

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

The Town Board of the Town of Ramapo convened in **Regular Session** on Tuesday, August 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.

APPOINTMENT OF ZONING BOARD OF APPEALS CHAIRPERSON

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

RESOLUTION NO. 2011- 472

WHEREAS, Morton Summer, Chairman of the Zoning Board of Appeals recently passed away,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that **Charlene Weaver** of Hillcrest, New York is hereby appointed **Chairperson of the Zoning Board of Appeals**, effective immediately, for the remainder of 2011.

OPEN PERIOD FOR PUBLIC PARTICIPATION

No one wished to address the Town Board this evening

CLOSE 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- 473

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

ACCEPTANCE OF MINUTES

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

RESOLUTION NO. 2011- 474

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:

July 11, 2011 – Regular

ACCEPTANCE OF MINUTES

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

RESOLUTION NO. 2011-475

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:

July 29, 2011 – Special

SETTLEMENT OF CLAIM: ALLSTATE INSURANCE COMPANY a/s/o TALIA & STEVEN LIPTON

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

RESOLUTION NO. 2011- 476

WHEREAS, State Farm Mutual Automobile Insurance Company a/s/o Steven and Talia Lipton commenced an action against the Town of Ramapo to recover damages as a result of their insured's vehicle being struck by a shopping cart pushed into said vehicle by a Highway Department vehicle, and

WHEREAS, the Town Attorney's Office has reviewed the claim and recommends that it be settled in the amount of \$1,809.38,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby settles the above action in the amount of \$1,809.38, said settlement to be charged to Account CSL1931, and

BE IT FURTHER RESOLVED that the above settlement is conditioned upon receipt of a general release executed by State Farm Mutual Automobile Insurance Company.

SETTLEMENT OF CLAIM: R & S SHEET METAL

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

RESOLUTION NO. 2011- 477

WHEREAS, RS Roofing and Sheet Metal, Co., Inc., 30 Prospect Street West, Nanuet, New York 10954, filed a Notice of Claim against the Town dated June 3, 2011 for damage to its vehicle as a result of it being struck by a Town Highway Department vehicle at the Town Highway garage, and

WHEREAS, the Town Attorney's Office has reviewed the claim and recommends that it be settled in the amount of \$1,948.91,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby settles the claim of RS Roofing and Sheet Metal Co., Inc., in the amount of \$1,948.91, said settlement to be charged to CSL1931, and

BE IT FURTHER RESOLVED that said settlement is conditioned upon receipt of a general release executed by RS Roofing and Sheet Metal Co., Inc.

APPROVAL OF AGREEMENT: CORNELL COOPERATIVE EXTENSION: PHASE II STORM WATER REGULATIONS – COMMUNITY EDUCATION

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

RESOLUTION NO. 2011 – 478

WHEREAS, The Town Board by Resolution No.2010-165, entered into an agreement with Cornell Cooperative Extension, Rockland County, 10 Patriot Hills Drive, Stony Point, New York 10980 to provide community-wide education with respect to Phase II Storm water Regulations, and

WHEREAS, Ted Dzurinko, Director of Public Works has recommended that we enter into a new agreement for the period retroactive to April 1, 2011 thru March 31, 2012 at a fee of \$6,800.00,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby accept the above proposal of Cornell Cooperative Extension to provide the above community-wide education service at a fee of \$6,800.00 for the period retroactive to April 1, 2011 through March 31, 2012, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with Cornell Cooperative Extension in a form approved by the Town Attorney's office.

Source of Funds: 8160B.3407S

APPROVAL OF AGREEMENT: CHALLENGER CENTER FOR SPACE SCIENCE EDUCATION: TEACHER DEVELOPMENT WORKSHOP – TOWN CHALLENGER CENTER

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

RESOLUTION NO. 2011 – 479

WHEREAS, the Challenger Center for Space Science Education, 300 North Lee Street, Suite 301, Alexandria, Virginia 22314, has requested the Town, thru the Town's Challenger Center, provide a teacher development workshop for middle school teachers for the period August 15, 2011 thru December 31, 2011 at a fee of \$25.00 per hour, not to exceed a total of \$6,760.00, and

WHEREAS, Michelle Antosca, Director of Parks & Recreation, recommends that the Town Challenger Center provide the above services,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that if hereby agrees to enter into an agreement with the Challenger Center for Space Science Education for the provision of an educational workshop by the Town's Challenger Center at the terms set forth above, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with the Challenger Center for Space Science Education in a form approved by the Town Attorney's office.

