BOARD OF TRUSTEES MEETING AGENDA

January 6, 2026 at 7:00 PM
432 Route 306, Wesley Hills, NY 10952
Phone: 845-354-0400 | Fax: 845-354-4097

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. **December 2, 2025**

RESOLUTIONS/DISCUSSIONS

2. **Resolution Approving Indemnification & Hold Harmless Agreement - 14 Astor Place**

3. **Resolution Approving the Contract with Limnology Information and Freshwater Ecologu Inc. for the Maintenance of the Village Pond**

4. **Resolution Setting the Public Hearing for the Proposed Local Law Amendment Regarding Sidewalks**

5. **Resolution Approving the Road Opening Escrow Release - 380 Route 306**

6. **Resolution Approving the Agreement with Congregation Trisk Tolna**

7. **Resolution Referring to the Planning Board and Other Agencies the Proposed Zoning Law Amendment Regarding On Street Parking**

8. **Authorizing the Implementation and Funding, in the First Instance, 100% of the Federal-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds For the Willow Tree Road ADA-Complaint Sidewalk System Project**

9. **Resolution Re-establishing the Position of Secretary to the Planning & Zoning Boards to a Full-Time Position**

10. **Resolution Approving Abstract of Funds**

11. **Resolution Approving Transfer of Funds**

REPORTS

12. Mayor

13. Village Clerk/Treasurer
14. Village Attorney

OPEN FLOOR: PUBLIC DISCUSSION

EXECUTIVE SESSION

NEW BUSINESS

ADJOURNMENT

BOARD OF TRUSTEES MEETING MINUTES

December 2, 2025 at 7:00 PM
432 Route 306, Wesley Hills, NY 10952
Phone: 845-354-0400 | Fax: 845-354-4097

CALL TO ORDER

Mayor Katz opened the meeting at 7pm followed by the pledge of allegiance.

Mayor Katz welcomed Town of Ramapo Police Officer Gabriel and requested enforcement of overnight parking. Mayor Katz also requested enforcement of the new stop signs that were installed in the Pomona Heights neighborhood.

ROLL CALL

MEMBERS PRESENT:	Trustee Tova Krull Mayor Marshall Katz Trustee Yisroel Cherns Deputy Mayor Milton Schwartz
ABSENT:	Trustee Joseph Mause
OTHERS PRESENT:	Howard Richman, Village Attorney Camille Guido-Downey, Village Clerk-Treasurer

APPROVAL OF MINUTES

1. **November 4, 2025**

ITEM # 107-25

Trustee Cherns made a motion to approve the November 4, 2025 Minutes, seconded by Trustee Schwartz.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

RESOLUTIONS/DISCUSSIONS

2. **Resolution Approving the 2026 Agreement for Snow Removal Services,**

Highway Maintenance and Storm Drain Maintenance Between the Town of Ramapo and the Village of Wesley Hills

ITEM # 108-25

Trustee Krull made a motion to approve the following resolution, seconded by Trustee Schwartz:

RESOLVED, that the proposed agreement between the Town of Ramapo and the Village of Wesley Hills for snow removal services, highway maintenance and storm drain maintenance for 2026, a copy of which is made a part of the Minutes of this Board, is hereby accepted, and approved and the Mayor's execution of same on behalf of the Village of Wesley Hills is hereby authorized.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

3. **Resolution Approving the Installation of Stop Signs on Glenbrook Road**

ITEM # 109-25

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Krull:

RESOLVED, that the Board of Trustees hereby requests that the Town of Ramapo Highway Department install Stop signs east and west on Glenbrook Road at the intersection of Glenbrook Road and Moccasin Place along with the required street markings and any other associated signage, in accordance with the Village Engineer of the Village of Wesley Hills memo dated November 25, 2025, a copy of which plan is made a part of the Minutes of this Board is hereby approved.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

4. **Resolution Referring to the Planning Board and Other Agencies the Proposed Zoning Law Amendment Regarding Sidewalks**

ITEM # 110-25

Trustee Schwartz made a motion to approve the following resolution, seconded by Trustee Cherns:

WHEREAS, the Village Attorney of the Village of Wesley Hills has noticed a conflict in the Zoning Law of the Village of Wesley Hills for the treatment of sidewalks, and

WHEREAS, the Village Attorney, at the request of this Board, has prepared a proposed local law entitled, "An Amendment to the Code of the Village of Wesley Hills Chapter 187 Streets & Sidewalks", and

NOW, THEREFORE, BE IT RESOLVED, that it is hereby determined that the revision of

such law will not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act for the reason that such proposed local law clarifies any ambiguity with respect to the treatment of sidewalks in the Village of Wesley Hills, and

BE IT FURTHER RESOLVED, that in accordance with the provisions of Section 230-76 of the Wesley Hills Code, such proposed local law is hereby referred for review and report to the Planning Board, Zoning Board of Appeals, Village Attorney, Village Engineer, Building Inspector, and Code Inspector of the Village of Wesley Hills, and pursuant to the GML of the County of Rockland Planning Department and all abutting municipalities,

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to forward a copy of such proposed local law to such Boards and Officials forthwith.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

5. **Resolution Approving Abstract of Funds**

ITEM # 111-25

Trustee Schwartz made a motion to approve the following resolution, seconded by Trustee Cherns:

RESOLVED, that the general fund claims #23,650 through #23,725 in the aggregate amount of $168,927.80 as set forth in Abstract #7/25 dated December 2, 2025, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

6. **Resolution Approving Transfer of Funds**

ITEM # 112-25

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Krull:

RESOLVED, that the transfers in the aggregate amount of $175,000 as set forth in Abstract #7/25 dated December 2, 2025, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

NEW BUSINESS

Resolution Designating the Village of Wesley Hills Lead Agency for the Wilder Road ADA-Complaint Sidewalk System Project

ITEM # 113-25

Trustee Schwartz made a motion to approve the following resolution, seconded by Trustee Cherns:

WHEREAS, the Village Board authorized and approved the Wilder Road Sidewalks Project (P.I.N. 8763.50) (Project); and

WHEREAS, the Village's consulting engineer, Creighton Manning Engineering, has advised the Village Board that the proposed Project are an Unlisted Action in accordance with the rules and regulations of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Village Board indicated its wish to be Lead Agency for SEQRA review of the proposed Project and authorized and directed the Village Mayor to send a copy of the Short Environmental Assessment Form Part I, along with a certified copy of the Resolution stating the Village Board's intention to be declared Lead Agency, to any and all agencies to which it must give written notice in accordance with New York State Village Law, including the New York State Department of Environmental Conservation, New York State Department of Transportation and New York State Office of Parks, Recreation and Historic Preservation, and

WHEREAS, notice was provided to those agencies and over 30 days have passed and the Village has received one response from the New York State Department of Transportation indicating that the Department concurs with the Village's intent to become the Lead Agency for the action, and

WHEREAS, the Village Board is duly designated to act as SEQRA Lead Agency and, in that capacity, has reviewed the SEQRA Short EAF for this Project; now, therefore, be it

RESOLVED, that the Wesley Hills Village Board designated itself as Lead Agency for SEQRA review of the proposed Wilder Road Sidewalks Project (P.I.N. 8763.50); and be it further

RESOLVED, that the Wesley Hills Village Board determines that no significant adverse environmental impacts are likely to result from the proposed Wilder Road Sidewalk Project (P.I.N. 8763.50) and such determination is reached after careful consideration and analysis of the proposed action and the EAF for the proposed action; and be it further

RESOLVED, that the Village Board hereby authorizes and directs the Village Mayor to complete the Environmental Assessment Form by checking the box indicating that the proposed action will not result in any significant adverse impacts; and be it further

RESOLVED, that the Village Board approves a SEQRA Negative Declaration - Determination of Non-Significance and authorizes and directs the Village Clerk's Office to file any necessary documents in accordance with the provisions of the general regulations of the Department of Environmental Conservation; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

REPORTS

7. **Mayor**

Mayor Katz stated that our newly appointed ZBA member has resigned. Mayor Katz asked the Board to seek a replacement.

8. **Village Clerk/Treasurer**

Camille Guido-Downey, Village Clerk-Treasurer reported on the following:

Upcoming Meetings
Workshop Meeting - December 16, 2025
Regular Meeting - January 6, 2026
Workshop Meeting - January 20, 2026

Tap Grant Application
The Village Engineer and the Grant Writer are meeting early next week to start the application process for the installation of sidewalks on Lime Kiln Road to Route 202 and Wilder Road to Route 202.

Bridge NY Grant - Wesley Chapel Culvert
The final design plan has been submitted to the State for approval which includes finalizing the utilities and ROW. All the permits have been updated and submitted to the Army Corp of Engineers and NYSDEC. Currently we are drafting the utility contracts.

TAP Grant - Willow Tree Sidewalks
Waiting on NYSDOT to give the Village final design approval. Engineer expects it within the next month.

TAP Grant - Wilder Road Sidewalks
Waiting on NYSDOT to give the Village final design approval. Engineer expects it within the next month.

County Funding - Grandview/Lime Kiln Sidewalks
An introduction meeting has been scheduled with the County of Rockland Highway for early next week.

9. **Village Attorney**

Howard Richman, Village Attorney reported on the following items:

Local Law Changes

Howard Richman stated the he has a meeting scheduled for early next week with the Village Planner and will present any changes to the Board.

Willow HOA

Howard Richman stated that he obtained certified copies of the incorporation documents and the dissolution documents from NYS. He will review the settlement agreement and report back to the Village Board.

Congregation Trisk Tolna-33 Glenbrook

Howard Richman stated that he has received a signed agreement and is waiting on the certified copy of a corporate resolution.

Monsey Fire Department

Mayor Katz stated that he meet with the Fire Department and they will get back to us in reference to scheduling a inspection for the Building Inspector and Fire Inspector. The Fire Department will also make a presentation to the Village Board for zoning exemption. Further once they have their site plan completed they will apply to the Planning Board.

799 Union Road

Village Clerk is scheduling a structural inspection with the Village Engineer for review of the greenhouses on site.

OPEN FLOOR: PUBLIC DISCUSSION

EXECUTIVE SESSION

Trustee Cherns made a motion to enter Executive Session to discuss litigation, seconded by Trustee Krull. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

No action was taken during Executive Session.

Trustee Schwartz made a motion to exit Executive Session, seconded by Trustee Krull. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

ADJOURNMENT

Trustee Schwartz made a motion to adjourn the meeting, seconded by Trustee Cherns. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns and Trustee Krull. Nay: None Abstain: None This motion was carried unanimously.

Respectfully Submitted,

Camille Guido-Downey

Weston & Sampson, PE, LS, LA, Architects, PC
74 Lafayette Avenue, Suite 501, Suffern, NY 10901
Tel: 845-357-4411

December 2, 2025

Village of Wesley Hills
432 Route 306
Wesley Hills, New York 10952

Attn: Alicia Schultz, Building Department

Re: 14 Astor Place
As-Built Review (x3)

Dear Ms. Schultz,

The following documents have been submitted for the above-referenced property for review:

- "Survey for Reider", prepared by Anthony R. Celentano, PLS last revised November 17, 2025.
- Certification for sufficient drainage mitigation, signed by Paul Gdanski P.E., dated November 17, 2025. Certification
- Email correspondence between Engineer of Record and Applicant dated November 17, 2025 with respect to drainage
- Comment Response Letter, prepared by LY Contractor Consulting, dated November 25, 2025
- Photographs of installed curb and corrected pipe connection provided by Applicant

It is noted that this property received approval from the Planning Board, Resolution #22-32, for construction of the driveway proposed on the approved Plot Plan subject to compliance with our June 22, 2022 review letter and subject to being granted variances by the Zoning Board of Appeals. The Zoning Board of Appeals denied the requested variances for front yard impervious surface ratio and driveway with width greater than 12 feet. The semi-circular driveway that was originally proposed has not been constructed. A site visit was performed on September 19, 2025. Please note that our acceptance of the installed drainage and Belgium block curbing is based upon the certification of proper installation provided by the contractor and certification of sufficient mitigation provided by the Engineer of Record. At this time, we take no objection to issuance of Certificate of Occupancy, subject to the following comments:

1. Belgium block curbing has been installed along the frontage of the property, replacing the pre-existing concrete curb, which was not proposed on the approved Plot Plan. We offer the following comments:
    a. A Hold Harmless Agreement has been submitted. Our office defers to the Village Attorney for review and Village Board for acceptance. Filed Hold Harmless Agreement to be provided to our office for our records.
    b. Our office defers to the Village if a road opening permit was received for installation of the Belgium block curbing. Our office did not witness/approve the form and subbase prior to concrete pouring and installation of Belgium block curb. Certification by contractor has been provided stating that the curb has been installed as per the Village of Wesley Hills Standard Detail.
2. Rim and bottom elevations of drywells to be provided for **all installed facilities**. It is noted that the drywells associated with the house provides the requested information, but the drywells installed for the sport court do not.

