

**Village of Upper Nyack**  
**Board of Trustees**  
**REGULAR MEETING AGENDA**  
**October 21, 2021**  
**7:00 PM**

1. Minutes – Regular Meeting – September 23, 2021
2. Police Reports
3. Treasurer’s Report
4. **7:30 PM Public Hearing** – Local Law to modify the no parking zone on North Broadway to prohibit parking or standing of vehicles on the west side of North Broadway from the Nyack Beach State Park to Old Mountain Road and on the East Side of North Broadway from Old Mountain Road to the Nyack Beach State Park.
5. **7:45 PM Public Hearing – Yeshivath Viznitz Dkhal Torath Chaim Inc. – Application for Temporary Moratorium Variance, 350 North Highland Avenue, Village of Upper Nyack (SBL 59.16-2-3 (Upper Nyack))** Application for a variance from the temporary moratorium on land use applications, including special use permit applications, for the subject property, which is located on Route 9W in the OB (Office Business) Zoning District (*see* Local Laws 1 of 2020 and 3 of 2020 as extended), to allow the applicant to pursue the necessary land use approvals to use the subject property as a school.
6. Discussion: Audio & Visual Equipment for Old Stone Meeting House
7. Establish Position of Code Enforcement Officer 1 – Full Time
8. Appoint Michael Nolan as Code Enforcement Officer

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Executive Session: Discussion Pending legal matters

**And any other business that the Mayor or Trustees wish to bring before this Board**  
Any other business that comes before this Board

REGULAR MEETING  
MINUTES  
SEPTEMBER 23, 2021  
DRAFT

The Regular Meeting of the Board of Trustees of the Village of Upper Nyack was held virtually on Thursday, September 23, 2021 at 7:00 PM.

**Those participating:** Mayor Karen Tarapata, Trustees Michael Esmay, Jeffrey Epstein, Ken Rothchild, Village Clerk Heather Candella, Treasurer Richard D. Fortunato, Village Land Use Attorney Noelle C. Wolfson, Clarkstown Community Police Officer Niles Davies, Sgt. JoAnne Fratianni  
**Absent:** Trustee Laurie Dodge

MINUTES – REGULAR MEETING – AUGUST 19, 2021 – Trustee Epstein made a motion to accept the minutes of the Regular Meeting, August 19, 2021, as amended, seconded by Trustee Rothchild and so approved.

On call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild

NOES: None

ABSENT: Trustee Dodge

POLICE REPORTS – Clarkstown Police Officer Niles Davies provided the report for the month. There were two motor vehicle accidents (MVA) in the Village. One MVA on North Broadway involving a school bus, there were no injuries. Second MVA occurred on Old Mountain Road and North Broadway when a truck hit a guardrail. Three animal incidents: one on Tompkins Drive, an injured deer, one on 9w, an injured deer, and one on Camboan Drive of an alligator in the pond, alligator turned out to be a large children’s toy. CPD assisted the Department of Environmental Protection and Department of Labor regarding an investigation at the Boatyard. Eight noise ordinance complaints issued written warnings: one on Locust Drive, Birchwood Avenue, two on North Midland, two on North Broadway, and two on Glenbrook Road. Five documented noise calls at the boatyard property. Two suspicious persons calls, one on 9w, person was gone before officers arrived, and one on North Broadway involving trespassing and stolen motorcycle, suspect was arrested. School, area, cultural, and religious checks are ongoing. County-wide overdoses: 278 YTD, resulting in 48 deaths (230 survived). Town of Clarkstown overdoses: 86 YTD, resulting in

14 deaths (72 survived). CPD working with the Mayor and Board to prevent trucks traveling through the village.

Harry Vetter, Village Resident asked Officer Davies if there have been any repeat offenders of the sound law being fined. Officer Davies clarified that if there are repeat offenders, it would be up to the Village and Code Enforcement Officer to issue fines.

TREASURER'S REPORT– Treasurer Richard D. Fortunato reviewed the Village's Year End Financials and Bond schedules. Village surplus in 2020 was \$150,000 that brought the total Village surplus to \$1.4 million. The Village's AUD was filed with the State of New York and accepted by the Comptroller's office on August 27, 2021.

Trustee Epstein made a motion to accept the cost of new tax software from Edmunds GovTech with the initial cost of \$15,000, with an additional \$2,275 for the first year for support services, seconded by Trustee Rothchild and so approved.

On call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild

NOES: None

ABSENT: Trustee Dodge

As of the date of this meeting there were 16 delinquent tax payers are remaining for a total of \$35,187 in delinquent Village taxes. The Treasurer also reviewed the monthly financial statement, highlighting the only significant change for the monthly expenses was the \$119,000 paving bill, all other expenses were typical month-to-month expenses.

Bond refinance resolution:

REFUNDING BOND RESOLUTION OF THE VILLAGE  
OF UPPER NYACK, NEW YORK, ADOPTED  
SEPTEMBER 23, 2021, AUTHORIZING THE  
REFUNDING OF CERTAIN OUTSTANDING BONDS  
OF SAID VILLAGE, STATING THE PLAN OF

REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$2,000,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF REFUNDING BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,000,000 TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS RELATIVE THERETO

Recitals

WHEREAS, the Village of Upper Nyack, in the County of Rockland, New York (herein called the “Village”), has heretofore issued on June 10, 2010 its \$1,305,000 Public Works Building Serial Bonds-2010 (the “2010 Bonds”), which are currently outstanding in the principal amount of \$705,000 (the “Outstanding 2010 Bonds”); and

WHEREAS, the 2010 Bonds maturing on or after May 1, 2019 are subject to redemption prior to maturity, at the option of the Village, on May 1, 2018 and thereafter on any date, in whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at par, plus accrued interest to the date of redemption; and

WHEREAS, the Village has heretofore issued on July 17, 2013 its \$1,995,000 Public Improvement Serial Bonds-2013 (the “2013 Bonds”), which are currently outstanding in the principal amount of \$1,110,000 (the “Outstanding 2013 Bonds,” and together with the Outstanding 2010 Bonds, the “Outstanding Bonds”); and

WHEREAS, the 2013 Bonds maturing on January 15, 2022 and thereafter will be subject to redemption prior to maturity, at the option of the Village, in whole or in

part, and if in part, in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), on any date on or after January 15, 2021, at par plus accrued interest to the date of redemption; and

WHEREAS, Sections 90.00 and 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), authorize the Village to refund all or a portion of the outstanding unredeemed maturities of the Outstanding Bonds by the issuance of new bonds, the issuance of which will result in present value debt service savings for the Village, and the Board of Trustees has determined that it may be advantageous to refund all or a portion of the Outstanding Bonds;

NOW, THEREFORE, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF UPPER NYACK, NEW YORK (by the favorable vote of at least two-thirds of all the members of said Board of Trustees), AS FOLLOWS:

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

- (a) “Bond To Be Refunded” or “Bonds To Be Refunded” means all or any portion of the aggregate Outstanding Bonds, as shall be determined in accordance with Section 8 hereof.
- (b) “Escrow Contract” means the contract to be entered into by and between the Village and the Escrow Holder pursuant to Section 10 hereof.
- (c) “Escrow Holder” means the bank or trust company designated as such pursuant to Section 10 hereof.
- (d) “Outstanding Bonds” shall mean the aggregate Outstanding 2010 Bonds and the Outstanding 2013 Bonds, being the outstanding unredeemed maturities of the 2010 Bonds and the 2013 Bonds.

- (e) “Present Value Savings” means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the agreed upon price including estimated accrued interest.
- (f) “Redemption Dates” means any payment date with respect to the Outstanding Bonds, as shall be determined by the Village Treasurer, as chief fiscal officer, pursuant to Section 8 hereof.
- (g) “Refunding Bond” or “Refunding Bonds” means all or a portion of the \$2,000,000 Refunding Serial Bonds-2021 of the Village of Upper Nyack, authorized to be issued pursuant to Section 2 hereof.
- (h) “Refunding Bond Amount Limitation” means an amount of Refunding Bonds which does not exceed the principal amount of Bonds To Be Refunded plus the aggregate amount of unmatured interest payable on such Bonds To Be Refunded, to and including the applicable Redemption Date, plus redemption premiums, if any, payable on such Bonds To Be Refunded as of such Redemption Date, as hereinabove referred to in the Recitals hereof, plus costs and expenses incidental to the issuance of the Refunding Bonds including the development of the Refunding Financial Plan, and of executing and performing the terms and conditions of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 10 hereof.

Section 2. The Board of Trustees of the Village (herein called the “Board of Trustees”), hereby authorizes the refunding of the Bonds To Be Refunded, and appropriates an amount not to exceed \$2,000,000 to accomplish such refunding. The plan of financing said appropriation includes the issuance of the Refunding Bonds in the principal amount of not to exceed \$2,000,000 and the levy and collection of a tax upon all the taxable real property within the Village to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. Bonds of the Village in the maximum principal amount of \$2,000,000 and designated substantially as “Refunding

Serial Bonds-2021” are hereby authorized to be issued pursuant to the provisions of the Law. The proposed financial plan for the refunding in the form attached hereto as **Exhibit A** (the “Refunding Financial Plan”) prepared for the Village by its Financial Advisor, Capital Markets Advisors, LLC, and hereby accepted and approved, includes the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 10 hereof, the payment of all costs incurred by the Village in connection with said refunding from such proceeds and, to the extent required, the investment of a portion of such proceeds by the Escrow Holder in certain obligations. The principal of and interest on such investments, together with the balance of such proceeds to be held uninvested, if any, shall be sufficient to pay (i) the principal of and interest on the Bonds To Be Refunded becoming due and payable on and prior to each applicable Redemption Date and (ii) the principal of and premium, if any, on the Bonds To Be Refunded which are to be called for redemption prior to maturity on any such Redemption Date.

Section 3. The Bonds To Be Refunded referred to in Section 1 hereof are all or a portion of the Outstanding Bonds issued pursuant to various bond resolutions duly adopted by the Board of Trustees on their respective dates, authorizing the issuance of bonds of the Village to finance and refinance various purposes of the Village. In accordance with the Refunding Financial Plan, the Refunding Bonds authorized in the aggregate principal amount of not to exceed \$2,000,000 shall mature in amounts and at dates to be determined. The Village Treasurer, the chief fiscal officer of the Village, is hereby authorized to approve all details of the Refunding Financial Plan not contained herein.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The Refunding Bonds shall mature not later than the maximum period of probable usefulness (“PPU”) permitted by law at the time of original issuance of the Bonds to be Refunded, as set forth in **Exhibit B** annexed hereto and hereby made a part hereof, for the object(s) or purpose(s) financed with the proceeds of the Bonds to be Refunded, commencing at the date of issuance of the first bond or bond anticipation note issued in anticipation of the sale of such bonds.

Section 5. The aggregate amount of estimated Present Value Savings is set forth in the proposed Refunding Financial Plan attached hereto as **Exhibit A**, computed in accordance with subdivision two of paragraph b of Section 90.10 of the Law. Said Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount, and will mature, be of such terms and bear such interest as set forth therein. The Board of Trustees recognizes that the principal amount of the Refunding Bonds, the maturities, terms and interest rates, the provisions, if any, for the redemption thereof prior to maturity, and whether or not any or all of the Refunding Bonds will be insured, and the resulting present value savings, may vary from such assumptions and that the Refunding Financial Plan may vary from that attached hereto as **Exhibit A**.

Section 6. The Refunding Bonds may be sold at public or private sale.

(a) If the Bonds are sold at private sale, the Village Treasurer, as the chief fiscal officer of the Village, is hereby authorized to execute a purchase contract on behalf of the Village for the sale of said Refunding Bonds.



(b) In the event that the Refunding Bonds are sold at public sale pursuant to Section 57.00 of the Law, the Village Treasurer is hereby authorized and directed to prepare or cause to be prepared a Notice of Sale, a summary of which shall be published at least once in (a) "The Bond Buyer," published in the City of New York and (b) the official newspaper(s) of the Village having general circulation within said Village, not less than five (5) nor more than thirty (30) days prior to the date of said sale. A copy of such notice shall be sent not less than eight (8) nor more than thirty (30) days prior to the date of said sale to (1) the State Comptroller, Albany, New York 12236; (2) at least two banks or trust companies having a place of business in the county in which the Village is located, or, if only one bank is located in such County, then to such bank and to at least two banks or trust companies having a place of business in an adjoining county; (3) "The Bond Buyer," 1 State Street Plaza, New York, New York 10004; and (4) at least ten (10) bond dealers.

(c) In connection with the sale of the Refunding Bonds, the Village authorizes the preparation of an Official Statement and approves its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is distributed. The Village Treasurer is hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered to the Village in connection with said refunding, including the preparation of the Refunding Financial Plan referred to in Section 2 hereof.

Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the Village, payable as to both principal and interest

by a general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Refunding Bonds and provision shall be made annually in the budget of the Village for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 21.00 of the Law with respect to the issuance of bonds having substantially level or declining annual debt service, and Sections 50.00, 56.00 to 60.00, 90.00, 90.10 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to determining the amount of Bonds To Be Refunded, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, and executing a tax certificate relative thereto, and as to executing the Escrow Contract described in Section 10, the Official Statement referred to in Section 6 and any contracts for credit enhancements in connection with the issuance of the Refunding Bonds and any other certificates and agreements, as to making elections to call in and redeem all or a portion of the Bonds to be Refunded, and as to any determinations relating to the investment of the proceeds of the Refunding Bonds, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 9. The validity of the Refunding Bonds authorized by this resolution may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 10. Prior to the issuance of the Refunding Bonds, the Village shall contract with a bank or trust company located and authorized to do business in New York State, for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds. Such Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the Refunding Financial Plan, including provisions authorizing the Escrow Holder, without further authorization or direction from the Village, except as otherwise provided therein, (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the Refunding Financial Plan, and costs and expenses relating to the execution and performance of the terms and conditions of the Escrow Contract and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the Village the notice of redemption authorized to be given pursuant to Section 13 hereof, and (d) to invest the monies held by it consistent with the provisions of the Refunding Financial Plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 11. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt shall be placed in escrow by the Village with

the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder, if invested, shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in accordance with the Refunding Financial Plan. Any such moneys remaining in the custody of the Escrow Holder after the full execution of the Escrow Contract shall be returned to the Village and shall be applied by the Village only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 12. That portion of such proceeds from the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption premiums, in accordance with the Refunding Financial Plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. All interest earned from the investment of such moneys which is not required for such payment of principal of and interest on the Bonds To Be Refunded shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds, or such portion or series thereof as shall be required by the Refunding Financial Plan, and the holders of such Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow

Holder shall immediately be subject thereto without any further act. Such pledges and liens shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the Village irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledges and liens, need be filed or recorded.

Section 13. In accordance with the provisions of Section 53.00 of the Law, the Board of Trustees hereby elects to call in and redeem all or a portion of the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Date, as shall be determined by the Village Treasurer in accordance with Section 8 hereof. The sum to be paid therefor on the applicable Redemption Date shall be the par value thereof, the accrued interest to such Redemption Date and the redemption premiums, if any. The Escrow Holder is hereby authorized and directed to cause a notice of such call for redemption to be given in the name of the Village by mailing such notice at least thirty (30) days prior to such Redemption Date, and in accordance with the terms appearing in the Bonds to be Refunded, to the registered holders of the Bonds To Be Refunded which are to be called in and redeemed. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded which are to be called in and redeemed in accordance herewith and the direction to the Escrow Holder to cause notice thereof to be given as provided in this Section shall become irrevocable and the provisions of this Section shall constitute a covenant with the holders, from time to time, of the Refunding Bonds, provided that this Section may be amended from time to time as may be necessary to comply with the publication requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 14. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper of said Village.

Trustee Esmay motioned the adoption of the foregoing resolution was seconded by Trustee Rothchild and duly put to a vote on roll call, which resulted as follows:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild

NOES: None

ABSENT: Trustee Dodge

The resolution was declared adopted.

DISCUSSION: PARKING AND TRAFFIC ON NORTH BROADWAY –

The Mayor acknowledged the frustration of residents regarding Local Law #7 of 2020, Amending, Ordinance 2.2, Chapter 2, Regulation of Vehicles of the 1965 Code of General Ordinances, to extend no parking on North Broadway. The Mayor recognized the need for parking near Upper Nyack Elementary School.

Jen Marraccino, Village Resident – thanked the Board and the Mayor and Village Board for their work. Jen expressed her frustrations regarding the limited parking on North Broadway, and the need for parents of Upper Nyack Elementary School students to be able to park on both east & west side of the street.

Jillana Sinnott, Village Resident – stated that the removal of parking from

North Broadway would cause more parking on Birchwood Avenue.

Mayor Tarapata asked the Board to set a Public Hearing. Trustee Rothchild asked why parents cannot drop off their children from their cars in front of the school.

Jen Marraccino responded to Trustee Rothchild's question, that kindergarteners must be walked from the school with a parent or guardian, and traffic would dramatically increase if parents drop off directly in front of the school. Cars sitting on the line to drop off would be idling and contribute to poor air quality.

Trustee Esmay asked if the school district has tried anything to mitigate this problem. Jen Marraccino stated there was a discussion of a circular driveway for drop off but the land space around the school would make that difficult. Jen provided the names of the school crossing guards for the Mayor and Board to reach out to for more information regarding parking issues around pickup and drop-off times.

Mayor Tarapata recommended amending the parking regulation, and the Board will take another look at the matter.

Trustee Epstein motioned to set a public hearing regarding the no parking law for the next Regular Meeting on October 21, 2021. Trustee Esmay seconded the motion, and so moved.

On call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild

NOES: None

ABSENT: Trustee Dodge

7:30 PM PUBLIC HEARING – PROPOSED LOCAL LAW # 8 OF 2021, EXTENSION OF TEMPORARY MORATORIUM ON COMMERCIAL OR RESIDENTIAL LAND USE APPLICATIONS FOR PROPERTY LOCATED IN THE OFFICE BUSINESS (OB) DISTRICT, LABORATORY OFFICE (LO) DISTRICT AND THE R-4 RESIDENTIAL DISTRICT THAT ABUTS THE 9W CORRIDOR – The Village Clerk read the public hearing notice.

Mayor Tarapata read the referral from Rockland County Planning. Trustee Esmay made a motion to open the public hearing. Trustee seconded and so opened.

