of Parks and Recreation, Town personnel are needed or requested at the site, the applicant shall pay to the Town a sum for the use of Town personnel pursuant to the applicable Town

Department's fee schedule or schedules for such use of personnel, but in no event shall said sum be less than \$85 per hour for each Town employee required at the site.

D. If, in the discretion of the Chief of the Police, Superintendent of Highways, Superintendent of Parks and Recreation, vehicles (which list includes but is not limited to police vehicles, Highway Department vehicles, or Parks and Recreation Department vehicles) are needed or requested at the site, the applicant shall pay to the Town a sum for the use of said vehicles pursuant to the applicable Town department's fee schedule or schedules for such vehicle use, but in no event shall said sum be less than \$15 per hour for any Town vehicle required at the site.

E. In addition to any other fees set forth in this section or in § 14-1, if the applicant starts filming or filming activity (which term is defined in this paragraph and henceforth in this section to include the arrival of personnel or equipment, preparation for filming, or any activity associated with the activity set forth in the permit) prior to 8:00 a.m., the applicant shall pay to the Town a sum of not less than \$500 per hour for such early-morning filming or filming activity (with a minimum assessed fee of \$500).

F. In addition to any other fees set forth in this section or in § 14-1, if the applicant does not end filming or filming activity (meaning the complete removal from the site of all participants, vehicles and equipment associated with the activity set forth in the permit) by 7:00 p.m. or ~~sunset~~ ~~sundown~~, whichever is earlier, the applicant shall pay to the Town a sum of not less than \$500 per hour for such post-7:00 p.m. or post-~~sunset~~ ~~sundown~~ filming or filming activity (with a minimum assessed fee of \$500).

G. In addition to any other fees set forth in this section or in § 14-1, if the applicant starts filming or filming activity on a Saturday or Sunday or a national holiday, the applicant shall pay to the Town a sum of not less than \$500 per hour for such weekend or holiday filming or filming activity (with a minimum assessed fee of \$500).

H. In addition to any other fees set forth in this section or in § 14-1, if the applicant's permit approves use for any period of time of curbside parking spaces in a commercial area the applicant shall pay to the Town a sum of not less than \$100 per day for each parking space permitted to be used.

**I. In addition to any other fees set forth in this section or in § 14-1, if an applicant seeks permission to conduct filming in or otherwise occupying any Town-owned structures, real estate or portion thereof for any period of time, such use shall be subject to license fees to be set forth by agreement with the applicant and approved by Town Board resolution for each such instance and location as it may occur. This shall also apply to Town- public roadways if a section of Town roadway is to be closed to public access or other vehicular traffic. It shall be the responsibility of the Supervisor or his/her designee, in consultation with the Superintendent of Parks and Recreation, the Chief of Police, and the Department**



**Head primarily responsible for or otherwise occupying such Town-owned property, to make the initial determination as to the potential amount, scope, and terms of any such license agreement, which license shall be approved by the Town Board as described in this section.**

**J. In addition to any other fees set forth in this section or in § 14-1, all applicants engaging in after-hours filming as described in Subsections E and F of this section, where said filming is determined by the Supervisor or his/her designee, in consultation with the Chief of Police, to be high impact on the area, shall provide or offer direct compensation to residents affected by said filming in a minimum 50 yard radius from the location and shall provide an affidavit to the Supervisor or his/her designee showing that a reasonable effort was made to contact all such residents and all residents that were contacted were provided said compensation (or signed a written declination) prior to issuance of a film permit. The radius for said compensation may be increased by the Supervisor or his/her designee should, in consultation with the Chief of Police, it is determined that the impacts of said filming will reach beyond said 50 yard radius, and the Supervisor or his/her designee shall notify the applicant of this wider radius prior to the issuance of a film permit. This subsection shall not be construed as a cap or limitation on compensation to residents impacted by filming, and the applicant shall be free to offer additional compensation in any manner they desire to any resident they desire.**

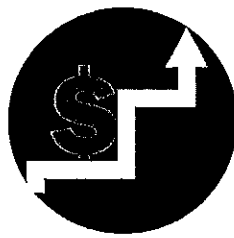
**K. In addition to any other fees set forth in this section or in § 14-1, all applicants engaging in filming on a public roadway or sidewalk where said filming is determined by the Supervisor or his/her designee to obstruct access by the public to businesses in the area that would normally be operational at the time of filming, shall provide or offer direct compensation to each said affected businesses for times of obstructed access and shall provide an affidavit to the Supervisor or his/her designee showing that a reasonable effort was made to contact all such businesses and all businesses that were contacted were provided said compensation (or signed a written declination) prior to issuance of a film permit. The Supervisor or his/her designee at his/her discretion shall indicate the area of businesses with obstructed access for the applicant for each such application based on the area the filming is to take place. This subsection shall only apply to the hours in which obstruction and the regular business hours of each individual affected business overlap. Further, this subsection shall not be construed as a cap or limitation on compensation to businesses impacted by filming, and the applicant shall be free to offer additional compensation in any manner they desire to any business they desire.**

**Section 2. Severability Clause**

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

**Section 3. Effective Date.**

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



**BUSINESS**  
**EXPENSE ADVISORS**  
Your Partner In Business Savings Solutions

## **Cost Analysis Auditing Agreement**

This agreement is made on the     day of     , 20     between Business Expense Advisors, with offices at 57 Lafayette Avenue, Suffern, NY 10901, herein referred to as Business Expense Advisors, LLC and Town of Orangetown, located at 26 Orangeburg Road, Orangeburg, NY 10962 herein referred to as client.

Whereas, client desires to engage Business Expense Advisors, LLC to provide auditing services in an effort to streamline costs throughout the client organization. In consideration of the mutual agreements herein contained, the parties agree as follows:

### **Terms and Conditions**

#### **1. Auditing Services**

Business Expense Advisors, LLC in this agreement will perform a cost analysis audit, which includes contacting vendors of client and looking for ways to consolidate, eliminate or reduce costs for services that are currently being provided. Business Expense Advisors LLC has been contracted to provide comparative solutions of different programs available from these vendors and present them to client management with approximate cost savings. At Business Expense Advisors, LLC's option, submission of "review of work done" document shall be considered as completion of Business Expense Advisors, LLC's services for this agreement.

With the exception of price reductions for the same service features, no changes will be made or services altered without express written authorization from client. The marketing materials presented at the initial meeting shall outline what vendors the audit will include. At Business Expense Advisors, LLC's discretion other vendors may be included in the scope of the audit. Additionally, both parties agree that any documentation received by the client is authorization for Business Expense Advisors, LLC to exclusive rights to lower costs. Any savings identified through the efforts of Business Expense Advisors, LLC up to one year from the execution of this agreement shall be billable towards the fee outlined in section three of this agreement, as long as the service level remains similar or superior to the current service provided.

In the event a new vendor is chosen based on consulting services and/or the suggestions of Goldkap Consulting or Business Expense Advisors the difference in savings annualized will be used to determine amount of savings. If savings are a result of elimination of service and/or identifiable negotiations that cannot be measured in cost savings (An example would be working with client to find a new traffic maintenance vendor) then client will be billed at \$175.00/hr. for all work as it relates to this agreement.

Please feel free to discuss with your Business Expense Advisors Affiliate consultant any areas that need clarity on what is covered under this agreement.

## 2. Confidentiality

Each party agrees that at all times and notwithstanding any termination or expiration of this agreement it will hold in strict confidence and not disclose to any third party confidential information of the other, except as approved in writing by okay party to this agreement.

## 3. Fee

The fee for this auditing agreement is 50% of savings found and identified for the first 24 months from the date agreement is signed by client. All annual savings will be documented for review with contact information. "Review of work" document along with any documents provided by vendor will be considered the source document used in calculating savings.

## 4. Deposit-WAIVED

## 5. Guarantees

Business Expense Advisors, LLC offers no guarantees to its consulting service recommendations and makes no warranties expressed or implied regarding our ability to resolve, upgrade or improve services through our recommendations.