APPROVAL OF AGREEMENT: INTEGRA HEALTH CORPORATE SOLUTIONS: DRUG & ALCOHOL TESTING

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

RESOLUTION NO. 2011 – 480

WHEREAS, the Town requires the services of a contractor to provide alcohol and drug testing services, and

WHEREAS, the Town's agreement with Integra Health Corporate Solutions, P. O. Box 419, Sparta, New Jersey 07871 expired on June 30, 2011, and

WHEREAS, Linda Condon, the Director of the Personnel Department, is in receipt of a proposal from Integra Health Corporate Solutions to provide alcohol and drug testing services, and the Town requires the services of a contractor to provide alcohol and drug testing services for a twelve month period for the following fees:

\$42.00 per D.O.T. Drug Test

\$30.00 per D.O.T. Alcohol Test

\$275.00 per D.O.T. per Sample Split Specimen On-Site Service

\$180.00 per Post-Accident On-Site Service

\$575.00 – Annual Administrative Fee, and

WHEREAS, Linda Condon has reviewed the proposal and recommends its acceptance,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby accept the proposal of Integra Health Corporate Solutions to provide alcohol and drug testing services subject to the fees set forth above retroactive to July 1, 2011 and terminating June 30, 2012.

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with Integra Health Corporate Solutions in a form approved by the Town Attorney's Office.

Source of Funds: 1989A.3466 (Drug and Alcohol Testing)

APPROVAL OF AGREEMENT: VILLAGE OF SPRING VALLEY: PASCACK BROOK DRAINAGE IMPROVEMENT PROJECT – SPECIAL COUNSEL

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

RESOLUTION NO. 2011- 481

WHEREAS, the County of Rockland, together with the assistance of the Village of Spring Valley will be undertaking the Pascack Brook Drainage Improvement Project, and

WHEREAS, the above project may require the acquisition of easements by condemnation, and

WHEREAS, the Village of Spring Valley has requested that the Town provide for the Town Attorney's office to serve as special counsel to the Village with respect to any condemnation proceedings necessary with respect to the Pascack Brook Drainage Project,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to provide special counsel services to the Village of Spring Valley with respect to the Pascack Brook Project at no cost to the Village for legal services, with the Village to be solely responsible for all costs, disbursements and expenses, and

BE IT FURTHER RESOLVED that the Village will indemnify and hold the Town harmless for all claims arising out of the above project.

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with the Village of Spring Valley in a form approved by the Town Attorney's office.

APPROVAL OF AGREEMENT: PAYMENT IN LIEU OF TAXES AGREEMENT: LIPTIS PHARMACEUTICALS USA, INC.

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

RESOLUTION NO. 2011 – 482

WHEREAS, a Payment in Lieu of Taxes Agreement has been presented to the Town Board between the County of Rockland, the Town of Ramapo, the Village of Chestnut Ridge, the East Ramapo Central School District, the County of Rockland Industrial Development Agency, Liptis Holdings, LLC and Liptis Pharmaceuticals USA, Inc. for the acquisition of an existing building, renovations to said building and installation of certain machinery and equipment for property located at 200 Ram Ridge Road in the Village of Chestnut Ridge, and

WHEREAS, the agreement provides that, as a condition of the financing being provided, Liptis Holding, LLC will be liable for **Payment in Lieu of Taxes** of an amount equal to the real property taxes which would have been due on the property if the property was not leased by a non-taxable owner, said payment to be made to the appropriate taxing jurisdiction, and

WHEREAS, the Town Attorney's office has reviewed the agreement and finds same acceptable,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the board does hereby agree to enter into a **Payment in Lieu of Taxes Agreement** with the County of Rockland, the County of Rockland Industrial Development Agency, the Ramapo Central School District, the Village of Chestnut Ridge, Liptis Holdings, LLC and Liptis Pharmaceuticals USA, Inc. with respect to property located in the Village of Chestnut Ridge, and

BE IT FURTHER RESOLVED that said consent by the Town of Ramapo in conditioned on and shall be effective upon the above stated property actually being leased to the Rockland Industrial Development Agency.