Our office requests that the above comments be addressed, applicable documentation be submitted, and any outstanding fees be paid prior to the release of the Certificate of Occupancy.

Sincerely,

Devon Palmieri

WESTON & SAMPSON, PE, LS, LA, Architects, PC
Devon Palmieri, EIT

INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

AGREEMENT dated ~~AUGUST~~ November 4th, 2025, between **VILLAGE OF WESLEY HILLS**, a municipal corporation having an office at 432 Route 306, Wesley Hills, New York 10952 ("Village") & Shimon Rieder ("Residents"), residing at 14 Astor Pl Monsey NY 10952,

WHEREAS, 14 Astor Pl, Monsey, NY 10952 also known as Section 41.10 Block 1 Lot 61 on the Tax Map of the Town of Ramapo (the "Premises"); and

WHEREAS, the Residents have constructed Single family Home on the aforementioned property, attached hereto as Exhibit A (the "Improvements"); and

WHEREAS, the Village is willing to allow the improvements as shown in Exhibit A, subject to the terms hereof.

NOW, THEREFORE, IT IS HEREBY AGREED:

1. The Residents may construct, install, reconstruct, and otherwise maintain the Improvements as shown in Exhibit A for so long as they wish to do so, subject to the limitations set forth hereafter.

2. Nothing herein shall prevent Residents from removing any or all of the Improvements at any time, provided, however, that upon such removal, the ground disturbed by such removal shall be restored to match the surrounding grade, condition, and provided further that no new structures shall be installed without the express written permission of the Village's Board of Trustees. Any such new structures shall be automatically deemed Improvements within the meaning of this Agreement and subject to the terms hereof, whether or not expressly stated at the time of installation.

3. During such time that any of the Improvements shall be in place, Residents shall, to the fullest extent provided by law, protect, defend, indemnify and hold Village and its officers, employees, and agents and save all of the over harmless from and against any and all losses, penalties, damages, settlements, costs, charges, and professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance thereof. Without limiting the generality of the foregoing, any and all claims, etc., relating to personal injury, death, damage to property, defects in materials or workmanship, or any other violation of any applicable statute, ordinance, administrative order, rule or regulation or decree of any Court, shall be included in the indemnity hereunder, with the exception of claims, if any, caused solely by the negligence of the Village.

4. In the event that Village, in its sole discretion, requires the removal of any or all of the Improvements, it shall provide not less than sixty (60) days' written notice to Residents of such determination and demand the removal of such of the Improvements that must be removed. Residents shall thereafter remove the identified Improvements within the time specified by the said notice. However, if Improvements are removed pursuant to such notice and demand, Residents shall not be required to restore the ground as set forth in section 2, above, but shall be required to stabilize the ground so as to prevent erosion of soil or other harm.

5. In the event that the Residents fail to adhere to the terms hereof, the Village may, upon reasonable notice, but not less notice than is otherwise provided herein, use its own forces to perform the required work and obtain by any legal means, including, but not limited to, imposition of a lien against the Premises as if such reimbursement amount was a tax thereon.

6. Either party hereto may, without prior notice to the to her party, and at its sole cost and expense, record this Agreement in the land records of Office of the Rockland County Clerk and have it indexed against the Premises.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date first written above.

Village of Wesley Hills

Marshall Katz, Mayor

[Acknowledgments on following page]

Tax Map #:

Town of Ramapo

County of Rockland

State of New York

STATE OF NEW YORK)

) ss.:

COUNTY OF ROCKLAND)

On the ___ day of _____, 20__before me, the undersigned, a notary public in and for said state, personally appeared **MARSHALL KATZ**, personally known to me, or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument , and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument and that such individual(s) made such appearance before the undersigned in Wesley Hills, NY.

Village of Wesley Hills

Notary Public

STATE OF NEW YORK)

) ss.:

COUNTY OF ROCKLAND)

On the 4 day of November, 2025 before me, the undersigned, a notary public in and for said state, personally appeared Shiron Rieder, personally known to me, or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument , and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument and that such individual(s) made such appearance before the undersigned in Wesley Hills, NY.

Notary Public

STATE OF NEW YORK)

) ss.:

COUNTY OF ROCKLAND)

On the 4 day of November, 2025 before me, the undersigned, a notary public in and for said state, personally appeared Shiva Ridley personally known to me, or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument , and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument and that such individual(s) made such appearance before the undersigned in Wesley Hills, NY.

Notary Public

EXHIBIT A

The easement currently contains the following items as pictured above:

Limnology Information and Freshwater Ecology Inc
19 Sandy Pines Blvd
Hopewell Junction, New York 12533
845-227-8805 office
845-227-0406 fax
845-494-1359 cell
www.lifeincponds.com
markroland@lifeincponds.com

December 1, 2025

Camille Guido-Downey
Village of Wesley Hills
Village Clerk
432 Route 306
Wesley Hills, NY 10952

RE: Village of Wesley Hills Pond.

Dear Camille Guido-Downey;

I would like to thank you for the opportunity to provide a proposal for treatments on the pond located off of Lime Kiln Road in The Village of Wesley Hills, New York. I am aware that the major problems associated with the pond are an algae and pondweed infestation. These problems can be managed in order for the pond to be esthetically pleasing. The following is an estimate for **Village of Wesley Hills Pond**.

I would like to recommend the following lake maintenance schedule for the summer of 2026. The pond needs to be treated with three products, Aquathol K for the pondweed and Cutrine Plus and/or Copper Sulfate for the algae. I recommend that the pond be treated monthly in 2026 from May through September. Multiple treatments will be required to keep the pond clean. You should be aware that although the pond will clear up from the treatments, **ongoing** pond maintenance is a **yearly** recommendation.

Treatment Fees:

Monthly Treatments May through September:
Labor and products: $7000.00

Permit Fees:

I: **NYS DEC Pesticide Permit & Permit Preparation fees:** $900.00

Total Treatment Cost for 2026: $7900.00

**Please note that the above pricing also includes treatments to the additional pond located within the property of the park down the walking path. Both parts to the pond will be treated each time it is necessary when we are on site treating the larger pond. The additional fees for the season for the additional waterbody are $2000.00 for the season for the monthly treatments.

The cost of the permits and associated fees includes the filing fees for 3 NYSDEC Pesticide Permits and one NYSDEC Division of Waters Permit. The Preparation fees include but are not limited to hydrogeology work required by NYSDEC, preparing a downstream model and notifications to downstream owners as required by NYSDEC Regulations.

LIFE Inc. will only bill for the treatments that are performed. If not all of the treatments are required, the total treatment costs will be lower. LIFE Inc only performs treatments when required.

If you decide to you use my firm for this work, please sign and return a copy of this proposal no later than **February 15, 2026** with a check payable to LIFE Inc. for **$900.00**, the charges for the NYSDEC permits, and applicable preparation fees. My firm will handle the entire permit process. Upon receipt of the signed contract and permit fees, LIFE Inc. will prepare a NYSDEC aquatic permit package for your signature. Permit fees are nonrefundable.

The permit process is lengthy; NYSDEC requires up to 3 months to process any permit application. If LIFE Inc. if awarded the proposal, we will begin the NYSDEC process as early as possible.

If you have any further questions, please feel free to contact me.

Sincerely,
Mark Roland
Mark Roland
President

This estimate will become a contract upon your signature. Please return one copy with the appropriate fees.

Village of Wesley Hills

12/10/2025
Date

SePRO

Specimen Label

{This label both a commercial and residential use label.}
{Begin Commercial Use Label}

CUTRINE® - PLUS

COPPER	GROUP	NOT CLASSIFIED	HERBICIDE

ALGAECIDE / HERBICIDE / CYANOBACTERICIDE

ACTIVE INGREDIENT:
Copper Ethanolamine Complex, Mixed
(Mono CAS# 14215-52-2 and Tri CAS# 82027-59-6)* 27.9%
OTHER INGREDIENTS: 72.1%
TOTAL..... 100.0%
*Metallic copper equivalent, 9%. Contains 0.909 lbs. of elemental copper per gallon.

KEEP OUT OF REACH OF CHILDREN
MANTÉNGASE FUERA DEL ALCANCE DE LOS NIÑOS

CAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand label, find someone to explain it to you in detail.)

See label Precautionary and First Aid Statements and Directions for Use.

FIRST AID
If on skin or clothing:
- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call a Poison Control Center or doctor for treatment advice.

If swallowed:
- Call a Poison Control Center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by a Poison Control Center or doctor.
- Do not give anything by mouth to an unconscious person.

If in eyes:
- Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a Poison Control Center or doctor for treatment advice.

If inhaled:
- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.
- Call a Poison Control Center or doctor for further treatment advice.

Have the product container or label with you when calling a Poison Control Center or doctor, or going for treatment.
IN CASE OF EMERGENCY CALL INFOTRAC at 1-800-535-5053

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION. Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)
Mixers, loaders, applicators, and other handlers must wear the following:
- Long-sleeved shirt and long pants,
- Shoes and socks.

USER SAFETY REQUIREMENTS
Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them. Users must wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash outside of gloves before removing.

Potable water sources treated with copper this product may be used as drinking water only after proper additional potable water treatments.

ENVIRONMENTAL HAZARDS:
Fish Advisory Statement: This copper product is toxic to fish and aquatic organisms. Unlike most organic pesticides, copper is an element and will not break down in the environment and will therefore accumulate in sediment with repeated applications. Copper is a micronutrient, but its pesticidal application rate exceeds the amount of copper needed as a nutrient.

Do not use in waters containing Koi and hybrid goldfish. Not intended for use in small volume, garden pond systems. Avoid treating waters with pH values <6.5, DOC levels >3.0, and alkalinity less than 50 ppm (e.g., soft or acid waters), as trout and other sensitive species of fish may be killed under such conditions if present.

DIRECTIONS FOR USE
It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

GENERAL INFORMATION
This product is a liquid copper-based formulation containing ethanolamine chelating agents to prevent the precipitation of copper with carbonates and bicarbonates in the water. This product effectively controls a broad range of algae including: **Planktonic** (suspended) forms such as the Cyanobacteria (Microcystis, Anabaena & Aphanizomenon), Green algae (Raphidocelis & Cosmarium) Golden algae (Prymnesium parvum) and diatoms (Navicula & Fragilaria); **Filamentous** (mat-forming) forms such as the Green Algae (Spirogyra, Cladophora, Ulothrix & Rhizoclonium) and **Benthic** (bottom-growing) forms such as Chara and Nitella. Waters treated with this product may be used for swimming, fishing, further potable water treatment, livestock watering or irrigating turf, ornamental plants or crops after treatment.

RESISTANCE MANAGEMENT

Apply 76.8 oz. of product per acre-foot (0.54 pounds active ingredient per acre-foot).
Do not apply more than 51 gallons of product per acre-foot per year (46.2 pounds active ingredient per acre-foot per year). Do not apply more than 46.2 pounds active ingredient per acre-foot per year. Do not make applications less than 14 days apart.

Water bodies or management units should be scouted prior to application to identify the weed species present and their growth stage to determine if the intended application will be effective. Water bodies or management units should be scouted after application to verify that the treatment was effective.

Suspected herbicide-resistant weeds may be identified by these indicators:

- Failure to control weed species normally controlled by the herbicide at the dose applied, especially if control is achieved on adjacent weeds.
- A spreading patch of non-controlled plants of a particular weed species; and
- Surviving plants mixed with controlled individuals of the same species.

Report any incidence of non-performance of this of this product against a particular weed species to your or call your SePRO representative. If resistance is suspected, treat weed escapes with an herbicide having a different mechanism of action and/or use non-chemical means to remove escapes, as practical, with the goal of preventing further reproduction.

Implement the Early Detection, Rapid Response practice and Maintenance Control by using the following practices where possible:

- Identify weeds present in a management unit through scouting or history of the water body and understand the biology of target species.
- Applications should target weeds when populations are small and there is low biomass, early in the season to maximize efficacy.
- Applications should be made so that the herbicide contacts the weed. Use the appropriate application method for the use site/weed/chemical combination.
- Weed escapes should not be allowed to go to seed or produce asexual vegetative propagules.
- Use a diversified approach toward weed management. Whenever possible incorporate multiple weed-control practices such as mechanical control, biological management practices, and rotation of mechanisms of action.
- Time applications to have the highest probability for control and minimize need for follow-up control measures. Apply during conditions that minimize herbicide degradation (light/temperature/microbes) and/or dissipation (water exchange).

