



**Robert T. Armistead, Chairman • Mary Ellen Rogulski, Vice Chairman • John Steinberg, Jr., Second Vice Chairman  
Stephen Brescia, Secretary • Henry VanLeeuwen, Assistant Secretary • Robert J. Schreibeis, Sr. • Edward A. Diana  
James R. Petro, Jr, Chief Executive Officer • Laurie Villasuso, Chief Operating Officer •  
Kevin Dowd, Attorney • Joel Kleiman, Chief Financial Officer**

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## Agenda

PLEASE TAKE NOTICE, The Orange County Funding Corporation will hold a regularly scheduled meeting on May 12, 2016 immediately following the Orange County Industrial Development Agency meeting at The Accelerator, 4 Crotty Lane, Suite 100, New Windsor, New York, to consider and/or act upon the following:

### Order of Business

- **Roll Call**
- **Approval of the minutes from April 14, 2016 meeting**
- **Financial Reports and/or Requests for Payments**
- **New and Unfinished Business**
  - Project Expenditure Request – Village of Greenwood Lake & Town of Warwick
- **Resolutions**
- **Such other and further business as may be presented**
- **Public Comments**
- **Adjournment**

Dated: May 4, 2016

Stephen Brescia, Secretary

By: James R. Petro, Jr., Chief Executive Officer

ORANGE COUNTY FUNDING CORPORATION

MINUTES

April 14, 2016

A regular meeting of the Orange County Funding Corporation was convened in public session on April 14, 2016 at 4:05 P.M. at the Orange County Business Accelerator in New Windsor, New York.

The meeting was called to order by the Chairman, Robert Armistead, and upon roll being called, the following were:

PRESENT: Robert Armistead, Stephen Brescia, Robert Schreiber, John Steinberg, Mary Ellen Rogulski

ABSENT: Edward Diana  
Henry VanLeeuwen

ALSO PRESENT: James Petro – Executive Director  
Laurie Villasuso – Chief Operating Officer  
Kevin Dowd – IDA Attorney  
Russell Gaenzle – Bond Counsel  
Melanie Schouten – Galileo Technology Group

Chairman Armistead calls to order the regular meeting of the Orange County Funding Corporation, April 14, 2016 Board consists of five members. There is a quorum.

Roll Call taken.

Review of the March 10, 2016 meeting minutes. Motion made by Mr. Steinberg, seconded by Mr. Schreiber, to approve the minutes. Motion carries with all in favor.

**Financial Reports and/or Requests for Payment**

Mrs. Villasuso reviews the income and expense summary, noting that income YTD is \$459,000 and YTD expenses are \$621,000, with expenses exceeding revenues by \$162,000.

In the bank account there is \$871,822.

This month there was no income but approval is needed for two checks that total \$5,592. These vouchers and payments are made up of Kevin Dowd and the audit from Judelson, Giordano, & Seigel.

Mrs. Armistead asks to obtain a motion to approve the vouchers and payments in the amount of \$5,592. Motion made by Mr. Steinberg, seconded by Mrs. Rogulski, that the Board accept the financial reports, authorize OCFC payments and vouchers. Open for discussion. Affirmative votes of all members present resulted in motion carried.

**Resolutions**

There are no present resolutions.

**Such other and further business as may be presented**

With no further business, meeting called for adjournment by Chairman Armistead, motion made by Mrs. Rogulski, seconded by Mr. Schreiber, the time being 4:10p.m.

# Orange County Funding Corporation

May 2016

## Funds Received

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<b>Total</b>	<b>0.00</b>

## Vouchers & Payments

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Kevin T. Dowd, Esq. (Legal 04/01/16 through 04/30/16)	185.00
Dutton Architecture PLLC (NAUC)	5,453.00
Dutton Architecture PLLC (NAUC)	4,131.25

**Total** 9,769.25



## GUIDELINES FOR PROJECT EXPENDITURE APPLICANTS

These guidelines are provided to help your organization prepare a complete Project Expenditure application.

### **Funding Considerations:**

To be considered for funding, an organization must be designated as not-for-profit and/or tax exempt, or other at the discretion of the Orange County Funding Corporation Board.