## 6. Governing Law

This agreement shall be governed by and construed in accordance with the laws of the State of New York. This agreement may not be changed or terminated orally.

Business Expense Advisors, LLC

By: \_\_\_\_\_  
Member Business Expense Advisors

\_\_\_\_\_  
(Print)

\_\_\_\_\_  
(Phone)

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print)

\_\_\_\_\_  
(Phone)

\_\_\_\_\_  
(E-Mail)

Business Expense Advisors, LLC

By: \_\_\_\_\_  
Affiliate

\_\_\_\_\_  
(Name of Point of Contact)

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(Print)

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(Phone)



27271 Las Ramblas, Suite 300  
Mission Viejo, CA 92691

5/22/2018

Teresa Kenny  
Town of Orangetown  
26 Orangeburg Road  
Orangeburg, NY 10962

Dear Teresa Kenny:

Black Dot Capital & Real Estate Group, LLC (“BDC”) is pleased to offer the attached Lease Purchase proposal to Town of Orangetown, as the owner of the property located at Orangetown Highway Department Orangeburg, New Jersey, 10962. On the basis of a preliminary financial review, BDC is interested in pursuing the purchase of the communications facility lease(s) identified in the attached Letter(s) of Intent (“LOI’s”), for the sum of \$1,040,534.69, subject to the terms and conditions outlined in the LOI.

The purchase of each lease will include all existing lease revenue streams currently due to Town of Orangetown, net of current management costs, as well as full renewal rights to continue the lease for the term purchased. The purchase also includes the grant by Town of Orangetown of a communications and access/utilities easement for each communications facility described in the lease.

Our expectation is that BDC can successfully close the purchase transaction within 90 days of receipt of an executed LOI, all applicable documentation and initial due diligence items.

**Terms and Conditions of Lease Purchase Transaction (the “Transaction”):**

- Purchaser:** Black Dot Capital & Real Estate Group, LLC and its successors or assigns (“BDC”)
- Seller:** THE TOWN OF ORANGETOWN (“Vesting”)
- Assets Purchased:** The communications facility lease(s) described in the attached LOI(s)

If you wish to accept the proposal as outlined in the terms of the attached LOI(s), and have BDC undertake the formal underwriting review for the Transaction, please sign, date and return to BDC each attached LOI on or before the day set forth in the LOI.

We look forward to the opportunity to work with you.

Regards,

**BLACK DOT CAPITAL & REAL ESTATE GROUP, LLC**

Howard Forgey  
Director, National Program Management  
Black Dot Capital & Real Estate Group  
27271 Las Ramblas, Suite 300  
Mission Viejo, California 92691  
www.blackdotcapital.com



27271 Las Ramblas, Suite 300  
Mission Viejo, CA 92691

Blackdot ID: WS-227040.1  
Lease Consultant: Sami Dregia

## Letter of Intent - Option to Purchase Access and Communications Easement/Wireless Lease Agreement

Site Location:	Orangetown Highway Department	Base Rent:	\$5,915.49
Tenant Name:	T-Mobile	Rent Frequency:	Monthly
Purchase Price:	\$1,040,534.69	Increase Value:	5%
Term Purchased:	Perpetual	Increase Frequency:	Annually
Closing Fees:	None	Current Term Start:	12/02/2013

Dear Teresa Kenny:

This Letter of Intent ("LOI") acknowledges your agreement to grant Black Dot Capital & Real Estate Group, LLC ("BDC") an exclusive option to purchase the Lease Agreement with T-Mobile. By signing below, you grant BDC, or its affiliates and/or assigns an exclusive option to purchase the landlord's rights, in the communications facility lease (the "Lease") for the premises (the "Site Location") that is located on property (the "Property") with an address of Orangetown Highway Department Orangeburg, New Jersey, 10962. You further grant BDC an option to acquire a communications, access and utilities easement over the Site Location in conjunction with the lease. BDC shall pay a total purchase price of \$1,040,534.69\* for the Lease and the Easement (the "Purchase Price"), subject to the terms set forth below.

In consideration of the exclusive option to purchase being granted to BDC, BDC agrees to pay THE TOWN OF ORANGETOWN the sum of \$100.00 for an option term of 90 days ("the Option Period"). Upon our receipt of this letter executed by you, BDC will send you a lease purchase application package to complete and return to us. Our receipt of the completed lease purchase application package will commence the Option Period, and we will forward to you a copy of this LOI signed by us along with your option consideration.

During the Option Period, BDC may exercise the option by notifying you in writing sent by mail, facsimile, or email. If BDC exercises the option, then BDC will become the assignee of the landlord's rights under the Lease Agreement, subject to the terms and conditions set forth in a Lease Purchase and Easement Agreement, a copy of which will be included in the lease purchase application package mentioned above (the "Purchase Agreement"). BDC will pay its own due diligence and closing costs, including title insurance, associated with the purchase of your Leases and the communications easement. You will be responsible for any transfer or other taxes, and any recording fees.

You acknowledge that a \$100.00 non-refundable cash deposit and the commitment by BDC to employ the time, effort and expense to assess this option to purchase is good, valuable and sufficient consideration for the option granted herein. You agree to cooperate fully with BDC during the Option Period. You shall not, directly or indirectly, (a) offer the Lease or the Site Location for sale or assignment to any other person or entity; (b) negotiate, solicit or entertain any offers to sell or assign any interest in the Lease or Site Location to any other person or entity; or (c) modify, amend, supplement, extend, renew, terminate or cancel the Lease. You agree to notify BDC of any notice or correspondence pertaining to the Lease received during the Option Period. Notwithstanding the foregoing, you will retain the right to offer for sale the Property, excluding the Site Location.

This letter is intended as and shall be a legally binding commitment. In the event of a breach of this agreement by you, BDC shall, in addition to its other rights and remedies, be entitled to compensation for its time, effort and expense to evaluate this option to purchase and, in any action to enforce this letter agreement, to recovery of its reasonable attorneys' fees.

Your signature below will indicate your agreement to the foregoing and authorizes BDC to proceed with the evaluation of this option to purchase. If this letter is not executed and delivered to BDC within 14 days, it shall be null and void. The terms of this letter are confidential and may not be disclosed without prior written consent of BDC, except to professionals engaged to evaluate and conduct the transaction on your behalf.

**ACKNOWLEDGED AND AGREED:**

<i>Landlord Signature</i>	<i>Title</i>	<i>Date</i>
---------------------------	--------------	-------------

<i>Howard Forgey, Director, National Program Management</i>	<i>Date</i>
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\* Purchase price based on the assumption that you have clear title to the Property and above average credit scores. Purchase price subject to change in BDC's sole discretion if due diligence reveals issues with either your title or credit scores.



27271 Las Ramblas, Suite 300  
Mission Viejo, CA 92691

## Option to Purchase – Underwriting Checklist Access and Communications Easement/Wireless Lease Agreement

**Landlord Vesting:** \_\_\_\_\_  
\_\_\_\_\_

**Landlord Tax ID#:** \_\_\_\_\_

**Listed below are all the documents you will need to provide BDC for a successful closing:**

- Fully executed wireless communications lease agreement, including all amendments, supplements, assignments, schedules, exhibits and notice letters.
- Commencement date verification of each lease agreement.
- Copies of the last three (3) rent checks.
- All correspondence from wireless communications operator received within the last 90 days.
- Entity Documents (if Applicable)
  - Certificate of Good Standing
  - Articles of Incorporation
  - Certificate of Formation/Organization
  - By-laws
  - Operating Agreement
  - Partnership Agreement
  - Trust Agreement/Certificate of Trust
- Vesting Documents (as applicable)
  - Probate documents
  - Death Certificate
  - Divorce Decree
- Property Management Agreement (if applicable)

**Listed below are documents that will expedite the underwriting process:**

- Construction Drawings/Site Plans of wireless communication installation
- Title Report or Title Insurance Policy
- Any existing environmental reports (i.e., Phase 1, EIR's, NEPA etc.)
- Current Tax Bill for property
- Most recent Property Appraisal
- Survey of property

