

**MINUTES OF THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD
ON FEBRUARY 9, 2011**

The Town Board of the Town of Ramapo convened in **Regular Session** on Wednesday, February 9, 2011 in the Edwin Wallace Auditorium of Ramapo Town Hall, 237 Route 59, Suffern, New York 10901.

Supervisor Christopher P. St. Lawrence called the meeting to order and **Town Clerk, Christian G. Sampson** called the roll. The following board members were present and answered to their names:

Present:	Supervisor	Christopher P. St. Lawrence
	Councilwoman	Frances M. Hunter
	Councilman	Daniel Friedman
	Councilman	Yitzchok Ullman
	Councilman	Patrick J. Withers
	Town Attorney	Michael L. Klein
	Town Clerk	Christian G. Sampson

Councilman Friedman led the assembled group in the Pledge of Allegiance.

POLICE AWARDS AND RECOGNITION

Chief of Police Peter Brower acknowledged and presented awards to 42 Police Officers, 5 Dispatchers and 1 civilian for excellence in police work and/or acts of bravery.

COUNCILMAN ULLMAN LEAVES THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD THIS EVENING AT 9:10 PM.

APPROVAL AND ACCEPTANCE OF SERIAL BONDS: TOWN OF RAMAPO TO PAY A PORTION OF THE COSTS OF CONSTRUCTION, RECONSTRUCTION, WIDENING AND RESURFACING OF ROADS, STREETS AND PARKING LOTS

The following resolution was **moved by Councilman Withers, seconded by Councilwoman Hunter** and adopted on a Roll Call of 4-0 with Councilman Ullman absent:

RESOLUTION NO. 2011-118

RESOLVED by the Town Board of the Town of Ramapo that the bond resolution dated February 9, 2011 entitled "A **RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,000,000 SERIAL BONDS OF THE TOWN OF RAMAPO, ROCKLAND COUNTY, NEW YORK, TO PAY A PORTION OF THE COSTS OF CONSTRUCTION, RECONSTRUCTION, WIDENING AND RESURFACING OF ROADS, STREETS AND PARKING LOTS IN AND FOR SAID TOWN**" as set forth on Schedule "A" attached hereto be hereby approved and adopted.

Schedule "A"

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,000,000 SERIAL BONDS OF THE TOWN OF RAMAPO, ROCKLAND COUNTY, NEW YORK, TO PAY A PORTION OF THE COSTS OF CONSTRUCTION, RECONSTRUCTION, WIDENING AND RESURFACING OF ROADS, STREETS AND PARKING LOTS IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described have been performed or will be performed prior to the commencement of such project; and

WHEREAS, it is now desired to authorize the financing of such capital project,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ramapo, Rockland County, New York (the "Town"), as follows:

Section 1. For the specific objects or purposes of paying a portion of the costs of constructing, reconstructing, widening and resurfacing of roads, streets and parking areas in and for the Town of Ramapo, Rockland County, New York, including related repairs and improvements to sidewalks, curbs, gutters, drainage and landscaping, and including incidental expenses in connection therewith, there are hereby authorized to be issued \$5,000,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$5,000,000 bonds of said Town hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is ten years, pursuant to subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Town of Ramapo, Rockland County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full in *The Rockland County Times*, the official newspaper, or such other designated newspaper permitted under the provisions of the Local Finance Law, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

APPROVAL OF AGREEMENT: GUARANTOR OF ADDITIONAL LOANS OBTAINED BY RAMAPO LOCAL DEVELOPMENT CORPORATION

The following resolution was **moved by Councilman Withers, seconded by Councilwoman Hunter** and adopted on a Roll Call of 4-0 with Councilman Ullman absent:

RESOLUTION NO. 2011- 119

WHEREAS, the Town Board has previously established the Ramapo Local Development Corporation to assist in the development of affordable housing, economic development and urban renewal projects, and

WHEREAS, the Ramapo Local Development Corporation is currently constructing an affordable housing project entitled Ramapo Commons approved by the Town Board on land transferred to the Ramapo Local Development Corporation by the Town for said purpose, and

WHEREAS, the Town Board by Resolution No. 2009-66 agreed to serve as a guarantor of construction loans to be obtained by the Ramapo Local Development Corporation in an amount not to exceed \$13.5 million dollars towards construction of the initial phase of the above affordable housing project including construction of infrastructure and dwellings, and