On call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild

NOES: None

ABSENT: Trustee Dodge

Marc Hamila – Has had his properties in his family for over 30 years and the property was changed in error to LO status that exists today. Attended planning board regarding this matter, cleaned up the properties. Asked if it would be until April 2022 until these changes.

Mayor Tarapata clarified this moratorium is acting as a way to promote development rather than hinder it, by means of creating the business district that would give more options for development. The goal is to make a cohesive business district within the Village. Clarified if Mr. Hamila has a site plan in the interim, he can apply for relief from the moratorium from the Board of Trustees.

Village Land Use Attorney, Noelle C. Wolfson explained when the new zoning comes up for review there will be a public hearing.

Mayor Tarapata noted this public hearing will most likely take place prior to April.

There were no other comments from the public.

Trustee Rothchild moved to close the public hearing, Trustee Epstein seconded and so closed.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild

NOES: None

ABSENT: Trustee Dodge

Trustee Esmay motioned to adopt Local Law #8 of 2021. Trustee Rothchild seconded, and so adopted.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild

NOES: None



ABSENT: Trustee Dodge

7:45 PM PUBLIC HEARING – PROPOSED LOCAL LAW # 9 OF 2021, EXTENSION OF DURATION OF THE TEMPORARY MORATORIUM ON COMMERCIAL OR RESIDENTIAL SPECIAL USE PERMITS AND SPECIAL USE PERMIT RENEWAL APPLICATIONS – The Village Clerk read the public hearing notice.

Mayor Tarapata read the referral from Rockland County Planning.

Trustee Epstein made a motion to open the public hearing. Trustee Rothchild seconded and so opened.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild

NOES: None

ABSENT: Trustee Dodge

There were no comments from the public.

Trustee Epstein made a motion to close the public hearing. Trustee Esmay seconded and so closed.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild

NOES: None

ABSENT: Trustee Dodge

Trustee Epstein motioned to adopt Local Law #9 of 2021. Trustee Rothchild seconded, and so adopted.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

8:00 PM PUBLIC HEARING – APPLICATION FOR A VARIANCE FROM THE TEMPORARY MORATORIUM ON THE PROCESSING OF LAND USE APPLICATIONS IN THE OFFICE BUSINESS (OB) DISTRICT. SEE LOCAL LAW #1 OF 2020 AS EXTENDED BY LOCAL LAW #1 OF 2021, SECTION IV – STEVEN AND LISA SCHMITTGALL, 20 RIVERTON DRIVE – The Village Clerk read the public hearing notice.

Trustee Rothchild made a motion to open the public hearing. Trustee Esmay seconded and so opened.

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

Lisa Schmittgall thanked the Mayor and Board for the consideration. Lisa outlined the need for relief from the moratorium to the Board, and listed the improvements made regarding landscaping, retaining wall construction, patio, and pavilion in the backyard. To her knowledge no work was done that goes against the Village's recently passed comprehensive plan.

Trustee Esmay asked if they had submitted for a building permit, Ms. Schmittgall confirmed they did submit for one, and that it was completed.

There were no comments from the public.

Trustee Esmay moved to close the public hearing, Trustee Rothchild seconded and so closed.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

Trustee Esmay motioned to grant relief from the moratorium. Trustee Rothchild seconded, and so approved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

#### SET PUBLIC HEARING FOR MINOR AMENDMENTS TO THE GENERAL ORDINANCE –

Trustee Esmay motioned to set the public hearing for minor amendments compilation of local laws, known as a general ordinance at the next Regular meeting of the Board of Trustees on October 21, 2021. Trustee Epstein seconded, and so adopted.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

RESOLUTION IN SUPPORT OF THE TAP GRANT – Mayor Tarapata  
read the following resolution:

WHEREAS, the Village of Upper Nyack Board of Trustees understands that a 20% total project cost match is required to complete necessary multi-modal improvements in the Village of Upper Nyack and wishes to authorize the submission of an application for a grant under the Transportation Alternatives Program;

NOW THEREFORE, BE IT RESOLVED, that this resolution will serve as verification of the 20% required match for the proposed project. for the proposed project.

Trustee Epstein motioned to approve the resolution with service verification of the required match the amount of no more than \$700,000 for the proposed project. Trustee Esmay seconded, and so adopted.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

OLD STONE MEETING HOUSE: SEQRA REVIEW–

Mayor Tarapata read the following resolution:

RESOLUTION FINDING THAT THE PROPOSED MODIFICATIONS TO  
THE OLD STONE MEETING HOUSE CONSTITUTE A TYPE II  
ACTION UNDER SEQRA REQUIRING NO ADDITIONAL SEQRA  
REVIEW

WHEREAS, the Village of Upper Nyack is the owner of the Property located at 347 North Broadway, which is improved with the Old Stone Meeting House, the oldest place of assembly in Rockland County; and WHEREAS, the Old Stone Meeting House was built of locally quarried sandstone in 1813 and is listed on the National Register of Historic Places;

and

WHEREAS, Upper Nyack was incorporated as a Village in September of 1872 and as a part of its 150th Anniversary celebration recognizing the Village's history, the Village is planning to make modest renovations to the Old Stone Meeting House which will allow it to be used for official meetings of the Village Boards and to also be available to residents for meetings, events, and concerts; and

WHEREAS, the renovations include a minor expansion (approximately 25 square feet) to provide an Americans with Disabilities Act ("ADA") compliant restroom; replacement of the entrance door with an ADA compliant door; modest interior renovations; and improvements to the HVAC system to ensure its compliance with New York State Code requirements; and

WHEREAS, The New York State Department of Environmental Conservation State Environmental Quality Review Act ("SEQRA") regulations provide that "maintenance or repair involving no substantial changes in an existing structure or facility" and "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, unless such action meets or exceeds any SEQRA Type I threshold" are Type II actions under SEQRA requiring no further SEQRA review. See 6 NYCRR 617.5(a), (c)(1), (2); and

WHEREAS, the proposed work at the Old Stone Meeting House is a Type II action under SEQRA because it does not include any substantial changes to the existing building, nor does it exceed any Type I threshold.

NOW THEREFORE BE IT RESOLVED, that based on the foregoing, the Board of Trustees hereby classifies the work to be undertaken at the Old Stone Meeting House as a Type II action and, in light of that classification, the proposed work is not subject to SEQRA and no further SEQRA review of the action is required. See 6 NYCRR 617.5(a).

Trustee Esmay motioned to approve the resolution in support finding that the proposed modifications to the Old Stone Meeting House constitute a type II action under SEQRA requiring no additional SEQRA review Grant. Trustee Epstein seconded and so approved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

#### SURPLUS OFFICE FURNITURE –

Mayor Tarapata noted there are four old desks and miscellaneous office furniture to be surplus and replaced with new office furniture

Trustee Rothchild motioned to surplus the Village Hall office furniture.

Trustee Epstein seconded and so moved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

#### KUYPER DRIVE EMERGENCY PIPE REPAIR–

Mayor Tarapata noted Kuyper Drive was being milled for paving when Hurricane Ida hit the area. The storm caused 240 feet of pipe to collapse. 240 feet of pipe that has to be collapsed cement pipe and installing new 18-inch HTPPE pipe, that will not degrade in the way the prior pipe did. The cost is \$30,960 for the emergency repair. The Village will be submitting to FEMA for possible reimbursement due to the storm.

Trustee Epstein made a motion to accept the \$30,960 for the emergency pipe repair on Kuyper Drive. Trustee Rothchild seconded and so approved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

#### UPPER NYACK PTA “TRUNK OR TREAT” OCTOBER EVENT - UNES

PTA requested to close N. Broadway, from Castle Heights Ave to Birchwood Ave, on Friday, October 29, 2021 from 4:00 pm until 9:00 pm for the annual “Trunk or Treat/Fall Fest”

Trustee Rothchild made a motion to approve the closure, and that they provide a certificate of insurance and notify the affected property owners along North Broadway, seconded by Trustee Epstein and it was so moved.

With no further discussion it was approved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

### EXECUTIVE SESSION

Trustee Epstein moved to go into Executive Session to discuss legal matters.

Trustee Esmay seconded the motion, and so moved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

Trustee Esmay moved to end the Executive Session. Trustee Rothchild seconded the motion, and so moved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, and Rothchild.

NOES: None

ABSENT: Trustee Dodge

Trustee Epstein motioned to close the meeting. Trustee Esmay seconded and so it was accepted.

On call for a vote:

AYES: Mayor Tarapata, Trustees Epstein, Esmay, Rothchild, and Dodge

NOES: None

The meeting was adjourned at 9:27 PM

Respectfully submitted,

Heather Candella  
Village Clerk

**VILLAGE OF UPPER NYACK  
BOARD OF TRUSTEES  
NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN**, that the Board of Trustees of the Village of Upper Nyack will hold a Public Hearing on via Zoom Video Conferencing (information provided below) to consider a proposed Local Law amending Local Law 7 of 2020 and Ordinance 2.2(e), Chapter 2, Regulation of Vehicles of the 1965 Code of General Ordinances. The proposed Local Law will modify the no parking zone on North Broadway to prohibit parking or standing of vehicles other than certain emergency and delivery vehicles on the west side of North Broadway from the Nyack Beach State Part to Old Mountain Road and on the east side of North Broadway from Old Mountain Road to the Nyack Beach State Park.

Due to the COVID-19 pandemic, the Board of Trustees will not be meeting in person. In accordance with Chapter 417 of the Laws of 2021 signed by the New York State Governor Kathy Hochul suspending certain provisions of the New York State Open Meetings Law, the meeting will be held via videoconferencing and a transcript will be provided at a later date. The public will have the opportunity to see and hear the meeting live and provide comments.

To access the meeting: **Please visit the Village's website for ID# and Password.**

A draft of the proposed Local Law will be posted on the Village's website -- <https://www.uppernyack-ny.us/> in advance of the meeting.

Copies of the proposed Local Law are available for public inspection in Village Hall during regular business hours, 9am-12noon.

Comments and questions can also be provided via email before the meeting to Heather Candella, Village Clerk at [village.clerk@uppernyack-ny.us](mailto:village.clerk@uppernyack-ny.us).

Dated: October 7, 2021  
Heather Candella, Village Clerk

**VILLAGE OF UPPER NYACK  
BOARD OF TRUSTEES  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a Public Hearing will be held on **Thursday, October 21, 2021 at 7:45pm**, before the Upper Nyack Board of Trustees, to take such action as may come before said Board:

**Yeshivath Viznitz Dkhal Torath Chaim Inc. – Application for Temporary Moratorium Variance, 350 North Highland Avenue, Village of Upper Nyack (SBL 59.16-2-3 (Upper Nyack))** Application for a variance from the temporary moratorium on land use applications, including special use permit applications, for the subject property, which is located on Route 9W in the OB (Office Business) Zoning District (*see* Local Laws 1 of 2020 and 3 of 2020 as extended), to allow the applicant to pursue the necessary land use approvals to use the subject property as a school.

Due to the COVID-19 pandemic, the Board of Trustees will not be meeting in person. In accordance with Chapter 417 of the Laws of 2021 signed by the New York State Governor Kathy Hochul suspending certain provisions of the New York State Open Meetings Law, the meeting will be held via videoconferencing and a transcript will be provided at a later date. The public will have the opportunity to see and hear the meeting live and provide comments.

To access the meeting: **Please visit the Village's website for ID# and Password.**

A meeting agenda, plans, application materials, and other information will be posted on the Village's website -- <https://www.uppernyack-ny.us/> in advance of the meeting.

Copies of the applications are available for public inspection in Village Hall during regular business hours, 9am-12noon.

Comments and questions can also be provided via email before the meeting to Heather Candella, Village Clerk at [village.clerk@uppernyack-ny.us](mailto:village.clerk@uppernyack-ny.us).

Dated: October 7, 2021  
Heather Candella, Village Clerk



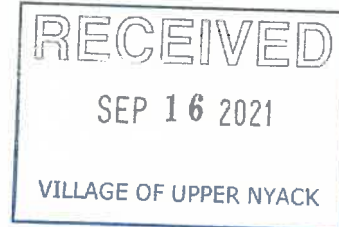
**SAVAD CHURGIN**  
**ATTORNEYS AT LAW**

**Paul Savad (1941-2020)**  
**Joseph A. Churgin**

Of Counsel  
**Susan Cooper**  
**Donna Sobel**  
**Mark F. Goodfriend**

**55 OLD TURNPIKE ROAD – SUITE 209**  
**(Rt. 59 & THRUWAY EXIT 14)**  
**NANUET, NEW YORK 10954**

**(845) 624-3820**  
**Fax: (845) 624-3821**



September 13, 2021

Village of Upper Nyack Board of Trustees  
c/o Upper Nyack Village Clerk  
328 N. Broadway  
Upper Nyack, NY 10960

**RE: Yeshivath Viznitz Dkhal Torath Chaim Inc. – Special Use Permit Application**  
**350 North Highland Avenue, Village of Upper Nyack, Town of Clarkstown**  
**SBL 59.16-2-3 and 59.16-1-11**  
**APPLICATION FOR RELIEF FROM THE MORATORIUM ON SPECIAL PERMIT**  
**APPLICATIONS**

We represent Yeshivath Viznitz Dkhal Torath Chaim Inc., the new owner of the above referenced property (the “Yeshiva”). The Yeshiva became the owner of the property on December 18, 2020.

On April 27, 2021, we submitted an application to the Planning Board for a Special Permit to use the property as a school for students of the Jewish religion, which use is identical to the seminary use of the premises by the previous owner, Nyack College, a Christian school. A copy of the application is enclosed.

We were advised by an attorney for the Village that the Yeshiva could not receive a special permit because of the Village’s Moratorium on Special Use Permit applications.

Pursuant to Local Law No. 2 of 2021 and the earlier versions of the moratorium which it extends, we submit this application for an appeal/variance from the Zoning Moratorium's terms.

Local Law No. 3 of 2020, as extended by Local Law No. 2 of 2021, provides that a variance or modification from the moratorium may be granted where (1) it is necessary to avoid unusual or unnecessary hardships to the affected property owner, (2) it is consistent with the health, safety and general welfare of the Village, and, (3) if granted, is not inconsistent with the intent of this local law.

The Yeshiva meets all of these requirements.

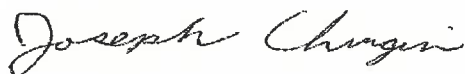
Granting the variance or modification from the moratorium is necessary to avoid unusual or unnecessary hardships to the Yeshiva because without the special use permit the Yeshiva cannot operate its school which means that it cannot exercise its religion and cannot educate its students. Nor can the Yeshiva support its students and other Jewish students by selling a portion of its premises to another Jewish school to use for Jewish education. New York State and Federal law requires a municipality to be flexible in the application of its zoning code to educational and religious uses. *See Cornell v. Bagnardi*, 68 N.Y.2d 583 (1986), and RLUIPA (42 USC § 2000cc et seq.).

Granting the variance or modification from the moratorium it is consistent with the health, safety and general welfare of the Village. The only reason that the variance or modification is necessary is because the property switched owners from a Christian school to a Jewish school. If the Christian school still owned the property, it would be permitted to continue to use the property because the Village extended the time-period for all special use permit renewals until after the end of the moratorium. Therefore, using the property for a religious school is permissible during the time-frame of the moratorium and is consistent with the health, safety and general welfare of the Village. The only difference between the former owner's permitted use and the Jewish school's use is the religion of the students.

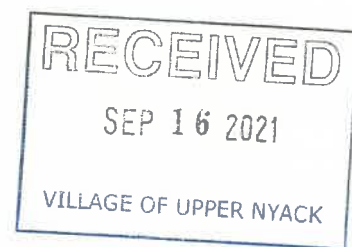
Granting the variance or modification is not inconsistent with the intent of this local law. Again, the same use would have been permitted if the former property owner was still the owner. Permitting a Jewish school to use the property in the same manner is not inconsistent with the intent of this local law.

We respectfully request that the Village grant the variance or modification from the moratorium and grant the Yeshiva's special use application and permit Cheder Chabad of Monsey to apply for a special use permit, as set forth in its application for relief from the moratorium.

Very truly yours,



JOSEPH A. CHURGIN  
JAC/mc  
enc  
cc: Yeshivath Viznitz Dkhal Torath Chaim Inc.



**SAVAD CHURGIN**  
**ATTORNEYS AT LAW**

Paul Savad (1941-2020)  
Joseph A. Churgin

55 OLD TURNPIKE ROAD – SUITE 209  
(Rt. 59 & THRUWAY EXIT 14)  
NANUET, NEW YORK 10954

Of Counsel  
Susan Cooper  
Donna Sobel  
Mark F. Goodfriend  
Gary Lipton

(845) 624-3820  
Fax: (845) 624-3821



April 27, 2021

Village of Upper Nyack Planning Board  
328 North Broadway  
Upper Nyack, New York 10960

RE: Yeshivath Viznitz Dkhal Torath Chaim Inc. – Special Use Permit Application  
350 North Highland Avenue, Village of Upper Nyack, Town of Clarkstown  
SBL 59.16-2-3 and 59.16-1-11

**SPECIAL PERMIT APPLICATION**

Dear Board Members:

We represent Yeshivath Viznitz Dkhal Torath Chaim Inc., the new owner of the above referenced property.

Enclosed please find our client *Special Permit Application* and supportive documents, seeking approval for the Applicant's use of the subject premises as a school for college aged students, which use is identical to that of the previous owner, Nyack College.

Please have the Clerk for the Board call me to advise the amount of the fee and if any additional documentation is required to be submitted in connection with this application.

We request that this matter be placed on the next meeting agenda for your consideration.

Very truly yours,

JOSEPH A. CHURGIN

JAC/mc

enc

cc: Yeshivath Viznitz Dkhal Torath Chaim Inc.