**Listed below are all Lenders who have rights in the property:**

Lender 1 Name \_\_\_\_\_ Loan Amount \_\_\_\_\_

Lender Contact \_\_\_\_\_ Phone: \_\_\_\_\_ Fax \_\_\_\_\_ Email: \_\_\_\_\_

Lender 2 Name \_\_\_\_\_ Loan Amount \_\_\_\_\_

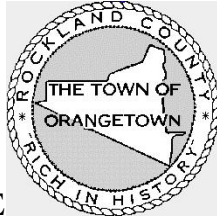
Lender Contact \_\_\_\_\_ Phone: \_\_\_\_\_ Fax \_\_\_\_\_ Email: \_\_\_\_\_

Lender 3 Name \_\_\_\_\_ Loan Amount \_\_\_\_\_

Lender Contact \_\_\_\_\_ Phone: \_\_\_\_\_ Fax \_\_\_\_\_ Email: \_\_\_\_\_

**Note! If there is a mortgage on the property, Landlord agrees to obtain a Non-Disturbance Agreement.**





**TOWN ATTORNEY'S OFFICE**

**INTER-OFFICE MEMORANDUM**

DATE: May 25, 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

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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.

Cioffi 1, Inc.  
27 Skyline Drive  
Thiells, NY 10984  
Tel.: 845-429-7711

This Certificate of Registration request will be placed on the next Workshop agenda scheduled for June 5, 2018 and the Regular Town Board Meeting agenda scheduled for June 25, 2018. Should you have any questions, please do not hesitate to contact this Office.

/mf  
encl.

Record and Return to:  
Antimo A. Del Vecchio, Esq.  
Beattie Padovano, LLC  
50 Chestnut Ridge Road  
Montvale, New Jersey 07645  
(201) 573-1810

BEATTIE PADOVANO, LLC  
Prepared by:   
Antimo A. Del Vecchio, Esq.

## DEED OF DEDICATION

Block 1, Part of Lot 24, Section 77.15

Town of Orangetown, New York

(Right-of-Way Dedication)

This Deed of Dedication is made on September 8, 2017

**BETWEEN:** LANDMARK TAPPAN, LLC, a New Jersey Limited Liability Company having offices at 392 Main Street, Wyckoff, New Jersey 07481, hereinafter collectively referred to as the "Grantor",

**AND:** TOWN OF ORANGETOWN, having offices at Town Hall, 26 West Orangeburg Road, Orangetown, New York 10962, hereinafter referred to as the "Grantee."

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

**Transfer of Ownership.** That for and in consideration of less than One (\$1.00) Dollar by the Grantee to the Grantor in hand paid, receipt whereof is hereby acknowledged, the Grantor does hereby give, grant, sell and convey unto the Grantee, its successors and assigns the portion of real estate described herein for road widening including the installation of utilities and sidewalks.

**Tax Map Reference.** (N.J.S.A. 46:15-2.1) Town of Orangetown, formally designated as Block 1, Lot 24, Section 77.15.

**Property.** The Property consists of the land and all building and structures on the land as they currently exist, as described below, in the Town of Orangetown, County of Rockland and State of New York. This dedication is made pursuant to action taken by the Orangetown Planning Board in connection with the re-subdivision of the Property. The legal description of the land for this Road Widening/Right of Way Dedication is granted as described in **Exhibit "A"** attached hereto and made a part hereof.

SWIS CODE 392489  
SECTION 77.15  
BLOCK 1  
LOT 24



NOVEMBER 16, 2015  
GSG PROJECT NO. G13165

**METES & BOUNDS DESCRIPTION**  
PROPOSED RIGHT OF WAY DEDICATION TO THE TOWN OF ORANGETOWN,  
PART OF LOT 24, BLOCK 1, SECTION 77.15  
TAPPAN (TOWN OF ORANGETOWN)  
ROCKLAND COUNTY, STATE OF NEW YORK


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

BEGINNING AT A POINT ON THE WESTERLY LINE OF OAK TREE ROAD, WHERE THE SAME IS INTERSECTED BY A NEW LINE DIVIDING LOT 25 AND LOT 24, BLOCK 1, SECTION 77.15, SAID POINT BEING DISTANT THE FOLLOWING COURSES FROM THE SOUTHERLY END OF A LINE CONNECTING SAID WESTERLY LINE OF OAK TREE ROAD WITH THE SOUTHEASTERLY LINE OF NEW YORK STATE HIGHWAY ROUTE 303:

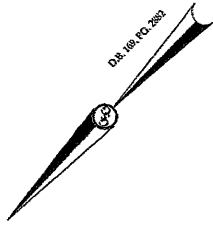
- A) SOUTH 43 DEGREES - 45 MINUTES - 00 SECONDS EAST, A DISTANCE OF 192.72 FEET TO A POINT, THENCE;
  - B) NORTH 46 DEGREES - 15 MINUTES - 00 SECONDS EAST, A DISTANCE OF 9.30 FEET TO A POINT, THENCE;
  - C) SOUTH 43 DEGREES - 45 MINUTES - 00 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE POINT AND PLACE OF BEGINNING AND FROM SAID BEGINNING POINT RUNNING, THENCE;
1. ALONG A LINE DIVIDING NEW LOT 24 AND NEW LOT 25, BLOCK 1, SECTION 77.15, SOUTH 46 DEGREES - 15 MINUTES - 00 SECONDS WEST, A DISTANCE OF 9.30 FEET TO A POINT, THENCE;
  2. ALONG THE NEW WESTERLY LINE OF OAK TREE ROAD, NORTH 43 DEGREES - 45 MINUTES - 00 SECONDS WEST, A DISTANCE OF 50.00 FEET TO A POINT, THENCE;
  3. ALONG THE FORMER DIVIDING LINE OF LOT 24 AND LOT 25, BLOCK 1, SECTION 77.15, NOW DELETED, NORTH 46 DEGREES - 15 MINUTES - 00 SECONDS EAST, A DISTANCE OF 9.30 FEET TO THE FORMER WESTERLY LINE OF OAK TREE ROAD, THENCE;
  4. CONTINUING ALONG SAID FORMER WESTERLY LINE OF OAK TREE ROAD, SOUTH 43 DEGREES - 45 MINUTES - 00 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 465 SQUARE FEET OR 0.0107 ACRE

**GALLAS SURVEYING GROUP**

  
GREGORY S. GALLAS  
STATE OF NEW YORK  
PROFESSIONAL LAND SURVEYOR NO. 50124

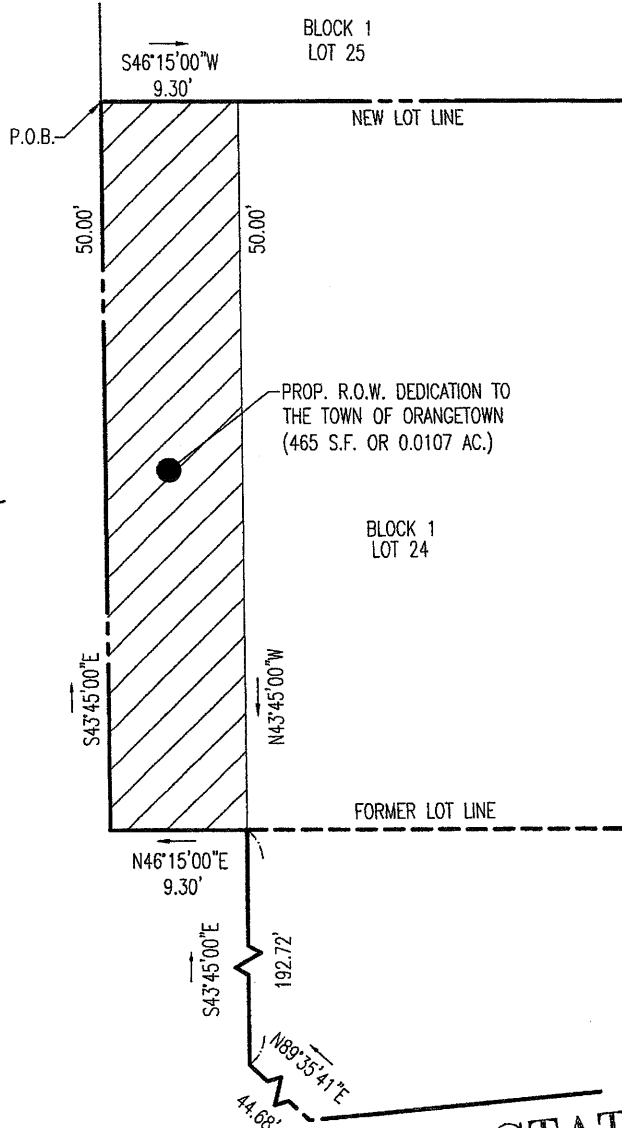
11/16/15  
DATE



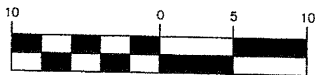
# OAK TREE ROAD



(ASPHALT ROADWAY)