WHEREAS, the Ramapo Local Development Corporation is seeking additional financing to be secured by the Ramapo Commons Project in an amount not to exceed \$13.5 million dollars towards its operations, and

WHEREAS, as a condition of the financing, the lender is again requiring a Town guaranty of said financing,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Ramapo that it agrees to serve as guarantor of additional loans to be obtained by the Ramapo Local Development Corporation for eligible purposes in an amount not to exceed \$13.5 million dollars and an interest rate not to exceed the prime interest rate plus two (2) percent, but in no event exceeding four and a quarter (4.25) percent, together with a half (1/2) point origination fee, the cumulative guaranty not to exceed the principal amount of existing financing secured by the Ramapo Commons Project, and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute all necessary documents to effectuate the above guaranty.

COUNCILMAN ULLMAN RETURNS TO THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD THIS EVENING AT 9:20 PM.**AUTHORIZATION TO AMEND 2011 TOWN BUDGET: TRANSFER SECURITY ADMINISTRATOR'S SALARY AND BENEFITS TO THE POLICE FUND**

The following resolution was **moved by Councilman Withers, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011 - 120

WHEREAS, Shayam Pandya, a security administrator, is currently being charged to the general fund, and

WHEREAS, Shayam Pandya, since January 2011 has been assigned to work with the Police Department on a regular basis,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Finance Department is hereby authorized to amend the 2011 Town Budget by transferring Shayam Pandya's salary and benefits to the Police Fund, retroactive to January 1, 2011.

AUTHORIZATION TO AMEND 2011 TOWN BUDGET: RECEIPT OF FUNDS- ROCKLAND COUNTY CRIME FORFEITURE

The following resolution was **moved by Councilman Ullman, seconded by Councilwoman Hunter** and adopted by all board members:

RESOLUTION NO. 2011 -121

WHEREAS, the Town is in receipt of \$1,025.00 from Rockland County Crime Forfeiture Proceeds, and

WHEREAS, receipt of said funds is not reflected in the 2011 Town Budget,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby authorizes the Department of Finance to amend the 2011 Town Budget as follows:

Increase Revenue Account AB.22626 (Rockland County Crime Forfeiture Proceeds) by \$1,025.00, and

Increase Appropriations 3120AB.3406 (Drug Forfeiture Expenditures) by \$1,025.00 to reflect receipt of the above funds.

AUTHORIZATION TO AMEND 2011 TOWN BUDGET: RECEIPT OF PILOT PAYMENT- SNEDEN PLACE

The following resolution was **moved by Councilman Withers, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011 – 122

WHEREAS, the Town is in receipt of a Money in Lieu of Taxes payment in the amount of \$9,689.53 from the Sneden Place Development Corp., which is to be allocated to the Town's DARE Program, and

WHEREAS, receipt of said funds is not reflected in the 2011 Town Budget,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Department of Finance is hereby authorized to amend the 2011 Town Budget as follows:

Increase Revenues AB.227053 (DARE Donations) by \$9,689.53 and
Increase Appropriations 3120AB.3414 (DARE Supplies) by \$9,689.53

to reflect receipt of the above payment.

ACCEPTANCE OF RESIGNATION: ASSISTANT AUTOMOTIVE MECHANIC-CENTRAL GARAGE

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011- 123

WHEREAS, Jason Jennings will be resigning from his position of Assistant Automotive Mechanic, effective January 28, 2011 and returning to his previous position as Senior Grounds Worker,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the resignation, as submitted by Jason Jennings, be hereby accepted.

APPOINTMENT OF ACCOUNT CLERK TYPIST- FINANCE

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011- 124

WHEREAS, there is a vacancy in the position of **Account Clerk Typist** at the Town of Ramapo Finance Department, and

WHEREAS, the Supervisor has made the following recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby appoint **JeanMarie Delirod** of Haverstraw, New York to the position of Account Clerk Typist from Civil Service list number 10076, effective February 12, 2011 at the annual salary of \$42,911.

(SOURCE OF FUNDS: OPERATING BUDGET 1310A:3100)

ACCEPTANCE OF RESIGNATION: DIRECTOR OF PLANNING AND ZONING ADMINISTRATION- BUILDING, PLANNING AND ZONING DEPARTMENT

The following resolution was **moved by Councilman Withers, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011-125

WHEREAS, Alan Simon of Monsey, New York has submitted a letter of resignation from his position of Director of Planning and Zoning Administration, effective March 4, 2011,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the resignation, as submitted by Alan Simon, is hereby accepted.