Local resistant weeds:
Contact your local sales representative, local water management agency, or extension agent to find out if suspected resistant weeds to this mechanism of action have been found in your region. If resistant biotypes of target weeds have been reported, use the application rates of this product specified for your local conditions. Tank mix products so that there are multiple effective mechanisms of action for each target weed.

AQUATIC USES:

Waters treated with this product may be hazardous to aquatic organisms. Treatment of aquatic weeds and algae can result in oxygen loss from decomposition of dead biomass. This oxygen loss can cause fish and invertebrate suffocation. To minimize this hazard, do not treat more than 1/2 of the water body (excluding water infrastructure and constructed conveyances such as drainage canals, ditches and pipelines or intakes and aqueducts for drinking water or irrigation use) to avoid

depletion of oxygen due to decaying vegetation. Wait at least 14 days between treatments. Begin treatment along the shore and proceed outwards in bands to allow fish to move into untreated areas. Application of algaecides to high density blooms of cyanobacteria can result in the release of intracellular contents into the water. Some of these intracellular compounds are known mammalian hepato- and nervous system toxins. Therefore, to minimize the risk of toxin leakage, manage cyanobacteria effectively in order to avoid applying this product when blooms of toxin-producing cyanobacteria are present at high density. In situations where rapidly reproducing toxic algal species pose a public health threat to drinking or recreational water resources, applicators must receive authorization from applicable state, local or tribal water resources authorities to apply copper at intervals shorter than 14 days should the circumstance demand.

Certain water conditions including low pH (≤6.5) low dissolved organic carbon (DOC) levels (3.0 mg/L or lower), and "soft" waters (i.e., alkalinity less than 50 mg/L), increases the potential acute toxicity to non-target aquatic organisms. The application rates on this label are appropriate for water with pH values >6.5, DOC levels >3.0 mg/L, and alkalinity greater than 50 mg/L. Avoid treating waters with pH values <6.5, DOC levels >3.0, and alkalinity less than 50 ppm (e.g., soft or acid waters), as trout and other sensitive species of fish may be killed under such conditions if present.

Consult your state department of natural resources or fish and game agency before applying this product to public waters. Permits may be required before treating such waters.

To protect listed species in California, contact your County Agricultural Commissioner or refer to the Department of Pesticide Regulation's PRESCRIBE Internet Database: http://www.cdpr.ca.gov/docs/endspec/prescint.htm.

GENERAL APPLICATION RESTRICTIONS:
For applications in waters destined for use as drinking water, those waters must receive additional and separate potable water treatment. Do not apply more than 1.0 ppm as metallic copper in these waters.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the State or Tribe agency responsible for pesticide regulation.

Do not enter or allow others to enter until application of product has been completed.

PRE-TREATMENT CONSIDERATIONS:
In **Potable Water Reservoirs, Lakes, Industrial Ponds & Wastewater** or other monitored water systems, initial treatment with this product must be considered at the onset of nuisance bloom conditions as evidenced by initial taste and odor complaints; high cell counts or chlorophyll a concentrations; high MIB or geosmin concentrations; visible surface scum formations; low Secchi disk readings; significant daily fluctuations in dissolved oxygen; and/or sudden increases in pH. Monitoring of several of these parameters on a regular basis will assist in optimizing the timing of treatments and reducing the amounts of this product needed for seasonal control. Identification of primary nuisance species or genera may also be helpful in determining and refining dosage rates.

Pre-Application Dose Determination: For algae and aquatic plant treatments, applicators should conduct initial dose determination tests simulating a full-scale treatment program to determine the minimum efficacious concentrations for eliminating the target species, unless an effective dose is already known for the given target pest population.

SURFACE SPRAY / INJECTION
SLOW-FLOWING OR QUIESCENT WATER BODIES
ALGAECIDE APPLICATION

For effective control, proper chemical concentration must be maintained for a minimum of three hours contact time. The application rates in the chart are based on static or minimal flow situations. Where significant dilution or loss of water from unregulated inflows or outflows occur (raceways) within a three hour period, chemical may have to be metered in.

1. Identify the form of algae growth present as one of the following types: Planktonic (suspended),
   Filamentous (mat forming), or Benthic (Chara/Nitella) and estimate the density of growth (Low, Medium, High).

2. Use **Table 1 –** Select dosage rates based on the algae form and density growth to determine **this product Dosage Rates.**

Table 1 – Copper Concentration and Dosing Rates									
Form of Algal Growth	Low Density Growth			Medium Density Growth			High Density Growth		
	ppm Copper	Gal per acre-ft.	Lbs. of copper per acre-ft.	ppm Copper	Gal per acre-ft.	Lbs. of copper per acre-ft.	ppm Copper	Gal per acre-ft.	Lbs. of copper per acre-ft.
Planktonic	0.2	0.6	0.54	0.4	1.2	1.09	0.6	1.8	1.63
Filamentous	0.2	0.6	0.54	0.6	1.8	1.63	0.8	2.4	2.18
Benthic	0.4	1.2	1.09	0.7	2.1	1.90	1.0	3.0	2.72

3. Calculate acre-feet within the intended treatment area (area of infestation) by measuring length, width plus averaging several depth readings within the treatment area. Use the formula:

$$\frac{\text{Length (ft.)} \times \text{Width (ft.)} \times \text{Avg. Depth (ft.)}}{43{,}560} = \text{Acre-Feet}$$

4. Multiply Acre-Feet calculated in Step #3 times by the gal/acre-ft of this product selected from Step #2 to determine number of gallons of this product required for the treatment area.

5. Before applying, dilute the required amount of this product with enough water to ensure even distribution with the type of equipment being used. Typical dilution range is 9:1 when using hand-type sprayer or up to 50:1 when using water pump equipment or large tank sprayers.

SPRAY DRIFT
Boat Boom Applications:

- Apply with the spray release height recommended by the manufacturer, but no more than 4 feet above the water body.
- Applicators are required to use a medium or coarser droplet size (ASABE S572.1).
- Do not apply when wind speeds exceed 15 miles per hour at the application site.
- Do not apply during temperature inversions.

MAXIMUM ANNUAL APPLICATION RATES

Direct treatment of whole waterbodies:
Maximum annual application rate of 21.9 lbs. of metallic copper per acre-foot (8 applications per year at up to 1 ppm). This rate/frequency is calculated based on staggering the treatment of each half of the water body every 14 days (at a rate of 2.74 lbs. metallic copper per acre-foot = 1 ppm) for eight months (244 days). In situations where rapidly reproducing toxic algal species pose a public health threat to drinking or recreational water resources, applicators must receive authorization from

applicable state, local or tribal water resources authorities to apply copper in excess of 21.9 lbs. of metallic copper per acre-foot (8 applications per year at up to 1 ppm).

Direct treatment to localized area of waterbody or water management units:
Maximum annual application rate of 46.6 lbs. of metallic copper per acre-foot per year (17 applications per year at up to 1 ppm). This rate/frequency is calculated based on the maximum number of possible applications allowed based on a 14-day minimum (at a rate of 2.74 lbs. metallic copper per acre-foot = 1 ppm) retreatment interval for eight months (244 days). Do not apply more than 46.6 lbs. of metallic copper to a water management unit, regardless of the pest(s) targeted by applications. In situations where rapidly reproducing toxic algal species pose a public health threat to drinking or recreational water resources, applicators must receive authorization from applicable state, local or tribal water resources authorities to apply copper in excess of 46.6 lbs. of metallic copper per acre-foot per year for a single water management unit.

Aquaculture:
Administer copper at a rate of 0.1 to 0.25 mg/L (0.34-0.68 lbs. metallic copper/acre-foot = 0.1 to 0.25 ppm). Monitor the copper concentration and when it falls below the desired concentration, apply additional copper to bring the concentration back up to the desired concentration. Copper can be applied once daily for 5 to 11 consecutive days. Do not apply to water for more than 11 days before waiting at least 14 days before retreating. Do not apply more than 46.6 lbs. metallic copper per acre-foot in one year.

Catfish:
Copper can be applied throughout the spring and summer when water temperatures are consistently above 70°F when total alkalinity and hardness concentrations fall between 100 and 300 mg/L as CaCO3. Applications are no longer needed in the fall after fish are harvested or the average water temperatures fall below 70°F. Apply mid-morning at a rate of 0.34 lbs. metallic copper per acre-foot (0.1 ppm metallic copper). Place copper crystals in a cloth bag and then put the filled bag into another cloth bag to slow the rate at which the copper dissolves. Suspend the double bagged unit of copper about 20 feet in front of a paddlewheel aerator. Run the aerator until all the copper sulfate is dissolved; this usually requires an hour or two. Use copper only if you plan to harvest fish before fall and anticipate problems with off-flavoring algae. Do not make routine copper treatments for algae control in fingerling ponds or in broodfish ponds because off-flavors are not a problem in those fish. Do not use this treatment regimen in waters of low hardness and alkalinity (less than 50 ppm as CaCO3) because copper may stress or kill fish. Water molds on catfish eggs are treated inside the hatchery in a similar manner using a flow-through hatching trough. For a 4 to 5-day period, treat eggs at a rate of 6.8 lbs. metallic copper per acre-foot (2.5 ppm).

Mussels:
For treatments to whole waterbodies, administer copper at a rate of up to 1 ppm (2.74 lbs. metallic copper/acre-foot) at a maximum annual rate of 21.9 lbs. metallic copper per acre foot. Monitor the copper concentration and when it falls below the desired concentration, apply additional copper to bring the concentration back up to the desired concentration. Monitor mussel populations and terminate the additional applications once mussels are dead or 14 days have passed since the initial application. Wait at least 14 days after the last application before making any additional applications.

OTHER TREATMENT FACTORS AND CONSIDERATIONS

- Calm and sunny conditions when water temperature is at least 60°F will usually expedite control results.

- Effective control of algae requires direct contact with all cells throughout the water column, since these plants do not have vascular systems to transport copper from cell to cell.
- Visible reduction in algae growth should be observed in 24 to 48 hours following application with full infestation and water temperatures.

CUTRINE®-PLUS Granular Algaecide may be used as an alternative in low volume flow situations, spot treatments or treatment of bottom-growing algae in deep water.

HERBICIDE APPLICATION (For Hydrilla Control):
This product can control Hydrilla verticillata at copper concentrations of 0.4 to 1.0 ppm. Choose the application rate based upon stage and density of growth and respective water depth from the chart below.

Table 1 – Copper Concentration and Dosing Rates*

Form of Algal Growth	Low Density Growth			Medium Density Growth			High Density Growth		
	ppm Copper	Gal per acre-ft	Lbs of copper per acre-ft	ppm Copper	Gal per acre-ft	Lbs of copper per acre-ft	ppm Copper	Gal per acre-ft	Lbs of copper per acre-ft
Planktonic	0.2	0.6	0.54	0.4	1.2	1.09	0.6	1.8	1.63
Filamentous	0.2	0.6	0.54	0.6	1.8	1.63	0.8	2.4	2.18
Benthic	0.4	1.2	1.09	0.7	2.1	1.90	1.0	3.0	2.72

* Application rates for depths greater than six feet may be obtained by adding the rates given for the appropriate combination of depths.

TANK MIXING
On waters where enforcement of use restrictions for recreational, domestic and irrigation uses are acceptable, the following mixture can be used as an alternative Hydrilla control method.
Tank mix 3 gallons of this product with 2 gallons of Harvester® Landscape and Aquatic Herbicide. Apply mixture at the rate of 5 gallons per surface acre. Dilute with at least 9 parts water and apply as a surface spray or underwater injection. Observe all cautions and restrictions on the labels of both products used in this mixture.

FLOWING WATER
DRIP SYSTEM APPLICATION - FOR USE IN POTABLE WATER AND IRRIGATION CONVEYANCESYSTEMS

PRE-TREATMENT CONSIDERATIONS
In **Crop and Non-Crop Irrigation Conveyance Systems: Ditches Canals & Laterals,** This product treatments must be applied as soon as algae or aquatic vascular plants begin to interfere noticeably with normal delivery of water (clogging of lateral headgates, suction screens, weed screens and siphon tubes). Delaying treatment could perpetuate the problem causing massing and compacting of plants. Heavy infestations and low flow conditions may require increasing water flow rate during application.

Accurately determine water flow rates. In the absence of weirs, orifices, or similar devices which give accurate water flow measurements, volume of flow may be estimated by the following formula:

Average Width (feet) x Average Depth (feet) x Velocity* (feet/second) x 0.9 = Cubic Feet per Second (C.F.S.)

*Velocity is the time it takes a floating object to travel a given distance. Dividing the distance traveled (feet) by the time (seconds) will yield velocity (feet/second). Repeat this measurement at least three times at the intended application site then average.