## GRAPHIC SCALE



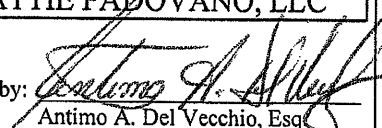
( IN FEET )  
1 inch = 10 ft.

**NEW YORK STATE  
ROUTE 303**

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

<b>GALLAS SURVEYING GROUP</b>		171 CHURCH LANE NORTH BRUNSWICK, NJ 08902 TELE: 732-422-6700 FAX: 732-940-8786 www.gallassurvey.com		<b>PROPOSED R.O.W. DEDICATION FOR          LOT 24, BLOCK 1, SECTION 77.15</b> 81 NYSR 303 @ OAK TREE ROAD TAPPAN TOWN OF ORANGETOWN ROCKLAND COUNTY, STATE OF NEW YORK	
DATE	SCALE	DRAWN:	CHECKED:		
11-16-2015	1"=10'	K.G.G.	G.S.G.		
FIELD DATE	FIELD BOOK	PAGE	FIELD CREW		
10-12-2015	49	96	M.S./J.V.		
FILE NO.:	DRAWING NAME/SHEET NO.		DATE		
G13165	G13165 1 OF 1		GREGORY S. GALLAS		

Record and Return to:  
Antimo A. Del Vecchio, Esq.  
Beattie Padovano, LLC  
50 Chestnut Ridge Road  
Montvale, New Jersey 07645  
(201) 573-1810

BEATTIE PADOVANO, LLC  
Prepared by:   
Antimo A. Del Vecchio, Esq.

**NON-EXCLUSIVE  
DEED OF EASEMENT  
FOR BUS SHELTER**

This Deed of Dedication is made on September 9, 2017

**BETWEEN:** LANDMARK TAPPAN, LLC, a New Jersey Limited Liability Company having offices at 392 Main Street, Wyckoff, New Jersey 07481, hereinafter collectively referred to as the "Grantor",

**AND:** TOWN OF ORANGETOWN, having offices at Town Hall, 26 West Orangeburg Road, Orangetown, New York 10962, hereinafter referred to as the "Grantee."

1. **Grant of Easement**

A. **Perpetual Rights.** The Grantor grants to the Grantee a perpetual non-exclusive bus shelter easement (herein "Easement") through, over, upon, under, in and across the property described in metes and bounds as set forth in **Exhibit "A"** annexed hereto (herein the "Easement Area").

B. **Purpose of Easement.** This Easement shall be solely for the construction, maintenance, repair and use of the Easement Area for a single bus shelter not exceeding ten (10) feet in height (hereinafter the "Facilities") with the perpetual

SWIS CODE 392489  
SECTION 77.15  
BLOCK 1  
LOT 24

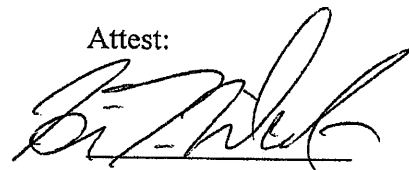
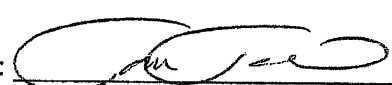
right to construct, reconstruct, operate, inspect, protect, repair or replace all Facilities constructed within the Easement Area.

2. **Consideration.** This Deed is made for valuable consideration of \$1.00 Dollar(s), the receipt and sufficiency of which are hereby acknowledged by Grantor.
3. **Tax Map Reference.** (N.J.S.A. 46:15-2.1) Town of Orangetown, formally designated as Block 1, Lot 24, Section 77.15.
4. **Property.**
  - A. The Property consists of the land and all building and structures on the land as they currently exist, as described below, in the Town of Orangetown, County of Rockland and State of New York. This dedication is made pursuant to action taken by the Orangetown Planning Board in connection with the re-subdivision of the Property. The legal description of the land for this Non-Exclusive Bus Shelter Easement is granted as described in **Exhibit "A"** attached hereto and made a part hereof.
  - B. Subject to covenants, easements and restrictions of record affecting said Property, sub-surface conditions, all governmental laws, ordinances and regulations regarding the use of said Property and any and all facts which would be disclosed by a complete and accurate survey and title search.
5. **Conditions.** This Easement is subject to the following terms, conditions and limitations:
  - A. The Grantee, its servants, employees and agents shall exercise their best efforts to minimize any disturbance or negative impact upon Grantor and its tenants.

- B. The grant of this Easement is conditioned upon Grantee's prompt and complete repair of any damage to Grantor's real property and/or improvements occasioned by any entry and/or activity pursuant to this Easement and to the prompt and complete restoration of Grantor's property, at Grantee's sole cost and expense, to the same condition prior to entry.
- C. Grantee shall indemnify, defend and hold harmless Grantor and its tenants, employees, members, officers, representatives, agents and affiliates from and against any loss, costs, claims or liabilities arising in connection with the Easement, the Easement Area, the Facilities and/or any use or misuse thereof by Grantee, its agents, employees, representatives or affiliates, or any third party. Grantee represents and covenants that this has and will continue to maintain reasonable and adequate insurance coverage in connection with the above indemnity.
6. **Maintenance.**
- A. Grantee shall be responsible, at its sole cost and expense, for the construction, repair, maintenance, replacement and reconstruction of all "Facilities" that it constructs in the Easement Area. In the event Grantee shall wish to perform any maintenance or repair, other than usual and customary maintenance, Grantee shall provide reasonable prior written notice to Grantor.
- B. Grantee shall maintain and repair the sidewalks, handicapped ramps and grass and/or landscape areas, if any, in the Easement Area, and keep same in good condition, at the sole cost and expense of the Grantee.



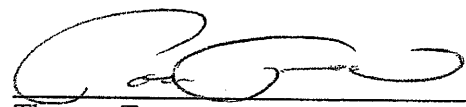
- 7. **Who is Bound.** The terms and conditions of this Deed are legally binding upon the Parties and shall inure to the benefit of the respective successors and/or assigns of Grantor and Grantee.
- 8. **Modification of Deed.** Any modification of this Deed or additional obligation assumed by either party in connection with this Deed shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

Attest:  Date: LANDMARK TAPPAN, LLC  
 9/8/17 BY:   
 Name: Thomas Tourso  
 Title: Managing Member

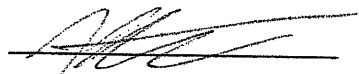
**ACKNOWLEDGMENT**

STATE OF NEW JERSEY )  
 ) SS:  
 COUNTY OF BERGEN )

On the day 8 of September in the year 2017, before me personally appeared Thomas Tourso, known to me to be the person who executed the foregoing instrument, who, being duly sworn by me did depose and say that he is a duly authorized member of Landmark Tappan, LLC, the limited liability company described in said instrument; that he is authorized to execute the foregoing instrument on behalf of the limited liability company for purposes set forth therein; and that, pursuant to that authority, he executed the foregoing instrument in the name of and on behalf of said limited liability company as the act and deed of said limited liability company.