**PUBLIC HEARING: PROPOSED GOLF COURSE RATES FOR THE YEAR 2011-
SPOOK ROCK GOLF COURSE**

Scheduled for this evening at 8:00 PM was a Public Hearing to solicit public opinion regarding the proposed gulf course rates for the Spook Rock Golf Course for the year 2011. **No one wished to address the Town Board regarding the above.**

CLOSE PUBLIC HEARING

The following resolution was **moved by Councilman Withers, seconded by Councilwoman Hunter** and adopted by all board members:

RESOLUTION NO. 2011-126

RESOLVED by the Town Board of the Town of Ramapo, that the Public Hearing this evening, February 9, 2011, which was held to solicit public comment on the **PROPOSED GOLF COURSE RATES FOR THE SPOOK ROCK GOLF COURSE FOR THE YEAR 2011 IN THE TOWN OF RAMAPO**, be hereby closed at 9:23 PM.

ADOPTION OF GOLF COURSE RATES FOR THE YEAR 2011- SPOOK ROCK GOLF COURSE

The following resolution was **moved by Councilwoman Hunter, seconded by Councilman Withers** and adopted by all board members:

RESOLUTION NO. 2011-127

RESOLVED by the Town Board of the Town of Ramapo that the **PROPOSED GOLF COURSE RATES FOR THE SPOOK ROCK GOLF COURSE FOR THE YEAR 2011** which were the subject of a public hearing held this evening, February 9, 2011 be hereby **Adopted**, as advertised

ACCEPTANCE OF MINUTES

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011-128

RESOLVED by the Town Board of the Town of Ramapo that the following Minutes of the Ramapo Town Board be hereby approved, adopted and recorded in the Minute Book:

November 10, 2010 – Regular

ACCEPTANCE OF MINUTES

The following resolution was **moved by Councilwoman Hunter, seconded by Councilman Withers** and adopted by all board members:

RESOLUTION NO. 2011-129

RESOLVED by the Town Board of the Town of Ramapo that the following Minutes of the Ramapo Town Board be hereby approved, adopted and recorded in the Minute Book:

November 23, 2010 – Regular

ACCEPTANCE OF PROPOSAL: LIABILITY INSURANCE- LEBAUM COMPANY, INC.

The following resolution was **moved by Councilman Ullman, seconded by Councilman Withers** and adopted by all board members:

RESOLUTION NO. 2011 – 130

WHEREAS, the Town Board of the Town of Ramapo in 2010 accepted the proposal of LeBaum Company, Inc. of 17 Monsey Boulevard, Monsey, New York 10952 to provide liability insurance coverage for the Town, and

WHEREAS, said insurance coverage expires on February 1, 2011, and

WHEREAS, the Town is in receipt of a proposal from LeBaum Company, Inc. to provide liability insurance coverage for the Town for the period February 1, 2011 to February 1, 2012, and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby accept the proposal of LeBaum Company, Inc. of 17 Monsey Boulevard, Monsey, New York 10952 for insurance coverage for the above stated period for the following coverage:

Property.....	\$64,701
Equipment Coverage.....	\$2,863
Trident Package Policy Including:	
General Liability	
Public Officials' Liability	
Law Enforcement Liability	
Commercial Automobile Liability	
Commercial Automobile Physical Damage	
Commercial Inland Marine	
Commercial Crime	
Commercial Excess Liability	\$ 385,348.00
Additional \$10,000,000 Excess Liability	\$30,250.00
Total.....	\$483,162.00
Estimated State Taxes &/or Fees.....	\$ 908.31
Additional Excess Liability Fees.....	\$7,096.00
Total Including Taxes and Fees.....	\$491,166.30

BE IT FURTHER RESOLVED that the Supervisor be hereby authorized to execute all documents approved by the Town Attorney's office necessary for the Town to accept the proposal for the above insurance coverage.