APPROVAL OF AGREEMENT: ORANGE & ROCKLAND UTILITY RATE INCREASE – DANIEL P. DUTHIE, ESQ.

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

RESOLUTION NO. 2011 – 483

WHEREAS, Orange and Rockland Utilities requested a utility rate increase before the New York State Public Service Commission, and

WHEREAS, the Town intervened in the above case, and

WHEREAS, the Town Attorney's Office utilized the services of Daniel P. Duthie, Esq., P.O. Box 8, Bellvale, New York 10912, to assist the Town at a fee of \$3,000, and

WHEREAS, the Town Attorney's Office wishes to utilize the services of Daniel P. Duthie, Esq. to assist the Town in an upcoming rate increase request by Rockland and Orange Utilities at a fee of \$3500,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby retains Daniel P. Duthie, Esq. to assist the Town at the above rate increase request at a fee of \$3,500, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute a letter agreement with Daniel P. Duthie, Esq. in a form approved by the Town Attorney's Office, and

BE IT FURTHER RESOLVED that the Finance Department is hereby authorized to pay the \$3,000 fee of Daniel P. Duthie, Esq.

Source of Funds: 5182SL.3452

EXTENSION OF AGREEMENT: ASSESSMENT INFORMATION PROJECT – CATHY MILLS

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

RESOLUTION NO. 2011 – 484

WHEREAS, the Town Board by Resolution No. 2011-299 authorized Scott Shedler, the Town Assessor to hire five persons to assist him in implementing an Assessment Information Project by which residents would be educated regarding assessments of real property, and

WHEREAS, Scott Shedler had requested the Town retain Cathy Mills of Suffern, New York, one of the original persons retained to work on the above project to assist him in completing a summary of the Assessment Information Project at an hourly rate not to exceed \$14 an hour for the period commencing August 15, 2011 and terminating December 31, 2011 at a total cost not to exceed \$4,000,

NOW THEREFORE BE IT RESOLVED that Cathy Mills of Suffern, New York is hereby retained to assist the Assessor in the preparation of a summary of the Assessment Information Project at the above terms.

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute a letter agreement with Cathy Mills in a form approved by the Town Attorney's Office.

Source of Funds: 1420A3452

APPROVAL OF LICENSE AGREEMENT: ROCKLAND PARAMEDICS SERVICES – GARAGE SPACE AT RECORDS RETENTION BUILDING

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

RESOLUTION NO. 2011- 485

WHEREAS, the Town currently owns 3 Debaun Avenue, South, Suffern, New York, the Town's record retention facility, and

WHEREAS, Rockland Paramedic Services, Inc., 540 Chestnut Ridge Road, Chestnut Ridge, New York 10977 has requested to utilize a portion of the above premises for storage of a Paramedic vehicle and for office space, and

WHEREAS, the Town is willing to grant a license agreement for use of the above premises subject to the following:

Premises: garage, one office and shared use of bathroom and kitchen

Term: August 15, 2011 through December 31, 2012

Fee: \$800.00 per month – (plus \$200 based on square footage as share of the utilities, and proportionate share of special district taxes)

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to grant a license agreement to Rockland Paramedic Services, Inc., for use of a portion of the premises at 3 Debaun Avenue, South, Suffern, New York, subject to the terms set forth above, and

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

SETTLEMENT OF CERTIORARI ACTION: FOUR TEN ROUTE FIFTY NINE CORP.

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

RESOLUTION NO. 2011 - 486

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

FOUR TEN ROUTE FIFTY NINE CORP.

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2006/07	56.10-1-2	\$314,100	\$250,000
2007/08	56.10-1-2	\$314,100	\$250,000
2008/09	56.10-1-2	\$300,000	\$250,000

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 Ramapo Central School District, and

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

SETTLEMENT OF CERTIORARI ACTION: RMH LAND CO., LLC

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

RESOLUTION NO. 2011 - 487

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

RMH LAND CO. LLC

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2009/10	55.12-1-3.1	\$280,000	\$269,100

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 Ramapo Central School District, and

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

SETTLEMENT OF CERTIORARI ACTION: SCI FUNERAL SERVICES

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

RESOLUTION NO. 2011 - 488

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

SCI Funeral Services

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2010/11	55.11-2-7	\$125,000	\$115,000
2011/12	55.11-2-7	\$125,000	\$115,000

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 Ramapo Central School District, and

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

APPROVAL OF CHANGE ORDER: SPOOK ROCK POOL MODERNIZATION, PHASE I, SPRAY PAD: FANSHAW, INC.