  
 Thomas Tourso

Sworn and subscribed to  
 before me this 8 day of  
September, 2017



**KYLE C. STAR**  
**NOTARY PUBLIC OF NEW JERSEY**  
**Comm. # 50055456**  
 My Commission Expires 2/23/2022

November 17, 2015  
Revised: November 14, 2016  
GSG PROJECT NO. G13165

**METES & BOUNDS DESCRIPTION**  
PROPOSED SHELTER EASEMENT PART OF LOT 24, BLOCK 1, SECTION 77.15  
TAPPAN (TOWN OF ORANGETOWN)  
ROCKLAND COUNTY, STATE OF NEW YORK


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

BEGINNING AT A POINT ON THE WESTERLY LINE OF OAK TREE ROAD, SAID POINT BEING DISTANT SOUTH 43 DEGREES – 45 MINUTES – 00 SECONDS EAST, A DISTANCE OF 55.90 FEET FROM THE SOUTHERLY END OF A LINE CONNECTING THE WESTERLY LINE OF OAK TREE ROAD WITH THE SOUTHEASTERLY LINE OF NEW YORK STATE HIGHWAY ROUTE 303 AND FROM SAID BEGINNING POINT RUNNING, THENCE;

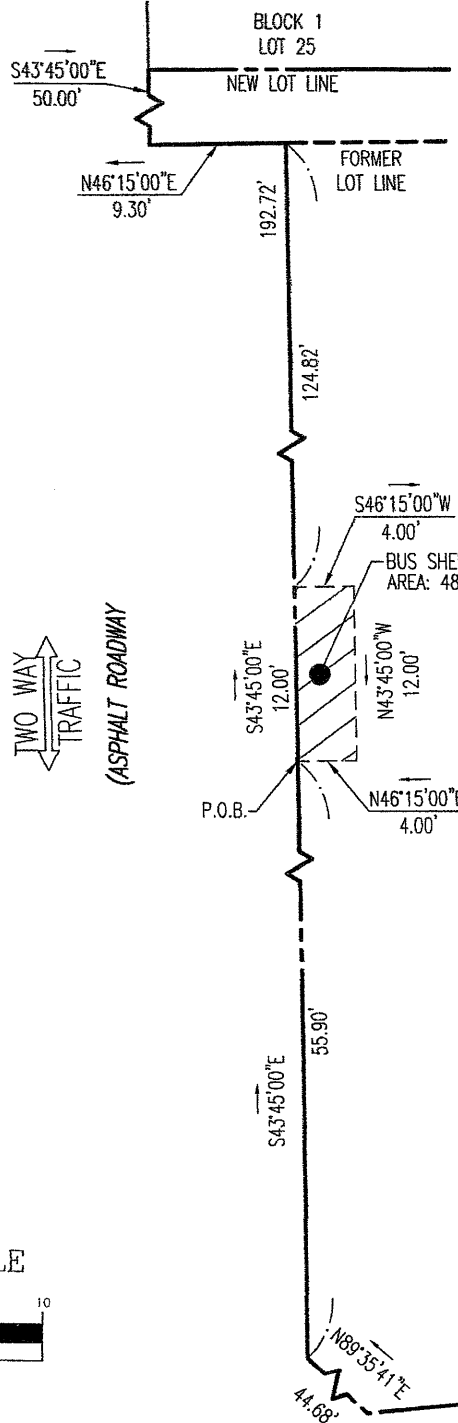
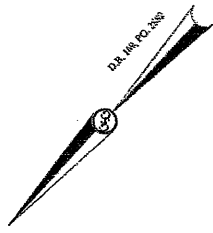
1. ALONG SAID WESTERLY LINE OF OAK TREE ROAD, SOUTH 43 DEGREES - 45 MINUTES – 00 SECONDS EAST, A DISTANCE OF 12.00 FEET TO A POINT, THENCE; RUNNING THROUGH LOT 24 THE FOLLOWING THREE COURSES:
2. SOUTH 46 DEGREES – 15 MINUTES – 00 SECONDS WEST, A DISTANCE OF 4.00 FEET TO A POINT, THENCE;
3. NORTH 43 DEGREES – 45 MINUTES – 00 SECONDS WEST, A DISTANCE OF 12.00 FEET TO A POINT, THENCE;
4. NORTH 46 DEGREES – 15 MINUTES – 00 SECONDS EAST, A DISTANCE OF 4.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 48 SQUARE FEET OR 0.0011 ACRE

**GALLAS SURVEYING GROUP**

  
GREGORY S. GALLAS  
STATE OF NEW YORK  
PROFESSIONAL LAND SURVEYOR NO. 50124

11/14/16  
DATE



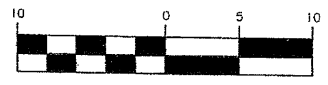
OAK TREE ROAD

TWO WAY TRAFFIC

(ASPHALT ROADWAY)

BLOCK 1  
LOT 24

GRAPHIC SCALE



( IN FEET )  
1 inch = 10 ft.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

**NEW YORK STATE  
ROUTE 303**

1	REVISE BUS SHELTER EASEMENT	K.G.G.	11-14-16
No.	DESCRIPTION OF REVISION	DRAWN:	DATE

**GALLAS SURVEYING GROUP**

2865 US ROUTE 1  
NORTH BRUNSWICK, NJ 08902  
TELE: 732-422-6700  
FAX: 732-940-8786  
www.gallassurvey.com

**PROPOSED SHELTER EASEMENT FOR  
LOT 24, BLOCK 1, SECTION 77.15**

81 NYSR 303 @ OAK TREE ROAD  
TAPPAN TOWN OF ORANGETOWN  
ROCKLAND COUNTY, STATE OF NEW YORK

DATE 11-16-2015	SCALE 1"=10'	DRAWN: K.G.G.	CHECKED: G.S.G.
FIELD DATE 10-12-2015	FIELD BOOK 49	PAGE 96	FIELD CREW M.S./J.V.
FILE NO.: G13165	DRAWING NAME/SHEET NO. G13165 1 OF 1		

NOT VALID UNLESS EMPLOYED AND USED UNDER IMPRESSION FOR BLUE INK SEAL

**GREGORY S. GALLAS**  
NEW YORK PROFESSIONAL LAND SURVEYOR 15122

DATE: 11/21/16

*THE NOBLE NINTH, INC.*  
89 Western Highway  
Tappan, New York 10963  
(845) 359-0151

May, 2018

Arie T. Gorton, Superintendent  
Office of Recreation & Parks  
81 Hunt Road  
Orangeburg, New York 10962

Re: The Noble Ninth, Inc. with  
Town of Orangetown Summer Day Camp 2018

Dear Mr. Gorton:

We have received your letter with respect to the Town's use of our picnic grounds as a summer camp during the summer of 2018.

Pursuant to the direction of the Board, I am providing you with this letter in hopes that it will serve as an agreement between our respective clients for the use of the picnic grounds in Tappan as a summer day camp to be conducted by the Town of Orangetown.

Our agreement is, in its most simplistic form, that we will provide the use of our picnic grounds to the Town of Orangetown for the purposes of its conducting a summer day camp program during the summer of 2018 under the same terms and conditions as set forth in a certain agreement entered into between the Town of Orangetown and the German Masonic Home Corporation dated May 18, 1991. The German Masonic Home Corporation, a sister company of The Noble Ninth, Inc., transferred title to the property in question to The Noble Ninth, Inc., as more fully explained to you in our letter of March 24<sup>th</sup>, 1999.

If this is acceptable to you and there are no other changes to be made, then your client's execution of a copy of this letter-extension for the summer of 2018, commencing Wednesday, June 27, 2018 through Friday, August 3, 2018, daily, Monday through Friday, from 7:45 AM through 5:15 PM will constitute our new agreement.