APPROVAL OF SUBDIVISION: ELM STREET

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011 – 131

WHEREAS, the Town Board by Resolution No. 2009-236 approved a project entitled, "Ramapo Commons" for construction of 132 units on Elm Street, an affordable housing development, and

WHEREAS, the Town Board by Resolution No. 2009-517 transferred the above property to the Ramapo Local Development Corporation to facilitate construction of the above property, and

WHEREAS, the Ramapo Local Development Corporation has requested that the Town Board approve a subdivision of the above property into six (6) separate tax lots to facilitate the sales process, and

WHEREAS, the proposed subdivision does not change the development of the Ramapo Commons Project, and

WHEREAS, John Lange, of Frederick P. Clark Associates, the Town's Planning Consultant, has advised that the above subdivision is a Type II action under SEQRA, and as such no SEQRA determination is required,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby approves a subdivision entitled, "Ramapo Commons."

APPROVAL OF STREET LIGHT: 86 HERRICK AVENUE

The following resolution was **moved by Councilman Withers , seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011 – 132

WHEREAS, the Town is in receipt of a proposal from Orange & Rockland Utilities, dated December 28, 2010, with respect to 86 Herrick Avenue in Monsey as follows:

1. Install one (1) 100-watt sodium vapor street light
2. Additional cost per month: \$9.10

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby authorizes the installation of an additional street light at 86 Herrick Avenue in Monsey.

APPROVAL OF STREET LIGHT: INTERSECTION OF WEST MAPLE AVENUE AND THOMAS COURT

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011 – 133

WHEREAS, the Town is in receipt of a proposal from Orange & Rockland Utilities with respect to the intersection of W. Maple Avenue and Thomas Court in Monsey as follows:

1. Install one (1) 100-watt sodium vapor street light
2. Additional cost per month: \$11.49

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby authorizes the installation of an additional street light at the intersection of W. Maple Avenue and Thomas Court in Monsey.

APPROVAL OF TRAFFIC CONTROL SIGNS: HOWARD DRIVE

The following resolution was **moved by Councilman Ullman, seconded by Councilman Withers** and adopted by all board members:

RESOLUTION NO. 2011 – 134

WHEREAS, the Police Department has received a request regarding the installation of No Parking signs on Howard Drive, and

WHEREAS, Michael Galante, P.E., the Town's Traffic Consultant, has reviewed the above street and recommends the following:

Prohibit parking on the north side of Howard Drive between the intersection with Elaine Place and Elish Parkway

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby authorizes Anthony Sharan, the Superintendent of Highways, to install signs prohibiting parking on the north side of Howard Drive between the intersection with Elaine Place and Elish Parkway.

SETTLEMENT OF CERTIORARI ACTION: UPPER ROOM HOUSE OF WORSHIP

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011 – 135

WHEREAS, the Town Attorney's Office has recommended that the following certiorari matter be settled:

UPPER ROOM HOUSE OF WORSHIP*

<u>Tax Year</u>	<u>Original Section/Lot</u>	<u>Corrected Assessment</u>	<u>Assessment</u>
2010-11	57.24-1-38	\$37,900	\$37,900

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Town Attorney be hereby authorized to settle the above matter, and

BE IT FURTHER RESOLVED that refunds can only be made when the Petitioner is current on all tax liability.

*Property shall be 100% exempt

SETTLEMENT OF CERTIORARI ACTION: 60 EAST ECKERSON CORP

The following resolution was **moved by Councilman Withers, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011 – 136

WHEREAS, the Town Attorney’s Office and the Office of the Assessor have recommended that the following certiorari matter be settled:

60 EAST ECKERSON CORP.

<u>Tax Year</u>	<u>Original Section/Lot</u>	<u>Corrected Assessment</u>	<u>Assessment</u>
2007/08	50.64-1-1	\$375,000	\$322,500
2008/09	50.64-1-1	\$370,000	\$329,000
2009/10	50.64-1-1	\$365,000	\$342,500
2010/11	50.64-1-1	\$365,000	\$365,000

WHEREAS, Scott Shedler, the Town Assessor, concurs with the above recommendation, NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Town Attorney be hereby authorized to settle the above matter, and

BE IT FURTHER RESOLVED that settlement is subject to approval by the East Ramapo School District, and

BE IT FURTHER RESOLVED that refunds can only be made when the Petitioner is current on all tax liability.

AUTHORIZATION FOR FILING: REQUEST FOR LEAVE TO APPEAL- HONORABLE MARILYN HAIL PATEL, UNITED STATES DISTRICT JUDGE

The following resolution was **moved by Councilman Withers, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011 – 137

WHEREAS, Timothy Cronin, a former Town employee, had previously commenced an action in Federal Court against Supervisor Christopher P. St Lawrence, for wrongful retaliation, and

WHEREAS, the Honorable Marilyn Hail Patel, a United States District Judge, in a decision dated February 2, 2011, denied the Town’s motion for Summary Judgment, and

WHEREAS, Michael L. Klein, Town Attorney has recommended that a Request for Leave to Appeal be filed with respect to the above decision,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo, that it hereby authorizes the filing of Leave to Appeal above decision.