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

RESOLUTION NO. 2011- 489

WHEREAS, the Town Board, by Resolution No. 2010 – 640, approved an agreement with Fanshaw, Inc., 58 E. Route 59, Nanuet, New York 10954 d/b/a Rockland Electric for the electrical construction portion of the Spook Rock Pool modernization, Phase I, Spray Pad, in the amount of \$124,500, and

WHEREAS, the Town Board, by Resolution No. 2011 – 273, approved Change Order No. 1 and increased the contract amount to \$199,763.41, and

WHEREAS, the Town Board, by Resolution No. 2011 – 418, approved Change Order No. 2 and increased the contract amount to \$200,936.41, and

WHEREAS, Ward Associates, the project architect, has recommended that the following change order be approved:

Change Order No. 3 Installation of Indicator Light – Filter Pump-----\$1,465.70

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Change Order No. 3 is hereby approved and the contract amount for the above project is hereby increased from \$200,936.41 to \$202,402.11.

Source of Funds: 7197H14.34460

APPROVAL OF CHANGE ORDER: SPOOK ROCK POOL MODERNIZATION, PHASE IA, BATHHOUSE RENOVATION (ELECTRICAL CONSTRUCTION): FANSHAW, INC.

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

RESOLUTION NO. 2011 – 490

WHEREAS, the Town Board, by Resolution No. 2010-745, approved an agreement with Fanshaw, Inc., 58 E. Route 59, Nanuet, New York 10954 d/b/a Rockland Electric, for the Spook Rock Pool Modernization, Phase 1A, bathhouse renovation (electrical construction) in the amount of \$59,500.00, and

WHEREAS, Ward Associates, the project architect, has recommended that the following Change Order be approved:

Change Order No. 1 - Installation of replacement circuits,
conduit, wiring & receptacles \$1,243.81

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Change Order No. 1 is hereby approved and the contract amount for the above project is hereby increased from \$59,500 to \$60,743.81.

Source of Funds: 7197H14.34460

APPROVAL OF CHANGE ORDER: JILL LANE, RITA AVENUE & IDA ROAD SIDEWALK & CURB INSTALLATION: R.O. EXCAVATING CO., INC.

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

RESOLUTION NO. 2011 – 491

WHEREAS, the Town Board by Resolution No. 2011-307 approved an agreement with R.O Excavating Co., Inc., 590 County Road 105, Monroe, New York 10950, for the Jill Lane, Rita Avenue and Ida Road sidewalk and curb installation project in the amount of \$148,130.50, and

WHEREAS, Michael Sadowski, a Town Engineer has recommended that the following Change Order No. 1 be approved:

Change Order No. 1: Pave additional area where drainage was installed
by Town Highway Dept.....\$4,828.75

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Ramapo that Change Order No. 1 is hereby approved and the contract amount is hereby increased from \$148,130.50 to \$152,959.25.

Source of Funds: 8997H29.34460 (Community Development)

APPROVAL OF CHANGE ORDER: SOIL TESTING – FIREMEN’S MEMORIAL DRIVE FACILITY: FAIRWAY TESTING

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

RESOLUTION NO. 2011 – 492

WHEREAS, the Town Board, by Resolution No. 2010 – 538, approved an agreement with Fairway Testing, 22 North Liberty Drive, P. O. Box 578, Stony Point, New York 10980, for soil testing with respect to the Fireman’s Memorial Drive Project in the amount of \$35,000.00, and

WHEREAS, the Town Board, by Resolution No. 2011 – 76, approved Change Order Nos. 1 and 2, and increased the contract amount to \$69,000.00, and

WHEREAS, the Town Board, by Resolution No. 2011 – 413, amended the contract and increased the contract amount to \$235,000.00 due to the need for additional testing, and

WHEREAS, Paul Gdanski, Town Engineer, has recommended that the following Change Order be approved:

Change Order No. 4	Steel erection, bolting and welding, inspection and monitoring services	\$75,000.00
Change Order No. 5	Additional soil testing for soil embankment construction	\$12,000.00

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Change Order Nos 4 and 5 are hereby approved and the contract amount is hereby increased from \$235,000.00 to \$322,000.00.