**SAVAD CHURGIN**  
**ATTORNEYS AT LAW**

Paul Savad (1941-2020)  
Joseph A. Churgin

Of Counsel  
Susan Cooper  
Donna Sobel  
Mark F. Goodfriend  
Gary Lipton

55 OLD TURNPIKE ROAD – SUITE 209  
(Rt. 59 & THRUWAY EXIT 14)  
NANUET, NEW YORK 10954

(845) 624-3820  
Fax: (845) 624-3821

April 26, 2021

Village of Upper Nyack Planning Board  
328 North Broadway  
Upper Nyack, New York 10960



RE: Yeshivath Viznitz Dkhal Torath Chaim Inc. – Special Use Permit Application  
350 North Highland Avenue, Village of Upper Nyack, Town of Clarkstown  
SBL 59.16-2-3 and 59.16-1-11

**NARRATIVE - SPECIAL PERMIT APPLICATION**

Yeshivath Viznitz Dkhal Torath Chaim Inc., is the owner of the above referenced premises.

This Narrative is with respect to the application of Yeshivath Viznitz Dkhal Torath Chaim Inc., (the “Applicant”) for the granting of a Special Permit to use the premises as a college for students of the Jewish religion, which use is identical to the seminary use of the premises by the previous owner, Nyack College.

There will be approximately 250 college aged student attending classes. There will be no dormitory use.

Students will either drive to the premises or utilize public or private transportation. There will be no new traffic concerns, nor will there be any new parking concerns. The existing parking area will be more than sufficient to accommodate students, teachers and any staff members. The Applicant does not intend to make any significant changes to the interior/exterior of the building or the premises at this time.

**Applicable Law**

New York State and Federal law requires a municipality to be flexible in the application of its zoning code to educational and religious uses. See *Cornell v. Bagnardi*, 68 N.Y.2d 583 (1986), and RLUIPA (42 USC § 2000cc *et seq.*). This law applies to special permits.

The Applicant seeks a Special Use Permit, pursuant Section 6.9.4.1 of Local Law No. 1 of the year 2017, amending Local Law No. 11 of 1984 (Zoning Law).

The special permitting process is the proper vehicle for a municipality to provide the flexibility required to accommodate educational and religious uses (see *Cornell v. Bagnardi, supra*).



**VILLAGE OF UPPER NYACK**  
**328 NORTH BROADWAY**  
**UPPER NYACK, NY 10960**  
INCORPORATED 1872

Tel. 845-358-0084 FAX. 845-358-0741  
[www.uppernyack-ny.us](http://www.uppernyack-ny.us)



APPLICATION FOR

**SPECIAL PERMIT**

Application is hereby made for a Special Permit in conformance with the Zoning Ordinance of the Incorporated Village of Upper Nyack. Special Permits are reviewed and granted by the Village of Upper Nyack Planning Board.

Submit the following:

- 1 copy of this application
- 1 copy of deed
- 1 copy of survey prepared by licensed surveyor/engineer in current owner's name
- 11 copies of site plan, signed and sealed by licensed professional
- Narrative description of existing and/or proposed use
- General Municipal Law Application Review Form
- Payment of Planning Board fee at time of submission

Further information may be required by the Office of the Building Inspector, as provided by the Zoning Ordinance of the Incorporated Village of Upper Nyack, if such is considered necessary for approval of this application.

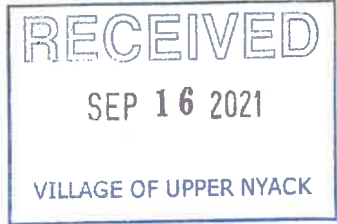
Owner(s) Yeshivath Viznitz Dkhal Torath Chaim Inc.

Address 15 Elyon Road, Monsey, NY 10952

Phone # 845-422-0222

Email Address mail@ydrosenberg.com

Property Address to which permit pertains: 350 North Highland Avenue, Upper Nyack, NY



PLEASE COMPLETE THE FOLLOWING

County Tax ID Number: 59.16-2-3 and 59.16-1-11

Zoning District: OB

Site Acreage in square feet: 35 +/- acres

Distance of building from nearest stream, river or waterway: 1 mile to river

Sewage Disposal: Public Sewers RC Sewer Dist. #1 Septic System \_\_\_\_\_

Does the existing and/or proposed use comply with the Zoning Ordinance of the Village of Upper Nyack, §15:8 Uses Requiring a Special Permit? yes

If not, or if a variance is required, give specifics: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has a prior variance or Special Permit ever been granted? yes

If yes, give specifics: Granted to previous owner, Nyack College.  
\_\_\_\_\_  
\_\_\_\_\_

Does the existing and/or proposed use comply with the Zoning Ordinance of the Village of Upper Nyack, §6.1 Off Street Parking Facilities in Commercial and Residential Districts? yes

Give specifics: No change in existing parking.  
\_\_\_\_\_  
\_\_\_\_\_

OFFICE OF THE BUILDING INSPECTOR  
INCORPORATED VILLAGE OF UPPER NYACK  
PROPERTY OWNER CERTIFICATION



Inc. Village of Upper Nyack  
County of Rockland  
State of New York

Property Owner: David Rosenberg, on behalf of Yeshivath Viznitz Dkhal Torath Chaim Inc.

Certifies that he/she resides at with an office at 15 Elyon Road, Monsey, NY 10952

and that he/she is the owner of all that certain lot, parcel of land and/or building located at  
350 North Highland Avenue, Upper Nyack, NY

and proposed Special Permit will be in conformance with the Zoning Ordinance of the Incorporated Village of Upper Nyack; and in accordance with plans and specifications submitted herewith.

Signature

Date

STATEMENT BELOW ONLY TO BE FILLED OUT IN THE EVENT THIS APPLICATION IS MADE BY PERSON OTHER THAN OWNER OF PROPERTY

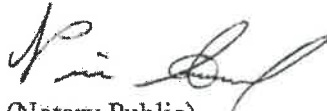
Inc. Village of Upper Nyack  
County of Rockland  
State of New York

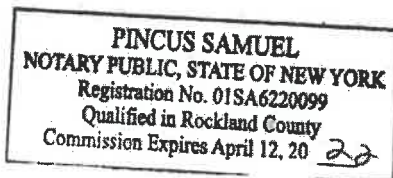
Agent Name: David Rosenberg, being duly sworn deposes and says:

1. That Yeshivath Viznitz Dkhal Torath Chaim Inc. is the owner of the land that is the subject of this permit.
2. The deponent is duly authorized to make this application by said owner.
3. That the proposed Special Permit application is authorized by said owner.

Agent Signatures: 

Sworn to before me this 27 day of April 20 21

  
(Notary Public)





28	Music Education Building	47 South Blvd.	South Nyack	65.68-1-4	1	4
29	Music Annex	49 South Blvd.	South Nyack	65.68-1-4	1	4
30	Pardington Hall	45 South Blvd.	South Nyack	65.68-1-4	1	4
31	Lookout	55 South Blvd.	South Nyack	65.68-1-4	1	4
32	Simpson Hall	65 South Blvd	South Nyack	65.68-1-4	1	4
33	Bethel	102 South Blvd.	South Nyack	65.68-1-8	1	8
34	Bethany Hall	110 South Blvd.	South Nyack	65.68-1-8	1	8
35	Brewer	5 Chase Blvd.	South Nyack	65.68-1-10	1	10
36	Harmony Hall	114 South Blvd.	South Nyack	65.68-1-8	1	8
37	Sunnyside	2 College Ave.	South Nyack	65.68-1-8	1	8
38	Oakwood	11-15 Chase Blvd.	South Nyack	65.68-1-8	1	8
39	Gables	202 South Blvd.	South Nyack	65.68-1-7.2	1	7.2
40	Dunbar	3 College Ave.	South Nyack	65.68-1-7.2	1	7.2
41	Duplex	6-8 College Ave.	South Nyack	66.61-1-17	1	17
42	Pomona	204 South Blvd.	South Nyack	65.68-1-7.3	1	7.3
43	Bradley Property	978-980 Bradley Pky	Orangetown	65.16-1-1.1	1	1.1
* 44	Seminary	350 N Highland Ave.	Upper Nyack / Clarkstown	59.16-2-3 / 59.16-1-11	2 / 1	3 / 11

RECEIVED  
 SEP 16 2021  
 VILLAGE OF UPPER NYACK



RECEIVED

SEP 16 2021

VILLAGE OF UPPER NYACK

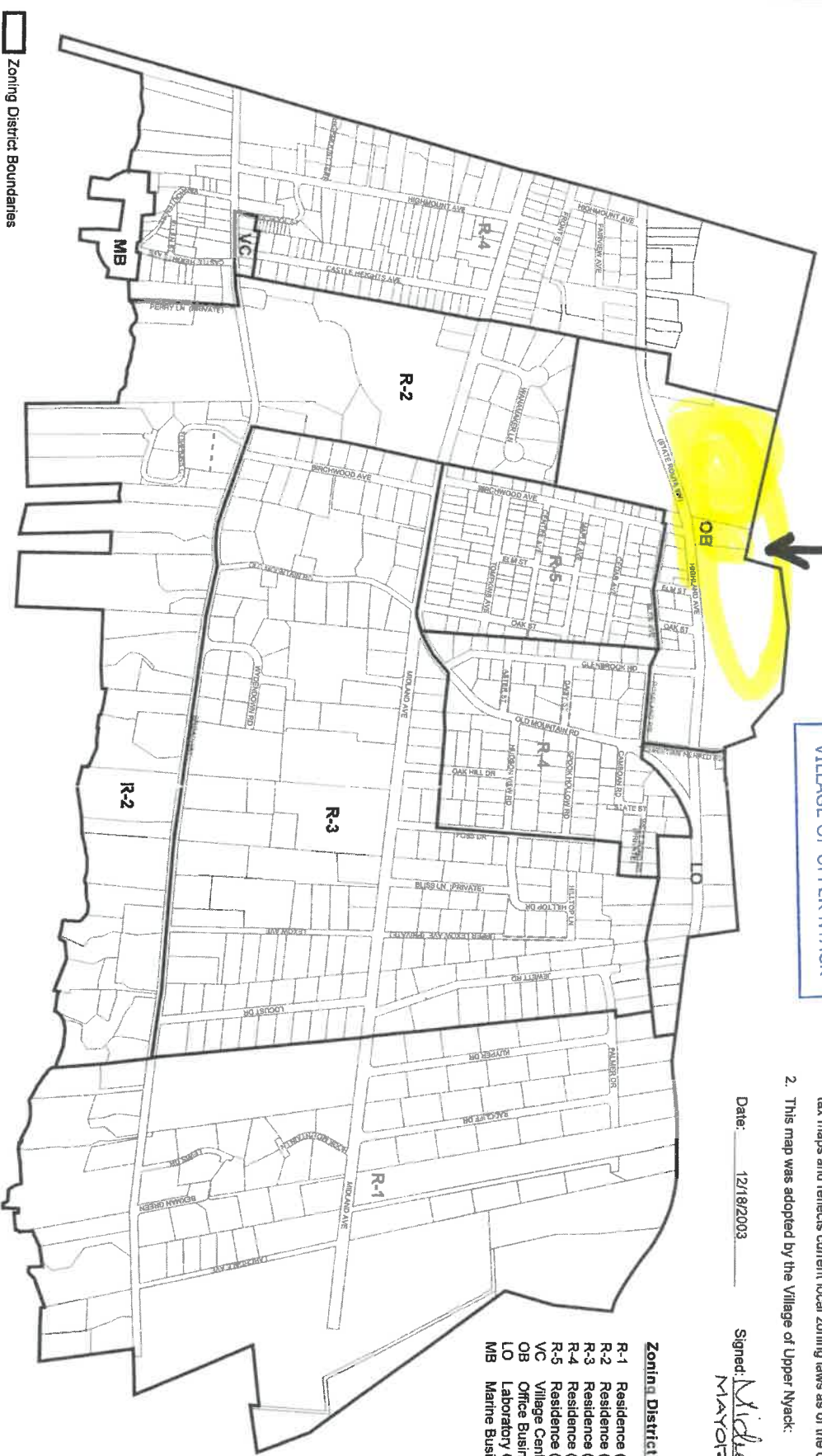
Notes:

- 1. The Zoning Boundaries were derived from the Local Zoning Ordinance and tax maps and reflects current local zoning laws as of the date of adoption.
- 2. This map was adopted by the Village of Upper Nyack:

Date: 12/18/2003

Signed: *Michael E. Esmerly*  
MAYOR

- Zoning District Classifications**
- R-1 Residence (40,000 s.f.)
  - R-2 Residence (30,000 s.f.)
  - R-3 Residence (20,000 s.f.)
  - R-4 Residence (10,000 s.f.)
  - R-5 Residence (7,500 s.f.)
  - VC Village Center (4,000 s.f.)
  - OB Office Business (25,000 s.f.)
  - LO Laboratory Office (50,000 s.f.)
  - MB Marine Business (40,000 s.f.)



[ ] Zoning District Boundaries  
 [ ] Parcels  
 - - - - No Thru Connection  
 - - - - Conservation Easement

Prepared November 2003

1 inch = 800 feet



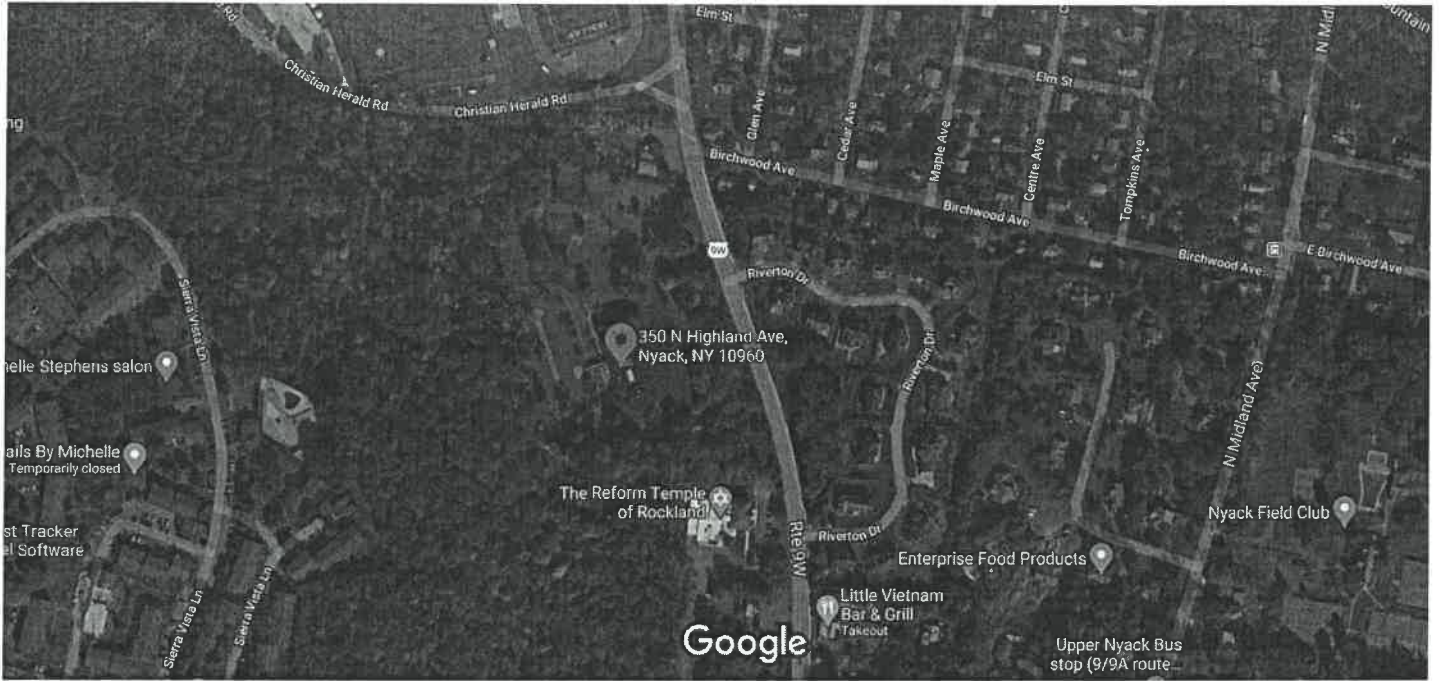
**OFFICIAL ZONING MAP**

Village of Upper Nyack  
 ROCKLAND COUNTY, NEW YORK

ROBERT GENESLA W. CO.  
 Planning and Development Consultants

3 Exchange Blvd., Suite 401  
 Spenton, NY 10981

# Google Maps 350 N Highland Ave



Imagery ©2021 Maxar Technologies, New York GIS, USDA Farm Service Agency, Map data ©2021 200 ft

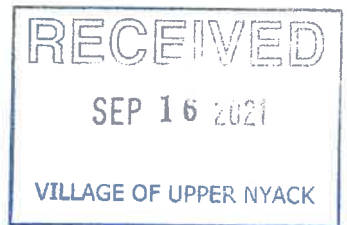
RECEIVED  
SEP 16 2021  
VILLAGE OF UPPER NYACK

# Google Maps



Map data ©2021 200 ft

350 North  
Highland  
Avenue



Donna G. Silberman, County Clerk  
1 South Main St., Ste. 100  
New City, NY 10956  
(845) 638-5070

### Rockland County Clerk Recording Cover Sheet

Received From :  
MADISON TITLE AGENCY LLC  
1125 OCEAN AVENUE  
LAKEWOOD, NJ 08701

**First GRANTOR**

NYACK COLLEGE

**First GRANTEE**

YESHIVATH VIZNITZ DKHAL TORATH CHAIM INC

Index Type : Land Records

Instr Number : 2021-00008499

Book : Page :

Type of Instrument : Deed

Type of Transaction : Deed Other

Recording Fee: \$436.00

Recording Pages : 31

The Property affected by this instrument is situated in Clarkstown, in the County of Rockland, New York

**Real Estate Transfer Tax**

RETT # : 4629  
Deed Amount : \$45,500,000.00  
RETT Amount: \$182,000.00  
Total Fees : \$182,436.00

State of New York  
County of Rockland

I hereby certify that the within and foregoing was recorded in the Clerk's office for Rockland County, New York

On (Recorded Date) : 02/16/2021

At (Recorded Time) : 8:42:00 AM



Doc ID - 053018470031

*Donna G. Silberman*

Donna G. Silberman  
County Clerk



This sheet constitutes the Clerks endorsement required by Section 319 of Real Property Law of the State of New York

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS**

THIS INDENTURE, made as of the 18th day of December, 2020, by NYACK COLLEGE, a New York educational corporation (hereinafter referred to as "Grantor"), having an address at 2 Washington Street, New York, New York 10047, to YESHIVATH VIZNITZ DKHAL TORATH CHAIM INC., a New York not-for-profit religious corporation (hereinafter referred to as "Grantee"), having an office at 15 Elyon Rd., Monsey, New York 10952.