### **Orange County Funding Corporation resources may support projects in the areas of:**

- workforce development and/or training
- community development and/or recreation
- direct assistance to businesses and other organizations/Community revitalization
- energy
- environmental improvements
- low-cost financing.

### **Orange County Funding Corporation is most interested in organizations that have a program which:**

- Directly benefits Orange County Job Development
- Is beneficial to Orange County on a county-wide basis
- Has clear goals and objectives for Economic Development
- Promotion of tourism can be considered, provided it also creates jobs

### **Orange County Funding Corporation DOES NOT FUND:**

- Advertising or fund raising drives
- Partisan, political, or denominational programs
- Salaries, travel expenses or general and administrative costs
- Requests that do not include a detailed description of the project in writing and are not accompanied with a Project Expenditure application

#### Board of Directors

Robert T. Armistead  
-Chairman

Mary Ellen Rogulski  
-Vice Chairman

John Steinberg, Jr.  
-Second Vice Chairman

Stephen Brescia  
-Secretary

Henry VanLeeuwen  
-Assistant Secretary

Robert J. Schreibeis, Sr.

Edward A. Diana

#### Staff

James R. Petro, Jr.  
-Chief Executive Officer

Laurie Villasuso  
-Associate Executive  
Director

Joel Kleiman  
-Chief Financial Officer

Kevin T. Dowd  
-Attorney



## PROJECT EXPENDITURE APPLICATION FORM

### ORGANIZATION

Name of Organization: Village of Greenwood Lake & Town of Warwick DATE: 4/28/2016

Project Title: GWL Passive Boat Launch and Public Park

Address: Old Dutch Hollow rd & County Rt 5

City/Zip 10925 Code: \_\_\_\_\_

Telephone: 845-477-9215 E-mail Address: Mayor@villageofgreenwoodlake.org

Name of Contact: Jesse Dwyer

Title: Mayor

Specific amount requested from OCFC: \$ \$52,100

Have you received any grants or other forms of assistance from the Orange County Funding Corporation in the past?  
Yes  No  Dates and amounts \_\_\_\_\_

Have you received any other assistance from other agencies or organizations?  Yes  No  
If yes, please indicate from whom and the type or amount. \_\_\_\_\_

Village received grant of \$10,000 in 2015 for tourism (fireworks) from Orange County

(Please remember that your request will receive the same consideration whether or not you have had previous requests in the past with the Orange County Funding Corporation.)

### ORGANIZATION BACKGROUND

(Include a brief history of your organization.)

*The Village of Greenwood Lake is an incorporated Municipality in Orange County. We are home to Orange County's largest lake and are within the borders of the Town of Warwick. Our lake borders the state of New Jersey and is recreated by thousands of people from all over the country every month. In the Village we have several hotels and bed and breakfast locations, but have struggled in the past to draw new tourists into the community. Outdoor recreation and highlighting our lake has been a major endeavor over the past 3 years in Greenwood Lake. We have striven to create tourism opportunities and ways to drive people to Greenwood Lake and Orange County.*

## DESCRIPTION OF PROJECT

(Please indicate the amount of the project, capital investment, job creation and economic benefit to Orange County and its residents. Please provide a concise description of the need or problem to be addressed. Include the overall goals and purposes of your organization or specific department concerned, the specific purpose of the funds, and how the objective will be accomplished. Moreover, what is unique about your program? Include photos, drafts, charts, drawings, supporting documentation and any phasing, if more than one. Indicate what years funding represents and a breakdown. Please attach additional pages if more space is needed.)