Source of Funds: 7197H14.34460

EXTENSION OF APPROVAL: CLERICAL EMPLOYEE – ATTORNEY’S OFFICE

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

RESOLUTION NO. 2011 – 493

WHEREAS, the Town Board, by Resolution No. 2011 – 103 retained Linda Passman as a temporary clerical employee in the Town Attorney’s office for up to 15 hours per week, 5 hours per day at \$25.00 per hour, and

WHEREAS, said agreement has expired but Ms. Passman’s services are needed for the remainder of the year,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby retains Linda Passman as a temporary clerical employee in the Town Attorney’s Office for the period retroactive to April 23, 2011 and ending on October 31, 2011 at the terms set forth above.

Source of Funds: 1420A.3452

APPROVAL OF RETROACTIVE TAX EXEMPTION: KONBIT NEG LAKAY, INC.
The following resolution was **moved by Councilwoman Hunter, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011 – 494

WHEREAS, legislation will be introduced in the New York State Legislature that would grant authority for the Town to accept a retroactive application by the following organization for a real property tax exemption as follows:

Konbit Neg Lakay, Inc.
16 E. Church Street
Spring Valley, New York
S/B/L: 05/57.39-2-32
2010 Assessment Roll

WHEREAS, the State Legislature requires the Town Board to state that it will grant the retroactive tax exemption once appropriate State authority is granted,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it has no objection to the passage of the above legislation and it hereby agrees that it will grant a tax exemption for the above property for the tax year in question if legislation is passed and signed by the Governor.

APPROVAL OF RETROACTIVE TAX EXEMPTION: CONGREGATION AHAVAS YISRAEL

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

RESOLUTION NO. 2011 – 495

WHEREAS, legislation will be introduced in the New York State Legislature that would grant authority for the Town to accept a retroactive application by the following organization for a real property tax exemption as follows:

Cong. Ahavas Yisrael
972 Chestnut Ridge Road
Chestnut Ridge, New York
S/B/L: 15/67.8-1-73
2009 Assessment Roll

WHEREAS, the State Legislature requires the Town Board to state that it will grant the retroactive tax exemption once appropriate State authority is granted,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it has no objection to the passage of the above legislation and it hereby agrees that it will grant a tax exemption for the above property for the tax year in question if legislation is passed and signed by the Governor.

APPROVAL OF RETROACTIVE TAX EXEMPTION: VILLAGE OF AIRMONT

The following resolution was **moved by Councilman Withers, seconded by Supervisor St. Lawrence** and adopted by all board members:

RESOLUTION NO. 2011 – 496

WHEREAS, legislation will be introduced in the New York State Legislature that would grant authority for the Town to accept a retroactive application by the following organization for a real property tax exemption as follows:

Village of Airmont
22 Stillo Drive
Airmont, New York
S/B/L: 21/55.20-1-29.21
2009 Assessment Roll

WHEREAS, the State Legislature requires the Town Board to state that it will grant the retroactive tax exemption once appropriate State authority is granted,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it has no objection to the passage of the above legislation and it hereby agrees that it will grant a tax exemption for the above property for the tax year in question if legislation is passed and signed by the Governor.

AMENDMENT OF 2011 TOWN BUDGET: TRANSFER OF FUNDS – PERSONNEL DEPARTMENT

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

RESOLUTION NO. 2011- 497

WHEREAS, Linda Condon, Director of the Personnel Department is in need of the purchase of various office supplies, and

WHEREAS, the Department budget does not contain sufficient funds specifically allocated for the purchase of various supplies,

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

Transfer \$250.00 from Account 1430A.3220 (office equipment) to Account 1430A.3411 (office supplies) to purchase various office supplies.

