



TOWN OF DEERPARK

GARY I SPEARS, SUPERVISOR
DAVID M. DEAN, COUNCILMAN
ARTHUR T. TROVEI, COUNCILMAN
KENNETH SMITH, COUNCILMAN
ALAN SCHOCK, COUNCILMAN

RESOLUTION #8 OF 2016

KOA Campground License

WHEREAS, the Town of Deerpark, County of Orange, State of New York, requires campgrounds to be reviewed, inspected and licensed on an annual basis; and

WHEREAS, EM SEA, L.L.C. d/b/a KAMPGROUNDS OF AMERICA, INC. a/k/a KOA, owns property within the Town of Deerpark; and

WHEREAS, EM SEA, L.L.C. d/b/a KAMPGROUNDS OF AMERICA, INC. a/k/a KOA has submitted an application to permit operation of a campground on their property located in the Town of Deerpark; and

WHEREAS, the Town Board of the Town Deerpark has reviewed the reports and recommendations of Town Officials and Employees relative to the said application; and

WHEREAS, after review of said reports and recommendations, the Town Board of the Town of Deerpark has made the following determinations relative to the subject property:

1. The subject property is in basic conformance with a previously filed and approved site plan;
2. There are several structures that have been constructed/installed on the subject property but building permits have not yet been obtained or paid for;

3. The applicant/owner/operator has acknowledged said construction/installation and indicated a willingness to submit the necessary application for Building Permits and to pay applicable fees;

4. There is a dispute as to whether the Town has the ability to assess certain structures now existing on the Property for tax purposes. Both parties have agreed that this issue will be addressed after the current season and that the campground license for the 2016 season should not and will not be refused based upon this dispute; and

5. The parties further agree that it would be desirous to have a joint inspection/walk-through of the subject property after the current camping season with a view toward determining the nature, (temporary or permanent), of the structures constructed/installed on the subject property, although said walk-through is not mandatory, nor has it yet been scheduled.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Deerpark, County of Orange, State of New York, hereby grants a Conditional Campground License to EM SEA, L.L.C. d/b/a KAMPGROUNDS OF AMERICA, INC. a/k/a KOA, issuance of which is conditioned upon the Property Owner/Operator submitting a completed Application for a Campground License and paying the fees to obtain said License; and

BE IT FURTHER RESOLVED, that the parties both reserve their rights to amend/establish/dispute or contest the assessment of the property for the 2017 Assessment Roll relative to the valuation of structures located on the subject property; and

BE IT FURTHER RESOLVED, that the granting of this Campground License for 2016 without resolution of the Building Permit/Certificate of Occupancy and/or Assessment/Valuation issues that remain unresolved, shall not serve as a precedent requiring the Town of Deerpark to issue a Campground License for 2017 or thereafter, unless all outstanding issues regarding ownership and/or

operation of the subject property have been resolved in advance of the request for and/or issuance of the
Campground License.

Dated: July 18, 2016

Motion by Ken Smith, 2nd by Al Schock

Roll Call: 5 Ayes:

Councilman: Art Trovei

Councilman: David Dean

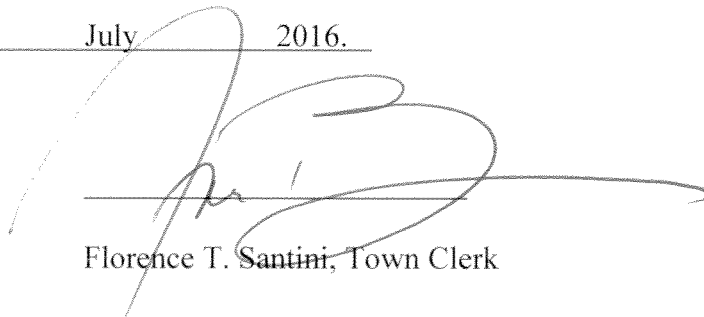
Councilman: Ken Smith

Councilman: Alan Schock

Supervisor: Gary Spears

MOTION CARRIED

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of
Deerpark this 18th day of July 2016.



Florence T. Santini, Town Clerk

Town Seal