*The Village is a recreation destination not only for Orange County residents but for the hundreds of thousands of residents who live within a 30 mile radius and the millions who live within a 50 mile radius. This project, a passive boat launch which encourages outdoor recreation, fishing and nature watching, will increase tourism, retain visitors for longer periods of time through having more activities, will create an additional part time grounds keeper position to maintain the park, and will create a gateway park to the Village of Greenwood Lake. At present, the County owned property which is being transferred to the Village of Greenwood Lake for \$100.00 is vacant and unattractive. In short, the property is going to waste. With the funds received from the IDA, the Village of Greenwood Lake, working in partnership with the Town of Warwick, will transform this vacant gateway to our Village into a beautiful park and recreation destination. The overall request is \$52,100.00. The site will consist of attractive landscaping that mixes well with the area's natural features, parking, lighting, a groomed lawn for picknicking, park benches, a boat launch and dock. All maintenance will be performed by Village of Greenwood Lake employees and all liability for the launch will be maintained by the Village of Greenwood Lake.*

## BUDGET

Specific amount requested from the Orange County Funding Corporation: \$ 52,100

(Please include an itemized budget for this project and total program, your current sources of income and expenses, a balance sheet for the past year and contributions from other institutions or organizations, if any.)

### Budget

*Purchase of land: \$100.00*

*Tree Clearing: \$5,000*

*Excavation: \$20,000*

*Backfilling & Leveling material for property: \$5,000*

*Lighting: \$4,000*

*Benches, refuse, misc items: \$5,000*

*Dock and installation: \$2,000*

*Bulkhead / Bank stabilization: \$8,000*

*Engineering: \$3,000*

*Total Project Cost: \$52,100*

## TARGET POPULATIONS AND PERFORMANCE SITE(S)

(This project must show its benefits to all of Orange County and the residents or describe the unique benefit to a specific segment of Orange County that may not happen if the OCFC were to reject this Project Expenditure.)

*The project seeks to target all of Orange County and the surrounding area by offering free access to Orange County's largest lake. We intend to monitor the visitation through random, weekly, survey measures. This will be done by asking those in attendance where they came from, they're intended use of the park (fishing, nature watching, or exercise).*

## EVALUATION

(How will you determine the impact of this project if funded? [For example, a survey, appraisal of physical improvements or attendance figures.] Please be specific.)

*The survey data as mentioned above.*

PLEASE RETURN THIS APPLICATION TO:

Orange County Funding Corporation  
Orange County Business Accelerator  
4 Crotty Lane, Suite 100  
New Windsor, NY 12553

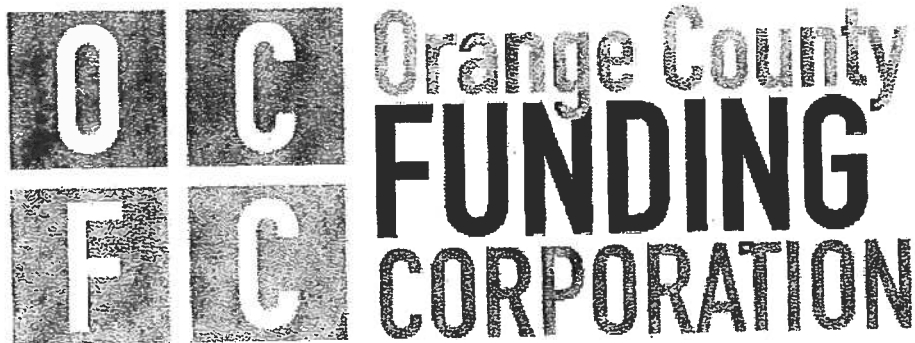
Reference: Section II Project Information

The proposed use of IDA funds would be to construct a fully functional passive boat launch and public park in the Village of Greenwood Lake. This is a joint effort between the Town of Warwick and Village of Warwick to spur more economic development and interest in the Greater Greenwood lake Community.

The property, formerly a County Road and side road with lakefront access, became inactive nearly 20 years ago with the reconfiguration of County Route 5. The Village is currently finalizing plans to purchase property for \$100,000. The proposed use would be a passive boat launch that would provide much needed public access to Orange County's largest lake. Passive boats would be kayaks, canoes, row boats and small boats that generally may be put into water without the use of a trailer. Greenwood Lake has been well known as one of the best fishing lakes in NY but this has declined over the past decade. The cost of launching boats at local marinas for passive boats is, in many cases, cost prohibitive. By allowing public access to this site, we are bringing more people to the Village for recreational purposes, which in turn, drive more people to stay at our bed & breakfast locations, hotels, eat at our restaurants, and shop at our main street.