• After accurately determining the water flow rate in C.F.S. or gallons/minute, find the corresponding

this product drip rate on the chart below.

WATER FLOW RATE		PRODUCT DRIP RATE*		
C.F.S.	Gal/Min	Qts/Hr	Ml/Min.	FL.Oz./Min
1	450	1	16	0.5.
2	900	2	32	1.1
3	1350	3	47	1.6
4	1800	4	63	2.1
5	2250	5	79	2.7

• Calculate the amount of this product needed to maintain the drip rate for a period of 3 hours by multiplying Qts./Hr. x 3; ml/Min. x 180; or Fl. Oz./Min. x 180. Dosage will maintain 1.0 ppm Copper concentration in the treated water for the 3 hour period. Introduction of the chemical should be made in the channel at weirs or other turbulence-creating structures to promote the dispersion of chemical.
• Pour the required amount of this product into a drum or tank equipped with a brass needle valve and constructed to maintain a constant drip rate. Use a stopwatch and appropriate measuring container to set the desired drip rate. Readjust accordingly if flow rate changes during the 3 hour treatment period. Distance of control obtained down the waterway will vary depending upon density of vegetation growth. Treatment period may have to be extended up to 6 hours in areas where control may be difficult due to high flows or significant growth. Periodic maintenance treatments may be required tomaintain seasonal control.

Algae and weeds in irrigation systems via "slug" delivery:
Maximum annual application rate of 13 lbs. metallic copper per year per 5 miles of conveyance. Apply copper into irrigation conveyance system or lateral at up to a maximum rate of 0.5 lbs. metallic copper per cubic foot per second of water per 5 to 30-mile treatment depending on water hardness, alkalinity and algae concentration.

This method may only be used in constructed irrigation conveyance systems, laterals and aqueducts.

Watercress:
For applications made to watercress, production fields must be drained of water at least 24 hours prior to each application and water must not be reapplied to the field for a minimum of 24 hours following each application.

Copper must not to be applied to watercress during the aquatic production phase.

CHEMIGATION SYSTEM APPLICATION
This product may be applied for the maintenance of chemigation systems. To control algae in chemigation systems this product should be applied continuously during water application. For continuous addition application apply 0.60 – 3.0 gallons of this product per 1,000,000 (one million) gallons of water (1.80 - 9.0 gallons of this product per acre-foot of water). The copper concentration range is 0.20 to 1.0 ppm. Do not exceed 1.0 ppm of copper or 2.75 gallons of this product per 100,000 gallons of water. For additional guidance regarding specific calibrations or application techniques contact application equipment manufacturer, supplier, or pest control advisor. It is not necessary to agitate or dilute this product in the supply tank before application to chemigation systems.

Application Rates of This Product for Chemigation Systems		
Copper Concentration (ppm)	Gal / A-ft	Lbs. Cu / A-ft
0.2	0.60	.54
0.3	0.90	.81
0.4	1.20	1.09
0.5	1.50	1.36
0.6	1.80	1.63
0.7	2.10	1.90
0.8	2.40	2.18
0.9	2.70	2.45
1.0	3.00	2.72

• Apply product only through sprinkler and drip irrigation systems including: center pivot, lateral move, end tow, side (wheel) roll, traveler, big gun, solid set, or hand move; flood (basin), furrow, border or drip systems.
• Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water.
• If you have questions about calibration, contact Applied Biochemists, State Extension Service, equipment manufacturer, or other experts.
• Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems are in place (refer to the "Chemigation Systems Connected to a Public Water Supply" section of this label).
• Trained personnel, knowledgeable of the Chemigation system and responsible for its operation or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise. The system should be inspected, calibrated, and maintained before product application begins.

Chemigation Systems Connected to a Public Water Supply
• Public water system is a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.
• Chemigation systems connected to public water systems must contain a functional, reduced-pressure zone, back flow preventer (RPZ) or the functional equivalent in the water supply line upstream from the point of pesticide introduction. There shall be a complete physical break (air gap) between the flow outlet end of the fill pipe and the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe.
• The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the backflow of solution toward the injection.
• The pesticide injection pipeline must contain a functional, normally closed, solenoid operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.
• The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops or in cases where there is no water pump, when the water pressure decreases to the point where pesticide distribution is adversely affected.
• Systems must use a metering pump, such as a positive displacement injection pump (e.g.,diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides in use and capable of being fitted with a system interlock.
• Inspect, calibrate and maintain the system before product application.

Sprinkler Chemigation Requirements

• The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from back flow.

• The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the backflow of solution toward the injection pump.

• The pesticide injection pipeline must also contain a functional, normally closed, solenoid operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.

• The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.

• The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.

• Systems must use a metering pump, such as a positive displacement injection pump (e.g. diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

• Do not apply when drift would extend beyond the area intended for treatment.

Floor (Basin). Furrow and Border Chemigation Requirements

• Gravity Flow Systems pesticide dispensing system must meter the pesticide into the water at the head of the field and downstream of a hydraulic discontinuity such as a drop structure or weir box to decrease potential for water source contamination from back flow if water flow stops.

• Pressurized water systems with a pesticide injection system must meet the following requirements:

- The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from back flow.
- The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the backflow of solution toward the injection pump.
- The pesticide injection pipeline must also contain a functional, normally closed,solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.
- The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.
- The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.
- Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

Drip Chemigation Requirements

• The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from back flow.

• The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the backflow of solution toward the injection pump.

• The pesticide injection pipeline must also contain a functional, normally closed, solenoid operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.
• The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.
• The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.
• Systems must use a metering pump, such as a positive displacement injection pump (e.g.. diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

Submersed Plant Control Applications
This product can be applied to control hydrilla (*Hydrilla verticillata*), egeria (*Egeria densa*), and other aquatic weeds susceptible to copper treatment. Apply at a rate to achieve 0.70 to 1.0 ppm copper (3.72 to 5.32 Gallons/Acre foot or 1.90 to 2.72 Lbs. Cu/Acre-foot). In heavily infested areas, a second application after the 14-day retreatment interval may be necessary.

STORAGE & DISPOSAL:
Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

PESTICIDE STORAGE: Keep container closed when not in use. Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Do not contaminate feed, feedstuffs, or drinking water. Do not store or transport near feed or food.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

[(For ≤5 gallon non-refillable containers)
CONTAINER DISPOSAL: Nonrefillable container. Do not reuse container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning if available or puncture and dispose of in approved landfill. Consult Federal, State or local authorities for approved alternative procedures.]

[(For >5 gallon non-refillable containers)
CONTAINER DISPOSAL: Nonrefillable container. Do not reuse container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ with water and recap. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning if available or puncture and dispose of in approved landfill. Consult Federal, State or local authorities for approved alternative procedures.]

[(For Nonrefillable Plastic and Metal Containers, e.g., Intermediate Bulk Containers [IBC] (Size or Shape Too Large to be Tipped, Rolled or Turned Upside Down))

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying the contents from this container into application equipment or mix tank and before final disposal using the following pressure rinsing procedure. Insert a lance fitted with a suitable tank cleaning nozzle into the container and ensure that the water spray thoroughly covers the top, bottom and all sides inside the container. The nozzle manufacturer generally provides instructions for the appropriate spray pressure, spray duration and/or spray volume. If the manufacturer's instructions are not available, pressure rinse the container for at least 60 seconds using a minimum pressure of 30 PSI with a minimum rinse volume of 10% of the container volume. Drain, pour or pump rinsate into application equipment or rinsate collection system. Repeat this pressure rinsing procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.]

[(For refillable totes)
CONTAINER DISPOSAL: Refillable container. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container intoapplication equipment or mix tank. Fill container about 10 percent full with water. Agitate vigorously or recirculate water with pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat rinsing procedure two more times. Then offer for recycling or reconditioning if available or puncture and dispose of in approved landfill. Consult Federal, State or local authorities for approved alternative procedures.

EPA Accepted Date 11/18/2019
FPL20191118

SePRO Corporation,11550 N. Meridian Street, Suite 600, Carmel IN 46032, U.S.A.

{end Commercial Use Label}

{begin Residential Use Label}

CUTRINE® - PLUS

COPPER	GROUP	NOT CLASSIFIED	HERBICIDE

ALGAECIDE

[FOR USE IN: LAKES; POTABLE WATER RESERVOIRS; PONDS; FISH HATCHERIES AND RACEWAYS]

ACTIVE INGREDIENT:
Copper Ethanolamine Complex, Mixed
(Mono CAS# 14215-52-2 and Tri CAS# 82027-59-6)* 27.9%
OTHER INGREDIENTS: 72.1%
TOTAL..... 100.0%
*Metallic copper equivalent, 9%. Contains 0.909 lbs. of elemental copper per gallon.

KEEP OUT OF REACH OF CHILDREN
MANTÉNGASE FUERA DEL ALCANCE DE LOS NIÑOS

CAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand label, find someone to explain it to you in detail.)

See label for Precautionary and First Aid Statements and Directions for Use.]

FIRST AID
If on skin or clothing:
- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call a Poison Control Center or doctor for treatment advice.

If swallowed:
- Call a Poison Control Center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by a Poison Control Center or doctor.
- Do not give anything by mouth to an unconscious person.

If in eyes:
[•] Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
[•] Call a Poison Control Center or doctor for treatment advice.
If inhaled:
[•] Move person to fresh air.
[•] If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to- mouth if possible.
[•] Call a Poison Control Center or doctor for further treatment advice.
Have the product container or label with you when calling a Poison Control Center or doctor, or going for treatment.
IN CASE OF EMERGENCY CALL INFOTRAC at 1-800-535-5053.

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin,eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders, applicators, and other handlers must wear the following:

- Long-sleeved shirt and long pants,
- Shoes and socks.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them. Users must wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash outside of gloves before removing.

Potable water sources treated with copper this product may be used as drinking water only after proper additional potable water treatments.

ENVIRONMENTAL HAZARDS:

Fish Advisory Statement: This copper product is toxic to fish and aquatic organisms. Unlike most organic pesticides, copper is an element and will not break down in the environment and will therefore accumulate insediment with repeated applications. Copper is a micronutrient, but its pesticidal application rate exceeds theamount of copper needed as a nutrient.

Do not use in waters containing Koi and hybrid goldfish. Not intended for use in small volume, garden pond systems. Avoid treating waters with pH values <6.5, DOC levels >3.0, and alkalinity lessthan 50 ppm (e.g., soft or acid waters), as trout and other sensitive species of fish may be killed under such conditions if present.

GENERAL INFORMATION

This product is a liquid copper-based formulation containing ethanolamine chelating agents to prevent the precipitation of copper with carbonates and bicarbonates in the water. this product effectively controls a broad range of algae including: **Planktonic** (suspended) forms such as the Cyanobacteria (Microcystis, Anabaena & Aphanizomenon), Green algae (Raphidocelis & Cosmarium) Golden algae (Prymnesium parvum) and diatoms (Navicula & Fragilaria); **Filamentous** (mat-forming) forms such as the Green Algae (Spirogyra, Cladophora, Ulothrix & Rhizoclonium) and **Benthic** (bottom-growing) forms such as Chara and Nitella. Waters treated with this product may be used for swimming, fishing, further potable water treatment, livestock watering or irrigating turf, ornamental plants or crops after treatment.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label and use strictly in accordance with precautionary statements and directions.

RESISTANCE MANAGEMENT

Apply 76.8 oz. of product per acre-foot (0.54 pounds active ingredient per acre-foot).
Do not apply more than 51 gallons of product per acre-foot per year (46.2 pounds active ingredient per acre-foot per year). Do not apply more than 46.2 pounds active ingredient per acre-foot per year. Do not make applications less than 14 days apart.

Water bodies or management units should be scouted prior to application to identify the weed species present and their growth stage to determine if the intended application will be effective. Water bodies or management units should be scouted after application to verify that the treatment was effective.

Suspected herbicide-resistant weeds may be identified by these indicators:

- Failure to control weed species normally controlled by the herbicide at the dose applied, especially if control is achieved on adjacent weeds.
- A spreading patch of non-controlled plants of a particular weed species; and
- Surviving plants mixed with controlled individuals of the same species.

Report any incidence of non-performance of this of this product against a particular weed species to your SePRO representative. If resistance is suspected, treat weed escapes with an herbicide having a different mechanism of action and/or use non-chemical means to remove escapes, as practical, with the goal of preventing further reproduction.

