

**MINUTES OF THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD
ON SEPTEMBER 27, 2011**

The Town Board of the Town of Ramapo convened in **Regular Session** on Tuesday, September 27, 2011 in the Edwin Wallace Auditorium of Ramapo Town Hall, 237 Route 59, Suffern, New York 10901.

Councilwoman Frances M. Hunter, as Deputy Supervisor, 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:	Councilwoman	Frances M. Hunter
	Councilman	Daniel Friedman
	Councilman	Yitzchok Ullman
	Councilman	Patrick J. Withers
	Deputy Town Attorney	Alan Berman
	Town Clerk	Christian G. Sampson
Absent:	Supervisor	Christopher P. St. Lawrence

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

ACCEPTANCE OF MINUTES

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

RESOLUTION NO. 2011- 557

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:

October 5, 2010 – Special

ACCEPTANCE OF MINUTES

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

RESOLUTION NO. 2011- 558

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:

September 14, 2011 – Regular

SETTLEMENT OF CLAIM: JACOBS FAMILY REVOCABLE TRUST

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

RESOLUTION NO. 2011 – 559

WHEREAS, the Town, during the construction of the Maple Avenue sidewalk project damaged property owned by the Jacobs Family Revocable Trust, located at One Blauvelt Road, Monsey, New York 10952, and

WHEREAS, the Jacobs Family Revocable Trust has agreed to accept \$4,191.00 in full settlement of the damage to their property,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to pay \$4,191.00 to the Jacobs Family Revocable Trust for damage to its property as a result of the construction of the Maple Avenue sidewalk project, said settlement to be charged to CSL1931.

BE IT FURTHER RESOLVED that the above settlement is conditioned upon receipt of a general release executed by the Jacobs Family Revocable Trust.

SETTLEMENT OF CLAIM: MORDECHAI WALDMAN

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

RESOLUTION NO. 2011 – 560

WHEREAS, the Town, during the construction of the Maple Avenue sidewalk project damaged property owned by Mordechai Waldman, located at 14 West Maple Avenue, Monsey, New York 10952, and

WHEREAS, Mordechai Waldman has agreed to accept \$4,768.00 in full settlement of the damage to his property,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to pay \$4,768.00 to Mordechai Waldman for damage to his property as a result of the construction of the Maple Avenue sidewalk project, said settlement to be charged to CSL1931.

BE IT FURTHER RESOLVED that the above settlement is conditioned upon receipt of a general release executed by Mordechai Waldman.

SETTLEMENT OF CLAIM: JOSEPH FISCHER

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

RESOLUTION NO. 2011- 561

WHEREAS, Josef Fischer of 6 Hilltop Place, Monsey, New York filed a Notice of Claim dated July 11, 2011 for damage to his vehicle as a result of it being struck by a Highway Department vehicle, and

WHEREAS, the Town Attorney's office has reviewed the above claim and recommends it be settled in the amount of \$605.47.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby settles the claim of Josef Fischer in the amount of \$605.47, said settlement to be charged to CSL 1931, and

BE IT FURTHER RESOLVED that said settlement is conditioned upon receipt of a general release executed by Josef Fischer.

SETTLEMENT OF CLAIM: TOWN OF RAMAPO AGAINST COUNTYWIDE CARTING, LTD.

The following resolution was **moved by Councilman Ullman, seconded by Councilman Friedman** and adopted by all board members present with Supervisor St. Lawrence being absent:

RESOLUTION NO. 2011- 562

WHEREAS, a Town Police vehicle was damaged when struck by a truck tire from a truck owned by Countrywide Carting, Ltd., in the amount of \$635.02, and

WHEREAS, Countrywide Carting, Ltd. has offered to settle the Town's claim for damages in full,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the payment of \$635.02 from Countrywide Carting, Ltd. in full settlement of the Town's claim.

APPROVAL OF AGREEMENT: WIRELESS COMMUNICATION TOWER REVENUE – VILLAGE OF NEW HEMPSTEAD

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

RESOLUTION NO. 2011– 563

WHEREAS, the Town Board, by previous Resolution, approved an agreement with the Village of New Hempstead by which the Town divides equally with the Village all revenue received from the County of Rockland with respect to the wireless communication tower installed in the Fred Loescher Veteran’s Cemetery in the Village of New Hempstead, and

WHEREAS, said agreement expired,

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 Village of New Hempstead for the years 2011 and 2012 by which the Town will pay the Village one-half (1/2) of any revenue received from the County of Rockland with respect to the wireless communication tower in the Veteran’s Cemetery in the Village of New Hempstead, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with the Village of New Hempstead in a form approved by the Town Attorney’s Office.