The work involved with turning this vacant property includes: Clearing trees, removing section of guardrail, filling large ditch in middle of property with backfill products, creating small gravel parking area, sloping bank to allow for smooth access to lake which will include bank stabilization, installing a dock, clearing aquatic vegetation and sediment near launch site (DEC permit attached), installing lighting for park, signage. The total project cost is \$52,100.





## APPLICATION FOR FINANCIAL ASSISTANCE

Village of Greenwood Lake / Town of Warwick

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(Applicant Name)

**Robert T. Armistead**

Chairman

4 Crotty Lane, Suite 100  
New Windsor, NY 12553

Tel: 845-234-4192

[www.ocnyida.com](http://www.ocnyida.com)

[business@ocnyida.com](mailto:business@ocnyida.com)

Updated July 2014

# ORANGE COUNTY FUNDING CORPORATION

## APPLICATION FOR FINANCIAL ASSISTANCE

### I. APPLICANT INFORMATION

Company Name: Village of Greenwood Lake, Inc & Town of Warwick  
Mailing Address: PO Box 7  
Phone No.: 845-477-9215  
Fax No.: 845-477-9390  
Fed Id. No.: 14-6002219  
Contact Person: Jesse Dwyer, Mayor

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

Corporate Structure (*attach schematic if applicant is a subsidiary or otherwise affiliated with another entity*)

#### Form of Entity

Corporation

Date of Incorporation: Municipality - 1924  
State of Incorporation: New York

Partnership

General \_\_\_\_\_ or Limited \_\_\_\_\_  
Number of general partners \_\_\_\_\_  
If applicable, number of limited partners \_\_\_\_\_

Date of formation \_\_\_\_\_  
Jurisdiction of Formation \_\_\_\_\_

Limited Liability Company/Partnership (number of members \_\_\_\_\_)

Date of organization: \_\_\_\_\_  
State of Organization: \_\_\_\_\_

Sole Proprietorship

If a foreign organization, is the applicant authorized to do business in the State of New York? \_\_\_\_\_

APPLICANT'S COUNSEL

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

II. PROJECT INFORMATION

A) Describe the proposed acquisitions, construction or reconstruction and a description of the costs and expenditures expected.

See Attached

B) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations.

See Attached

If any of the above persons, or a group of them, owns more than a 50% interest in the company, list all other organizations which are related to the company by virtue of such persons having more than a 50% interest in such organizations.

\_\_\_\_\_

Is the company related to any other organization by reason of more than 50% common ownership? If so, indicate name of related organization and relationship.

\_\_\_\_\_

Has the company.(or any related corporation or person) made a public offering or private placement of its stock within the last year? If so, please provide offering statement used.

\_\_\_\_\_

Project Data

1. Project site (land)

(a) Indicate approximate size (in acres or square feet) of project site.

1/3 acre

(b) Are there buildings now on the project site?

       Yes   X   No

(c) Indicate the present use of the project site.

vacant land

(d) Indicate relationship to present user of project.

Will be Village Owned Property

2. Does the project involve acquisition of an existing building or buildings? If yes, indicate number, size and approximate age of buildings:

n/a

3. Does the project consist of the construction of a new building or buildings? If yes, indicate number and size of new buildings:

No

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation:

No

5. What will the building or buildings to be acquired, constructed or expanded be used for by the company? (Include description of products to be manufactured, assembled or processed, and services to be rendered. . .

N/a

. . . *including* the percentage of building(s) to be used for office space and an estimate of the percentage of the functions to be performed at such office not related to the day-to-day operations of the facilities being financed.)

n/a

6. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.

n/a

7. List principal items or categories of equipment to be acquired as part of the project.

Park benches, lighting poles / lighting

8. Has construction work on this project begun?

Complete the following

(a) site clearance	<u>      </u> Yes	<u>  x  </u> No	<u>      </u> % complete
(b) foundation	<u>      </u> Yes	<u>  x  </u> No	<u>      </u> % complete
(c) footings	<u>      </u> Yes	<u>  x  </u> No	<u>      </u> % complete
(d) steel	<u>      </u> Yes	<u>  x  </u> No	<u>      </u> % complete
(e) masonry work	<u>      </u> Yes	<u>  x  </u> No	<u>      </u> % complete
(f) other (describe below)	<u>      </u> Yes	<u>  x  </u> No	<u>      </u> % complete