EXTENSION OF BID: FURNISHING & CLEANING OF WORK UNIFORMS FOR VARIOUS DEPARTMENTS OF THE TOWN OF RAMAPO

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

RESOLUTION NO. 2011- 498

WHEREAS, the Town Board, by Resolution No. 2009-528, adopted at the October 14, 2009 Town Board Meeting, accepted the bid of American Wear, Inc. of 261 North 18th Street, East Orange, NJ 07017, for the Furnishing and Cleaning of Work Uniforms for Various Departments of the Town of Ramapo, and

WHEREAS, the Agreement between the Town and American Wear, Inc. provided for an extension of said Agreement for an additional one (1) year period, subject to the mutual consent of the Town and American Wear, Inc., and

WHEREAS, Mona Montal, Director of Purchasing, recommends the extension of said Agreement,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Agreement between the Town and American Wear, Inc., for the Furnishing and Cleaning of Work Uniforms for Various Departments of the Town of Ramapo, is hereby extended for an additional one (1) year period **from October 16, 2011 through October 15, 2012**, at the same terms and conditions, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to sign an Agreement with American Wear, Inc., in a form approved by the Town Attorney's Office.
Source of Funds: Various Operating

REJECTION OF BID: ROOF REPLACEMENT, FRONT PORCH RESTORATION & FRONT DOORWAY RESTORATION OF HARMONY HALL

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

RESOLUTION NO. 2011- 499

WHEREAS, the Purchasing Department of the Town of Ramapo has solicited bids for the Roof Replacement, Front Porch Restoration and Front Doorway Restoration at Harmony Hall, and

WHEREAS, bids were received by the Town Clerk of the Town of Ramapo and opened on June 21, 2011, in accordance with the provisions of the law, and

WHEREAS, Mona Montal, Director of Purchasing, has recommended re-bidding the project with a revised scope of work,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the bid for the Roof Replacement, Front Porch Restoration and Front Doorway Restoration at Harmony Hall be rejected, and the Director of Purchasing is hereby authorized to solicit new bids.

ACCEPTANCE OF PROPOSAL: PURCHASE OF DISC BACK-UP SYSTEM

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

RESOLUTION NO. 2011- 500

WHEREAS, Teresa Reeck, Director of Automated Services, is in receipt of a proposal from CDW Government of 230 North Milwaukee Avenue, Vernon Hills, IL 60061, for a disc backup system for use by Town Hall and the Police Department, in the amount of \$12,000.00, and

WHEREAS, Mona Montal, Director of Purchasing, has reviewed the above proposal and recommends its acceptance as it is a New York State approved contractor,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the above proposal of CDW Government for a disc backup system at a fee of \$12,000.00.

Source of Funds: Capital 1997H35.3220

ACCEPTANCE OF PROPOSAL: PURCHASE OF FALL/WINTER/SPRING FACILITIES BROCHURE

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

RESOLUTION NO. 2011- 501

WHEREAS, Michelle Antosca, Director of Parks and Recreation, has solicited proposals for the Printing of the Fall/Winter/Spring Facility Brochure, and

WHEREAS, Michelle Antosca has recommended that the proposal of Proforma Corporate Systems of 39 South Main Street, New City, NY 10956, in the amount of \$6,995.00, be accepted, and

WHEREAS, Mona Montal, Director of Purchasing, concurs with said recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the proposal of Proforma Corporate Systems for the Printing of the Fall/Winter/Spring Facility Brochure, in the amount of \$6,995.00, be accepted, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to sign an agreement with Proforma Corporate Systems, in a form approved by the Town Attorney's Office.

Source of Funds: Operating 7020A.3498

AUTHORIZATION FOR ASSISTANT FIRE INSPECTOR TO ATTEND INTERNATIONAL CODE COUNCIL (ICC) ANNUAL CONFERENCE IN PHOENIX, ARIZONA, OCTOBER 29TH - NOVEMBER 4TH

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

RESOLUTION NO. 2011- 502

WHEREAS, Adam Peltz, Assistant Fire Inspector for the Town of Ramapo, has requested authorization to attend the International Code Council Annual Conference to be held in Phoenix, Arizona, October 29th through November 4, 2011

WHEREAS, registration is complimentary and travel and lodging expenses will be paid by the New York State Building Officials Conference, Rockland Chapter,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that authorization be hereby granted for **ADAM PELTZ, ASSISTANT FIRE INSPECTOR** for the Town of Ramapo to attend the **INTERNATIONAL CODE COUNCIL ANNUAL CONFERENCE** to be held in Phoenix, Arizona, October 29th through November 4, 2011, at no cost to the Town.