WITNESSETH, that Grantor, in consideration of Ten (\$10.00) Dollars, lawful money of the United States, paid by Grantee, does hereby grant and release unto Grantee, the heirs or successors and assigns of Grantee forever:

ALL those certain plots, pieces or parcels of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Rockland and State of New York, and more particularly described on Exhibit A attached hereto and made a part hereof (the "Premises").

TOGETHER WITH all right, title and interest, if any, of Grantor in and to any streets and roads abutting the Premises to the center lines thereof.

TOGETHER WITH the appurtenances and all the estate and rights of Grantor in and to the Premises.

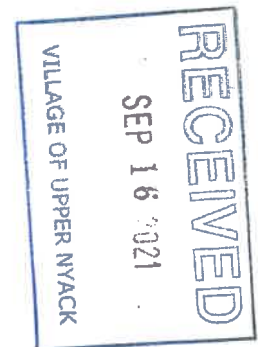
INTENDED TO BE the same premises conveyed to Grantor by those certain deeds as set forth on Exhibit B attached hereto and made a part hereof; Grantor being the same person as the grantee in such deed.

TO HAVE AND TO HOLD the Premises unto Grantee, the heirs or successors and assigns of Grantee forever.

AND except as set forth on Schedule B of Title Commitment No. MTANY-152682, Grantor covenants that Grantor has not done or suffered anything whereby the Premises have been encumbered in any way whatsoever, except as aforesaid.

AND Grantor, in compliance with Section 13 of the Lien Law, covenants that Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvements at the Premises before using any part of the total of the same for any other purpose.

[Signature page follows]



Handwritten initials "DL+R" in black ink.

IN WITNESS WHEREOF, Grantor has duly executed this deed the day and year first above written.

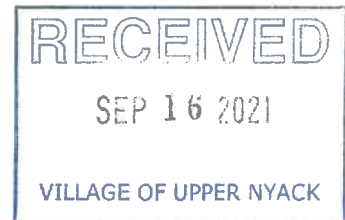
GRANTOR:

**NYACK COLLEGE**

By: 

Name: David Jennings

Title: Executive Vice President and Treasurer



[Signature Page to Deed]

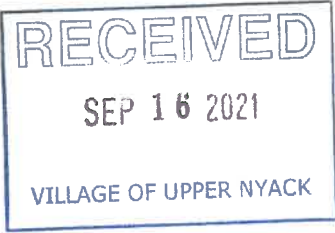


STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF Rockland    )

On the 24 day of November in the year 2020 before me, the undersigned, personally appeared David C. Jennings, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person or entity upon behalf of which the individual acted, executed the instrument.

Cynthia A. Reeder  
Signature and Office of individual  
taking acknowledgment

Cynthia A Reeder  
Notary Public State of New York  
Qualified In Rockland County  
Term Expires 12/18/22  
#6158121



**Bargain and Sale Deed**  
With Covenant Against Grantor's Acts

BLOCK:  
LOTS:  
COUNTY: Rockland



NYACK COLLEGE,  
as Grantor

STREET  
ADDRESS:

TO

RETURN BY MAIL TO:  
Uri Kirschner, Esq.  
Silberberg & Kirschner, LLP  
55 Old Nyack Turnpike, Suite 210  
Nanuet, New York 10954

YESHIVATH VIZNITZ DKHAL TORATH  
CHAIM INC.,  
as Grantee




RECEIVED  
SEP 16 2021  
VILLAGE OF UPPER NYACK

EXHIBIT A

Legal Description of the Premises

Map #	Building Name	Address	City	Tax Map No.	Block	Lot
1	Boon Campus Center	1 South Blvd.	South Nyack	65.60-1-1	1	1
2	Bowman Gymnasium	154 S Highland Ave.	South Nyack	65.52-1-18	1	18
3	Fieldhouse - Air Structure	155 S Highland Ave.	South Nyack	65.52-1-18	1	18
4	Moseley Hall (South)	106 S Highland Ave.	South Nyack	65.52-1-18	1	18
5	Moseley Hall (North)	106 S Highland Ave.	South Nyack	65.52-1-18	1	18
6	Bell Tower House	114 S Highland Ave.	South Nyack	65.52-1-18	1	18
7	Bailey Library	122 S Highland Ave.	South Nyack	65.52-1-18	1	18
8	Roseberry	130 S Highland Ave.	South Nyack	65.52-1-18	1	18
9	Athletic Offices	154 S Highland Ave.	South Nyack	65.52-1-18	1	18
13	Buildings and Grounds	146 S Highland Ave.	South Nyack	65.52-1-18	1	18
14	Barney Hall	164 S Highland Ave.	South Nyack	65.52-1-18	1	18
15	Shephard Hall	166 S Highland Ave.	South Nyack	65.52-1-18	1	18
16	Jaffray Hall	170 S Highland Ave.	South Nyack	65.12-1-2/ 65.52-1-18	1/ 1	2/ 18
		168 S Highland Ave.	South Nyack	65.12-2-33	2	33
17	Sky Island Lodge	175 S Highland Ave.	South Nyack	65.52-1-19/ 65.16-1-2	1/ 1	19/ 2
18	Shuman Hall	185 S Highland Ave.	South Nyack	65.16-1-3/ 65.60-1-25	1/ 1	3/ 25
19	Betty Olsen House	5 Upland Dr.	South Nyack	65.60-1-2	1	2
20	Berachah House	4 Upland Dr.	South Nyack	65.60-1-22	1	22
21	Betty Knopp House	2 Upland Dr.	South Nyack	65.60-1-21	1	21
22	Griswold House	5 South Blvd.	South Nyack	65.60-1-3	1	3
23	Bethesda	7 South Blvd.	South Nyack	65.60-1-4	1	4
24	Christie Hall	31 South Blvd.	South Nyack	65.68-1-4	1	4
25	Hillside Terrace 8-10	8-10 South Blvd.	South Nyack	65.60-1-5	1	5
26	Hillside Terrace 12	12 South Blvd.	South Nyack	65.60-1-5	1	5
27	Driscoll	37 South Blvd	South Nyack	65.68-1-4	1	4

**RECEIVED**  
 SEP 16 2021  
 VILLAGE OF UPPER NYACK

28	Music Education Building	47 South Blvd.	South Nyack	65.68-1-4	1	4
29	Music Annex	49 South Blvd.	South Nyack	65.68-1-4	1	4
30	Pardington Hall	45 South Blvd.	South Nyack	65.68-1-4	1	4
31	Lookout	55 South Blvd.	South Nyack	65.68-1-4	1	4
32	Simpson Hall	65 South Blvd	South Nyack	65.68-1-4	1	4
33	Bethel	102 South Blvd.	South Nyack	65.68-1-8	1	8
34	Bethany Hall	110 South Blvd.	South Nyack	65.68-1-8	1	8
35	Brewer	5 Chase Blvd.	South Nyack	65.68-1-10	1	10
36	Harmony Hall	114 South Blvd.	South Nyack	65.68-1-8	1	8
37	Sunnyside	2 College Ave.	South Nyack	65.68-1-8	1	8
38	Oakwood	11-15 Chase Blvd.	South Nyack	65.68-1-8	1	8
39	Gables	202 South Blvd.	South Nyack	65.68-1-7.2	1	7.2
40	Dunbar	3 College Ave.	South Nyack	65.68-1-7.2	1	7.2
41	Duplex	6-8 College Ave.	South Nyack	66.61-1-17	1	17
42	Pomona	204 South Blvd.	South Nyack	65.68-1-7.3	1	7.3
43	Bradley Property	978-980 Bradley Pky	Orangetown	65.16-1-1.1	1	1.1
44	Seminary	350 N Highland Ave.	Upper Nyack / Clarkstown	59.16-2-3 / 59.16-1-11	2 / 1	3 / 11

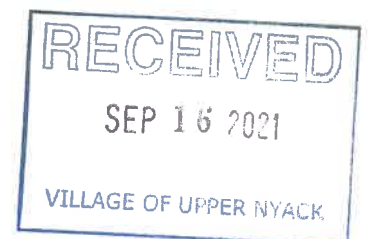
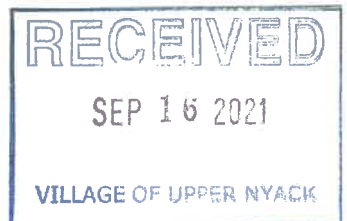


Exhibit B

1. Deed from Mabel I. Lovett, dated 03/15/1954 and recorded in the Rockland County Clerk's Office on 03/18/1954 in Liber 577 Page 227;
2. Deed from John T. Ames, dated 01/06/1956 and recorded in the Rockland County Clerk's Office on 01/10/1956 in Liber 616 Page 573;
3. Deed from Biophile Club Company, Inc., dated 04/27/1956 and recorded in the Rockland County Clerk's Office on 05/02/1956 in Liber 624 Page 352;
4. Deed from Michael Lonergan and Roxana Johnson Lonergan, dated 05/12/1998 and recorded in the Rockland County Clerk's Office on 05/15/1998 as Instrument ID# 1998-22465;
5. Deed from David W. Cunningham and Elizabeth C. Cunningham, dated 09/14/1970 and recorded in the Rockland County Clerk's Office on 09/15/1970 in Liber 881 Page 87;
6. Deed from Sherri Marton and Robert Anderson, dated 01/22/2004 and recorded in the Rockland County Clerk's Office on 01/27/2004 as Instrument ID# 2004-6013;
7. Deed from The Christian and Missionary Alliance, dated 08/\_\_\_/1989 and recorded in the Rockland County Clerk's Office on 08/15/1989 in Liber 368 Page 510;
8. Deed from The Christian and Missionary Alliance, Inc., dated 09/30/1954 and recorded in the Rockland County Clerk's Office on 10/28/1954 in Liber 590 Page 347;
9. Deed from The Christian and Missionary Alliance, Inc., dated 07/18/1958 and recorded in the Rockland County Clerk's Office on 08/12/1958 in Liber 675 Page 50;
10. Deed from The Christian and Missionary Alliance, dated 06/28/2004 and recorded in the Rockland County Clerk's Office on 07/15/2004 as Instrument ID# 2004-46102;
11. Deed from Robert Brewer and Eunice B. Brewer, dated 06/18/1987 and recorded in the Rockland County Clerk's Office on 06/24/1987 in Liber 236 of Land Records at Page 871;
12. Deed from Village of South Nyack, dated 04/22/1949 and recorded in the Rockland County Clerk's Office on 09/24/1959 in Liber 704 Page 134;
13. Deed from Country of Rockland, dated 10/06/1949 and recorded in the Rockland County Clerk's Office on 09/24/1959 in Liber 704 Page 123;
14. Deed from Bertyne M. NeCollins, dated 05/01/1950 and recorded in the Rockland County Clerk's Office on 05/12/1950 in Liber 510 Page 582;
15. Deed from Mary Tremain, as Co-Executor of the Last Will and Testament of Mary Blake, dated 06/07/2005 and recorded in the Rockland County Clerk's Office on 06/08/2005 as Instrument ID# 2005-31112; and
16. Deed from The Christian and Missionary Alliance, dated 12/24/1998 and recorded in the Rockland County Clerk's Office on 01/04/1999 as Instrument ID# 1999-497.



# Old Republic National Title Insurance Company

Title No.: MTANY-152682

## SCHEDULE A CONTINUED

### LEGAL DESCRIPTION

**As to Section 65.52 Block 1 Lot 18, Section 65.12 Block 1 Lot 2, Section 65.12 Block 2 Lot 33:**

All that certain plot, piece or parcel of land, situate, lying and being partially in the Town of Clarkstown, partially in the Town of Orangetown and partially in the Village of South Nyack, County of Rockland and State of New York, being more particularly bounded and described as follows:

BEGINNING at a 5/8 inch capped rebar set at the intersection of the west line of South Highland Avenue (50 feet wide) with the north line of Highland Avenue (60 feet wide);

THENCE, along the north line of Highland Avenue, north 75 degrees 43 minutes 53 seconds west, 870.84 feet to a 5/8 inch capped rebar set;

THENCE, along the arc of a curve to the left, said curve having a radius of 140.00 feet, an arc length of 63.12 feet, a delta angle of 25 degrees 49 minutes 56 seconds, and a chord bearing north 88 degrees 38 minutes 51 seconds west, a chord distance of 62.59 feet to a MAG nail set on the dividing line between the Village of South Nyack and the Town of Orangetown;

THENCE, continuing along the arc of a curve to the left, said curve having a radius of 140.00 feet, an arc length of 30.25 feet, a delta angle of 12 degrees 22 minutes 48 seconds, and a chord bearing south 72 degrees 14 minutes 47 seconds west, a chord distance of 30.19 feet to a 5/8 inch capped rebar set at the northeast corner of land now or formerly conveyed to Mark L. Hagan and Patricia Mollica-Hagan as recorded in Instrument No. 2000-56438 of Rockland County Records;

THENCE, along the north line of Mark L. Hagan and Patricia Mollica-Hagan, north 75 degrees 43 minutes 53 seconds west, 417.98 feet to a 5/8 inch capped rebar set on the northeast line of land now or formerly conveyed to Rockland County as recorded in Instrument No. 2001-43759 of Rockland County Records;

THENCE, along the northeast line of Rockland County land, north 25 degrees 51 minutes 35 seconds west, 290.65 feet to a 5/8 inch capped rebar set;

THENCE, continuing along the east line of Rockland County land, north 00 degrees 52 minutes 39 seconds west, 159.86 feet to a 5/8 inch capped rebar set on the south line of land now or formerly conveyed to Rockland County as recorded in Instrument No. 2001-43758 of Rockland County Records and the dividing line between the Town of Clarkstown and Town of Orangetown;

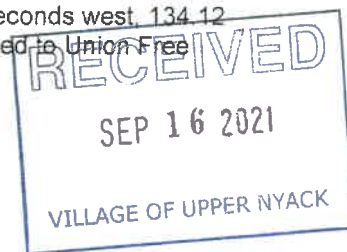
THENCE, along the south line of Rockland County land and the dividing line between the Town of Clarkstown and Town of Orangetown, north 76 degrees 09 minutes 35 seconds east, 124.36 feet to a 5/8 inch capped rebar set at the southeast corner of Rockland County land;

THENCE, along the east line of Rockland County land, north 01 degrees 59 minutes 53 seconds west, 134.12 feet to a 5/8 inch capped rebar set at the southwest corner of land now or formerly conveyed to Union Free School District No. 4 Nyack Hilltop Intermediate School Complex;

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152682/219

Thence, along Union Free School District No. 4 Nyack Hilltop Intermediate School Complex land, the following eight (8) courses and distances:

1. South 75 degrees 24 minutes 53 seconds east, 333.78 feet to a MAG nail set;
2. North 17 degrees 32 minutes 07 seconds east, 130.00 feet to a 5/8 inch capped rebar;
3. South 72 degrees 59 minutes 53 seconds east, 168.59 feet to a 5/8 inch capped rebar;
4. South 18 degrees 06 minutes 07 seconds west, 17.10 feet to a MAG nail set;
5. South 41 degrees 01 minutes 46 seconds east, 28.75 feet to a 5/8 inch capped rebar set;
6. South 71 degrees 38 minutes 53 seconds east, 23.30 feet to a 5/8 inch capped rebar set;
7. South 15 degrees 32 minutes 07 seconds west, 87.90 feet to a 5/8 inch capped rebar set;
8. South 75 degrees 24 minutes 53 seconds east, 860.00 feet to a MAG nail set on the west line of Highland Avenue:



THENCE, along the west line of Highland Avenue, south 01 degrees 31 minutes 07 seconds west, 539.37 feet to the Point of BEGINNING.

NOTE: Being , Tax Map of the Town of Orangetown, County of Rockland.

NOTE: Being Section 65.52, Block(s) 1, Lot(s) 18, Tax Map of the Village of Orangetown, County of Rockland.

NOTE: Being Section 65.12, Block(s) 1, Lot(s) 2, Tax Map of the Town of Orangetown, County of Rockland.

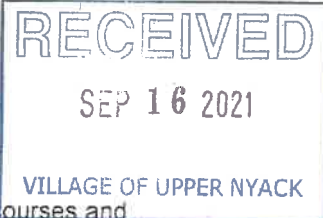
NOTE: Being Section 65.12, Block(s) 2, Lot(s) 33, Tax Map of the Town of Clarkstown, County of Rockland.

**As to Section 65.52 Block 1 Lot 19 and Section 65.16 Block 1 Lot 2:**

All that certain plot, piece or parcel of land, situate, lying and being partially in the Village of South Nyack and Town of Orangetown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a 5/8 inch capped rebar set at the intersection of the north line of Upland Drive (30 feet Wide) with

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the east line of Highland Drive (60 feet Wide);

RUNNING THENCE along the east and south lines of Highland Avenue, the following five (5) courses and distances:

1. North 35 degrees 47 minutes 19 seconds west, 70.56 feet to a 5/8 inch capped rebar set;
2. Along the arc of a curve to the right, said curve having a radius of 119.09 feet, an arc length of 107.72 feet, a delta angle of 51 degrees 49 minutes 32 seconds, and a chord bearing north 09 degrees 52 minutes 33 seconds west, a chord distance of 104.09 feet to a 5/8 inch capped rebar set;
3. North 16 degrees 02 minutes 10 seconds east, passing over a granite monument at a distance of 114.50 feet, a total distance of 175.19 feet to a MAG nail set;
4. Along the arc of a curve to the right, having a radius of 50.00 feet, an arc length of 76.95 feet, a delta angle of 88 degrees 10 minutes 42 seconds, and a chord bearing north 60 degrees 07 minutes 31 seconds east, a chord distance of 69.58 feet to a 5/8 inch capped rebar set on the dividing line between the Village of South Nyack and the Town of Orangetown;
5. South 75 degrees 47 minutes 11 seconds east, 296.59 feet to a 5/8 inch capped rebar set at the northwest corner of land now or formerly conveyed to Nyack College as recorded in Liber 577, Page 227 of Rockland County Records;

THENCE along the west line of Nyack College land, south 17 seconds 23 minutes 38 seconds west, 234.95 feet to a MAG nail set on the north line of Upland Drive;

THENCE along the north line of Upland Drive, south 76 degrees 09 minutes 17 seconds west, 274.86 feet to the point of BEGINNING.