9. Will any of the funds borrowed through the Corporation be used for refinancing?

n/a

10. Is a purchaser for the bonds in place? n/a

**COST BENEFIT ANALYSIS:**

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
Estimated Sales Tax Exemption	\$ <u>n/a</u>	New Jobs Created <u>n/a</u>
		Existing Jobs Retained <u>n/a</u>
Estimated Mortgage Tax Exemption	\$ <u>n/a</u>	Private Funds invested \$ <u>n/a</u>
		Other Benefits <u>n/a</u>
Estimated Property Tax Abatement	\$ <u>n/a</u>	Expected Yearly Payroll \$ <u>n/a</u>
Estimated Interest Savings IRB Issue	\$ <u>n/a</u>	Expected Gross Receipts \$ <u>n/a</u>

B) Project Address: Old Dutch Hollow Rd & County Rt 5

Tax Map Number 301-3-10  
(Section/Block/Lot)

Located in City of \_\_\_\_\_

Located in Town of Warwick

Located in Village of Greenwood Lake

School District of Greenwood Lake

C) Are utilities on site?

Water no Electric no

Gas no Sanitary/Storm Sewer no

D) Present legal owner of the site Orange County  
If other than from applicant, by what means will the site be acquired for this project? We are purchasing property for \$100.00 from county.

E) Zoning of Project Site: Current: n/a municipal Proposed: \_\_\_\_\_

F) Are any variances needed? no

G) Principal use of project upon completion: Passive Boat Launch, Public Park

H) Estimate how many construction/permanent jobs will be created or retained as a result of this project and the estimated annual salary range:

	<u>Number of jobs created</u>	<u>Estimated Annual Salary Range</u>	
Construction:	<u>15</u>	\$ <u>30,000</u>	to \$ <u>70,000</u>
Permanent:	<u>0</u>	\$ _____	to \$ _____
Retained:	<u>0</u>	\$ _____	to \$ _____

I) Financial Assistance being applied for:

	<u>Estimated Value</u>
_____ Real Property Tax Abatement Please indicate the term of the PILOT: _____ Years	\$ _____
_____ Mortgage Tax Exemption Please provide the Mortgage Amount: \$ _____	\$ _____
_____ Sales and Use Tax Exemption Amount of Goods & Services to be purchased: \$ _____	\$ _____
_____ Issuance by the Corporation of Tax Exempt Bonds	\$ _____

J) Project Costs (Estimates)

Land	100.00
Building	40,000
Equipment	10,000
Soft costs	2,000
Other	
<b>Total</b>	<b>\$52,100</b>

III. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Corporation as follows:

- A. Job Listings The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed project must be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entity") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JPTA") in which the project is located.
- B. First Consideration for Employment The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Corporation.
- D. Annual Sales Tax Filings The Applicant understands and agrees that, if the proposed project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.
- E. Annual Employment Reports The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed, with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- F. Absence of Conflicts of Interest The applicant has received from the Corporation a list of the members, officers, and employees of the Corporation. No member, officers or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Corporation and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

  
\_\_\_\_\_  
(Applicant Signature)

  
\_\_\_\_\_  
(Name of Officer)

  
\_\_\_\_\_  
(Title)

This Application should be submitted to the Orange County Funding Corporation, c/o Chairman Robert T. Armistead, Orange County Funding Corp, C/O Orange County Business Accelerator, 4 Crotty Lane, Suite 100, New Windsor, NY 12553  
Tel: (845) 234-4192.