Implement the Early Detection, Rapid Response practice and Maintenance Control by using the following practices where possible:

- Identify weeds present in a management unit through scouting or history of the water body and understand the biology of target species.
- Applications should target weeds when populations are small and there is low biomass, early in the season to maximize efficacy.
- Applications should be made so that the herbicide contacts the weed. Use the appropriate application method for the use site/weed/chemical combination.
- Weed escapes should not be allowed to go to seed or produce asexual vegetative propagules.
- Use a diversified approach toward weed management. Whenever possible incorporate multiple weed-control practices such as mechanical control, biological management practices, and rotation of mechanisms of action.
- Time applications to have the highest probability for control and minimize need for follow-up control measures. Apply during conditions that minimize herbicide degradation (light/temperature/microbes) and/or dissipation (water exchange).

Local resistant weeds:
Contact your local sales representative, local water management agency, or extension agent to find out if suspected resistant weeds to this mechanism of action have been found in your region. If resistant biotypes of target weeds have been reported, use the application rates of this product specified for your local conditions. Tank mix products so that there are multiple effective mechanisms of action for each target weed.

AQUATIC USES:

Waters treated with this product may be hazardous to aquatic organisms. Treatment of aquatic

weeds and algae can result in oxygen loss from decomposition of dead biomass. This oxygen loss can cause fish and invertebrate suffocation. To minimize this hazard, do not treat more than 1/2 of the water body (excluding water infrastructure and constructed conveyances such as drainage canals, ditches and pipelines or intakes and aqueducts for drinking water or irrigation use) to avoid depletion of oxygen due to decaying vegetation. Wait at least 14 days between treatments. Begin treatment along the shore and proceed outwards in bands to allow fish to move into untreated areas. Application of algaecides to high density blooms of cyanobacteria can result in the release of intracellular contents into the water. Some of these intracellular compounds are known mammalian hepato- and nervous system toxins. Therefore, to minimize the risk of toxin leakage, manage cyanobacteria effectively in order to avoid applying this product when blooms of toxin-producing cyanobacteria are present at high density. In situations where rapidly reproducing toxic algal species pose a public health threat to drinking or recreational water resources, applicators must receive authorization from applicable state, local or tribal water resources authorities to apply copper at intervals shorter than 14 days should the circumstance demand.

Certain water conditions including low pH (≤6.5) low dissolved organic carbon (DOC) levels (3.0 mg/L or lower), and "soft" waters (i.e., alkalinity less than 50 mg/L), increases the potential acute toxicity to non-target aquatic organisms. The application rates on this label are appropriate for water with pH values > 6.5, DOC levels >3.0 mg/L, and alkalinity greater than 50 mg/L. Avoid treating waters with pH values <6.5, DOC levels >3.0, and alkalinity less than 50 ppm (e.g., soft or acid waters), as trout and other sensitive species of fish may be killed under such conditions if present.

Consult your state department of natural resources or fish and game agency before applying this product to public waters. Permits may be required before treating such waters.

To protect listed species in California, contact your County Agricultural Commissioner or refer to the Department of Pesticide Regulation's PRESCRIBE Internet Database: http://www.cdpr.ca.gov/docs/endspec/prescint.htm

GENERAL APPLICATION RESTRICTIONS:

For applications in waters destined for use as drinking water, those waters must receive additional and separate potable water treatment. Do not apply more than 1.0 ppm as metallic copper in these waters.

Do not apply this product in a way that will contact adults, children, or pets, either directly or through drift. Some states may require permits for the application of this product to public waters. Check with your local authorities. Do not enter or allow others to enter until application of product has been completed.

PRE-TREATMENT CONSIDERATIONS:

Start treatment when visible, actively growing algae and susceptible plants appear in spring, preferably before significant surface accumulations occur. Aeration and/or fountain system, where available, should be in operation at the time of treatment.

Pre-Application Dose Determination: For algae and aquatic plant treatments, applicators should conduct initial dose determination tests simulating a full-scale treatment program to determine the minimum efficacious concentrations for eliminating the target species, unless an effective dose is already known for the given target pest population.

ALGAECIDE APPLICATION:

1. Identify the form of algae growth present as one of the following types: Planktonic (suspended), Filamentous (mat forming), or Benthic (Chara/Nitella) and estimate the density of growth (Low, Medium, High).

2. Use **Table 1 –** Select dosage rates based on the algae form and density growth to determine this product **Dosage Rates.**

Table 1 – Copper Concentration and Dosing Rates									
Form of Algal Growth	Low Density Growth			Medium Density Growth			High Density Growth		
	ppm Copper	Gal per acre-ft.	Lbs. of copper per acre-ft.	ppm Copper	Gal per acre-ft.	Lbs. of copper per acre-ft.	ppm Copper	Gal per acre-ft.	Lbs. of copper per acre-ft.
Planktonic	0.2	0.6	0.54	0.4	1.2	1.09	0.6	1.8	1.63
Filamentous	0.2	0.6	0.54	0.6	1.8	1.63	0.8	2.4	2.18
Benthic	0.4	1.2	1.09	0.7	2.1	1.90	1.0	3.0	2.72

3. Calculate acre-feet within the intended treatment area (area of infestation) by measuring length, width plus averaging several depth readings within the treatment area. Use the formula:

$$\frac{\text{Length (ft.)} \times \text{Width (ft.)} \times \text{Avg. Depth (ft.)}}{43{,}560} = \text{Acre-Feet}$$

4. Multiply Acre-Feet calculated in Step #3 times by the gal/acre-ft of this product selected from Step #2 to determine number of gallons of this product required for the treatment area.
5. Before applying, dilute the required amount of this product with enough water to ensure even distribution with the type of equipment being used. Typical dilution range is 9:1 when using hand-type sprayer or up to 50:1 when using water pump equipment or large tank sprayers.

MAXIMUM ANNUAL APPLICATION RATE

Direct treatment of whole waterbodies:
Maximum annual application rate of 21.9 lbs. of metallic copper per acre-foot (8 applications per year at up to 1 ppm). This rate/frequency is calculated based on staggering the treatment of each half of the water body every 14 days (at a rate of 2.74 lbs. metallic copper per acre-foot = 1 ppm) for eight months (244 days). In situations where rapidly reproducing toxic algal species pose a public health threat to drinking or recreational water resources, applicators must receive authorization from applicable state, local or tribal water resources authorities to apply copper in excess of 21.9 lbs. of metallic copper per acre-foot (8 applications per year at up to 1 ppm).

Direct treatment to localized area of waterbody or water management units:
Maximum annual application rate of 46.6 lbs. of metallic copper per acre-foot per year (17 applications per year at up to 1 ppm). This rate/frequency is calculated based on the maximum number of possible applications allowed based on a 14-day minimum (at a rate of 2.74 lbs. metallic copper per acre-foot = 1 ppm) retreatment interval for eight months (244 days). Do not apply more than 46.6 lbs. of metallic copper to a water management unit, regardless of the pest(s) targeted by applications. In situations where rapidly reproducing toxic algal species pose a public health threat to drinking or recreational water resources, applicators must receive authorization from applicable state, local or tribal water resources authorities to apply copper in excess of 46.6 lbs. of metallic copper per acre-foot per year for a single water management unit.

OTHER TREATMENT FACTORS AND CONSIDERATIONS

- Calm and sunny conditions when water temperature is at least 60°F will usually expedite control results.
- Effective control of algae requires direct contact with all cells throughout the water column, since these plants do not have vascular systems to transport copper from cell to cell.
- Visible reduction in algae growth should be observed in 24 to 48 hours following application with full infestation and water temperatures.
- Re-treat areas if re-growth or new growth begins to appear and seasonal control is desired. Identify new growth to re-check required copper concentration that may be needed for control.

CUTRINE®-PLUS Granular Algaecide may be used as an alternative in low volume flow situations, spot treatments or treatment of bottom-growing algae in deep water.

STORAGE & DISPOSAL:
Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

PESTICIDE STORAGE: Keep container closed when not in use. Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Do not contaminate feed, feedstuffs, or drinking water. Do not store or transport near feed or food.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning if available or puncture and dispose of in approved landfill. Consult Federal, State or local authorities for approved alternative procedures.

EPA Accepted Date 11/18/2019
FPL20191118

SePRO Corporation,11550 N. Meridian Street, Suite 600, Carmel IN 46032, U.S.A.

{end Residential Use Label}

AQUATHOL® K

AQUATIC HERBICIDE

For aquatic plant control in quiescent, slow moving, and flowing water aquatic sites.

ACTIVE INGREDIENT:

Dipotassium salt of endothall*	40.3%
OTHER INGREDIENTS:	59.7%
TOTAL:	100.0%

Contains 4.23 lbs. dipotassium endothall* per gallon
*7-oxabicyclo [2.2.1]heptane-2,3-dicarboxylic acid equivalent 28.6%

EPA Reg. No. 70506-176 **EPA Est. No. 70815-GA-002**

KEEP OUT OF REACH OF CHILDREN

DANGER PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

For Product Use Information Call: 1-800-438-6071

See inside for Precautionary Statements and complete Directions For Use.

Classified for "RESTRICTED USE" in New York State under 6NYCRR Part 326

Net Contents: 1 Gallon

FIRST AID

IF IN EYES: • Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice. **IF SWALLOWED:** • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told by a poison control center or doctor. • Do not give anything by mouth to an unconscious person. **IF ON SKIN OR CLOTHING:** • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 - 20 minutes. • Call a poison control center or doctor for treatment advice. **IF INHALED:** • Move person to fresh air. • If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for treatment advice. **NOTE TO PHYSICIAN:** Measures against circulatory shock, respiratory depression, and convulsion may be needed. **HOT LINE NUMBER:** Have the product container or label with you when calling a poison control center or doctor, or going for treatment. **FOR 24-HOUR MEDICAL EMERGENCY ASSISTANCE CALL ROCKY MOUNTAIN POISON AND DRUG SAFETY**: 1-866-673-6671. **FOR 24-HOUR CHEMICAL EMERGENCY (Spill, leaks, fire, exposure or accident) CALL CHEMTREC:** 1-800-424-9300.

DOC ID# 590019

ACCEPTED
FOR REGISTRATION
Jan 3, 2024

New York State Department
of Environmental Conservation
Division of Materials Management
Pesticide Product Registration

8 50002 57608 5

HERBICIDE

UPL NA Inc. • 630 Freedom Business Center, Suite 402
King of Prussia, PA 19406 U.S.A. • 1-800-438-6071

UPL

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

CORROSIVE. CAUSES IRREVERSIBLE EYE DAMAGE. MAY BE FATAL IF SWALLOWED. HARMFUL IF INHALED OR ABSORBED THROUGH SKIN. DO NOT GET IN EYES, ON SKIN, OR ON CLOTHING. AVOID BREATHING VAPORS OR SPRAY MIST. PROLONGED OR FREQUENTLY REPEATED SKIN CONTACT MAY CAUSE ALLERGIC REACTIONS IN SOME INDIVIDUALS.

Personal Protective Equipment (PPE)

Mixers, loaders, applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes and socks,
- Chemical-resistant gloves made of any waterproof material,
- Protective eyewear,
- NIOSH-approved respirator with a dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N, R, P, or HE filter.

  Exception: During application, the respirator need not be worn, provided that the pesticide is applied in a manner (such as direct metering or sub-surface application from the rear of a vessel that is moving into the wind) such that the applicator will have no contact with the pesticide.

See **Engineering Controls** for additional requirements.

User Safety Requirements:

Follow the manufacturers' instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Engineering Controls:

When mixers and loaders use a closed system designed by the manufacturer to enclose the pesticide to prevent it from contacting handlers or other people AND the system is functioning properly and is used and maintained in accordance with the manufacturers written operating instructions, the handlers need not wear coveralls or a respirator, provided the required coveralls and respirator are immediately available for use in an emergency such as a spill or equipment breakdown.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

User Safety Recommendations

User should:

- Wash hands thoroughly after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

Do not contaminate water by cleaning of equipment or disposal of equipment washwaters. This pesticide is toxic to mammals.

Treatment of aquatic plants can result in oxygen loss from decomposition of dead plants. This loss can cause fish suffocation. Water bodies containing very high plant density should be treated in sections to prevent suffocation of fish.

PRODUCT INFORMATION

AQUATHOL® K is a liquid concentrate soluble in water which is effective against a broad range of aquatic plants. Dosage rates indicated for the application of AQUATHOL K are measured in parts per million (ppm) of dipotassium endothall.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift.