NOTE: Being Section 65.52, Block(s) 1, Lot(s) 19, Tax Map of the Town of Orangetown, County of Rockland.

NOTE: Being Section 65.16, Block(s) 1, Lot(s) 2, Tax Map of the Town of Orangetown, County of Rockland.

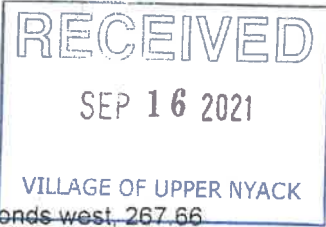
As to Section 65.60 Block 1 Lot 22:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, known and designated as part of Lot Numbers 169, 170 and 171 on a certain map of "Nyack Heights Land and Improvement Company" made by J. Eckerson Demarest, Surveyor, dated March, 1899 and filed in the Rockland County Clerk's Office on January 25, 1906, more particularly bounded and described as follows:

BEGINNING at a 5/8 inch rebar found on the southwest line of Upland Drive (30 feet wide as laid out and conveyed in Liber 721, Page 792) at the northwesterly corner of land now or formerly conveyed to Nyack College as recorded in Liber 368, Page 510 of Rockland County Records;

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THENCE along the northwest line of Nyack College land, south 37 degrees 31 minutes 44 seconds west, 267.66 feet to a 5/8 inch rebar found on the northeast line of Highland Avenue (60 feet wide - unimproved);

THENCE along the northeast line of Highland Avenue, north 32 degrees 34 minutes 03 seconds west, 28.10 feet to a 5/8 inch rebar set at the southeast corner of land now or formerly conveyed to Richard L. & Edith C. Hanley as recorded in Instrument No. 2001-1256 of Rockland County Records;

THENCE along the east line of Richard L. & Edith C. Hanley land, the following three (3) courses and distances:

1. North 37 degrees 30 minutes 35 seconds east, 56.00 feet to a 5/8 inch capped rebar set;
2. North 25 degrees 10 minutes 51 seconds west, 155.30 feet to a 5/8 inch capped rebar set;
3. North 31 degrees 25 minutes 35 seconds east, 116.19 feet to a 5/8 inch capped rebar set on the southwest line of Upland Drive;

THENCE south 60 degrees 23 minutes 57 seconds east, 50.23 feet to a 5/8 inch capped rebar set;

THENCE continuing along the southwest line of Upland Drive, south 56 degrees 37 minutes 57 seconds east, 125.50 feet to the point of beginning.

NOTE: Being Section 65.60, Block(s) 1, Lot(s) 22, Tax Map of the Town of Orangetown, County of Rockland.

**Section 65.60 Block 1 Lot 21**

All that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a 5/8 inch rebar found on the southwest line of Upland Drive (30 feet wide as laid out and conveyed in Liber 721, Page 792) at the northeast corner of land now or formerly conveyed to Nyack College as recorded in Instrument No. 2004-6013 of Rockland County Records;

THENCE along the southwest line of Upland Drive and along the arc of a curve to the right, said curve having a radius of 438.65 feet, an arc length of 196.50 feet, a delta angle of 25 degrees 39 minutes 58 seconds, and a chord bearing south 43 degrees 28 minutes 00 seconds east, a chord distance of 194.87 feet to a 5/8 inch capped rebar set at the northwest corner of land now or formerly conveyed to Nyack College as recorded in Liber 675, Page 50 of Rockland County Records;

THENCE along the north line of Nyack College land, south 57 degrees 47 minutes 44 seconds west, 288.52 feet to a 5/8 inch capped rebar set on the northeast line of Highland Avenue (60 feet wide - unimproved);

THENCE, along the northeast line of Highland Avenue, north 32 degrees 34 minutes 03 seconds west, 98.40 feet to a 5/8 inch rebar found at the southwest corner of Nyack College land;

THENCE, along the south line of Nyack College land, north 37 degrees 31 minutes 44 seconds east, 267.66 feet to the point of BEGINNING.

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NOTE: Being Section 65.60, Block(s) 1, Lot(s) 21, Tax Map of the Town of Orangetown, County of Rockland.

AMENDED 07/31/2020

Section 65.68 Block 1 Lot 4

All that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a 5/8" seconds capped rebar set on the west line of South Boulevard (50 feet wide) at the northeast corner of land now or formerly conveyed to the State of New York as recorded in Liber 762, Page 4168 of Rockland County Records;

THENCE along State of New York land, the following six (6) courses and distances:

1. South 87 degrees 52 minutes 30 seconds west, 34.48 feet to a 5/8" capped rebar set;
2. South 83 degrees 51 minutes 03 seconds west, 25.33 feet to a 5/8" capped rebar set;
3. North 73 degrees 19 minutes 50 seconds west, 27.00 feet to a 5/8" capped rebar set;
4. North 63 degrees 42 minutes 32 seconds west, 75.23 feet to a 5/8" capped rebar set;
5. North 73 degrees 19 minutes 50 seconds west, 13.44 feet to a 5/8" capped rebar set;
6. South 00 degrees 53 minutes 15 seconds east, 115.00 feet to a to a 5/8" capped rebar set on the north line of land now or formerly conveyed to Karen Momoh as recorded in Instrument No. 2000-3191 of Rockland County Records;

THENCE along the north line of Karen Momoh land, north 73 degrees 19 minutes 50 seconds west, 344.74 feet to a 5/8" capped rebar set on the easterly line of land now or formerly conveyed to the State of New York (Tax ID: 65.76-1-1);

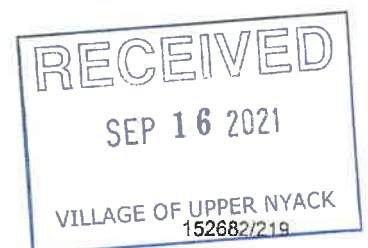
THENCE along State of New York land, north 13 degrees 23 minutes 50 seconds west, 70.08 feet to a 5/8" capped rebar set;

THENCE still along State of New York land, north 65 degrees 25 minutes 50 seconds west, 112.63 feet to the east line of Highland Avenue (60 feet wide - unimproved);

THENCE along the east line of Highland Avenue, north 20 degrees 12 minutes 14 seconds east, 118.57 feet to a 5/8" capped rebar set;

THENCE along the arc of a curve to the left, said curve having a radius of 617.70 feet, an arc length of 26.15 feet, a delta angle of 02 degrees 26 minutes 31 seconds, a chord bearing north 18 degrees 58 minutes 59 seconds east, a chord distance of 26.15 feet to a 5/8 inch capped rebar set at the southwest corner of land now or formerly conveyed to Village of Nyack Water Tower (Tax ID: 65.68-1-3);

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THENCE along the south line of Village of Nyack Water Tower land, south 69 degrees 47 minutes 46 seconds east, 50.66 feet to a 5/8" capped rebar set at the southeast corner thereof;

THENCE along the east line of Village of Nyack Water Tower land, north 20 degrees 12 minutes 14 seconds east, 50.00 feet to a 5/8" capped rebar set at the northeast corner thereof;

THENCE along the north line of Village of Nyack Water Tower land, north 69 degrees 47 minutes 46 seconds west, 54.84 feet to a 5/8" capped rebar set on the east line of Highland Avenue at the northwest corner thereof;

THENCE along the east line of Highland Avenue, the following three (3) courses and distances:

1. Along the arc of a curve to the left, said curve having a radius of 613.70 feet, an arc length of 259.45 feet, a delta angle of 24 degrees 13 minutes 21 seconds, and a chord bearing north 00 degrees 57 minutes 54 seconds east, a chord distance of 257.52 feet to a 5/8" capped rebar set;
2. north 11 degrees 08 minutes 46 seconds west, 488.17 feet to a 5/8" capped rebar set;
3. Along the arc of a curve to the left, said curve having a radius of 613.70 feet, an arc length of 180.93 feet, a delta angle of 16 degrees 53 minutes 31 seconds, and a chord bearing north 19 degrees 36 minutes 22 seconds west, a chord distance of 180.28 feet to a 5/8" capped rebar set at the southwest corner of land now or formerly conveyed to Nyack College as recorded in Liber 368, Page 510 of Rockland County Records;

THENCE, along the southeast line of Nyack College land, north 57 degrees 47 minutes 44 seconds east, 289.92 feet to a 5/8" capped rebar set on the southwest line of Upland Drive (30 feet wide as laid out and conveyed in Liber 721, Page 792);

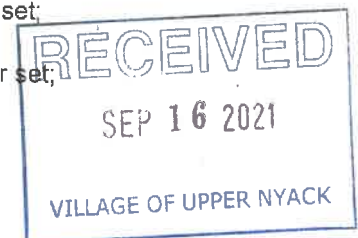
THENCE along the southwest line of Upland Drive, the following three (3) courses and distances:

1. Along the arc of a curve to the right, said curve having a radius of 438.65 feet, an arc length of 50.08 feet, a delta angle of 06 degrees 32 minutes 29 seconds, and a chord bearing south 27 degrees 21 minutes 45 seconds east, a chord distance of 50.05 feet to a 5/8" capped rebar set;
2. Along the arc of a curve to the left, said curve having a radius of 115.00 feet, an arc length of 47.74 feet, a delta angle of 23 degrees 47 minutes 07 seconds, and a chord bearing south 35 degrees 59 minutes 04 seconds east, a chord distance of 47.40 feet to a 5/8" capped rebar set;
3. South 47 degrees 52 minutes 37 seconds east, 28.82 feet to a 5/8" capped rebar set at the northwest corner of land now or formerly conveyed to The Missionary Training Institute as recorded in Liber 590, Page 347 of Rockland County Records;

THENCE along the west line of The Missionary Training Institute land, the following five (5) courses and distances:

1. South 27 degrees 46 minutes 16 seconds east, 19.10 feet to a 5/8" capped rebar set;
2. South 22 degrees 17 minutes 53 seconds east, 203.35 feet to a 5/8" capped rebar set;

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3. South 28 degrees 41 minutes 07 seconds east, 218.60 feet to a MAG nail set;
4. South 43 degrees 16 minutes 07 seconds east 80.60 feet to a MAG nail set;
5. South 52 degrees 02 minutes 07 seconds east, 33.10 feet to a MAG nail set on the west line of South Boulevard;

THENCE along the west line of South Boulevard, the following three (3) courses and distances:

1. South 10 degrees 41 minutes 10 seconds east, 476.63 feet to a 5/8" capped rebar set;
2. South 04 degrees 24 minutes 00 seconds east, 284.24 feet to a 5/8" capped rebar set;
3. South 00 degrees 41 minutes 15 seconds east, 55.37 feet to the Point of BEGINNING.

NOTE: Being Section 65.68, Block(s) 1, Lot(s) 4, Tax Map of the Town of Orangetown, County of Rockland.

AMENDED 08/25/2020

**As to Section 65.68 Block 1 Lot 8:**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, known and designated as Lot Numbers 31,32 and 33 on a certain map of "Nyack Heights Land and Improvement Company" made by J. Eckerson Demarest, Surveyor, dated March, 1899 and filed in the Rockland County Clerk's Office on January 25, 1906, and additional lands being more particularly bounded and described as follows:

BEGINNING at a 5/8" capped rebar set at the intersection of the north line of College Avenue 25 feet wide with the east line of South Boulevard 50 feet wide;

THENCE along the east line of South Boulevard, north 10 degrees 41 minutes 10 seconds west, 402.86 feet to a 5/8" capped rear set;

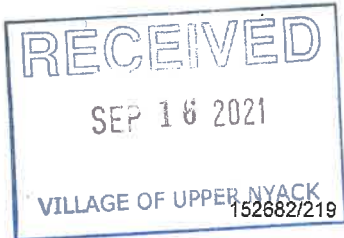
THENCE along the arc of a curve to the right, said curve having a radius of 10.00 feet, an arc length of 24.29 feet, a delta angle of 139 degrees 10 minutes 00 seconds, and a chord bearing north 58 degrees 53 minutes 50 seconds east, 18.74 feet to a 5/8" capped rebar set on the southwest line of Chase Avenue;

THENCE along the southwest line of Chase Avenue, south 51 degrees 31 minutes 10 seconds east, 140.20 feet to a 5/8" capped rebar set at the northwest corner of land now or formerly conveyed to Nyack College as recorded in Liber 590, Page 347 of Rockland County Records;

THENCE along the west line of Nyack College land, south 17 degrees 33 minutes 40 seconds east, 174.14 feet to a 5/8" capped rebar set at the southwest corner thereof;

THENCE along the south line of Nyack College land, north 80 degrees 45 minutes 20 seconds east, 102.02 feet to a 5/8" capped rebar set on the southwest line of Chase Avenue;

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THENCE along the southwest line of Chase Avenue, south 23 degrees 43 minutes 10 seconds east, 11.20 feet to a 5/8" capped rebar set at the northeast corner of land now or formerly conveyed to Constantinos & Christine Nicolaou as recorded in Instrument No. 2002-40174 of Rockland County Records;

THENCE along the north line of Constantinos & Christine Nicolaou land, south 81 degrees 12 minutes 50 seconds west, 104.50 feet to a 5/8" capped rebar set at the northwest corner thereof;

THENCE along the west line of Constantinos & Christine Nicolaou land, south 04 degrees 37 minutes 10 seconds east, 29.10 feet to a point;

THENCE continuing along the west line of Constantinos & Christine Nicolaou land, south 04 degrees 37 minutes 10 seconds east, 17.38 feet to a 5/8" capped rebar set to the southwest corner thereof;

THENCE along the west line of Constantinos & Christine Nicolaou land, south 04 degrees 37 minutes 10 seconds east, 17.38 feet to a 5/8" capped rebar set to the southwest corner thereof;

THENCE along the southwest line of Constantinos & Christine Nicolaou land, south 70 degrees 21 minutes 50 seconds east, 186.47 feet to a 5/8" capped rebar set on the west line of Chase Avenue;

THENCE along the west line of Chase Avenue, south 25 degrees 20 minutes 10 seconds east, 35.78 feet to a 5/8" capped rebar set at the northwest corner of land now or formerly conveyed to Alan & Terri McMahan as recorded in Instrument No. 2000-51981 of Rockland County Records;

THENCE along the west line of Alan & Terri McMahan land, south 20 degrees 04 minutes 24 seconds west, 114.11 feet to a 5/8" capped rebar set at the northeast corner of land now or formerly conveyed to Nyack College as recorded in Liber 590, Page 347 of Rockland County Records;

THENCE along the north line of Nyack College land, north 67 degrees 53 minutes 42 seconds west, 281.80 feet to the point of BEGINNING.

NOTE: Being Section 65.68, Block(s) 1, Lot(s) 8, Tax Map of the Village of Orangetown, County of Rockland.

**Section 65.68 Block 1 Lot 10**

All that certain plot, piece or parcel of land situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, more particularly bounded and described as follows:

BEGINNING at a stake in the southwesterly side of Chase Avenue (formerly Central Avenue), which stake is the northerly point of the property about to be described and which stake is 148.00 feet south, as measured along the southwest side of Chase Avenue, from the intersection of the east side of South Boulevard and the southwest side of Chase Avenue;

RUNNING THENCE south 51 degrees 31 minutes 10 seconds east, along the southwesterly side of Chase Avenue, a distance of 30.17 feet to a point;

THENCE south 45 degrees 45 minutes 10 seconds east, continuing along the southwesterly side of Chase Avenue, a distance of 176.01 feet to a stake;

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THENCE south 23 degrees 43 minutes 10 seconds east, along the westerly side of Chase Avenue a distance of 8.80 feet to a point;

THENCE south 80 degrees 45 minutes 20 seconds west, along the northerly line of lands now or formerly of Nyack College (Deed Liber 590 Page 347 -Tax Lot 65.68-1-8), a distance of 102.02 feet to a point;

THENCE north 17 degrees 33 minutes 40 seconds west, continuing along the easterly line of lands now or formerly of Nyack College (Deed Liber 590 Page 347 - Tax Lot 65.68-1-8), a distance of 174.14 feet to the point or place of BEGINNING.

NOTE: Being Section 65.68, Block(s) 1, Lot(s) 10, Tax Map of the Town of Orangetown, County of Rockland.

**Section 65.68 Block 1 Lot 7.2**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, more particularly shown and described as Lot No. 2 on a certain subdivision Map entitled "Nyack College" made by Guterl and Greenwell, dated 01/22/1993 and recorded in the Rockland County Clerk's Office on 09/08/1995 in Book 116 of Maps at Page 57 as Map No. 6925 and being more particularly described as follows:

BEGINNING at a 5/8 inch capped rebar set at the intersection of the east line of South Boulevard 50 feet wide with the southwest line of College Avenue 25 feet wide;

RUNNING THENCE, along the southwest line of College Avenue, the following three (3) courses and distances:

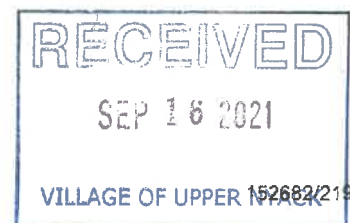
1. South 63 degrees 38 minutes 57 seconds east, 93.61 feet to a 5/8 inch capped rebar set;
2. Along the arc of a curve to the right, said curve having a radius of 120.00 feet, an arc length of 92.37 feet, a delta angle of 44 degrees 6 minutes 12 seconds and a chord bearing south 41 degrees 35 minutes 51 seconds east. a chord distance of 90.11 feet to a 5/8 inch capped rebar set;
3. South 19 degrees 32 minutes 46 seconds east, 193.96 feet to a 5/8 inch capped rebar set at the northeast corner of land now or formerly conveyed to Joseph Markowitz as recorded in Instrument No. 2013-34329 of Rockland County records;

THENCE along the north line of Joseph Markowitz land, south 71 degrees 12 minutes 21 seconds west, 78.86 feet to a 5/8 inch capped rebar set at the northeast corner of land now or formerly conveyed to Mark W. Macatee as recorded in Instrument No. 2015-30656 of Rockland County records, reference a 1/2 inch rebar found north 86 minutes 16 degrees 31 seconds east, 4.10 feet from said corner;

THENCE along the north line of Mark W. Macatee land, north 65 degrees 3 minutes 59 seconds west, 54.85 feet to a 5/8" capped rebar set at the southeast corner of Lot 3, Nyack College, and the southeast corner of land now or formerly conveyed to Nyack College as recorded in Liber 590, Page 347 of Rockland County Records;

THENCE along the east line of Nyack College land, north 04 degrees 35 minutes 49 seconds west, 123.00 feet to a 5/8" capped rebar set at the northeast corner thereof;

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THENCE along the north line of Nyack College land, south 85 degrees 24 minutes 11 seconds west, 60.37 feet to a 5/8 inch capped rebar set on the east line of South Boulevard at the northwest corner thereof;

THENCE along the east line of South Boulevard, North 04 degrees 35 minutes 49 seconds West, 176.81 feet to the Point of BEGINNING.