The Corporation will collect an administrative fee at the time of closing.  
**SEE ATTACHED FEE SCHEDULE** (page 10)

Bond Counsel  
CHARLES SCHACHTER, ESQ./  
RUSSELL GAENZLE, ESQ.  
Harris Beach PLLC  
99 Garnsey Road  
Pittsford, New York 14534  
Tel: (585) 419-8633  
Fax: (585) 419-8817

Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

Attach the following Financial Information of the Company

1. Financial statements for last two fiscal years (unless included in company's Annual Reports).
2. Company's annual reports (or Form 10-K's) for the two most recent fiscal years.
3. Quarterly reports (Form 10Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any.
4. In addition, please attach the financial information described above in items 1, 2 and 3 of any expected Guarantor of the proposed bond issue, if different from the company.




**HOLD HARMLESS AGREEMENT**

Applicant hereby releases the ORANGE COUNTY FUNDING CORPORATION and the members, officers, servants, agents and employees thereof (the " Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project, including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all costs incurred by the Corporation in processing of the Application, including attorneys' fees, if any.

  
(Applicant Signature)

By: Jesse Dwyer  
Name: Village of Greenwood Lake  
Title: Mayor

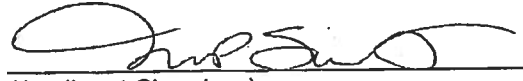
  
(Notary Public)

Sworn to before me this 15<sup>th</sup> day  
of April, 2016

[stamp]

ELIZABETH L. FARRELL  
Notary Public, State of New York  
No. 01FAC022368  
Qualified in Orange County  
Commission Expires 03/29/2019

The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Corporation and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

  
\_\_\_\_\_  
(Applicant Signature)

*Michael P. Sweet*  
\_\_\_\_\_  
(Name of Officer)

*Supervisor*  
\_\_\_\_\_  
(Title)

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RUSSELL GAENZLE, ESQ.  
Harris Beach PLLC  
99 Garnsey Road  
Pittsford, New York 14534  
Tel: (585) 419-8633  
Fax: (585) 419-8817

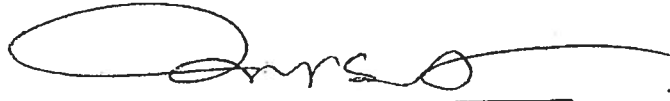
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2. Company's annual reports (or Form 10-K's) for the two most recent fiscal years.
3. Quarterly reports (Form 10Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any.
4. In addition, please attach the financial information described above in items 1, 2 and 3 of any expected Guarantor of the proposed bond issue, if different from the company.

**HOLD HARMLESS AGREEMENT**

Applicant hereby releases the ORANGE COUNTY FUNDING CORPORATION and the members, officers, servants, agents and employees thereof (the " Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation 's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all costs incurred by the Corporation in processing of the Application, including attorneys' fees, if any.



(Applicant Signature)

By: ~~Michael P. Sweta~~ Michael P. Sweta

Name: Michael P. Sweta

Title: Supervisor

Eileen M. Astorino  
(Notary Public)

Sworn to before me this 15 day  
of April, 2016

**EILEEN M. ASTORINO**  
Notary Public, State of New York  
[stamp] No. 01AS6331912  
Qualified in Orange County  
Commission Expires October 19, 2019

**FEE SCHEDULE FOR THE  
ORANGE COUNTY OCFC IS AS FOLLOWS:**

**FEE SCHEDULE FOR THE  
ORANGE COUNTY FUNDING CORPORATION IS AS FOLLOWS:**

Structure for applicants seeking the issuance of tax-exempt bonds from the OCFC:

First \$10 million	1%
From \$10 million to \$25 million	½%
Over \$25 million	¼%

\*\*\*All fees are in the aggregate

**NOTE:** OCFC reserves the right to seek additional OCFC and Bond Counsel fees for exceptionally complex transactions.

**Please make all Checks payable to:**

*Orange County Funding Corporation*

**Mail to:**

*4 Crotty Lane, Suite 100  
New Windsor, NY 12553*

## Labor Policy

It is the Labor Policy of the Orange County Funding Corporation to encourage all companies availing themselves of OCFC benefits to use local workforce and pay prevailing wages on their project where possible.