APPROVAL OF CHANGE ORDER: GRADING, SITE WORK AND DRAINAGE- MORANO BROTHERS CORPORATION

The following resolution was **moved by Councilwoman Hunter, seconded by Councilman Friedman** and adopted on a Voice Vote of 3-2 with Councilmen Ullman and Withers voting NO:

RESOLUTION NO. 2011– 138

WHEREAS, the Town Board by Resolution No. 2010 – 455, approved an agreement with Morano Bros. Corp., 2045 Albany Post Road, Croton-on-Hudson, New York 10520 for grading, site work and drainage for the Fireman’s Memorial Drive Project in the amount of \$4,342,500, and

WHEREAS, Morano Brothers Corp., in negotiations with the Town agreed to reduce the contract amount to \$4,125,000.00, and

WHEREAS, the Town Board, by Resolution No. 2010-727, approved Change Order Nos. 1, 2, 3, 4, 5, and 6 and increased the contract amount from \$4,125,000 to \$5,890,314.88, and

WHEREAS, the Town Board, by Resolution No. 2011-75, approved Change Order Nos. 7 and 8 and increased the contract amount to \$6,401,030.56, and

WHEREAS, Holt Construction Corp., 50 E. Washington Avenue, Pearl River, New York 10965, the construction manager for the above project, has recommended that the following Change Orders be approved:

Change Order No. 9: Frost removal and mulching.....\$625,223.52

Change Order No. 10: Installation of storm drainage pipe, revised hot box and revisions
to detention basin.....\$288,442.48

Change Order No. 11: Frost removal and excavation for division pipe.....\$241,783.85

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Change Order Nos. 9, 10 and 11 are approved and the contract amount for the above project is hereby increased from \$6,401,030.56 to \$7,556,480.41.

Source of Funds: 5197H36.34460 FMD

APPROVAL OF AGREEMENT: ROCKLAND COUNTY INTELLIGENCE CENTER

The following resolution was **moved by Councilwoman Hunter, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011 –139

WHEREAS, the County of Rockland operates the Rockland County Intelligence Center, and **WHEREAS**, the County of Rockland wishes to financially assist the Town for assigning one Police Officer to the Rockland County Intelligence Center,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to enter into an Inter-municipal Agreement with the County of Rockland by which the Town will assign one (1) Police Officer to the Rockland County Intelligence Center and the County will pay the Town \$235,894 as reimbursement to the Town for the cost of the above one (1) Police Officer for the period retroactive to January 1, 2010 and ending December 31, 2010, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Inter-municipal Agreement with the County of Rockland in a form approved by the Town Attorney’s Office.

RATIFY ACCEPTANCE OF PROPOSAL: LEONARD JACKSON ASSOCIATES AND JOHNSON SOILS COMPANY- PROJECT GRAND SLAM

The following resolution was **moved by Councilman Friedman, seconded by Councilwoman Hunter** and adopted on a Voice Vote of 3-2 with Councilmen Ullman and Withers voting NO:

RESOLUTION NO. 2011 – 140

WHEREAS, the Town of Ramapo and the Ramapo Local Development Corporation is constructing a recreation facility property at the intersection of Pomona Road and Fireman’s Memorial Drive, and

WHEREAS, the Town received a proposal from Leonard Jackson Associates of 26 Fireman’s Memorial Drive, Pomona, New York 10970 for preparation of site plan and engineering work with respect of the above project in the amount of \$133,310 together with an attached proposal from Johnson Soils Company in the amount of \$18,310 for geotechnical engineering services, and

WHEREAS, the Town authorized performance of the above work without adoption of a formal Town Board resolution,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Town Board hereby ratifies the acceptance of the proposal of Leonard Jackson Associates and Johnson Soils Company with respect to “Project Grand Slam” subject to the terms set forth above, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with Leonard Jackson Associates in a form approved by the Town Attorney’s office.
Source of Funds: 1420A.3452

ACCEPTANCE OF REQUEST FOR PROPOSAL: GARBAGE, TRASH AND RECYCLABLES COLLECTION SERVICES IN THE UNINCORPORATED AREAS OF RAMAPO- INTERSTATE WASTE SERVICES, INC.