NOTE: Being Section 65.68, Block(s) 1, Lot(s) 7.2, Tax Map of the Town of Orangetown, County of Rockland.

Section 66.61 Block 1 Lot 17:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, known and designated as lots numbered 23 and 24 on a certain map made March, 1899, by J. Eckerson Demarest, Surveyor, of the property of the Nyack Heights Land & Improvement Company, South Nyack, N.Y., filed in the Clerk's Office of Rockland County, January 26, 1906, which parcel is more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of College Avenue, at the northerly end of a curve connecting the easterly side of College Avenue with the northerly side of College Avenue; and

RUNNING THENCE the following five (5) courses and distances along the easterly side of College Avenue;

1. North 35 degrees 39 minutes 56 seconds west, a distance of 10.18 feet to a point;
2. North 23 degrees 57 minutes 07 seconds west, a distance of 44.35 feet to a point;
3. North 19 degrees 32 minutes 46 seconds west, a distance of 199.51 feet to a point;
4. Northwesterly, on a curve to the left having a radius of 145.00 feet an arc distance of 111.61 feet to a point;
5. North 63 degrees 38 minutes 57 seconds west, a distance of 104.13 feet to a point on the easterly side of South Boulevard;

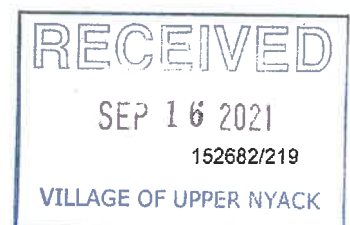
THENCE south 67 degrees 53 minutes 42 seconds east, leaving said South Boulevard and running along the southerly line of lands now or formerly of Nyack College (Liber 590 Page 347 - Tax Lot 65.68-1-8), a distance of 281.80 feet to a point;

THENCE south 16 degrees 57 minutes 13 seconds east, along the westerly line of lands now or formerly of Vernon and Michele Hamilton (Deed Instrument ID# 2009-31369 -Tax Lot 66.61-1-18), a distance of 103.27 feet to a point;

THENCE north 82 degrees 00 minutes 21 seconds east, along the southerly line of lands now or formerly of Vernon and Michele Hamilton (Deed Instrument ID# 2009-31369 -Tax Lot 66.61-1-18), a distance of 18.40 feet to a point on the westerly side of College Avenue;

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THENCE south 07 degrees 57 minutes 41 seconds west, along the westerly side of College Avenue (25 feet public right of way), a distance of 155.91 feet to a point;

THENCE on a curve to the right having a radius of 17.50 feet, connecting the westerly side of College Avenue with the easterly side of College Avenue, an arc distance of 41.65 feet to the point or place of BEGINNING.

NOTE: Being Section 66.61, Block(s) 1, Lot(s) 17, Tax Map of the Town of Orangetown, County of Rockland.

**Section 65.68 Block 1 Lot 7.3**

All that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, more particularly shown and described as Lot No. 3 on a certain subdivision map entitled "Nyack College" made by Guterl and Greenwell, dated 01/22/1993 and recorded in the Rockland County Clerk's Office on 09/08/1995 in Book 116 of Maps at Page 57 as Map No. 6925 and being more particularly described as follows:

BEGINNING at a 5/8 inch capped rebar set on the east line of South Boulevard (50 feet wide) at the northwest corner of land now or formerly conveyed to Mark W. Macatee as recorded in Instrument No. 2015-30656 of Rockland County Records;

THENCE along the east line of South Boulevard, north 02 degrees 23 minutes 49 seconds west, 13.92 feet to a 5/8 inch capped rebar set;

THENCE continuing along the east line of South Boulevard, north 04 degrees 35 minutes 49 seconds west, 74.59 feet to a 5/8 inch capped rebar set at a corner in the west line of Lot 2, Nyack College, and land now or formerly conveyed to Nyack College as recorded in Liber 590, Page 347 of Rockland County Records;

THENCE, along west line of Lot 2 and land of Nyack College, north 85 degrees 24 minutes 11 seconds east, 60.37 feet to a 5/8 inch capped rebar set at a corner thereof;

THENCE continuing along the west line of Lot 2 and land of Nyack College, south 04 degrees 35 minutes 49 seconds east, 123.00 feet to a 5/8 inch capped rebar set on the north line of Mark W. Macatee land at the southwest corner of Lot 2 and land of Nyack College;

THENCE along the north line of Mark W. Macatee land, north 65 degrees 03 minutes 59 seconds west, 70.00 feet to the point of BEGINNING.

NOTE: Being Section 65.68, Block(s) 1, Lot(s) 7.3, Tax Map of the Town of Orangetown, County of Rockland.

**Section 65.16 Block 1 Lot 1.1**

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 being shown and designated as "Parcel to be retained by Mary B. Blake Area = 21.78 acres more or less proposed Tax Lot 65.16-1-1.1" on a certain map entitled "Revised Subdivision of Lands of Mary B. Blake located at Towns of Orangetown and Clarkstown, Rockland County, New York" made by Loch

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Surveyors and Engineers, dated May 1, 2002 and filed in the Rockland County Clerk's Office on July 1, 2003 in Map Book 123 Page 26 as Map No. 7594 being bounded and described as follows:

BEGINNING at a 5/8 inch capped rebar set on the north line of Bradley Hill Road (50 feet Wide) at the southwest corner of land now or formerly conveyed to the County of Rockland as recorded in Instrument No. 2001-43759 of Rockland County Records;

THENCE, along the southwest line of County of Rockland land, north 30 degrees 34 minutes 16 seconds west, 277.39 feet to a 5/8 inch capped rebar set at the southeast corner of land now or formerly conveyed to Benson Blake Revocable Trust as recorded in Instrument No. 2012-10385 of Rockland County Records;

THENCE, along the south line of Benson Blake Revocable Trust land, north 75 degrees 50 minutes 47 seconds west, 466.12 feet to a 3/4 inch iron pipe with an aluminum cap found at the southwest corner thereof;

THENCE, along the west line of Benson Blake Revocable Trust land, north 00 degrees 19 minutes 52 seconds west, 379.29 feet to a 1 inch iron pipe found in the remains of an old stone wall at the northwest corner thereof and the southeast corner of land now or formerly conveyed to the Town of Clarkstown as recorded in Instrument No. 2003-33814 of Rockland County Records and the southwest corner of land now or formerly conveyed to the County of Rockland as recorded in Instrument No. 2001-43758 of Rockland County Records;

THENCE, along the south line of the Town of Clarkstown land, south 74 degrees 22 minutes 56 seconds west, 284.03 feet to a 5/8 inch capped rebar set;

THENCE, continuing along the south line of the Town of Clarkstown land, south 72 degrees 43 minutes 35 seconds west, 482.25 feet to a 1 inch iron pipe found in the remains of an old stone wall at the northeast corner of land now or formerly conveyed to the County of Rockland as recorded in Instrument No. 2003-58059 of Rockland County Records;

THENCE, along the east line of the County of Rockland land, the following eight (8) courses and distances:

1. South 09 degrees 30 minutes 50 seconds east, 227.52 feet to a 5/8 inch capped rebar set;
2. South 39 degrees 09 minutes 09 seconds east, 232.21 feet to a 5/8 inch capped rebar set;
3. South 51 degrees 34 minutes 42 seconds east, 72.39 feet to a 5/8 inch capped rebar set;
4. South 16 degrees 06 minutes 17 seconds east, 340.14 feet to a 5/8 inch capped rebar set;
5. South 61 degrees 53 minutes 43 seconds east, 69.90 feet to a 5/8 inch capped rebar set;
6. South 20 degrees 34 minutes 02 seconds east, 184.59 feet to a 5/8 inch capped rebar set;
7. South 18 degrees 36 minutes 05 seconds east, 437.80 feet to a 5/8 inch capped rebar set;
8. North 70 degrees 16 minutes 54 seconds east, 121.89 feet to a 5/8 inch capped rebar set on the northwest line of Bradley Hill Road;

THENCE, along the northwest and north lines of Bradley Hill Road, the following five (5) courses and distances:

1. North 15 degrees 09 minutes 20 seconds east, 372.27 feet to a 5/8 inch capped rebar set;

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2. North 32 degrees 18 minutes 36 seconds east, 432.30 feet to a 5/8 inch capped rebar set;
3. Along the arc of a curve to the right, said curve having a radius of 253.01 feet, an arc length of 251.61 feet, a delta angle of 56 degrees 58 minutes 46 seconds, and a chord bearing north 60 degrees 47 minutes 57 seconds east, a chord distance of 241.37 feet to a 5/8 inch capped rebar set;
4. North 88 degrees 51 minutes 00 seconds east, 2.44 feet to a 5/8 inch capped rebar set;
5. North 89 degrees 17 minutes 21 seconds east, 71.58 feet to the point of BEGINNING.

NOTE: Being Section 65.16, Block(s) 1, Lot(s) 1.1, Tax Map of the Town of Orangetown, County of Rockland.

**Section 65.60 Block 1 Lot 25 and Section 65.16 Block 1 Lot 3:**

All that certain lot, piece or parcel of land and premises, situate, lying and being in the Village of South Nyack and Town of Orangetown, County of Rockland and State of New York: Known as being a part of Lot Nos. 174 through 176 as shown on a plat entitled "Map of Lands of Nyack Heights Land and Improvement Company", filed in the office of the Clerk of the County of Rockland on January 26, 1906 and being more particularly described as follows:

BEGINNING at the intersection of the northeast line of Highland Avenue (50 feet wide) with the south line of Upland Drive (30 feet wide);

THENCE along the south line of Upland Drive, north 76 degrees 00 minutes 56 seconds east, 239.03 feet to a 5/8" capped rebar set;

THENCE continuing along the south line of Upland Drive, south 73 degrees 00 minutes 32 seconds east, 165.65 feet to a 1 inch iron pipe found at the northwest corner of land now or formerly conveyed to Robert Love & Nichal A. Hlinka as recorded in Instrument No. 1998-53459 of Rockland County Records;

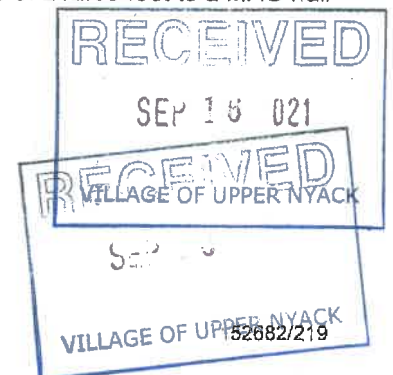
THENCE along the west line of Robert Love & Nichal A. Hlinka land, south 26 degrees 08 minutes 40 seconds west, 244.27 feet to a 5/8" capped rebar set on the north line of Highland Avenue, reference a granite monument found north 76 degrees 14 minutes 56 seconds east, 1.68 feet from said corner and a 1 inch iron pipe found south 26 degrees 08 minutes 40 seconds west, 25.52 feet from said corner;

THENCE along the north line of Highland Avenue, north 75 degrees 50 minutes 28 seconds west, 22.24 feet to a 5/8" capped rebar set;

THENCE continuing along the north line of Highland Avenue and along the arc of a curve to the right, said curve having a radius of 353.10 feet, an arc length of 215.69 feet, a delta angle of 34 degrees 59 minutes 59 seconds, and a chord bearing north 58 degrees 20 minutes 28 seconds west, a chord distance of 212.36 feet to a MAG nail set;

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THENCE along the northeast line of Highland Avenue, north 40 degrees 50 minutes 28 seconds west, 122.96 feet to the point of BEGINNING.

NOTE: Being Section 65.60, Block(s) 1, Lot(s) 25, Tax Map of the Town of Orangetown, County of Rockland.

NOTE: Being Section 65.16, Block(s) 1, Lot(s) 3, Tax Map of the Town of Orangetown, County of Rockland.

**Section 65.60 Block 1 Lot 1**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York and being more particularly described as follows:

COMMENCING at the intersection of the north line of Upland Drive (30 feet wide) with the east line of Highland Avenue (60 feet wide);

THENCE along the north line of Upland Drive, north 76 degrees 09 minutes 17 seconds east, 274.86 feet to a 5/8 inch capped rebar set at the point of beginning of the parcel of land herein described;

RUNNING THENCE north 17 degrees 23 minutes 38 seconds east, 234.95 feet to a 5/8 inch capped rebar set on the south line of Highland Avenue;

THENCE along the south line of Highland Avenue, south 75 degrees 47 minutes 11 seconds east, 169.97 feet to a 5/8 inch capped rebar set;

THENCE continuing along the south line of Highland Avenue, south 75 degrees 40 minutes 11 seconds east, 415.73 feet to a 5/8 inch capped rebar set;

THENCE along the arc of a curve to the right, said curve having a radius of 38.00 feet, an arc length of 40.41 feet, a delta angle of 60 degrees 55 minutes 45 seconds, and a chord bearing south 45 degrees 12 minutes 18 seconds east, a chord distance of 38.53 feet to a 5/8 inch capped rebar set on the west line of South Boulevard (50 feet wide);

THENCE along the west line of South Boulevard, the following four (4) courses and distances:

1. Along the arc of a curve to the left, said curve having a radius of 106.00 feet, an arc length of 63.19 feet, a delta angle of 34 degrees 09 minutes 17 seconds, and a chord bearing south 31 degrees 49 minutes 04 seconds east, a chord distance of 62.26 feet to a 5/8 inch capped rebar set;
2. Along the arc of a curve to the right, said curve having a radius of 255.00 feet, an arc length of 113.53 feet, a delta angle of 25 degrees 30 minutes 36 seconds, and a chord bearing south 36 degrees 08 minutes 25 seconds east, a chord distance of 112.60 feet to a 5/8 inch capped rebar set;
3. South 23 degrees 23 minutes 07 seconds east, 229.76 feet to a 5/8 inch capped rebar set;

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4. South 15 degrees 24 minutes 07 seconds east, 58.23 feet to a 5/8 inch capped rebar set at the northeast corner of land now or formerly conveyed to the Missionary Training Institute as recorded in Liber 590, Page 347 of Rockland County Records;

THENCE along the north line of Missionary Training Institute land, south 77 degrees 12 minutes 34 seconds west 165.00 feet to a 5/8 inch capped rebar set on the east line of Upland Drive;

THENCE along the north line of Upland Drive, the following four (4) courses and distances:

1. Along the arc of a curve to the left, said curve having a radius of 468.65 feet, an arc length of 195.09 feet, a delta angle of 23 degrees 51 minutes 03 seconds, and a chord bearing north 44 degrees 23 minutes 08 seconds west, a chord distance of 193.68 feet to a 5/8 inch capped rebar set;
2. North 56 degrees 37 minutes 57 seconds west, 126.58 feet to a 5/8 inch capped rebar set;
3. North 60 degrees 23 minutes 57 seconds west, 51.52 feet to a 5/8 inch capped rebar set;
4. North 60 degrees 47 minutes 55 seconds west, 33.01 feet to 5/8 inch capped rebar set at the southeast corner of land now or formerly conveyed to Nyack College as recorded in Liber 881, Page 87 of Rockland County Records;

THENCE along Nyack College land, the following three (3) courses and distances:

1. North 17 degrees 05 minutes 43 seconds east, 106.64 feet to a 5/8 inch capped rebar set;
2. North 72 degrees 54 minutes 17 seconds west, 200.00 feet to a 5/8 inch capped rebar set;
3. South 17 degrees 05 minutes 43 seconds west, 93.40 feet to a 5/8 inch capped rebar set on the north line of Upland Drive;

THENCE along the north line of Upland Drive, north 73 degrees 00 minutes 32 seconds west, 170.98 feet to the point of BEGINNING.

NOTE: Being Section 65.60, Block(s) 1, Lot(s) 1, Tax Map of the Town of Orangetown, County of Rockland.

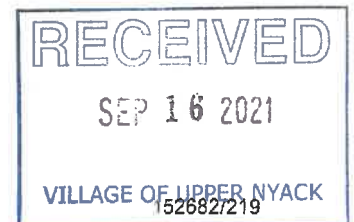
**Section 65.60 Block 1 Lot 2**

All that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York and being more particularly described as follows:

Commencing at the intersection of the north line of Upland Drive (30 feet wide) with the east line of Highland Avenue (60 feet wide);

RUNNING THENCE along the north line of Upland Drive, north 76 degrees 09 minutes 17 seconds east, 274.86 feet;

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THENCE continuing along the north line of Upland Drive, south 73 degrees 00 minutes 32 seconds east, 170.98 feet to a 5/8 inch capped rebar set at a corner common to land now or formerly conveyed to Nyack College as recorded in Liber 577, Page 227 of Rockland County Records and the point of beginning of the parcel of land herein described;

THENCE along Nyack College Land, the following 3 courses and distances;

1. North 17 degrees 05 minutes 43 seconds east, 93.40 feet to a 5/8 inches capped rebar set on the north line of Upland Drive;
2. South 72 degrees 54 minutes 17 seconds east, 200 feet to a 5/8 inch capped rebar set;
3. South 17 degrees 05 minutes 43 seconds west, 106.64 feet to a 5/8 inch capped rebar set on the north line of Upland Drive;

THENCE along the north line of Upland Drive, north 60 degrees 47 minutes 55 seconds west, 56.82 feet to a 5/8 inch capped rebar set;

THENCE continuing along the north line of Upland Drive, north 72 degrees 22 minutes 05 seconds west, 141.28 feet to a 5/8 inch capped rebar set;

THENCE continuing along the north line of Upland Drive, north 73 degrees 00 minutes 32 seconds west, 3.17 feet to the point of BEGINNING.