**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**  
VILLAGE OF GREENWOOD LAKE  
  
18 CHURCH ST  
  
PO BOX 7  
GREENWOOD LAKE, NY 10925-0007

**Facility:**  
GREENWOOD LAKE RESTORATION  
PROJECT - NORTHEAST ARM  
MOUNTAIN LAKES LN & OLD DUTCH  
HOLLOW RD  
GREENWOOD LAKE, NY 10925

**Facility Location:** in WARWICK in ORANGE COUNTY **Village:** Greenwood Lake

**Facility Principal Reference Point:** NYTM-E: 559.776 NYTM-N: 4564.841  
Latitude: 41°13'57.9" Longitude: 74°17'12.2"

**Project Location:** Adjacent to Mountain Lakes Road, Southeast of Old Dutch Hollow Road

**Authorized Activity:** Excavation of approximately 645 cubic yards, from a total area of 17, 420 square feet, within the northeast arm of Greenwood Lake [WIN # NJ-P 1026, Class B], and Freshwater Wetland GR-5 [Class II], in association with the removal of aquatic vegetation by hydroraking to establish four access channels, in accordance with plans referenced in Natural Resource Condition #1 and as conditioned by this permit.

**Permit Authorizations**

**Freshwater Wetlands - Under Article 24**

Permit ID 3-3354-00790/00001

New Permit Effective Date: 8/8/2014 Expiration Date: 12/31/2017

**Excavation & Fill in Navigable Waters - Under Article 15, Title 5**

Permit ID 3-3354-00790/00002

New Permit Effective Date: 8/8/2014 Expiration Date: 12/31/2017



**NYSDEC Approval**

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: R SCOTT BALLARD, Deputy Regional Permit Administrator  
Address: NYSDEC REGION 3 HEADQUARTERS  
21 SOUTH PUTT CORNERS RD  
NEW PALTZ, NY 12561-1620

Authorized Signature:

Date 8/7/14

**Distribution List**

DOUGLAS C GAUGLER  
FUSCO ENGINEERING & LAND SURVEYING, P.C.  
ARTHUR FINNEGAN POST 1443

**Permit Components**

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**Permit Attachments**

Permit Sign

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: FRESHWATER WETLANDS; EXCAVATION & FILL IN NAVIGABLE WATERS**

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Fusco Engineering & Land Surveying, P.C. Consulting Engineers, consisting of the plans described in Natural Resource Condition #2, "Approved Plans".





**2. Approved Plans** The approved plans are hereby deemed incorporated into this permit, are conditions of this permit, and shall be enforceable as part of this permit. The approved plans titled "Greenwood Lake Weed Mitigation Plan" consist of the following:

<u>Sheet Number</u>	<u>Drawing Number</u>	<u>Dated</u>
1 (Page 1 of 3)	Vegetation Removal Plan	1/7/14 rev. 5/28/14
3 (Page 3 of 3)	Details	1/7/14 rev. 5/28/14

**3. Notice of Intent to Commence Work** The permittee shall notify Doug Gaugler, DEC Bureau of Habitat, via electronic mail ([doug.gaugler@dec.ny.gov](mailto:doug.gaugler@dec.ny.gov)) at least 48 hours in advance of the time of commencement.

**4. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

**5. Silt Fence, or Other Erosion Controls, Downslope of Disturbed Area** Silt fencing, or other effective means to control erosion, are to be used on the downslope edge of any disturbed upland areas, and around the perimeter of the planting material dewatering area, as shown on plans referenced in this permit.

**6. Work Limited to Area Shown on Work Plan** Disturbance to the bed and banks of Greenwood Lake, and Freshwater Wetland GR-5, shall be strictly limited to the work area identified in the work plan. The permittee and/or any project contractor(s) are prohibited from operating equipment in any other portion of Greenwood Lake without obtaining prior written approval from this Department.

**7. Remove Temporary Gravel Ramp Upon Completion of Work** The proposed temporary gravel ramp, located in the 100 foot adjacent area of Freshwater Wetland GR-5, constructed in order to gain access to "Site #1 Proposed Hydorrake Channel" shall be removed upon completion of work. This area shall be restored and planted with trees as depicted on the approved plans referenced in Natural Resource Condition #2.

**8. Plant Material Disposed at Upland Site** After dewatering, any excavated plant material shall be immediately and completely disposed of on an approved upland site more than 100 feet from any waterbody, or regulated freshwater wetland. These materials shall be suitably stabilized so as not to re-enter any water body, wetland, or adjacent area.