The following resolution was **moved by Councilwoman Hunter, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011- 141

WHEREAS, the Purchasing Department has solicited Request for Proposals for Garbage, Trash and Recyclables Collection Services in the Unincorporated Areas of the Town of Ramapo, and

WHEREAS, proposals were received by the Director of Purchasing and opened on November 10, 2010, in accordance with the provisions of the law, and

WHEREAS, Edward P. Dzurinko, Director of Public Works, has reviewed the proposals, and recommends that the proposal from Interstate Waste Services, Inc. be accepted, and

WHEREAS, the Director of Purchasing concurs with said recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the lowest responsible proposal submitted by Interstate Waste Services, Inc. of 500 N. Franklin Turnpike, Ramsey, NJ 07446 for:

I. Garbage and Trash**Alternate #2 – Curbside Pickup:**

	<u>Monthly Unit Price</u>	<u>Annual Gross Sum Bid</u>
Year 1	\$22.36	\$2,056,136.16
Year 2	\$22.42	\$2,061,653.52
Year 3	\$22.73	\$2,090,159.88

II. Recyclables**Alternate #2 – Curbside Pickup:**

	<u>Monthly Unit Price</u>	<u>Annual Gross Sum Bid</u>
Year 1	\$2.71	\$249,200.76
Year 2	\$2.72	\$250,120.32
Year 3	\$2.79	\$256,557.24

be hereby approved and accepted, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with Interstate Waste Services, Inc., in a form approved by the Town Attorney's Office.

Source of Funds: Operating 8160B.3402G (Garbage) and 8160B.3402R (Recycling)

APPROVAL OF CHANGE ORDER: REPAIR OF FOOTBALL TURF FIELD AT JOSEPH T. ST. LAWRENCE CENTER- LANDTEX

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011 –142

WHEREAS, the Town Board, by Resolution No. 2010-590, approved an agreement with The Landtek Group, Inc. of 235 County Line Road, Amityville, NY 11701, for the repair of the football turf field at the Joseph T. St. Lawrence Center in the amount of \$335,005.71, and

WHEREAS, the Town Board, by Resolution No. 2010-659, approved Change Order No. 1 and increased the contract amount of \$352,505.71, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, has recommended that the following change order be approved:

Change Order No. 2	Additional Drainage	\$156,000.00,
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NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Change Order No. 2 is hereby approved, and the contract amount for the above work is hereby increased from \$352,505.71 to \$508,505.71.

Source of Funds: Capital 7197H14.34460 (2010 BAN)

ACCEPTANCE OF PROPOSAL: SPRING RECONDITIONING AND FALL TAKEDOWN OF 8 HAR-TRU TENNIS COURTS AT RAMAPO TENNIS AND SWIM CLUB- OVAL TENNIS, INC.

The following resolution was **moved by Councilwoman Hunter, seconded by Councilman Withers** and adopted by all board members:

RESOLUTION NO. 2011- 143

WHEREAS, the Parks and Recreation Department solicited proposals for Spring Reconditioning and Fall Takedown of 8 Har-Tru Tennis Courts at the Ramapo Tennis and Swim Club, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, has recommended that the proposal of Oval Tennis, Inc. of P. O. Box 189, Somers, NY 10589, in the amount of \$8,885.00, be accepted,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the proposal of Oval Tennis, Inc. for Spring Reconditioning and Fall Takedown of 8 Har-Tru Tennis Courts at the Ramapo Tennis and Swim Club for the year 2011 at the terms set forth above, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with Oval Tennis, Inc. in a form approved by the Town Attorney's Office.
Source of Funds: Operating 7160A.3446

DECLARE PUBLIC EMERGENCY: REPAIR OF HEATING SYSTEM AT FORMER HTI BUILDING ON TORN VALLEY ROAD

The following resolution was **moved by Councilman Friedman, seconded by Councilman Withers** and adopted by all board members:

RESOLUTION NO. 2011 – 144

WHEREAS, the heating system at the former HTI Building on Torn Valley Road failed in late January 2011, and

WHEREAS, failure to repair the above heating system immediately would have resulted in unsafe conditions for all occupants of the above building, and