Unless there is anything specific that you wish to discuss which would constitute a departure from our past practices and your past usage of the grounds, I do not believe a meeting is necessary.

A few years ago we referenced the increase in our Utility costs during the period camp is in session and we continue to monitor this. We did not find any significant additional growth during the past year and, at this time, we are not requesting any payments from the Town, nor are we seeking any reimbursement for these utility usage increases however, we did want to make you aware of this and the fact that we continue to monitor the situation and, should the increases continue to grow, we may have to revisit this situation.

I await any reply and, if in order, an executed copy of this letter, which will then serve as our copy of this agreement. Thank you for your courtesy and cooperation.

Very truly yours,

*Robert Off*

cc: Chris Day

Robert Magrino

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

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



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

## Memorandum

**Date:** 5/30/18

**To:** Town Board

**From:** James J. Dean, Superintendent of Highways

**RE:** Bid Award – Variable Message Boards

Please be advised it is my recommendation that the bid referenced above be awarded to Glenco Supply, Inc, Oakhurst, New Jersey, the lowest qualified bidder to meet specifications, in the amount of \$36,062.86.

If you have any questions regarding this bid award, please contact me.

kj



BID OPENING TIME 11:00AM

DATE May 3, 2018

**CONTRACTOR NAME & ADDRESS**

TRAFFIC SIGNAL SERVICE CO. P. 21000  
 10000 STATE ST. GARDEN ST. HIGHWAY PRODUCTS  
 GLENDA SPRING, MO 64240  
 10000 STATE ST. HIGHWAY PRODUCTS  
 GLENDA SPRING, MO 64240  
 10000 STATE ST. HIGHWAY PRODUCTS  
 GLENDA SPRING, MO 64240

DATE RECEIVED	5/2/18	5/2/18	5/3/18	5/3/18	5/3/18	5/3/18
TIME RECEIVED	11:31am	9:39am	9:04am	MORNING MAIL	10 <sup>15</sup> am	
NON COLLISION STATEMENT	✓	✓	✓	✓	✓	✓
BID BOND or CERTIFIED CHECK	✓	✓	✓	✓	✓	✓

**New Trailer Mounted Variable Message Board / Quantity 2**

COST EACH	\$ 13440.00	\$ 14500.00	\$ 14975.00	\$ 12540.00	\$ 14600.00
TOTAL COST	\$ 26880.00	\$ 29000.00	\$ 29950.00	\$ 25080.00	\$ 29200.00

**Modem / Quantity 2**

COST EACH	\$ 600.00	\$ included	\$ 928.00	\$ 770.00	\$ included
TOTAL COST	\$ 1200.00	\$ "	\$ /	\$ 1540.00	\$ "

**Smart Phone Handheld Options / Quantity 2**

COST EACH	\$ 0	\$ included	\$ /	\$ 110.00	\$ included
TOTAL COST	\$ 0	\$ "	\$ 1856.00	\$ 220.00	\$ "

**Radar with Data Collection / Quantity 2**

COST EACH	\$ 1725.00	\$ 1395.00	\$ 1714.29	\$ 2970.00	\$ 1750.00
TOTAL COST	\$ 3450.00	\$ 2790.00	\$ 3428.58	\$ 5940.00	\$ 3500.00

**Extended Warranty / Quantity 2**

COST EACH	\$ 1000.00	\$ included	\$ included	\$ 880.00	\$ included
TOTAL COST	\$ 2000.00	\$ "	\$ "	\$ 1760.00	\$ "

**Alignment Sight / Quantity 2**

COST EACH	\$ 0	\$ included	\$ included	\$ 55.00	\$ included
TOTAL COST	\$ 0	\$ "	\$ "	\$ 110.00	\$ "

**Pole Cole Hersee Plug / Quantity 2**

COST EACH	\$ 0	\$ 75.00	\$ 71.43	\$ 55.00	\$ included
TOTAL COST	\$ 0	\$ 150.00	\$ 142.86	\$ 110.00	\$ "

**Electromechanical Lift / Quantity 2**

COST EACH	\$ 900.00	\$ 1400.00	\$ N/A	\$ included	\$ included
TOTAL COST	\$ 1800.00	\$ 2800.00	\$	\$ "	\$ "

**3" Pintle Hitch / Quantity 2**

COST EACH	\$ 0	\$ included	\$ 107.00	\$ 110.00	\$ included
TOTAL COST	\$ 0	\$ "	\$ 214.00	\$ 220.00	\$ "

**Vandel Box / Quantity 2**

COST EACH	\$ 0	\$ 200.00	\$ included	\$ 225.00	\$ 370.00
TOTAL COST	\$ 0	\$ 400.00	\$ "	\$ 550.00	\$ 740.00

**Yearly Cell Service / Quantity 2**

COST EACH	\$ 0	\$ included	\$ 235.71	\$ 330.00	\$ included
TOTAL COST	\$ 0	\$ "	\$ 471.42	\$ 660.00	\$ "

**Freight / Quantity 1**

COST EACH	\$ 0	\$ included	\$ included	\$ 990.00	\$ included
TOTAL COST	\$ 0	\$ "	\$ "	\$ 1980.00	\$ "

**TOTAL COST**

TOTAL COST	\$ 35330.00	\$ 35140.00	\$ 36662.56	\$ 38170.00	\$ 33440.00
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DIST: TOWN BOARD AENE SUPERVISOR TOWN ATTORNEY HIGHWAY

## VARIABLE MESSAGE BOARDS

BID OPENING TIME

11:00AM

DATE

May 3, 2018

CONTRACTOR  
NAME  
&  
ADDRESS

DATE RECEIVED	4/30/18			
TIME RECEIVED	12:32pm			
NON COLLUSION STATEMENT	J			
BID BOND or CERTIFIED CHECK	J			

## New Trailer Mounted Variable Message Board / Quantity 2

COST EACH	\$14325.00	\$	\$
TOTAL COST	\$28650.00	\$	\$

## Modem / Quantity 2

COST EACH	\$1025.00	\$	\$
TOTAL COST	\$2050.00	\$	\$

## Smart Phone Handheld Options / Quantity 2

COST EACH	\$230.00	\$	\$
TOTAL COST	\$460.00	\$	\$

## Radar with Data Collection / Quantity 2

COST EACH	\$3525.00	\$	\$
TOTAL COST	\$7050.00	\$	\$

## Extended Warranty / Quantity 2

COST EACH	\$115.00	\$	\$
TOTAL COST	\$230.00	\$	\$

## Alignment Sight / Quantity 2

COST EACH	\$115.00	\$	\$
TOTAL COST	\$230.00	\$	\$

## Pole Cole Hersee Plug / Quantity 2

COST EACH	\$115.00	\$	\$
TOTAL COST	\$230.00	\$	\$

## Electromechanical Lift / Quantity 2

COST EACH	\$120.00	\$	\$
TOTAL COST	\$240.00	\$	\$

## 3" Pintle Hitch / Quantity 2

COST EACH	\$220.00	\$	\$
TOTAL COST	\$440.00	\$	\$

## Vandal Box / Quantity 2

COST EACH	\$515.00	\$	\$
TOTAL COST	\$1030.00	\$	\$

## Yearly Cell Service / Quantity 2

COST EACH	\$40.00	\$	\$
TOTAL COST	\$80.00	\$	\$

## Freight / Quantity 1

COST EACH	\$2100.00	\$	\$
TOTAL COST	\$2100.00	\$	\$
TOTAL COST	\$45280.00	\$	\$

DIST:

Mod 2230

TOWN OF ORANGETOWN

REQUEST TO ATTEND CONFERENCE, MEETING, SEMINAR OR SCHOOL

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

REQUESTING DEPARTMENT: DEME DATE: 5-31-18

NAME(S) OF PERSON(S) TO ATTEND: David Alvarez

CONFERENCE, ETC. - NAME & LOCATION: Morrisville ETC Grade 3 Supv. & Tech.