APPROVAL OF LIQUOR LICENSE: RALPHIE'S DINER DELI, INC., MONSEY

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

RESOLUTION NO. 2011- 503

WHEREAS, pursuant to the requirements of the New York State Alcoholic Beverage Control Law, an applicant for a license to sell alcoholic beverages at retail, for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

WHEREAS, this notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal, to the ABC Board,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo, that with respect to the application submitted by **RALPHIE'S DINER DELI, INC., 8 Remsen Avenue, Monsey, NY 10952**, for a license to sell alcoholic beverages at retail, for on premises consumption, the Ramapo Town Board does hereby express a **favorable** opinion.

APPROVAL OF LIQUOR LICENSE: MIEL RESTAURANT, INC. d/b/a AVANTI RESTAURANT, POMONA

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

RESOLUTION NO. 2011- 504

WHEREAS, pursuant to the requirements of the New York State Alcoholic Beverage Control Law, an applicant for a license to sell alcoholic beverages at retail, for on- premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

WHEREAS, this notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal, to the ABC Board,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo, that with respect to the application submitted by **MIEL RESTAURANT, INC. d/b/a AVANTI RESTAURANT, Pacesetter Shopping Center, Route 202, Pomona, NY 10970**, for a license to sell alcoholic beverages at retail, for on premises consumption, the Ramapo Town Board does hereby express a **favorable** opinion.

APPROVAL OF AGREEMENT: POUND & SHELTER SERVICES – HI-TOR ANIMAL CARE CENTER

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

RESOLUTION NO. 2011 –505

WHEREAS, the Town is required to provide pound and shelter services for dogs of the Town pursuant to the Agricultural and Markets Law of the State of New York, and

WHEREAS, Hi-Tor Animal Care Center, Inc., Firemen's Memorial Drive, has agreed to provide pound and shelter services to the Town subject to the following terms:

- a) Term: July 1, 2011 – June 30, 2012
- b) Fee: **\$8,250.00** per quarter – Total \$33,000.00

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to enter into an agreement with Hi-Tor Animal Care Center, Inc. for the provision of pound and shelter services pursuant to the terms set forth above, and

BE IT FURTHER RESOLVED that the Town of Ramapo will commit to contribute \$33,000 toward the cost of a new facility for Hi-Tor Animal Care Center, Inc. if such facility is to be built by the County of Rockland.

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement in a form approved by the Town Attorney's Office.

Source of Funds: 1410A.3486

APPROVAL OF AGREEMENT: REIMBURSEMENT FOR FUNDING – R.E.A.C.T. PROGRAM – COUNTY OF ROCKLAND

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

RESOLUTION NO. 2011- 506

WHEREAS, the County of Rockland has created a Rescue Entry and County Terrorism Team (R.E.A.C.T.) which is funded by a Homeland Security Grant, and

WHEREAS, the County of Rockland wishes to reimburse the Town of Ramapo \$2,913.00 for Town Police Department officers attending a New York State Tactical Officers Conference with respect to the Town's participation in the R.E.A.C.T. program, for the period April 11, 2011 through April 13, 2011,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to enter into an intermunicipal agreement with the County of Rockland for reimbursement of the costs in the amount of \$2,913.00 with respect to the Town's participation in the County R.E.A.C.T. Program, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with the County of Rockland in a form approved by the Town Attorney's office.

ACCEPTANCE OF DONATION OF SURPLUS VEHICLE: ROCKLAND PARAMEDIC SERVICES

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

RESOLUTION NO. 2011 – 507

WHEREAS, Rockland Paramedic Services has offered to donate an surplus vehicle, to wit: a Suburban, for use by the Town, and

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts a donation of a surplus vehicle from the Rockland Paramedic Services for its use for general municipal purposes.

AUTHORIZATION TO SUBMIT GRANT APPLICATION: JUSTICE COURT ASSISTANCE PROGRAM

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

RESOLUTION NO. 2011 – 508

WHEREAS, the State of New York has established the Justice Court Assistance Program, which will enable Towns and Villages to apply to the Chief Administrative Judge for grants of State funds to assist in the operation of their Justice Courts, and

WHEREAS, the grant funds may be used for any purpose having as its end the enhancement of the Justice Court's ability to provide suitable and sufficient services to their respective communities including, but not limited to, security equipment and other facility-related needs,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Supervisor Christopher P. St. Lawrence is hereby authorized to submit an application to the Justice Court Assistance Program in the amount of \$30,000 for the above grant funds for office and security equipment, furniture and courtroom improvement.