WHEREAS, Air Kool Mechanical Contractors, Inc. 451 North Route 9W, Congers, NY was retained to perform the above emergency repairs at a cost of \$25,871.89, and

WHEREAS, said repairs could not await competitive bidding,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that pursuant to Section 103 of the General Municipal Law a public emergency is hereby declared with respect to the repair of the above heating system, and

BE IT FURTHER RESOLVED, that the Finance Department is hereby authorized to pay the above bill of Air Kool Mechanical Contractors, Inc.
Source of Funds: Operating 7115A.3446

DECLARE PUBLIC EMERGENCY: REPLACEMENT OF BOILER AT JOSEPH T. ST. LAWRENCE CENTER

The following resolution was **moved by Councilwoman Hunter, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011 – 145

WHEREAS, a boiler at the Joseph T. St. Lawrence Center, that failed in December 2010 and was in need of immediate replacement and

WHEREAS, failure to immediately replace would have resulted in unsafe conditions for all occupants of the above building, and

WHEREAS, the Purchasing Department is in receipt of a proposal from Air Kool Mechanical Contractors, Inc. 451 North Route 9W, Congers, NY was retained to perform the above emergency replacement at a cost of \$14,701.24, and

WHEREAS, said replacement could not await competitive bidding,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that pursuant to Section 103 of the General Municipal Law a public emergency is hereby declared with respect to the replacement of the above boiler, and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute an agreement with Air Kool Mechanical Contractors, Inc., in a form approved by the Town Attorney's Office.

Source of Funds: Capital 7197H14.34460

AUTHORIZATION FOR ASSESSOR TO ATTEND MASS APPRAISAL SEMINAR IN MEMPHIS, TN- FEBRUARY 28-MARCH 3, 2011

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullamn** and adopted by all board members:

RESOLUTION NO. 2011-146

WHEREAS, Town of Ramapo Assessor, **Scott Shedler**, has requested authorization to attend the *International Association of Assessing Officers 15th Annual GIS/CAMA Technologies Conference* on February 28-March 3, 2011 in Memphis, Tennessee, and

WHEREAS, the costs involved will not exceed \$1,830.00 (\$620.00 for members registration, \$600.00 for hotel, and \$110.00 for meals and \$500.00 for airfare) and has been accounted for in the 2011 budget,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that permission be hereby granted for Assessor, **Scott Shedler** to attend the seminar as stated above, **at a cost not to exceed \$1,830.00**, and

BE IT FURTHER RESOLVED that said expense incurred by the above at this Conference is to be considered a proper Municipal Charge under Town Law, Section 116(12) and General Municipal Law, Section 77B.

Source of Funds: Assessor 1355A.3465 (schools, seminar & travel)

AUTHORIZATION FOR DATE CHANGE : TOWN BOARD WORKSHOP SCHEDULED FOR FEBRUARY 21,2011

The following resolution was **moved by Councilman Withers, seconded by Councilwoman Hunter** and adopted by all board members:

RESOLUTION NO. 2011-147

WHEREAS, Ramapo Town Board Resolution No. **2011-35**, adopted at the Re-Organizational Meeting of January 12, 2011, established Regular Town Board Meetings of the Town of Ramapo to be held on the second and fourth Wednesdays of every month (with the Town Board workshops held on the Monday preceding those meetings), and

WHEREAS, the Ramapo Town Board would like to **make the following change to the Town Board Workshop scheduled for February 21, 2011:**

CANCEL

Workshop

Monday

February 21, 2011

8:00 pm

SCHEDULE

Workshop

Wednesday

February 23, 2011

6:30 pm

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the date and time of the February 21, 2011 Workshop be changed as stated above.

NEW BUSINESS

RETAINMENT OF TEMPORARY CLERICAL ASSISTANT- RECEIVER OF TAXES OFFICE

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011 – 148

WHEREAS, the Office of the Receiver of Taxes is in need of temporary clerical assistance due to an illness of one of his staff during the end of the tax collection period, and

WHEREAS, Nathan Oberman, the Receiver of Taxes, has requested that Rose Scaglione of

Airmont be retained to provide temporary clerical assistance in the Receiver of Taxes Office for up to eight (8) hours per day at \$25.00 per hour, retroactive from January 31, 2011 through February 11, 2011, total compensation not to exceed \$1,000.00

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby retains Rose Scaglione as a temporary clerical employee in the Receiver of Taxes Office at the terms set forth above.