- Phytotoxicity is not expected on plants or crops irrigated with AQUATHOL K treated water, however, all species and cultivars (varieties) have not been tested.
- Undiluted AQUATHOL K may be injurious to crops, grass, ornamentals, and other foliage.
- Do not use AQUATHOL K treated water for chemigation as interactions between AQUATHOL K and other pesticides and fertilizers are not known.
- Do not use AQUATHOL K in brackish or saltwater.
- Wash out spray equipment with water after each operation.
- Contact of spray concentrate (product) directly or by drift with non-target plants or crops may result in injury.
- UPL NA Inc. recommends not reducing AQUATHOL K rates below those specified within this label, when using AQUATHOL K in a treatment combination, or as a tank mix, with product(s) containing ALS inhibitor active ingredients, unless specified otherwise on this label or a UPL NA Inc. supplemental label.
- In New York State no swimming until day after application (24 hours).

HOW TO APPLY:

AQUATHOL K is a contact herbicide; consequently, apply when target plants are present.

AQUATHOL K may be sprayed on the water or injected below the water surface. It may be applied as a concentrate or diluted with water depending on the equipment.

In instances where the plant(s) to be controlled is an exposed surface problem (i.e., some of the broad-leaved pond weeds), coverage is important. For best results, apply the concentrate with the least amount of water compatible with the application equipment.

Drinking Water (Potable Water)

Consult with appropriate state or local water authorities before applying this product to public waters. State or local agencies may require permits.

The drinking water (potable water) restrictions on this label are to ensure that consumption of water by the public is allowed only when the concentration of endothall acid in the water is less than the MCL (Maximum Contamination Level) of 0.1 ppm. Applicators must consider the unique characteristics of the treated waters to assure that endothall acid concentrations in potable drinking water do not exceed 0.1 ppm at the time of consumption.

For Lakes, Ponds, and other Quiescent Water Bodies:

- For AQUATHOL K applications, the drinking water setback distance from functioning potable water intakes in the treated water body must be greater than or equal to 600 feet.
- Note: Existing potable water intakes that are no longer in use, such as those replaced by a connection to a municipal water system or a potable water well, are not considered to be functioning potable water intakes.

For Flowing Water Bodies:

- Applicator is responsible to assure that treated water exceeding the MCL of 0.1 ppm does not enter potable water intakes. For AQUATHOL K applications, potable water intakes must be closed when treated water exceeding the MCL of 0.1 ppm is present at the intake. In the event the water intake cannot be closed (when treated water will exceed 0.1 ppm), treatments must only be made downstream from the intake in order to assure AQUATHOL K treated water above 0.1 ppm does not enter the potable water system.

QUIESCENT OR SLOW MOVING WATER TREATMENTS: SURFACE OR INJECTED APPLICATIONS

For aquatic plant control in quiescent or slow moving water, AQUATHOL K use rates can be found in the following chart. Since the active ingredient is water soluble and tends to diffuse from the treated area, select the dosage rate applicable to the area to be treated. Marginal treatments of large bodies of water require higher rates as indicated.

Use higher labeled rates of AQUATHOL K when making treatments to small areas with an increased potential for rapid dilution or when treating narrow areas such as boat lanes or shoreline treatments where dilution may reduce the exposure of plants to AQUATHOL K.

Use lower labeled rates of AQUATHOL K for large contiguous treatment blocks or in protected areas such as coves where reduced water movement will not result in rapid dilution of AQUATHOL K from the target treatment area or when treating entire lakes or ponds.

PLANTS CONTROLLED AND AQUATHOL K DOSAGE RATES FOR SURFACE OR INJECTED APPLICATION IN QUIESCENT OR SLOW-MOVING WATER

	APPLICATION RATE			
	Entire Pond/Lake or Large Area Treatment		Spot or Lake Margin Treatment	
Aquatic Plant	**ppm Dipotassium Endothall**	**gallons AQUATHOL K per Acre Ft.**	**ppm Dipotassium Endothall**	**gallons AQUATHOL K per Acre Ft.**
Coontail, *Ceratophyllum* spp.	2.0 - 3.0	1.3 - 1.9	3.0 - 5.0	1.9 - 3.2
Horned Pondweed, *Zannichellia palustris*	2.0 - 3.0	1.3 - 1.9	3.0 - 5.0	1.9 - 3.2
Sago Pondweed, *Stuckenia pectinata*	1.0 - 2.0	0.6 - 1.3	2.0 - 5.0	1.3 - 3.2
Hydrilla, *Hydrilla verticillata*	1.0 - 4.0	0.6 - 2.6	2.0 - 5.0	1.3 - 3.2
Hygrophila*, *Hygrophila polysperma*	4.0 - 5.0	2.6 - 3.2	5.0	3.2
Milfoil, *Myriophyllum* spp.	2.0 - 3.0	1.3 - 1.9	3.0 - 5.0	1.9 - 3.2
Naiad, *Najas* spp.	2.0 - 4.0	1.3 - 2.6	3.0 - 5.0	1.9 - 3.2
Pondweed, *Potamogeton* spp.	0.75 - 3.0	0.45 - 1.9	1.5 - 5.0	1.0 - 3.2
Including:				
American, *P. nodosus*	2.0 - 3.0	1.3 - 1.9	3.0 - 5.0	1.9 - 3.2
Largeleaf (Bass Weed), *P. amplifolius*	2.0 - 3.0	1.3 - 1.9	3.0 - 5.0	1.9 - 3.2
Curlyleaf, *P. crispus*	0.75 - 1.5	0.45 - 1.0	1.5 - 5.0	1.0 - 3.2
Flatstem, *P. zosteriformis*	2.0 - 3.0	1.3 - 1.9	3.0 - 5.0	1.9 - 3.2
Floating-leaf, *P. natans*	1.0 - 2.0	0.6 - 1.3	2.0 - 5.0	1.3 - 3.2
Illinois, *P. Illinoensis*	1.5 - 2.5	1.0 - 1.6	2.5 - 5.0	1.6 - 3.2
Narrowleaf, *P. pusillus*	1.0 - 2.0	0.6 - 1.3	2.0 - 5.0	1.3 - 3.2
Threadleaf, *P. filiformis*	2.0 - 3.0	1.3 - 1.9	3.0 - 5.0	1.9 - 3.2
Variable Leaf, *P. diversifolius*	1.0 - 2.0	0.6 - 1.3	2.0 - 5.0	1.3 - 3.2
Parrotfeather, *Myriophyllum aquaticum*	2.0 - 3.0	1.3 - 1.9	3.0 - 5.0	1.9 - 3.2
Water Stargrass, *Heteranthera* spp.	2.0 - 3.0	1.3 - 1.9	3.0 - 5.0	1.9 - 3.2

*Suppression only

The following charts indicate the quantity of AQUATHOL K to be applied.

Gallons of AQUATHOL K to Treat One Acre-Foot of Water

	Rate (ppm)						
	0.75	**1.0**	**1.5**	**2.0**	**3.0**	**4.0**	**5.0**
	gallons/A-ft.						
1 acre ft.	0.45	0.6	1.0	1.3	1.9	2.6	3.2

Fluid Ounces of AQUATHOL K to Treat 1,000 Square-Feet per Foot of Depth

	Rate (ppm)						
	0.75	**1.0**	**1.5**	**2.0**	**3.0**	**4.0**	**5.0**
	fl oz/1000 ft.²						
1,000 ft.²	1.4	1.9	2.8	3.8	5.7	7.6	9.4

FLOWING WATER TREATMENTS (WITH THE EXCEPTION OF IRRIGATION CANALS): DRIP OR METERING SYSTEM APPLICATIONS

For aquatic plant control in flowing water, AQUATHOL K use rates can be found in the following chart. Apply AQUATHOL K in a manner to achieve the desired rate and adequate mixing so product is distributed throughout the entire water column. Adequate concentration (rate) and exposure time (length of treatment) will impact AQUATHOL K efficacy on the target plant species. Although AQUATHOL K is a contact herbicide adequate exposure time is critical. The following rate chart has been developed based on Concentration Exposure Time (CET) data for AQUATHOL K. The CET concept allows rates and the length of exposure to be adjusted for different treatment scenarios.

AQUATHOL K APPLICATION RATES FOR DRIP OR METERING APPLICATION SYSTEMS IN FLOWING WATER

	Length of Treatment (hours)							
	6	**8**	**12**	**18**	**24**	**36**	**48**	**72**
Plant Species	**Rate (ppm)**							
Pondweeds *(Potamogeton* spp.*)* Sago Pondweed *(Stuckenia pectinata)*	4.0 - 5.0	3.0 - 4.0	2.0 - 3.0	1.5 - 2.5	1.0 - 2.0	0.75 - 1.5	0.5 - 1.0	0.5
Milfoil *(Myriophyllum* spp.*)* Parrotfeather *(Myriophyllum aquaticum)* Coontail *(Ceratophyllum* spp.*)* Horned pondweed *(Zannichellia* spp.*)* Hydrilla *(Hydrilla verticillata)* Naiad *(Najas* spp.*)* Water Stargrass *(Heteranthera* spp.*)*	5.0	4.0 - 5.0	3.0 - 4.0	2.0 - 3.0	1.5 - 2.5	1.0 - 2.0	0.75 - 1.5	0.5 - 1.0

NOTE: Hygrophila *(Hygrophila polysperma)* may be suppressed at the higher application rates listed in this table.

Restriction for flowing waters used for irrigation of food crops: Do not apply more than 30 ppm per growing season, not to exceed 5 ppm per application. Do not apply more than a total of 5 ppm within a 7-day interval.

Note: There is no Pre-harvest Interval (PHI) for crops irrigated with treated water.

To calculate the amount of AQUATHOL K required for a particular treatment use the following formula:

[Cubic Feet per Second (CFS) X Length of Treatment (hrs.) X rate (ppm)] x 0.052947 = Gallons of AQUATHOL K Needed For Treatment

To calculate the amount of AQUATHOL K to be applied per hour use the following formula:

Gallons of AQUATHOL K per Hour = Total Gallons of AQUATHOL K / Length of Treatment (hrs.)

PONDS AND SMALL LAKES WITH LITTLE TO NO OUTFLOW

The following directions are intended for ponds and small lakes with minimal outflows to assure adequate contact time with the weeds.

Apply AQUATHOL K directly to the perimeter or in multiple locations around the perimeter of the water body. This will allow for rapid mixing throughout the water body as well as the water column. For best results, apply in early spring when weeds are actively growing with a minimum of 24 hours contact time.

Apply AQUATHOL K at the following rate:

PLANTS CONTROLLED AND AQUATHOL K DOSAGE RATES FOR SURFACE OR INJECTED APPLICATION IN PONDS AND SMALL LAKES

Aquatic Plant	Application Rate	Concentration (ppm)
Coontail *(Ceratophyllum* spp.*)* Horned Pondweed *(Zannichellia palustris)* Sago Pondweed *(Stuckenia pectinata)* Hydrilla *(Hydrilla verticillata)* Milfoil *(Myriophyllum* spp.*)* Parrotfeather *(Myriophyllum aquaticum)* Water Stargrass *(Heteranthera* spp.*)* Naiad *(Najas* spp.*)* Pondweed *(Potamogeton* spp.*)*	1.25 gallons AQUATHOL K per acre ft.	2.0 ppm

The following chart exemplifies the quantity of AQUATHOL K to be applied.

Examples of AQUATHOL K required for Treatment, Average Depth 4 ft. (2 ppm)

Amount of AQUATHOL K to treat 1/2 acre	Amount of AQUATHOL K to treat 1 acre
2.5 gallons	5.0 gallons

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

Pesticide Storage: Store in the original container. Do not store in a manner where cross-contamination with other pesticides, fertilizers, food or feed could occur. Storage at temperatures below 32°F may result in the product freezing or crystallizing. Should this occur the product must be warmed to 50°F or higher and thoroughly agitated. In the event of a spill during handling or storage, absorb with sand or other inert material and dispose of absorbent in accordance with the **Pesticide Disposal** Instructions listed below.

Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Handling:

(for Nonrefillable containers)

Nonrefillable container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

For containers 5 gallons or less:

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Or

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

For containers more than 5 gallons:

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Or

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Pour or pump rinsate into application equipment or rinsate collection system. Drain for 10 seconds after the flow begins to drip.

Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

(for Refillable containers)

Refillable container. Refill this container with pesticide only. Do not use this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

To clean the container before final disposal empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water.

Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

IMPORTANT INFORMATION
READ BEFORE USING PRODUCT

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product reflect the opinion of experts based on field use and tests, and must be followed carefully. It is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of UPL NA Inc. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of UPL NA Inc. and Seller. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold UPL NA Inc. and Seller harmless for any claims relating to such factors.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, UPL NA INC. AND SELLER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ON THIS LABEL.

To the extent consistent with applicable law, UPL NA Inc. or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product and **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF UPL NA INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF UPL NA INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

UPL NA Inc. and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by the duly authorized representative of UPL NA Inc.