CONFERENCE, ETC. DATE(S): 10/22/18 - 10/26/18

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

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

ESTIMATED EXPENSES:

Item	Charge to:	Charge to:	Total
	Schls & Confs	Travel Exp*	
Registration Fee	\$ <u>575.00</u>	\$ _____	\$ <u>575.00</u>
Lodging	_____	<u>520.80</u>	<u>520.80</u>
Meals	_____	<u>200.00</u>	<u>200.00</u>
Travel	_____	<u>240.35</u>	<u>240.35</u>
Other	_____	_____	_____
Total	\$ <u>575.00</u>	\$ <u>961.15</u>	\$ <u>1536.15</u>

\*Use if only travel expense involved

REMAINING BALANCE IN .441 Account: \$ \_\_\_\_\_

IF TRAVEL ONLY, REMAINING BALANCE IN .480 Account: \$ \_\_\_\_\_

DEPARTMENT HEAD APPROVAL/SIGNATURE (if not an attendee): [Signature] 5/31/18

FINANCE OFFICE VERIFICATION OF FUNDS AVAILABILITY: .441-\$ \_\_\_\_\_ .480-\$ \_\_\_\_\_

TOWN BOARD ACTION: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Date: \_\_\_\_\_





[Courses \(/courses/\)](/courses/) > [Grade 3 Supervision and Technical Operations \(/courses/detail.aspx?id=8\)](/courses/detail.aspx?id=8)

## Grade 3 Supervision and Technical Operations

### Dates

- Oct 22 - 26, 2018

### Description

This 30-hour course meets NYS Department of Environmental Conservation requirements for those persons desiring Grade 3 or higher certification. It is designed to help operators improve supervision and management skills, as well as technical operational skills. This course is a mixture of lecture and classroom interactive activities. The textbook for the course is *Manage for Success*, by the University of California at Sacramento. The book is available directly from the Morrisville State College Bookstore. It can be ordered in advance by calling (315) 684-6073 or purchased upon arrival on campus for the course.

Topics covered during this course include:

Technical Module includes: Multi-media, Toxics, Odor Control & Nutrient Removal

Supervision Modules include:

Communication & Training Skills  
Problem Solving & Decision Making Skills  
Planning & Organizational Skills  
Health & Safety Issues & Requirements  
Personnel Skills including: Team Building, Delegation,  
Motivation, & Basic Human Relations Skills

### Prerequisites

Basic Operations

### Price

\$575

Register for courses (</courses/register.aspx?categoryId=1>)

## Contact Us

### Environmental Training Center

Morrisville State College  
Crawford Hall, 3rd Floor  
Morrisville, NY 13408

Phone: 315-684-6082

Fax: 315-684-6609



Facebook (<https://www.facebook.com/EnvironmentalTrainingCenter>)



Twitter (<https://twitter.com/etcmorrisville>)

**“I took two classes at the Environmental Training Center, Basic Operations and Activated Sludge. I thoroughly enjoyed both training classes. Stephen was very engaging, we covered a lot of materials in ...  
more**

— May Elprince, Environmental Engineer, NYSDEC, Region 7

#### QUICK LINKS

Apply (<http://www.morrisville.edu/admissions/apply.aspx>)  
 Campus Map (<http://map.morrisville.edu/>)  
 Parking Map (<http://documents.morrisville.edu/public/files/parking.pdf>)  
 Blackboard (<http://www.morrisville.edu/blackboard/>)  
 Web for Students (<http://www.morrisville.edu/webforstudents/>)  
 Web for Faculty (<http://www.morrisville.edu/webforfaculty/>)  
 Webmail (<http://webmail.morrisville.edu/>)  
 Cancellations (<http://www.morrisville.edu/cancellations/>)  
 Library (<http://library.morrisville.edu/>)  
 Career Services (<http://www.morrisville.edu/careerplanning/>)  
 Employment Opportunities (<http://www.morrisville.edu/hr/employment.aspx>)  
 Emergency Information (<http://www.morrisville.edu/up/emergency.aspx>)  
 Reporting Irregularities ([http://www.morrisville.edu/business\\_office/prevent-fraud.aspx](http://www.morrisville.edu/business_office/prevent-fraud.aspx))

#### CONNECT WITH US

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(<https://www.facebook.com/morrisvillestatecollege>) (<https://twitter.com/morrisvillestatecollege>) (<https://www.youtube.com/channel/UCB8Wp5gtao0k0p1Mwvile8A0>) (<https://www.vimeo.com/morrisvillestatecollege>) (<https://www.instagram.com/morrisvillestatecollege>) (<http://www.linkedin.com/company/morrisvillestatecollege>) (<http://www.flickr.com/photos/morrisvillestatecollege>)

#### CONTACT US

MORRISVILLE STATE COLLEGE ([HTTP://WWW.MORRISVILLE.EDU/](http://www.morrisville.edu/))

P.O. Box 901

80 Eaton St.

Morrisville, NY 13408

([http://maps.google.com/maps?](http://maps.google.com/maps?q=80+Eaton+St,+Morrisville,+NY+13408&hl=en&ll=42.893951,-75.646062&spn=0.010548,0.022724&sll=42.890209,-75.640612&sspn=0.020312,0.045447&vpsrc=0)

[q=80+Eaton+St,+Morrisville,+NY+13408&hl=en&ll=42.893951,-75.646062&spn=0.010548,0.022724&sll=42.890209,-75.640612&sspn=0.020312,0.045447&vpsrc=0](http://maps.google.com/maps?q=80+Eaton+St,+Morrisville,+NY+13408&hl=en&ll=42.893951,-75.646062&spn=0.010548,0.022724&sll=42.890209,-75.640612&sspn=0.020312,0.045447&vpsrc=0)  
 1-315-684-6000 (tel:1-315-684-6000)

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 (<http://morrisville.edu/documents/privacypolicy/privacypolicy.pdf>)

## Personal Information

*First Name:	<input type="text" value="David"/>	
*Middle Initial:	<input type="text" value="V"/>	
*Last Name:	<input type="text" value="Alvarez"/>	
*Employer:	<input type="text" value="Town of Orangetown NY"/>	Or note "Self Employed"
*DOB:	<input type="text" value="01/21/1959"/>	Your date of birth (mm/dd/yyyy)

## Home Address Information

*Street Address:	<input type="text" value="174 Mudtown Rd"/>	Your street address (e.g. 123 Main Street)
*City:	<input type="text" value="Wantage"/>	
*State:	<input type="text" value="New Jersey"/>	
*Zip/Postal Code:	<input type="text" value="07461"/>	

## Work Mailing Address Information

*Street Address:	<input type="text" value="127 Rt 303"/>	Your work address (e.g. 123 Main Street)
*City:	<input type="text" value="Orangeburg"/>	
*State:	<input type="text" value="New York"/>	
*Zip/Postal Code:	<input type="text" value="10962"/>	

## Contact Information

*Email:	<input type="text" value="chiefzig@aol.com"/>	Must be a valid email address
*Home Phone:	<input type="text" value="2016751661"/>	In the format ###-###-####
*Work Phone:	<input type="text" value="9149063405"/>	In the format ###-###-####
Fax:	<input type="text" value="9737214081"/>	In the format ###-###-####

## Courses

Check the appropriate date(s) for the course(s) you wish to attend.

### Basic Operations of Wastewater Treatment Plants (\$975.00) [More Info](#)

Jul 23 - Aug 3, 2018:

Sep 24 - Oct 5, 2018: Dec 3 - 14, 2018: **Basic Laboratory Procedures (\$575.00)** [More Info](#)Jul 9 - 13, 2018: Aug 27 - 31, 2018: Nov 5 - 9, 2018: **Activated Sludge Wastewater Treatment Process (\$525.00)** [More Info](#)Jun 4 - 7, 2018: Aug 13 - 16, 2018: Oct 9 - 12, 2018: **Grade 3 Supervision and Technical Operations (\$575.00)** [More Info](#)Oct 22 - 26, 2018: **Grade 3 Technical Module (\$150.00)** [More Info](#)Oct 22, 2018: **Grade 4 Management (\$450.00)** [More Info](#)Sep 5 - 7, 2018: **Review Class for ABC Exam (\$100.00)** [More Info](#)Jun 8, 2018: Oct 19, 2018: **Payment Method**

Please choose your payment method. If you choose to pay with a credit card, you must fill in the credit card information below. PO, voucher, and check payments must be sent separately by mail.