**9. Seed, Mulch Disturbed Areas** All areas of soil disturbance from this project (above the mean high water line) shall be seeded with an appropriate perennial grass seed and mulched with straw within one week of final grading.

**10. No Interference With Navigation** There shall be no unreasonable interference with navigation by the work herein authorized.

**11. Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.



**12. State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

**13. State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

**14. State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

**GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

**1. Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department:

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**2. Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.



**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator  
NYSDEC REGION 3 HEADQUARTERS  
21 SOUTH PUTT CORNERS RD  
NEW PALTZ, NY 12561 -1620

**4. Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands, Excavation & Fill in Navigable Waters.

**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**6. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.



## NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

### **Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

### **Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

### **Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

### **Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

**Item E: SEQR Unlisted Action, No Lead Agency, No Significant Impact** Under the State Environmental Quality Review Act (SEQR), the project associated with this permit is classified as an Unlisted Action and the Department of Environmental Conservation has determined that it will not have a significant effect on the environment. Other involved agencies may reach an independent determination of environmental significance for this project.

New York State  
Department of Environmental Conservation



# NOTICE



The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Department conditions on it, contact the DEC at 845/256-3054. Please refer to the permit number shown when contacting the DEC.

Permittee: (v) Branwood Lake Permit No. 3-3354-00790/acc 1

Effective Date: 8/18/2014 Expiration date: 12/31/2017

Applicable if checked. No instream work allowed between October 1 & April 30

NOTE: This notice is **NOT** a permit.



**IMPORTANT NOTICE TO ALL PERMITTEES**

The permit you requested is enclosed. Please read it carefully and note the conditions that are included in it. The permit is valid for only that activity expressly authorized therein; work beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action. Granting of this permit does not relieve the permittee of the responsibility of obtaining any other permission, consent or approval from any other federal, state, or local government which may be required.

Please note the expiration date of the permit. Applications for permit renewal should be made well in advance of the expiration date (minimum of 30 days) and submitted to the Regional Permit Administrator at the above address. For SPDES, Solid Waste and Hazardous Waste Permits, renewals must be made at least 180 days prior to the expiration date.

- Applicable only if checked.** Please note all work authorized under this permit is prohibited during trout spawning season commencing October 1 and ending April 30.

The DEC permit number & program ID number noted on page 1 under "Permit Authorization" of the permit are important and should be retained for your records. These numbers should be referenced on all correspondence related to the permit, and on any future applications for permits associated with this facility/project area.

If a permit notice sign is enclosed, you must post it at the work site with appropriate weather protection, as well as a copy of the permit per General Condition 1.

If the permit is associated with a project that will entail construction of new water pollution control facilities or modifications to existing facilities, plan approval for the system design will be required from the appropriate Department's regional Division of Water or delegated local Health Department, as specified in the State Pollutant Discharge Elimination System (SPDES) permit.

If you have any questions on the extent of work authorized or your obligations under the permit, please contact the staff person indicated below or the Division of Environmental Permits at the above address.

*Joseph A Murray*  
Division of Environmental Permits, Region 3  
Telephone (845) 256-3050

- Applicable only if checked** for **STORMWATER SPDES INFORMATION**: We have determined that your project qualifies for coverage under the General Stormwater SPDES Permit. You must now file a Notice of Intent to obtain coverage under the General Permit. This form can be downloaded at: <http://www.dec.ny.gov/chemical/43133.html>

**Applicable only if checked** - **MS4 Areas**: This site is within an MS4 area (Municipal Separate Storm Sewer System), therefore the SWPPP must be reviewed and accepted by the municipality. The MS-4 Acceptance Form must be submitted in addition to the Notice of Intent.

Send the completed form(s) to: NYS DEC, Stormwater Permitting, Division of Water, 625 Broadway, Albany, New York 12233-3505

In addition, DEC requests that you provide one electronic copy of the approved SWPPP directly to NYS DEC, 100 Hillside Avenue - Suite 1W, White Plains, NY 10603-2860.