Source of Funds: 1330A.3452

APPROVAL OF AGREEMENT: EASTERN FISHING AND OUTDOOR EXPOSITION

The following resolution was **moved by Councilwoman Hunter, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011 – 149

WHEREAS, Eastern Fishing & Outdoor Exposition, LLC has requested that the Town provide police officers during their 2010 Fishing and Outdoor Exposition being held at Rockland Community College March 3, 2011 through March 6, 2011 and allow use of the Spook Rock Pool parking lot, and

WHEREAS, the Town is willing to provide said police officers and allow use of the Spook Rock Pool parking lot, subject to Eastern Fishing & Outdoor Exposition, LLC agreeing to reimburse the Town for the cost of the assignment of police officers at the following rates:

Police Sergeants - \$140.00 per hour

Police Officers - \$125.00 per hour

and naming the Town as additional insured,

NOW, THEREFORE, BE IT RESOLVED that the Town hereby agrees to provide police officers to Eastern Fishing & Outdoor Exposition, LLC and the use of the parking lot, subject to the rates set forth above, and

BE IT FURTHER RESOLVED that the Supervisor be hereby authorized to execute a letter agreement with Eastern Fishing & Outdoor Exposition in a form approved by the Town Attorney's Office.

AUTHORIZATION TO SUBMIT LOCAL EFFICIENCY GRANT TO NEW YORK STATE DEPARTMENT OF STATE- CONSOLIDATION OF FIRE DISTRICTS

The following resolution was **moved by Councilman Friedman, seconded by Councilman Ullman** and adopted by all board members present:

RESOLUTION NO. 2011 – 150

WHEREAS, Councilman Daniel Friedman has proposed to consolidate the Spring Valley Municipal Fire Departments, Park Crest Fire Protection District, Spring Valley Fire District #1, and the West Spring Valley Fire District into a Joint Town of Ramapo/Village of Spring Valley Fire District, and

WHEREAS, the Consolidated Fire District will result in substantial savings to the residents of the above districts, and

WHEREAS, there will be a more efficient delivery of fire protection services, and the residents of the new district will continue to be provided fire protection services by the Spring Valley Fire Department, and

WHEREAS, New York State has established a local government efficiency grant program administered by the New York Department of State to assist municipalities in the consolidation of local governmental entities,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town on Ramapo that Supervisor Christopher P. St. Lawrence is hereby authorized to submit a grant to the New York Department of State for a local efficiency grant to assist the Town in the above consolidation

AUTHORIZATION TO APPEAL WITH PRIVATE COUNSEL: CRONIN V. ST. LAWRENCE- BURKE, MIELE AND GOLDEN

The following resolution was **moved by Councilman Withers, seconded by Councilman Friedman** and adopted by all board members present:

RESOLUTION NO. 2011-151

WHEREAS, the Town Board, by Resolution No. 2011-137 authorized the filing of a Leave to Appeal of the Decision of United States District Judge Marilyn Patel in the action *Cronin v. St. Lawrence*, and

WHEREAS, Michael L. Klein, the Town Attorney, has recommended that the Town retain the firm of Burke, Miele & Golden of Suffern, NY to file the above Leave to Appeal on behalf of the of Ramapo.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Town of Ramapo that it hereby retains the firm of Burke, Miele & Golden to file a Leave to Appeal of the Decision in *Cronin v. St. Lawrence*.

OPEN PERIOD FOR PUBLIC PARTICIPTION

The following person addressed the Town board this evening:

1. **Robert Romanowski** - 177 Maple Avenue, Monsey – expressed concern for fare increases with service restrictions in TOR rates, presented copy of TOR news release.

CLOSE OPEN PERIOD FOR PUBLIC PARTICIPATION

The following resolution was **moved by Councilman Withers, seconded by Councilman Ullman** and adopted by all board members:

RESOLUTION NO. 2011- 152

RESOLVED by the Town Board of the Town of Ramapo that the Open Period for Public Participation held this evening, February 9, 2011, be hereby **closed at 9:43 PM.**

COUNCIL MEMBERS' COMMENTS:

There were no comments this evening.

SUPERVISOR'S REPORT:

There was no report this evening.

ADJOURNMENT

The following resolution was **moved by Councilman Withers, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011-153

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town board held this evening, February 9, 2011 be hereby **adjourned at 9:44 PM.**

Respectfully submitted,

Christian G. Sampson

Town Clerk