CHANGE WORKSHOP DATE OF SEPTEMBER 12, 2011

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

RESOLUTION NO. 2011 – 509

WHEREAS, Ramapo Town Board Resolution No. 2011 – 35, adopted at the Re- Organization 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 September 12, 2011:**

CANCEL

Workshop Monday September 12, 2011 8:00 pm

SCHEDULE

Workshop Wednesday September 14, 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 September 12, 2011 Workshop be changed as stated above.

AUTHORIZATION FOR TOWN ASSESSOR TO ATTEND INTERNATIONAL ASSOCIATION OF ASSESSING OFFICERS 77TH ANNUAL CONFERENCE IN PHOENIX, ARIZONA, SEPTEMBER 18TH - SEPTEMBER 21ST

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

RESOLUTION NO. 2011- 510

WHEREAS, Town of Ramapo Assessor, Scott Shedler, has requested authorization to attend the International Association of Assessing Officers 77th Annual Conference to be held September 18-21, 2011 in Phoenix, Arizona, and

WHEREAS, the costs involved will not exceed \$2,100 (\$600.00 for members registration, \$775 for hotel, \$200 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 **INTERNATIONAL ASSOCIATION OF ASSESSING OFFICERS 77TH ANNUAL CONFERENCE**, to be held September 18-21, 2011 in Phoenix, Arizona **at a cost not to exceed \$2,100**, 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)

TOWN GUARANTY OF SHORT TERM FINANCING - RLDC

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

RESOLUTION NO. 2011- 511

WHEREAS, the Town Board established the Ramapo Local Development Corporation (RLDC) under Section 1411 of the New York Not-for-Profit Corporations Law on September 26, 2008 to assist in the development of affordable housing, economic development and urban renewal projects, and

WHEREAS, the RLDC, in furtherance of its corporate purposes, is engaged in activities in conjunction with and with the approval of the Town of Ramapo lessening the burdens of government and acting in the public interest including, but not limited to, the development of affordable housing and economic development on land subject to an urban renewal plan, and

WHEREAS, the RLDC recently constructed a minor league ballpark and 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 Ramapo Local Development Corporation is seeking additional financing in an amount not to exceed \$2,000,000 towards its operations and to carry out its activities in the Town of Ramapo, and

WHEREAS, the Town Board previously agreed to serve as a guarantor of loans to be obtained by the Ramapo Local Development Corporation to be utilized towards its operations, and

WHEREAS, \$3 million dollars of such loans were in the form of a short-term bank loan which was repaid and satisfied by the RLDC in April 2011, thereby reducing the total amount previously guaranteed by the Town, and

WHEREAS, as a condition of the financing, a Town guaranty of said financing will be required, and

WHEREAS, the RLDC has submitted a request to the Town to guaranty the obligations set forth above, and

WHEREAS, the RLDC agrees to utilize all available assets to satisfy or repay such loans prior to the initiation of any action by a lending institution against the Town to enforce such guaranty,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Ramapo that it agrees to serve as guarantor of a line of credit or other short-term obligation to be obtained by the Ramapo Local Development Corporation for eligible purposes in an amount not to exceed \$2,000,000 and an interest rate not to exceed the prime interest rate plus two (2) percent, but in no event exceeding six (6) percent, together with an origination fee not to exceed a half (1/2) point, and for a term not to exceed five (5) years, and

BE IT FURTHER RESOLVED that the proceeds from such obligations shall be used by the RLDC for eligible purposes to facilitate its operations as well as to carry out its activities in the Town of Ramapo; and

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

COUNCIL MEMBERS' COMMENTS

Councilman Friedman- reviewed and updated Public - RE: NYS Consolidation Law and efforts to oppose modifications

SUPERVISOR'S REPORT

There was no report given this evening

ADJOURNMENT

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

RESOLUTION NO. 2011- 512

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, August 9, 2011, be hereby **adjourned** at **10:00PM**.

Respectfully submitted,

Christian G. Sampson
Town Clerk