2020691-A (0923)
ESL083023-10953-090123

AQUATHOL® K
AQUATIC HERBICIDE

For aquatic plant control in quiescent, slow moving, and flowing water aquatic sites.

ACTIVE INGREDIENT:

Dipotassium salt of endothall*	40.3%
OTHER INGREDIENTS:	59.7%
TOTAL:	100.0%

Contains 4.23 lbs. dipotassium endothall* per gallon

*7-oxabicyclo [2.2.1]heptane-2,3-dicarboxylic acid equivalent 28.6%

EPA Reg. No. 70506-176 **EPA Est. No. 70815-GA-002**

KEEP OUT OF REACH OF CHILDREN
DANGER PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

FIRST AID

IF IN EYES: • Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice. **IF SWALLOWED:** • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told by a poison control center or doctor. • Do not give anything by mouth to an unconscious person. **IF ON SKIN OR CLOTHING:** • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 - 20 minutes. • Call a poison control center or doctor for treatment advice. **IF INHALED:** • Move person to fresh air. • If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for treatment advice. **NOTE TO PHYSICIAN:** Measures against circulatory shock, respiratory depression, and convulsion may be needed. **HOT LINE NUMBER:** Have the product container or label with you when calling a poison control center or doctor, or going for treatment. **FOR 24-HOUR MEDICAL EMERGENCY ASSISTANCE CALL ROCKY MOUNTAIN POISON AND DRUG SAFETY**: 1-866-673-6671. **FOR 24-HOUR CHEMICAL EMERGENCY (Spill, leaks, fire, exposure or accident) CALL CHEMTREC:** 1-800-424-9300.

For Product Use Information Call: 1-800-438-6071

See attached booklet for additional Precautionary Statements and complete Directions For Use.

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

CORROSIVE. CAUSES IRREVERSIBLE EYE DAMAGE. MAY BE FATAL IF SWALLOWED. HARMFUL IF INHALED OR ABSORBED THROUGH SKIN. DO NOT GET IN EYES, ON SKIN, OR ON CLOTHING. AVOID BREATHING VAPORS OR SPRAY MIST. PROLONGED OR FREQUENTLY REPEATED SKIN CONTACT MAY CAUSE ALLERGIC REACTIONS IN SOME INDIVIDUALS.

ENVIRONMENTAL HAZARDS

Do not contaminate water by cleaning of equipment or disposal of equipment washwaters. This pesticide is toxic to mammals. Treatment of aquatic plants can result in oxygen loss from decomposition of dead plants. This loss can cause fish suffocation. Water bodies containing very high plant density should be treated in sections to prevent suffocation of fish.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal. **Pesticide Storage:** Store in the original container. Do not store in a manner where cross-contamination with other pesticides, fertilizers, food or feed could occur. Storage at temperatures below 32°F may result in the product freezing or crystallizing. Should this occur the product must be warmed to 50°F or higher and thoroughly agitated. In the event of a spill during handling or storage, absorb with sand or other inert material and dispose of absorbent in accordance with the Pesticide Disposal Instructions listed below. **Pesticide Disposal:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance. **Container Handling:** *(for Nonrefillable containers)* **Nonrefillable container. Do not reuse or refill this container.** Triple rinse or pressure rinse container (or equivalent) promptly after emptying. *For containers 5 gallons or less:* Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. - Or- Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Net Contents: 1 Gallon

UPL NA Inc. • 630 Freedom Business Center, Suite 402, King of Prussia, PA 19406 U.S.A. • 1-800-438-6071

UPL

PEEL DOWN FOR DIRECTIONS >

2020691-A (0923) ESL083023-10953-090123

CHAPTER 187: STREETS AND SIDEWALKS

Article II. Notification of Defects

Section ____ Title

This article shall be known as the "Written Notice of Defect Law of the Village of Wesley Hills."

Section ____ Written Notice of Defects Required.

A. No civil action shall be maintained against the Village of Wesley Hills for damages or injuries to person or property sustained by reason of any highway, traffic signal, road sign, bridge, sidewalk, or culvert being defective, out of repair, unsafe, dangerous, or obstructed, unless:
    1) Written notice of such defective, unsafe, dangerous, or obstructed conditions was received by the Village Clerk; and
    2) There was a failure or neglect within a reasonable period of time after giving such notice to repair or remove the defect, danger or obstruction complained of.
B. No such actions shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge, sidewalk or culvert that the Village has assumed responsibility unless
    1) Written notice thereof, specifying in detail the particular location was received by the Village Clerk; and
    2) There was a failure or neglect to cause such snow and ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after receipt of such notice.

Section ____Record of Notices

The Village Clerk shall keep an indexed record on line complaint software of all written notices which said Clerk shall receive pursuant to this article of the existence of a defective, unsafe, dangerous, or obstructed condition in or upon, or of an accumulation of ice or snow upon, any Village highway, traffic signal, road sign, bridge, sidewalk or culvert, which record shall state the date of receipt of the notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. The records of each notice shall be preserved for a period of five years after the date it is received.

Article III. Maintenance of Sidewalks

Section ____ Legislative Intent.

The Board of Trustees of the Village of Wesley Hills finds that it is in the interests of the public health, comfort, safety, convenience and welfare of the residents of the Village that sidewalks be kept clean, free from snow and ice and other obstructions, and in good repair.

Section _____ Removal of snow and ice.

For any sidewalk designed, installed and constructed by or for the Village utilizing Village Funds or funds from grants from any governmental agency the obligation to keep the sidewalk free and clear of snow and ice shall rest upon the Village and any contractor hired by the Village. For sidewalks not constructed by the Village, nor funded by the Village even if required as part of the site plan approval process of the planning board, all persons shall keep the sidewalk in front of the premises owned or occupied by them free from snow and ice. Said persons shall remove all snow and ice from the sidewalks in front of the premises owned or **occupied by them within eight daylight hours after the termination of a snowfall.**

Section _____ Duty to keep sidewalks free from defects.

For any sidewalk designed, installed and constructed by or for the Village utilizing Village Funds or funds from grants from any governmental agency the obligation to keep the sidewalk free and clear defects and obstructions shall rest upon the Village and any contractor hired by the Village. For sidewalks not constructed by the Village, nor funded by the Village even if required as part of the site plan approval process of the planning board, the responsibility to maintain said sidewalk to be clear of all defects and obstructions shall rest upon the owner or occupant of the adjoining premises. Said owner or occupant shall repair all defects and remove all obstructions from the sidewalks in front of said premises within a reasonable period of time of having been given notice of the defect or obstruction.

Section _____ Failure to remove or repair.

In all cases where the owner or occupant of property fails, neglects, or refuses to comply with the provisions of this article, the Mayor shall have the authority to cause such snow and ice to be removed or sidewalk repairs to be made or obstructions removed, and the Deputy Mayor shall certify the cost of such removal or repair to the Board of Trustees, and said costs of removal or repair shall become a lien on such lands and shall be added to and become a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes and to be collected and enforced in the same manner.

Section _____ Penalties for offenses.

A. Any person who shall fail, neglect or refuse to comply with the provisions of this article shall be guilty of a violation of this article. In addition to any other remedy herein provided, each and every violation of this article shall be punishable by a fine not to exceed $500 or a sentence of imprisonment not to exceed 15 days, or both. Each day's continued violation shall constitute a separate violation.
B. In addition to all other remedies provided for herein, the Board of Trustees may also enforce this article by injunctive relief or by any other remedy available to it by virtue of the judicial process.

Section _____ Enforcement

The Mayor and the Code Enforcement Officer of the Village of Wesley Hills shall have authority to issue appearance tickets for violations of any provisions of this article.

Section _____ Effective date.

This article shall take effect as of 12:01 am. _____

Weston & Sampson, PE, LS, LA, Architects, PC
74 Lafayette Avenue, Suite 501, Suffern, NY 10901
Tel: 845-357-4411

December 17, 2025

Village of Wesley Hills
432 Route 306
Wesley Hills, New York 10952

Attn: Alicia Schultz, Building Department

Re: 380 Route 306 (1 Lois Lane)
As-Built Survey Review (x6)
Escrow Release Denial

Dear Ms. Schultz,

Our office has reviewed the "As-Built Survey for 380 Route 306", prepared by Civil Tec Engineering & Surveying P.C. last revised December 5, 2025; Certification of proper installation of pervious pavers dated April 25, 2025 signed by Rachel Barese of CivilTec Engineering; and photographs provided by the Applicant. A final site visit is anticipated to be performed on December 18, 2025 accompanied by the Applicant's contractor and expeditor. At this time, we do not recommend the release of posted escrow. We offer the following comments:

1. The detailed breakdown of building coverage has been provided. The architect has indicated an updated allowable building coverage of 0.118 (4,695 s.f.). The total calculated as-built square footage is indicated as 4,728 square feet which correlates to a ratio of 0.119, conflicting with the ratio shown on the bulk table (0.1176). However, the as-built building coverage exceeds the allowable building coverage by 33 square feet which is de minimis. It is our opinion that a variance is not required; we defer to the Building Inspector for final determination.
2. It is noted that a well is shown on the as-built survey. Well design and installation approval to be provided from Rockland County Department of Health. The Applicant has indicated that this is in progress.
3. Remaining asphalt connection to be removed and any land disturbed within Village R.O.W. to be restored with topsoil and seed. During the most recent site visit, it appears that a portion of the pre-existing driveway remains along Route 306 and the disturbed area was replaced with stone. The Applicant is currently coordinating with the DOT. Final DOT acceptance of restoration shall be provided.
4. Applicant has confirmed there is no longer a water/gas valve shown along Route 306 and all connections are to Lois Lane. We recommend this be removed from the survey to avoid confusion.
5. It is our understanding that the Village has recently resurfaced Lois Lane; therefore, the previous comment with respect to final restoration of pavement for sewer connection is no longer applicable. Let it be noted that separate escrow is in place for the road opening for the sewer connection in Lois Lane, which may now be released.

Once the above comments are addressed, applicable documentation provided, and revised as-built is submitted, our office will verify compliance and reconsider release of escrow being retained by the Village.

Sincerely,

Devon Palmieri

WESTON & SAMPSON, PE, LS, LA, Architects, PC
Devon Palmieri, EIT
Project Engineer

Y:\VILLAGES\WH Wesley Hills\WH0171 - 2020 Plot Plans\380 Route 306 (ENG23-2681)\2025-12-17 Escrow Release Denial.docx

Checks.com www.checks.com

55-233/212

1076

MORDECAI LIGHT
3 LOIS LANE
WESLEY HILLS, NY 10952

DATE 2/22/21

PAY TO THE ORDER OF Village of Wesley Hills

$ 5,000.00

Five thousand and 00

DOLLARS

Security Features Included. Details on Back.

JPMORGAN CHASE BANK, N.A.
WWW.CHASE.COM

MEMO Escrow

MP

⑆021202337⑆ 257136880⑈1076

SPECIALTY BLUE

VILLAGE OF WESLEY HILLS
432 ROUTE 306
MONSEY, NEW YORK 10952

PHONE 845 354 0400 FAX 845 354 4097

APPLICANT Silber construction DATE 2/16/21

ADDRESS ~~380 Rt 306~~ 40 Skyline Terr

ROAD NAME ~~Route 306~~ Louis Ln LOCATED 100 FEET

FROM ~~Louis Ln~~ Route 306 (NEAREST INTERSECTION STREET)

PURPOSE OF OPENING Sewer line

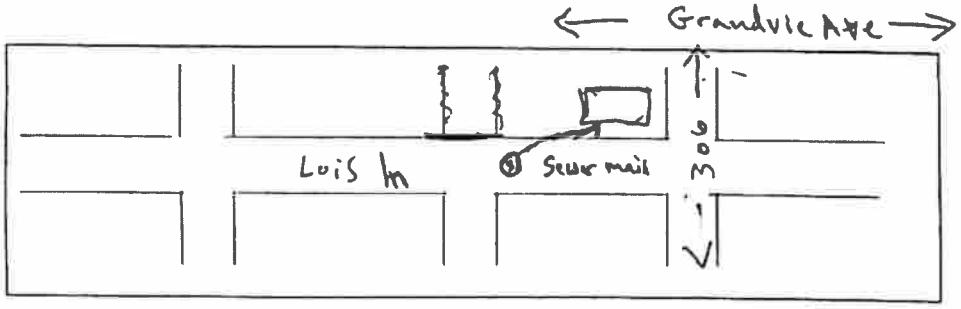
OPENING WILL BE LOCATED: X IN PAVEMENT ____ IN SHOULDER

SIZE OF OPENING 4' x 12' x 8' LOCATED ON THE Right SIDE OF

THE STREET. FOR STRUCTURE LOCATED AT 380 Rt 306

WORK EXPECTED TO START 3/29/21 (48 HOUR NOTIFICATION REQUIRED)

EXPECTED COMPLETION 3/10/21



SIGNATURE OF AUTHORIZED REPRESENTATIVE 2/16/21 TITLE

FOR OFFICIAL USE ONLY

REMARKS Applicant to post $5000 escrow and provide insurance certificate naming Village of Wesley Hills as additional insured. All pavement cuts to be square edged and all trenches backfilled according to Village Specification. Backfill procedure to be witnessed by Village Representative or certified by a Profession Engineer as per the Road Opening Repair Detail notes.