\*Payment Method: **Credit Card Information (For Credit Card Order Only)**Card Holder Name: 

Cardholder name if different from above

Credit Card Number: Credit Card Type: Card Security Code: Expiration Month:

Expiration Year:  ▼

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## Submit Your Information

**Note:** Unless the ETC is notified of cancellation at least 2 business days prior to the course start date, you will be billed for the entire course.

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Phone: 315.684.6082 Crawford Hall Fax: 315.684.6609



**WASTEWATER OPERATOR CERTIFICATION COURSES - 2018 CALENDAR**

<p><b>BASIC OPERATIONS</b>                    \$975</p> <p><input type="checkbox"/> Feb 26 - Mar 9, 2018</p> <p><input type="checkbox"/> Apr 30 - May 11, 2018</p> <p><input type="checkbox"/> Jul 23 - Aug 3, 2018</p> <p><input type="checkbox"/> Sep 24 - Oct 5, 2018</p> <p><input type="checkbox"/> Dec 3 - 14, 2018</p> <p>(Prerequisite: 6 months experience in plant operations recommended)</p>	<p><b>Grade 3 SUPERVISION &amp; TECHNICAL OPERATIONS</b>                    \$575</p> <p>(Prerequisite: Basic Operations)</p> <p><input type="checkbox"/> Jan 29 - Feb 2, 2018</p> <p><input type="checkbox"/> 1 Day Tech (Jan 29<sup>th</sup>) \$150</p> <p><input type="checkbox"/> Jun 25 - 29, 2018</p> <p><input type="checkbox"/> 1 Day Tech (Jun 25<sup>th</sup>) \$150</p> <p><input checked="" type="checkbox"/> Oct 22 - 26, 2018</p> <p><input type="checkbox"/> 1 Day Tech (Oct 22<sup>nd</sup>) \$150</p>
<p><b>BASIC LABORATORY</b>                    \$575</p> <p><input type="checkbox"/> Jan 8 - 12, 2018</p> <p><input type="checkbox"/> Mar 19 - 23, 2018</p> <p><input type="checkbox"/> May 21 - 25, 2018</p> <p><input type="checkbox"/> Jul 9 - 13, 2018</p> <p><input type="checkbox"/> Aug 27 - 31, 2018</p> <p><input type="checkbox"/> Nov 5 - 9, 2018</p> <p>(Prerequisite: Basic Operations)</p>	<p><b>Grade 4 MANAGEMENT</b>                    \$450</p> <p><input type="checkbox"/> Apr 16 - 18, 2018</p> <p><input type="checkbox"/> Sep 5 - 7, 2018</p>
<p><b>ACTIVATED SLUDGE</b>                    \$525</p> <p><input type="checkbox"/> Jan 16 - 19, 2018</p> <p><input type="checkbox"/> Apr 2 - 5, 2018</p> <p><input type="checkbox"/> Jun 4 - 7, 2018</p> <p><input type="checkbox"/> Aug 13 - 16, 2018</p> <p><input type="checkbox"/> Oct 9 - 12, 2018 (Prerequisite: Basic Operations)</p>	<p><b>REVIEW CLASS for ABC Exam</b>                    \$100</p> <p><input type="checkbox"/> Feb 9, 2018</p> <p><input type="checkbox"/> Jun 8, 2018</p> <p><input type="checkbox"/> Oct 19, 2018</p>

Morrisville State College, ETC - Crawford Hall #328 - Morrisville, NY 13408  
 Email: [sawverc@morrisville.edu](mailto:sawverc@morrisville.edu) Phone: (315) 684-6082 FAX (315) 684-6609

Environmental Training Center's Photos in Timeline Photos

TOWN OF ORANGETOWN

REQUEST TO ATTEND CONFERENCE, MEETING, SEMINAR OR SCHOOL

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

REQUESTING DEPARTMENT: DEME DATE: 5/31/18

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

CONFERENCE, ETC. - NAME & LOCATION: US EPA NORTHEAST PRETREATMENT TRAINING

CONFERENCE, ETC. DATE(S): 6/26-6/27

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

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

ESTIMATED EXPENSES:

Item	Charge to:		Total
	Schls & Confs	Travel Exp*	
Registration Fee	\$ <u>FREE</u>	\$ _____	\$ _____
Lodging	_____	<u>216.60</u>	<u>216.60</u>
Meals	_____	<u>70.00</u>	<u>70.00</u>
Travel	_____	<u>159.14</u>	<u>159.14</u>
Other	_____	_____	_____
Total	\$ <u>FREE</u>	\$ _____	\$ <u>445.74</u>

\*Use if only travel expense involved

REMAINING BALANCE IN .441 Account: \$ \_\_\_\_\_

IF TRAVEL ONLY, REMAINING BALANCE IN .480 Account: \$ \_\_\_\_\_

DEPARTMENT HEAD APPROVAL/SIGNATURE (if not an attendee): [Signature] 5/31/18

FINANCE OFFICE VERIFICATION OF FUNDS AVAILABILITY: .441-\$ \_\_\_\_\_ .480-\$ \_\_\_\_\_

TOWN BOARD ACTION: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Date: \_\_\_\_\_

## La Quinta Inn & Suites

### Latham Albany Airport

833 New Loudon Rd,  
Latham, NY 12110

[GET DIRECTIONS](#)

518-640-2200 Confirmation Number 3226347637

Check in

06/25/18

Check out

06/27/18

Check in time

15:00

Check out time

12:00

rate type

National Government Rate

rate & policy details

Valid with Federal Government or Military ID only. Commissionable

1 room(s) for night(s)

Two Room King Suite w/Sleeper Sofa

\$190.00 USD

Estimated taxes\*

\$26.60 USD

Estimated total

\$216.60 USD

\* Taxes are estimated, subject to change prior to arrival, and do not include additional fees required by the selected hotel.

Billing Information

\*\*\*\* \* 6631

Expiration Date: 03/22

number OF GUESTS 1



**EPA Training for POTWs and States**  
**sponsored by**  
**EPA HQ, Region 1 and Region 2 Offices**  
**Desmond Hotel, Albany, NY**

<b>Session</b>	<b>Time</b>	<b>Subject</b>
<b>Tuesday June 26, 2018</b>		<b>Day 1</b>
	12:00-12:30	<i>Registration</i>
1	12:30-1:00	Introduction and Overview of EPA Pretreatment Regulations
2	1:00-1:35	Pretreatment Standards (Prohibitive Standards, Local Limits)
3	1:35-1:55	Pretreatment Standards (Categorical Regulations)
	1:55-2:10	<i>Break</i>
4	2:10-2:50	Industrial User Surveys
5	2:50-3:15	Sampling and Identification of Pollutant Sources
6	3:15-3:30	EPA Update
<b>Wednesday June 27, 2018</b>		<b>Day 2</b>
	8:00-8:30	<i>Registration</i>
1	8:30-9:00	Industrial User Permitting
2	9:00-9:15	Permitting Exercise
3	9:15-10:00	Industrial User Inspections
	10:00-10:15	<i>Break</i>
4	10:15-10:45	Regulating Non-Categorical SIUs
5	10:45-11:45	Local Limits (advanced/hands on)
	11:45-1:00	<i>Lunch</i>
6	1:00-2:20	Local Limits (advanced/hands on) -cont'd
7	2:20-3:00	Enforcement
	3:00-3:15	<i>Break</i>
8	3:15-3:45	Overview of Categorical Regulations (Metal Finishing)
	3:45-4:00	<i>Question/Review</i>