NOTE: Being Section 65.60, Block(s) 1, Lot(s) 2, Tax Map of the Town of Orangetown, County of Rockland.

**Section 65.60 Block 1 Lots 3 and 4**

Survey Parcel 1

All that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, known as being a part of Lot No. 162 as shown on a plat entitled "Map of Lands of Nyack Heights Land and Improvement Company", filed in the Office of the Clerk of the County of Rockland on January 26, 1906 and additional lands, being more particularly described as follows:

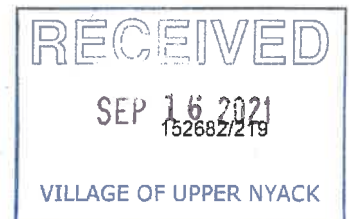
BEGINNING at a 5/8 inch capped rebar set at the intersection of the west line of South Boulevard (50 feet wide) with the north line of Upland Drive (30 feet wide as laid out and conveyed in Liber 721, Page 792);

RUNNING THENCE along the north line of Upland Drive, the following four (4) courses and distances:

1. Along the arc of a curve to the right, said curve having a radius of 449.78 feet, an arc length of 132.64 feet, a delta angle of 16 degrees 53 minutes 49 seconds, and a chord bearing north 56 degrees 19 minutes 32 seconds west, 132.16 feet to a 5/8 inch capped rebar set;
2. North 47 degrees 52 minutes 37 seconds west, 94.42 feet to a 5/8 inch capped rebar set;

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3. Along the arc of a curve to the right, said curve having radius of 85.00 feet, an arc length of 35.29 feet, a delta angle of 23 degrees 47 minutes 07 seconds, and a chord bearing north 35 degrees 59 minutes 04 seconds west, a chord distance of 35.03 feet to a 5/8 inch capped rebar set;

4. Along the arc of a curve to the left, said curve having a radius of 468.65 feet, an arc length of 68.45 feet, a delta angle of 08 degrees 22 minutes 07 seconds, and a chord bearing north 28 degrees 16 minutes 33 seconds west, a chord distance of 68.39 feet to a 5/8 inch capped rebar set at the southwest corner of land now or formerly conveyed to The Missionary Training Institute as recorded in Liber 590, Page 347 of Rockland County Records;

THENCE along the south line of The Missionary Training Institute land, north 77 degrees 12 minutes 34 seconds east, 165.00 feet to a 5/8 inch capped rebar set on the west line of South Boulevard;

THENCE along the west line of South Boulevard, south 15 degrees 24 minutes 07 seconds east, 271.47 feet to the point of BEGINNING

#### Survey Parcel 2

All that certain plot, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, known as being a part of Lot No. 162 as shown on a plat entitled "Map of Lands of Nyack Heights Land and Improvement Company", filed in the office of the Clerk of the County of Rockland on January 26, 1906, being more particularly described as follows:

BEGINNING at a 5/8 inch capped rebar set at the intersection of the west line of South Boulevard (50 feet wide) with the south line of Upland Drive (30 feet wide as laid out and conveyed in Liber 721, Page 792);

RUNNING THENCE along the west line of South Boulevard, south 15 degrees 24 minutes 07 seconds east, 354.88 feet to a MAG nail set at the intersection of the west line of South Boulevard with the original east line of Upland Drive as shown on "Map of Lands of Nyack Heights Land and Improvement Company";

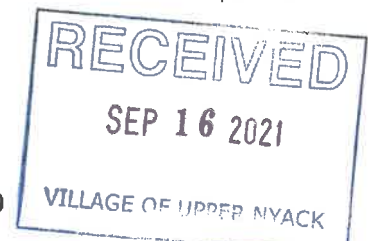
THENCE with the original east line of Upland Drive, the following six (6) courses and distances:

1. South 82 degrees 31 minutes 53 seconds west, 11.05 feet to a MAG nail set;
2. North 52 degrees 02 minutes 07 seconds west, 33.10 feet to a MAG nail set;
3. North 43 degrees 16 minutes 07 seconds west, 80.60 feet to a MAG nail set;
4. North 28 degrees 41 minutes 07 seconds west, 218.60 feet to a 5/8 inch capped rebar set;
5. North 22 degrees 17 minutes 53 seconds west, 203.35 feet to a 5/8 inch capped rebar set;
6. North 27 degrees 46 minutes 16 seconds west, 19.10 feet to a 5/8 inch capped rebar set on the south line of Upland Drive;

THENCE along the south line of Upland Drive, south 47 degrees 52 minutes 37 seconds east, 65.60 feet to a 5/8 inch capped rebar set;

THENCE continuing along the south line of Upland Drive and along the arc of a curve to the left, said curve having a radius of 479.78 feet, an arc length of 166.67 feet, a delta angle of 19 degrees 54 minutes 15 seconds, and a chord bearing south 57 degrees 49 minutes 45 seconds east, a chord distance of 165.84 feet to the point of BEGINNING.

Issued by:  
Madison Title Agency, LLC  
1125 Ocean Avenue, Lakewood, NJ 08701  
Telephone: 732-905-9400 Fax: 732-905-9420



NOTE: Being Section 65.60, Block(s) 1, Lot(s) 3, Tax Map of the Village of Nyack, County of Rockland.

NOTE: Being Section 65.60, Block(s) 1, Lot(s) 4, Tax Map of the Town of Orangetown, County of Rockland.

**Section 65.60 Block 1 Lot 5**

ALL that certain tract, piece or parcel of land, situate, lying and being in the Village of South Nyack, Town of Orangetown, County of Rockland and State of New York, being more accurately bounded and described as follows:

BEGINNING at a 5/8 inch capped rebar set on the west line of Terrace Drive (Variable Width) at the southeast corner of land now or formerly conveyed to Lenore Daddona as recorded in Liber 682, Page 1575 of Rockland County Records;

RUNNING THENCE along the west line of Terrace Drive, the following three (3) courses and distances:

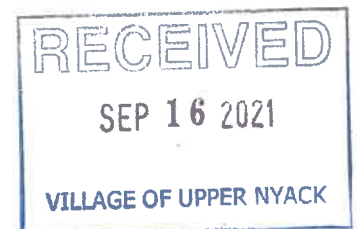
1. South 21 degrees 13 minutes 07 seconds east, 189.39 feet to a 5/8 inch capped rebar set;
2. South 21 degrees 30 minutes 07 seconds east, 254.21 feet to a 5/8 inch capped rebar set;
3. Along the arc of a curve to the left, said curve having a radius of 778.00 feet, an arc length of 45.79 feet, a delta angle of 03 degrees 22 minutes 20 seconds, and a chord bearing south 23 degrees 11 minutes 17 seconds east, a chord distance of 45.78 feet to a 5/8 inch capped rebar set at the northeast corner of land now or formerly conveyed to David Gottlieb as recorded in Instrument No. 1999-16419 of Rockland County Records;

THENCE along the north line of David Gottlieb land and the north line of land now or formerly conveyed to Janice Remini as recorded in Instrument No. 1999-24444 of Rockland County Records, south 72 degrees 28 minutes 38 seconds west, 177.29 feet to a 5/8 inch capped rebar set on the east line of South Boulevard (50 feet wide);

THENCE along the east line of South Boulevard, the following three (3) courses and distances:

1. North 15 degrees 24 minutes 07 seconds west, 300.00 feet to a 5/8 inch capped rebar set;
2. North 15 degrees 24 minutes 07 seconds west, 151.88 feet to a 5/8 inch capped rebar set;
3. North 23 degrees 23 minutes 07 seconds west, 74.92 feet to a concrete post found at the southwest corner of Lenore Daddona land;

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THENCE along the south line of Lenore Daddona land, south 55 degrees 25 minutes 01 seconds east, 45.40 feet to a 5/8 inch capped rebar set;

THENCE continuing along the south line of Lenore Daddona land, north 73 degrees 37 minutes 23 seconds east, 105.99 feet to the point of BEGINNING.

NOTE: Being Section 65.60, Block(s) 1, Lot(s) 5, Tax Map of the Town of Orangetown, County of Rockland.

AMENDED 08/25/2020

**Section 59.16 Block 2 Lot 3 and Section 59.16 Block 1 Lot 11**

All that certain plot, piece, or parcel of land, situate, lying and being partially in the Village of Upper Nyack and entirely within the Town of Clarkstown, County of Rockland, and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of NYS Route 9W, said point being the southeasterly corner of lands n/f CAG Properties LLC (Tax Lot 59.16-2-2), and the northeasterly corner of the lands described herein, and;

RUNNING THENCE said westerly side of NYS Route 9W, south 00 degrees 07 minutes 39 seconds east distant 208.56 feet to a NYS monument;

THENCE along the same, south 06 degrees 32 minutes 10 seconds east distant 569.26 feet;

THENCE along the northerly line of lands n/f Temple Beth Torah Inc. (Tax Lot 59.20-2-1), north 65 degrees 44 minutes 20 seconds west distant 377.76 feet to an iron pipe;

THENCE along the westerly line of said lands n/f Temple Beth Torah Inc., south 21 degrees 45 minutes 00 seconds west distant 610.01 feet;

THENCE along the southerly line of said lands n/f Temple Beth Torah Inc., south 62 degrees 17 minutes 25 seconds east distant 221.11 feet to a rebar;

THENCE south 14 degrees 31 minutes 25 seconds west distant 195.84 feet;

THENCE south 25 degrees 50 minutes 05 seconds west distant 51.00 feet;

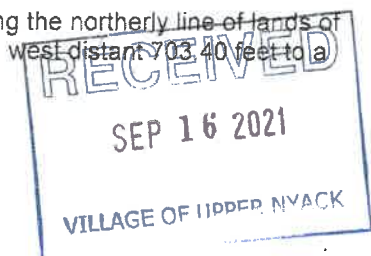
THENCE south 24 degrees 21 minutes 05 second west distant 157.68 feet;

THENCE south 24 degrees 21 minutes 05 seconds west distant 49.34 feet to the Village of Nyack municipal boundary line:

THENCE along said Village of Nyack municipal boundary line, and along the northerly line of lands of County of Rockland (Tax Lot 59.76-1-1), north 60 degrees 08 minutes 35 seconds west distant 10.04 feet;

THENCE continuing along said Village of Nyack municipal boundary line, and along the northerly line of lands of County of Rockland (Tax Lot 59.76-1-1), north 60 degrees 08 minutes 35 seconds west distant 703.40 feet to a

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monument;

THENCE along the easterly line of other lands n/f County of Rockland (Tax Lot 59.16-1-6), north 21 degrees 22 minutes 55 seconds east distant 576.51 feet to a rebar;

THENCE along the easterly line of lands n/f Mountainview Condominiums, north 26 degrees 03 minutes 25 seconds east distant 164.27 feet;

THENCE along the same, north 27 degrees 25 minutes 30 seconds west distant 651.49 feet;

THENCE along the same, north 21 degrees 03 minutes 30 seconds west distant 793.00 feet to a rebar at the northwesterly corner of the lands described herein;

THENCE generally along the remains of a stone wall and fence posts and the southerly line of lands n/f Union Free School District #4 (Tax Lot 59.16-1-3), south 65 degrees 31 minutes 50 seconds east distant 532.35 feet;

THENCE along the same, south 64 degrees 47 minutes 44 seconds east distant 998.01 feet, back to the point or place of BEGINNING.

NOTE: Being Section 59.16, Block(s) 2, Lot(s) 3, Tax Map of the Town of Clarkstown, County of Rockland.

NOTE: Being Section 59.16, Block(s) 1, Lot(s) 11, Tax Map of the Town of Clarkstown, County of Rockland.

NOTE: Lot and Block shown for informational purposes only.

Issued by:  
**Madison Title Agency, LLC**  
1125 Ocean Avenue, Lakewood, NJ 08701  
Telephone: 732-905-9400 Fax: 732-905-9420



**PREPARED FOR:**

**Ms. Karen Tarapata**  
**Village of Upper Nyack**  
328 North Broadway  
Nyack, NY 10960

**PROJECT:**

**AV System**  
**Village of Upper Nyack**  
Old Stone House  
Nyack, NY 10960  
**AudioVisual Proposal**

**Date Submitted:**

Monday, September 13, 2021



## **NON-DISCLOSURE STATEMENT**

**This submission contains information which is proprietary to USIS and is provided on a strictly confidential basis for the sole purpose of evaluation of USIS as part of a designated selection process.**

**It is to be held by the recipient, its representatives, agents and assigns in strict confidence and not used, either directly or indirectly, or disclosed to any third parties, at any time or for any purpose.**

**Neither this submission nor its contents may be communicated or reproduced to any other person or entity other than those to whom it was delivered and may be reviewed by that person or entity only for the purposes designated hereinabove.**



## COMPANY PROFILE

USIS is a third-generation full service solutions and installation company providing Technology Services (Structured Cabling, Desktop Relocations and Server Relocations), Electrical Contracting, AudioVisual Systems, Security Systems, Wireless Solutions and Managed Services both nationally and globally.

With a presence in all major US markets, and over 100,000 square feet of facility space, USIS warehouses, stages and configures equipment, supports national roll-outs, provides training and maintains a centralized 24 x 7 rapid-response call center.

### Technology Services

USIS has been providing an extensive list of technology services for over 30 years. These services include, structured cabling, desktop and server relocations, on-site services and documentation services. We are certified by all major manufacturers and meet the most stringent industry standards.

### AudioVisual Systems

USIS AudioVisual Systems specializes exclusively in audiovisual design and integration. Our focus is to provide unique solutions for every application we design for our clients. These include: corporate board and conference rooms, training and video conferencing rooms, and next generation LEED based building management solutions.

### Wireless Solutions

USIS distinguishes itself in the wireless industry by providing a combination of critical project experience, technical expertise and a total commitment to the highest values of safety and quality. From system design and engineering to construction maintenance and upgrades, we are one of the preeminent suppliers in the industry today, providing a wide range of wireless application systems, including in-building and DAS solutions.

### Electrical Contracting

USIS has been providing clients with full service electrical contracting solutions for over 30 years. Our extensive knowledge and list of services allow us to transition a project from startup to completion by offering a multitude of solutions for today's real-world problems. These services include: power, lighting, high voltage maintenance, underground, mission critical, and more.

### Security

USIS Security specializes in converging fundamental security with sophisticated technology. From single site facilities to enterprise wide integration, we provide solutions tailored to our client's security initiatives. Services include: access control, IP video surveillance, intrusion detection, emergency notification, intercom and paging, as well as perimeter protection.

### Managed Services

USIS is dedicated to providing transformational services through a vast technical knowledge base and functional skill set that will enhance any client operation. Our proven performance record on current and completed projects provides unique insight from lessons learned, and best business practices for operations, maintenance, and support at any level. Services include: MACD's, server migration, asset management, global voice management, desktop relocations, break/fix, move management, as well as access to our 24x7 rapid response dispatch center.

### U.S. Information Systems, Inc.

New York City  
264 West 40th Street  
New York, NY 10018

Headquarters  
35 West Jefferson Avenue  
Pearl River, NY 10965

California  
2010 Hartog Drive  
San Jose, CA 95131



Ms. Karen Tarapata  
Village of Upper Nyack  
328 North Broadway  
Nyack, NY 10960

Dear Karen,

U.S. Information Systems, Inc. is pleased to submit its proposal for the AudioVisual at the above referenced location.

Our proposal is based on the information contained within the Request for Proposal (RFP) documents, drawings, schedules, project plans and specifications provided by Village of Upper Nyack for use in the preparation of this proposal.

To select USIS for this project, simply sign the attached proposal and return a signed copy to us via email, along with a copy of an approved Purchase Order and COI information.

We appreciate the opportunity to participate with you on this project, and look forward to working with you and your team. Please do not hesitate to contact me if you have any questions, or require further clarification or additional information.

Sincerely,

Bill Baretz  
Executive Vice President

**U.S. Information Systems, Inc.**

New York City  
264 West 40th Street  
New York, NY 10018

Headquarters  
35 West Jefferson Avenue  
Pearl River, NY 10965

California  
2010 Hartog Drive  
San Jose, CA 95131



## GENERAL CRITERIA

- 1) **Due to commodity volatility in the global market this price is only valid for 15 days.**
- 2) This proposal only includes work described in our proposal documents. This proposal will specifically describe the customer provided documents (if any) that were used in its creation.
- 3) USIS requires free and unobstructed access to all areas of work covered by this proposal throughout the work day for the duration of the project.
- 4) USIS professional liability insurance umbrella policy has a \$10,000,000 limit and a \$1,000,000 limit on auto insurance. Should greater coverage be required, USIS will supply for an additional charge. Insurance certificates will be issued upon request and receipt of all pertinent information.
- 5) All USIS work is covered under a one year workmanship warranty which begins upon completion of the installation. Other manufacturer warranties will be extended to the end user where applicable.
- 6) All work areas must be free of asbestos and other hazardous materials and conditions.
- 7) All payments are due within 30 days of invoice date unless terms within a fully executed Services Agreement between the parties exist.
- 8) All Union labor is affiliated with IUJAT Local 726 and/or CWA Local 4340.
- 9) Sales tax, use tax and/or VAT tax shall be added to all invoices unless the Customer has provided the required tax exemption documents to USIS prior to the commencement of work.
- 10) Idle time incurred by USIS staff due to factors beyond our control will be invoiced at current labor rates.
- 11) Should either party elect to terminate the project prior to completion, USIS shall be paid for all products and services performed up to the date of the receipt of the notice of termination. USIS shall be given the opportunity to participate in any settlement negotiations.
- 12) Client is responsible for all restocking costs and freight if equipment is changed or cancelled after materials are shipped from manufacturer or distributor to USIS.
- 13) Unless specifically stated otherwise, the following costs are expressly excluded from this proposal: permits, other fees required by governmental agencies, performance bond and/or payment bond.
- 14) Unless specifically stated otherwise, the following items are expressly excluded from this proposal: demolition work, debris removal, patching, painting, hoisting and/or rigging.
- 15) Unless specifically stated otherwise, this proposal assumes work will be performed during normal business hours (weekdays 8am to 4pm) excluding holidays. A normal work day consists of eight continuous hours of work in the period described above.
- 16) Unless specifically stated otherwise in the Pricing Section of this proposal, all pricing provided in this proposal Excludes Prevailing Wage requirements. If after this proposal is accepted it is determined that this project is subject to Prevailing Wage requirements, USIS may suspend work until all additional labor costs (including fees and penalties) beyond USIS's standard labor costs are memorialized in a Change Order to the contract which the Client agrees to pay. This suspension of work shall not be considered a Breach by USIS and the total time of the suspension of work shall be added to USIS's completion schedule.