DATE APPROVED 02/22/2021

Matthew Trainor PERMIT NO. 2021-6

VILLAGE ENGINEER

$200 for each opening up to 32 square feet, plus an additional **$100** for each additional 32 square feet.

Permit Fee: **$300**

This agreement ("Agreement") is entered into on this 10TH December day of ~~November~~ 2025, by and between the Village of Wesley Hills, a municipal corporation organized and existing under the laws of the State of New York ("Village"), and Congregation Trisk Tolna, Inc (the operator of a mikvah and synagogue at 33 Glenbrook Road), a religious institution organized under the laws of the State of New York ("Congregation"). The Village and Congregation may be referred to individually as a "Party" or collectively as "Parties."

RECITALS

WHEREAS, Congregation operates a Mikvah and synagogue without a certificate of occupancy at 33 Glenbrook Road, Monsey, New York 10952 ("Property") within the Village's jurisdiction; and

WHEREAS, on August 8, 2023, the Village issued a Notice of Violation regarding Congregation's use and operation of the Property as a mikvah and synagogue in violation of Village Code and the Certificate of Occupancy issued for the Property; and

WHEREAS, on August 11, 2023, the Village and Congregation entered into a Letter of Understanding of items that needed to be completed by Congregation and that Congregation did not comply with said letter of understanding and that the Justice Court of the Village of Wesley Hills did find the Congregation guilty of a violation of the Local Laws of the Village of Wesley Hills and on March 13, 2024 imposed a fine of $1,000.00 said fine having been paid on November 17 2025;

WHEREAS, the parties desire to enter into an agreement to permit the Congregation to obtain a certificate of occupancy to operate said Mikvah and synagogue;

WHEREAS, both Parties have had the opportunity to review this agreement with legal counsel of their choice and enter into this agreement voluntarily and with full understanding of its terms, and have obtained the approval of their respective Boards to enter into this agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties, intending to be legally bound, hereby agree to the items in set out below:

1. Site Plan approval is required from the Village of Wesely Hills Planning Board
2. Building permit 4719 expired on February 10, 2024 and Congregation owes $2,880.00 on said permit for the synagogue building which is to paid upon execution of this agreement;
3. Building permit 5107 expired on August 30, 2024 and Congregation owes $5,112.50 on said permit for the Mikvah which is to be paid upon execution of this agreement.
4. Payment of any other outstanding fees owed to the Village are required before consideration of Site Plan approval;
5. Special Permit approval is required from the Village of Wesely Hills Planning Board
6. Variance approval, if needed, is required from the Village of Wesley Hills Zoning Board of Appeals.
7. All work pursuant to items 1, 2, 3,4,5,6 above must be completed to the satisfaction of the Planning and/or Zoning Boards including any work required by said Boards to eliminate any deviations from the construction in accordance with site plan, special permit and ZBA approvals. Included herein but not limited thereto is UL Certificate, final inspection from the Building Inspector as well as Village Engineer inspections based upon an approved site plan and special permit issuance.
8. Said performance bond, a copy of which is attached hereto and is incorporated herein, will remains active until a Certificate of Occupancy is issued by the Village.

9. No Certificate of Occupancy will be issued until items 1 to 7 have been met.

Authority to Execute

Each Party represents and warrants that it has the full right, power, and authority to enter into and perform its obligations under this Stipulation, and that the person executing this Stipulation on behalf of such Party is fully authorized to do so.

Acknowledgement of Legal Counsel

Each Party acknowledges and represents that it has had the opportunity to consult with legal counsel of its choice regarding the terms and conditions of this Stipulation prior to execution and enters into this Stipulation voluntarily and with full understanding of its rights and obligations.

In Witness Whereof, the Parties have executed this Stipulation as of this 10TH day of ~~November~~ December 2025.

VILLAGE OF WESLEY HILLS

By: [signature]

Name: Marshall Katz

Title: Mayor

Date: 12/10/25

CONGREGATION TRISK TOLNA, INC.

By: [signature]

Name: Ben Grossberger

Title: Operations Manager

Congregation

Trisk • Tolna

33 Glenbrook Road • Monsey, NY

Whereas, the Board of the Congregation Trisk Tolna, LLC, hereafter referred to as LLC, desires to resolve the outstanding issues with respect to its obligations to obtain appropriate building permits and variances from the various boards from the Village of Wesley Hills in regards to the synagogue building and Mikvah;

Whereas, the Village of Wesley Hills desires a resolution from the Board of Directors of the Congregation Trisk Tolna, LLC authorizing Ben Grossberger to act upon and bind the LLC on various issues with the Village of Wesley Hills;

Be It Resolved, that the Board of Directors of LLC has met and does hereby authorize Ben Grossberger to act on its behalf on all issues with the Village Of Wesley Hills and does hereby authorize Ben Grossberger to bind said LLC to any agreement or agreements entered into with the Village of Wesley Hills and its Planning Board and Zoning Board of Appeals;

Dated: December 8, 2025

Signed: _____

By The President of the LLC

Signed: 

By the Secretary of the LLC

A LOCAL LAW AMENDING CHAPTER 210-11 OF THE CODE OF THE VILLAGE OF WESLEY HILLS TO RESTRICT ON STREET VEHICLE PARKING DURING CERTAIN WEATHER EVENTS

THIS SHOULD BE ADDED TO OUR CODE AT SECTION 210-11- PROHIBITED ACTS

10. Parking of any vehicle on any portion of a public street is prohibited whenever snow/sleet is falling, snow/sleet has accumulated, snow/sleet is predicted in the forecast, and/or the accumulation of snow/sleet is such that it covers the public street in the Village of Wesley Hills, and/or that plowing or salting of the same is or maybe required. The Ramapo Police Department is hereby authorized to ticket and tow any vehicle that fails to comply with this section of the Code.

Sponsor: **Village of Wesley Hills**
PIN: **8762.88** BIN: **N/A**
Comptroller's Contract No. **D040727**
Supplemental Agreement No. **3**
Date Prepared: **12/19/2025** By: **GC**

Press F1 for instructions in the blank fields: Initials

SUPPLEMENTAL AGREEMENT No. 3 to D040727 *(Comptroller's Contract No.)*

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State")
and

Village of Wesley Hills (the Sponsor)
Acting by and through the **Mayor**
with its office at **432 Route 306**, **Wesley Hills, NY 10952**.

This amends the existing Agreement between the parties in the following respects only:

Amends a previously adopted Schedule A by (check as applicable):

- ☐ amending a project description
- ☐ amending the contract end date
- ☒ amending the scheduled funding by:
  - ☒ adding additional funding (*check and enter the # phase(s) as applicable*):
    - ☒ adding phase **ROW-A** which covers eligible costs incurred on/after **12/12/2025**
    - ☐ adding phase _____ which covers eligible costs incurred on/after __/__/____
  - ☐ increasing funding for a project phase(s)
  - ☐ adding a pin extension
  - ☐ change from Non-Marchiselli to Marchiselli
  - ☐ deleting/reducing funding for a project phase(s)
  - ☐ other (_____)
- ☐ Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)
- ☐ Amends a previously adopted Agreement by replacing the Appendix A dated October 2019 with the Appendix A dated June 2023.
- ☐ Amends a previously adopted Agreement by adding:
  - ☐ Appendix B M/WBE/SDVOB.
  - ☐ Retention Exhibit.
  - ☐ Other: _____
- ☐ Amends the text of the Agreement as follows *(insert text below)*:

Sponsor: **Village of Wesley Hills**
PIN: **8762.88** BIN: **N/A**
Comptroller's Contract No. **D040727**
Supplemental Agreement No. **3**
Date Prepared: **12/19/2025** By: GC

Press F1 for instructions in the blank fields: Initials

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officials as of the date first above written.

SPONSOR:

By: _____

Print Name: _____

Title: _____

SPONSOR ATTORNEY:

By: _____

Print Name: _____

STATE OF NEW YORK)ss.:
COUNTY OF ***ROCKLAND***

On the ___ day of _____ in the year 20__, before me the undersigned personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

My Commission Expires: _____

APPROVED FOR NYSDOT:

BY: _____
For Commissioner of Transportation

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

Date: _____

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

By: _____
Assistant Attorney General

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law ' 112

SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
NYSDOT/ State-Local Agreement - Schedule A for PIN 8762.88

OSC Contract #: D040727

Contract Start Date: 2/8/2023 (mm/dd/yyyy) **Contract End Date: 12/30/2028** (mm/dd/yyyy)
☐ *Check, if date changed from the last Schedule A*

Purpose: ☐ Original Standard Agreement ☒ Supplemental Schedule A No. 3

Agreement Type: ☒ Locally Administered Municipality/Sponsor (Contract Payee): Village of Wesley Hills
Other Municipality/Sponsor (if applicable):

☐ State Administered *List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.*
☐ Municipality: % of Cost share
☐ Municipality: % of Cost share
☐ Municipality: % of Cost share

Authorized Project Phase(s) to which this Schedule applies: ☒ PE/Design ☒ ROW Incidentals ☒ ROW Acquisition ☐ Construction/CI/CS

Work Type: BIKE/PED./FACILITIES

County (If different from Municipality): Rockland

(Check, if Project Description has changed from last Schedule A): ☐
Project Description: Willow Tree Road ADA-Compliant Sidewalk System, Village of Wesley Hills, Rockland County, NY

Marchiselli Eligible ☐ **Yes** ☒ **No**

A. Summary of Participating Costs FOR ALL PHASES

For each PIN Fiscal Share below, show current costs on the rows indicated as "Current". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.

PIN Fiscal Share	"Current" or "Old" entry indicator	Funding Source (Percentage)	TOTAL Costs	FEDERAL Funds	STATE Funds	LOCAL Funds	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
8762.88.121	Current	TAP (80%)	$271,000.00	$216,800.00	$0.00	$54,200.00	$0.00
	Old	TAP (80%)	$271,000.00	$216,800.00	$0.00	$54,200.00	$0.00
8762.88.221	Current	TAP (80%)	$159,000.00	$127,200.00	$0.00	$31,800.00	$0.00
	Old	TAP (80%)	$62,000.00	$49,600.00	$0.00	$12,400.00	$0.00
. .	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
. .	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
. .	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
. .	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
. .	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
. .	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
. .	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
. .	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
TOTAL CURRENT COSTS:			$430,000.00	$344,000.00	$ 0.00	$86,000.00	$ 0.00

NYSDOT/State-Local Agreement – Schedule A PIN 8762.88

B. Local Deposit(s) from Section A:	$ 0.00
Additional Local Deposit(s)	$0.00
Total Local Deposit(s)	$ 0.00

C. Total Project Costs *All totals will calculate automatically.*

Total FEDERAL Cost	Total STATE Cost	Total LOCAL Cost	Total ALL SOURCES Cost
$344,000.00	$ 0.00	$86,000.00	$430,000.00
		Total FEDERAL Cost	$344,000.00
		Total STATE Cost	$ 0.00
		SFS TOTAL CONTRACT AMOUNT	**$344,000.00**

D. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: **Giselle Conrad** Phone No: 845-431-5731

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

Footnotes (FN): (See LPB's SharePoint for link to sample footnotes)

- Project Description Continued: The project will install an Americans with Disabilities Act (ADA) compliant sidewalk system along Willow Tree Road from Dike Drive to State Route 306 in the Village of Wesley Hills in the Town of Ramapo in Rockland County.
- This project is a 2021 Transportation Alternatives Program (TAP) and the federal share of the project may not exceed 80 percent of the total project cost Sponsors must provide a minimum 20 percent share of the funding for the project
- This project is funded through the Transportation Al ternatives Program, with a capped federal award amount of $1,797,112.
- This Schedule A adds additioanl ROW Acquisition phase and funds.
- xx.121 represents $169,000 for Preliminary Design and $102,000 for Detailed Design.
- xx.221 represents $62,000 for Right-of-way Incidentals and $97,000 for ROW Aquisition.
- Construction Authorization (NYSDOTconcurred with Construction Contract bid documents} must be granted and the project must proceed to construction within 24 months of award (award is defined as a fully executed SLA) .
-
-
-
- PIN 8762.88 12/19/2025 GC