### U.S. Information Systems, Inc.

New York City  
264 West 40th Street  
New York, NY 10018

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35 West Jefferson Avenue  
Pearl River, NY 10965

California  
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San Jose, CA 95131



## CREDENTIALS

### AudioVisual

AVIXA APEX  
BICSI RCDD  
Cisco Partner  
Crestron DMC-D, DMC-E, DMC-T  
Crestron Platinum Elite  
PMI Certified Associate  
Symetrix Composer

AVIXA CTS, CTS-I, CTS-D  
BICSI TECH  
CompTIA Network+  
Crestron DM-NVX  
Dante Level 1, 2, & 3  
Poly Partner  
Zoom Certified Integrator

BiAmp TesiraFORTE  
Cisco CCNA  
Crestron CCMP-S  
Crestron DM-NVX-N  
Extron EAVA  
Q-SYS Level 1 & 2

### **U.S. Information Systems, Inc.**



## AudioVisual - Base Bid

	Labor	Product	Equipment	Other / Sub	Grand Total
<b>Price:</b>	\$16,751.00	\$22,815.00	\$0.00	\$0.00	<b>\$39,566.00</b>
<b>Tax:</b>	\$0.00	\$0.00	\$0.00	\$0.00	<b>\$0.00</b>
<b>Total:</b>	\$16,751.00	\$22,815.00	\$0.00	\$0.00	<b>\$39,566.00</b>
<b>Option:</b>	1	Initial here for the option selected: _____			

**This AudioVisual proposal is based on the following specifications:**

### Payment Terms:

Payment due 30 days after receipt of invoice.





### Summary of Base Scope Proposal

		Labor	Product	Equipment	Other/Sub	Tax	Grand Total
AudioVisual	Total:	\$16,751.00	\$22,815.00	\$0.00	\$0.00	\$0.00	\$39,566.00
<b>Total Price:</b>		\$16,751.00	\$22,815.00	\$0.00	\$0.00	\$0.00	\$39,566.00
						<b>Grand Total:</b>	\$39,566.00

This price is based upon U.S. Information Systems, Inc. receiving a completed CCI from the client. If a CCI is not provided, the client agrees to pay any and all calculated taxes to U.S. Information Systems, Inc..

In the event that you hire any employee of U.S. Information Systems, Inc. or any of its affiliates during the term of our agreement or twelve (12) months thereafter, you agree to pay us a fee equal to one year of billing at the above listed Straight Time rate of the employee's classification. If no classification applies, the highest classification rate will be used.

**Signature below represents customer's acceptance of the terms of this proposal and authorization for U.S. Information Systems, Inc. to proceed with work. This Agreement is not valid until signed and countersigned.**

**Effective November 1, 2019, in addition to the signed Estimate/Proposal document, U.S. Information Systems, Inc. will require an executed Purchase Order prior to the start of contracted work.**

**The undersigned understands that contracted work will not commence until this signed Proposal and an executed Purchase Order have been received by U.S. Information Systems, Inc..**

**\*NOTE: If your Company/Institution does not issue Purchase Orders exclusively, complete the relevant sections on the attached form - "Verification of Required Approval Documents and Formats for Invoicing".**

Authorized Signature	Print Name	Title	Date
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Bill Baretz	U.S. Information Systems, Inc.		
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**U.S. Information Systems, Inc.**

New York City  
264 West 40th Street  
New York, NY 10018

Headquarters  
35 West Jefferson Avenue  
Pearl River, NY 10965

California  
2010 Hartog Drive  
San Jose, CA 95131

## VERIFICATION OF REQUIRED APPROVAL DOCUMENTS AND FORMATS FOR INVOICING

**Effective November 1, 2019, in addition to the signed Estimate/Proposal document, U.S. Information Systems, Inc. will require an executed Purchase Order prior to the start of contracted work.**

*Please have an individual who can authorize payment complete and sign the relevant sections below and return to U.S. Information Systems, Inc.:*

### REQUIRED APPROVAL DOCUMENTS FOR INVOICING

**Our Company/Institution issues Purchase Orders exclusively.** The undersigned understands that contracted work will not commence until a signed Estimate/Proposal and an executed Purchase Order have been received by U.S. Information Systems, Inc.

**Our Company/Institution does not issue Purchase Orders or does not issue Purchase Orders exclusively.** Instead the following are accepted as valid approval documents for invoicing:

Document Type:	When Applicable:		Contact Information for Invoicing: (Name, Email, Phone):
Purchase Order	Base Bid	Change Order	_____
Executed Contract Agreement	Base Bid	Change Order	_____
Executed Subcontract Agreement	Base Bid	Change Order	_____
Signed Work Authorization	Base Bid	Change Order	_____
Pre-Pay All Work by Credit, Cash, Check	Base Bid	Change Order	_____

### INVOICING FORMATS

Do you have specific invoicing formats?      YES      NO

If YES, please complete this section:

AIA Billing (Provide Required Format): \_\_\_\_\_

Portal (Provide Portal Name and Portal Contact Info): \_\_\_\_\_

Other (Please Specify Format and/or Append Requirements): \_\_\_\_\_

**Please check here if the above selections apply for all current and future work contracted to and completed by U.S. Information Systems, Inc. or any of its Affiliates.**

The undersigned understands that work will not commence until the executed document(s) outlined above has(have) been received by U.S. Information Systems, Inc.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

Title: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_



## AV Scope of Work

9/13/21

### Displays

- (x2) 75" LED Display (4K) with Floor Stand
- (x1) Client Supplied Computer Monitor

### Video Equipment

- (x1) Client Supplied Zoom PC/Computer – Image Always Shown on Display #1
- (x1) HDMI Input Plate at Stage for Visitor's Laptop – Image Shown on Display #2/Selectable
- (x1) Wireless Wi-Fi Laptop Input– Image Shown on Display #2/Selectable
- (x1) Wall Mounted Zoom Camera – Feeds into Zoom PC, Motorized Pan/Tilt/Zoom, Mounted on Balcony Facia, Center
- (x3) HDMI CAT6 Extender Sets

### Audio System

- (x5) Desktop Wired Microphones with Red/Green Mute LED Ring, Plug into Floorboxes
- (x1) Wireless Handheld Microphone
- (x3) Ceiling Recessed Loudspeakers in Rear Entryway, Below Balcony
- (x2) Wall Mounted Loudspeakers, Mounted on Balcony Facia Sides
- (x1) Audio Amplifier in Rack
- (x1) Programmable Audioconference mixer with USB Output
  - Sends Microphone Feeds to Zoom PC via USB
  - Sends Microphone Feeds and Program Audio from PC Sources to Loudspeakers in the Space

### Control Equipment

- (x1) Control System Processor in Rack
- (x1) 7" Tabletop Touch Panel Control, Managing
  - System On/Off
  - Display Power, Source Select, Volume
  - Volume Levels for Loudspeakers
  - Camera Controls
  - Mic Mute

### Miscellaneous

- Small Form Equipment Rack Mounted in Rear Corner of Balcony
- Rack Accessories - Power Conditioner, Rack Fans, Network Switch
- All AV Cable



**Summary Pricing (Includes Prevailing Wage)**

Item	Room/Area	Materials	Labor & G&A	Subtotal	Room Qty	Ext Total
#1	Upper Nyack Old Stone Meeting House	\$22,815	\$16,751	\$39,566	1	\$39,566
<b>Subtotal (Excludes Tax)</b>		<b>\$22,815</b>	<b>\$16,751</b>		<b>1</b>	<b>\$39,566</b>
<b>Sales Tax</b>				<b>Exempt</b>	<b>0.000%</b>	<b><u>\$0</u></b>
<b>TOTAL with Tax</b>						<b>\$39,566</b>



### Itemized Pricing Appendix

Upper Nyack Old Stone Meeting House						
Item #	Manufacturer	Model	Description	Qty	Unit Price	Ext. Price
<b>Displays &amp; Accessories</b>						
#1	Samsung	BE75T-H	75" Commercial-Grade LED Display	2	\$1,128	\$2,255
#2	Chief	LFAUB	Floor Stand	2	\$974	\$1,949
#3	TBD	TBD	Desktop LCD Monitor	1	By Owner	By Owner
<b>Video Equipment</b>						
#1	Owner Supplied	Owner Supplied	PC, Monitor, Keyboard, Mouse, Zoom License/Software	1	By Owner	By Owner
#2	Magewell	32090	HDMI to USB Capture Device	1	\$505	\$505
#3	Crestron	HD-TXC-101-C-E	HDMI CAT6 Extender Transmitter w/RS-232, Surface Mount	2	\$220	\$440
#4	Crestron	HD-RXC-101-C-E	HDMI CAT6 Extender Receiver w/RS-232, Surface Mount	2	\$220	\$440
#5	Crestron	HD-TX-101-C-E	HDMI CAT6 Extender Transmitter, Surface Mount	2	\$149	\$297
#6	Crestron	HD-RX-101-C-E	HDMI CAT6 Extender Receiver, Surface Mount	2	\$149	\$297
#7	Crestron	HD-DA2-4KZ-E	HDMI 1x2 Distribution Amplifier	1	\$220	\$220
#8	C2G	53880	USB 2.0 CAT6 Extender for Keyboard/Mouse	1	\$346	\$346
#9	Aver	TR331	Auto Framing Camera with Pan/Tilt/Zoom USB 3.0	1	\$1,647	\$1,647
#10	Vaddio	535-2000-221	Wall-Mounted Camera Shelf	1	\$137	\$137
#11	Lindy	43158	8m Active USB 3.0 Cable	1	\$216	\$216
#12	Crestron	AM3200WF	Air Media Wireless Presentation Interface	1	\$990	\$990
#13	USIS	Miscellaneous	Pre-Fabricated Cables	1	\$240	\$240
<b>Audio Equipment</b>						
#1	QSC	SPA2-60	Multi-Channel Power Amplifier	1	\$413	\$413
#2	Biamp	TesiraFORTE VT	Audio Mixer/DSP with USB Output	1	\$1,979	\$1,979
#3	Biamp	EX-LOGIC	Logic Control Expansion Module	1	\$345	\$345
#4	Audio-Technica	ES947C/FM5	Tabletop Microphone with Mute Switch and LED Ring	5	\$230	\$1,151
#5	Shure	QLXD2/SM58-H50	Wireless Handheld Microphone Transmitter	1	\$329	\$329
#6	Shure	QLXD4-H50	Wireless Handheld Microphone Receiver	1	\$577	\$577
#7	QSC	AD-C6T-WH	6" Ceiling Recessed Loudspeaker, 70V, White	3	\$149	\$446
#8	Sonance	PS-S63T	6.5" Wall Mounted Program Loudspeaker, 70V, Black	2	\$174	\$348
#9	USIS	Custom	DSP Programming	1	\$500	\$500
<b>Remote Control System</b>						
#1	Crestron	CP4N	Control System Processor	1	\$1,540	\$1,540
#2	Crestron	TS-770	7" Tabletop Touch Panel	1	\$1,100	\$1,100
#3	Netgear	GS108LP-100NAS	8 Port PoE Switch	1	\$110	\$110
#4	USIS	Custom	Control Programming	1	\$2,000	\$2,000



Upper Nyack Old Stone Meeting House						Pg. 2/2
Item #	Manufacturer	Model	Description	Qty	Unit Price	Ext. Price
Miscellaneous						
#1	Middle Atlantic	PTRK-21	21U Equipment Rack	1	\$542	\$542
#2	Middle Atlantic	RLNK-SW220-NS	Rack Power Surge Protector	1	\$283	\$283
#3	Middle Atlantic	QFAN	4.5" Vent Fan	4	\$65	\$259
#3	Middle Atlantic	FC-4-1CA	Thermostatic Fan Controller	1	\$167	\$167
#4	Middle Atlantic	Miscellaneous	Rack Shelves & Accessories	1	\$110	\$110
#5	Owner Supplied	Owner Supplied	Wi-Fi Router	1	By Owner	By Owner
#6	USIS	Miscellaneous	AV Cable & Job Accessories	1	\$640	\$640
<b>TOTAL MATERIAL COST</b>						<b>\$22,815</b>
DESIGN						\$1,000
ENGINEERING & DRAFTING						\$2,060
PROJECT MANAGEMENT						\$1,520
SHOP FABRICATION & TEST						\$1,800
FIELD INSTALLATION (PREVAILING WAGE)						\$9,280
G&A						<u>\$1,091</u>
<b>LABOR TOTAL</b>						<b><u>\$16,751</u></b>
<b>TOTAL (Excluding Tax)</b>						<b>\$39,566</b>



# Government, Education, and Corporate Department

For Pricing Requests, Purchase Orders, and Customer Service:

<b>Phone:</b> 800-947-8003 212-239-7503	<b>Fax:</b> 800-858-5517 212-239-7759	<b>Email:</b> Education: emailbids@bhphoto.com Corporate: corporatesales@bhphoto.com	Fed Gov: federsales@bhphoto.com State and Local: biddept@bhphoto.com
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The Professional's Source

420 Ninth Avenue, New York City, NY 10001 • www.bhphotovideo.com

Federal ID#: 15-2768071

Prices Are Valid Until: 11/10/21

Quote No.: 889188853

Reference No.: R201202

Sold To: **Louis Rampersad**  
**Village Of Upper Nyack**  
**328 N. Broadway**  
**Attn: Louis Rampersad**  
**NYACK, NY 10960**

Bill Phone: (845)358-0084

Date	Customer Code	Terms	Salesperson	Ship Via
10/05/21	B2100738	N/A	2MM	MULTIPLE

Qty Ord	Item Description	SKU# MFR#	Item Price	Amount
1	TASCAM MODEL 12 MIXER/INTRFC/RECORDR/CONTROLR/REG	TAMODEL12 (MODEL12)	449.25	449.25
8	KOPUL PREMIUM CBL/ XLR/M to XLR/F NTK-30'/BK/REG	KOM3030 (M3030)	18.71	149.68
7	SPECO GOOSENECK ADJUSTBLE DESKTOP MICROPHONE/REG	SPMHL5S (MHL5S)	59.99	419.93
1	SHURE GOOSENECK MIC BLACK w/BASE 18"/REG	SHCVG18DBC (CVG18DBC)	126.75	126.75
1	GOBY MIC SANITIZER/REG	GOGLS104B (GLS104BULK)	6.68	6.68
1	AURAY DSPOSABLE MIC CVR F/HH DYN. MICS 100PK/REG	AUMCVRHH25 (MCCRHH25)	7.46	7.46
	This item currently has a price of \$ 9.95 while supplies last.			
2	SAMSUNG AU8000 55" CLS HDR 4K UHD SMART LED TV/REG	SAUN55AU8000 (UN55AU8000)	565.07	1,130.14
1	TP-LINK DECO X20 AX1800 WL HM MSH WF 6 SYS-2PK/REG	TPDECOX202PK (DECOX202PACK)	175.76	175.76
	Price After \$25.00 Instant Rebate Exp. 10/16/21			
	This item currently has a price of \$154.99 while supplies last.			

Continued on Next Page ...



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Federal ID#: 15-2768071

Quote No.: 889188853

Date	Customer Code	Terms	Salesperson	Ship Via
10/05/21	B2100738	N/A	Slsm	MULTIPLE

Qty Ord	Item Description	SKU# MFR#	Item Price	Amount
1	TP-LINK DECO X20 AX1800 WL HM MSH WF 6 SYS-1PK/REG	TPDECOX201PK (DECOX201PACK)	97.64	97.64
2	PANASONIC COMPACT 4K PTZ STREAMING PTZ CAM-BLK/REG	PAAWUE4KG (AWUE4KG)	914.10	1,828.20
1	UBIQUITI EDGESWITCH 10XP 10PRT GGBIT PoE SWITCH/REG	UBES10XP (ES10XP)	108.46	108.46
2	COMPREHENSIVE-C CAT6 550mhz SNAGLESS PATCH CBL 50/REG	COC655PC50BK (CAT650BLK)	12.89	25.78
2	PANASONIC FEC WALL MOUNTS UE4K - BLACK/REG	PAFEC4WMK (FEC4WMK)	117.92	235.84
2	JBL POWERED STUDIO MONITOR WITH 5" WOOFER/REG	JB305PMKII (305PMKII)	130.71	261.42
2	KOPUL STUDIO CABLE/ XLR/M to XLR/F NT-50'/BK/REG	KOM4050 (M4050)	23.96	47.92
1	COMPREHENSIVE-C USB 3.1 C MALE TO A MALE CABLE -/REG	COUSB31CA10S (USB3CA10ST)	20.99	20.99
1	ALLSTATE 2-YR NEW P/E ADH WRNTY \$400-449.99/REG	ALCE0449N2A (RDCE449N2ATE)	44.99	44.99
2	ALLSTATE 2-YR NEW TV WARRANTY \$500-599.99/REG	ALLT0599N2B (RLT0599N2BTE)	36.74	73.48
2	ALLSTATE 2-YR NEW N/P/E WARRANTY \$900-999.99/REG	ALCE0999N2B (RDCE999N2BTE)	52.49	104.98
2	ALLSTATE 2-YR NEW N/P/E WARRANTY \$125-149.99/REG	ALCE0149N2B (RDCE149N2BTE)	10.49	20.98

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Federal ID#: 15-2768071

Quote No.: 889188853

Date	Customer Code	Terms	Salesperson	Ship Via
10/05/21	B2100738	N/A	Slsm	MULTIPLE

Qty Ord	Item Description	SKU# MFR#	Item Price	Amount
<p>PLEASE NOTE: -----</p> <p>**** Please reference your quote number on all PO's ****</p> <p>**** ALL PRICES ARE LISTED IN USD ****</p> <p>Certain items may be enforced by vendor to sell at the vendor-imposed price posted at the time of order.</p>				

<b>Payment Type -</b> NO PAYMENT TYPE SELECTED	- Amount	<b>Sub-Total:</b> 5,336.33  <b>Shipping:</b> 132.20  <b>Total:</b> 5,468.53
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BNH\_quote