Source of Funds: A.0631 – Due to Other Governments

SETTLEMENT OF CERTIORARI ACTION: VALLEY VIEW ASSOCIATES

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

RESOLUTION NO. 2011 – 564

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

VALLEY VIEW ASSOCIATES

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2007/08	57.55-1-3	\$220,300	\$172,000
2008/09	57.55-1-3	\$205,000	\$175,000
2009/10	57.55-1-3	\$205,000	\$185,000
2010/11	57.55-1-3	\$205,000	\$185,000

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.

APPOINTMENT OF PERMANENT DEPUTY RECEIVER OF TAXES & ASSESSMENT – TAX OFFICE

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

RESOLUTION NO. 2011- 565

WHEREAS, Monica James has been a provisional Deputy Receiver of Taxes and Assessments in the Town of Ramapo Receiver of Taxes office, and

WHEREAS, Monica James’s name is on Civil Service List Number 11053,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby appoint **Monica James** of Spring Valley, New York **permanent Deputy Receiver of Taxes and Assessments**, effective September 28, 2011. Salary to remain the same.

(SOURCE OF FUNDS: OPERATING BUDGET 1330A:3100)

APPOINTMENT OF PERMANENT PRINCIPAL REGISTRY CLERK – (YIDDISH SPEAKING) – CLERK’S OFFICE

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

RESOLUTION NO. 2011- 566

WHEREAS, Sharon Osherovitz has been a provisional **Principal Registry Clerk (Yiddish Speaking)** in the Town of Ramapo Town Clerk’s Office, and

WHEREAS, Sharon Osherovitz’s has been deemed qualified by Rockland County Personnel Department,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby appoint **Sharon Osherovitz** of Monsey, New York **permanent Principal Registry Clerk (Yiddish Speaking)**, effective September 28, 2011. Salary to remain the same.

(SOURCE OF FUNDS: OPERATING BUDGET 1410A.3100)

DECLARE OFFICE EQUIPMENT SURPLUS

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

Resolution No. 2011- 567

WHEREAS, the following Town of Ramapo office equipment, as set forth below, have become obsolete, are no longer functional, and should be declared surplus:

<u>QUANTITY</u>	<u>ITEM</u>	<u>MAKE/MODEL</u>	<u>SERVICE TAG SERIAL #</u>
1	Monitor	Hewlett Packard 13”	CN-K417-J272
1	Monitor	Dell 15”	CN-0CC639-72872-65P-1LRU
1	Monitor	Dell 15”	CN-0TP219-64180-82C-19F5
1	Monitor	Dell 15”	MX-0688AN-47605-052A167
1	Monitor	Dell 15”	CN-0RY979-46633-77N-7Y9L
1	Monitor	Dell 15”	MX-032D-VX47605-240AB73
1	Monitor	Dell 15”	MX-OU3001-47605-415-AFQ6
1	Monitor	Hewlett Packard 15”	CN-K417-J289
1	Monitor	Hewlett Packard 15”	CN-K416-C695
1	Monitor	Dell 17”	CN-0CC639-72872-65P-1LKU
1	Monitor	Dell 17”	MX-08R339-47605-32A-ANCT
1	Monitor	Dell 17”	MX-08G152-47605-254-AJX8
1	Monitor	Dell 17”	CN-0CC639-72872-65P-IM0U
1	Monitor	Dell 17”	CN-09M556-64180-291-04BL
1	Monitor	Dell 17”	MX-D2Y-311-47605-44D-DWTE
1	Monitor	Hewlett Packard 17”	CN-K651-0PDC
1	Monitor	Hewlett Packard 17”	CN-K545-00M5
1	Monitor	Hewlett Packard 17”	CN-K428-0V13
1	Monitor	Hewlett Packard 17”	CN-K428-0V14
1	Monitor	Planar 17”	AG501H41677
1	Monitor	Prolite 17”	533941502234
1	Monitor	Prolite 17”	0533941502237
1	PC	Dell Dimension 2200	JGGCK11
1	PC	Hewlett Packard Compaq D530	2UA4060DSB
1	PC	Hewlett Packard Compaq DX2000MT	USU4290NYZ
1	PC	Hewlett Packard Compaq DX2000MT	USU4290NYR
1	Printer	Hewlett Packard Laser Jet 1500L	CNGGC37685

1	Printer	Hewlett Packard Laser Jet 2200D	JPGGJ41344
1	Printer	Hewlett Packard Laser Jet 4250N	CNBXC46232
1	PC	Dell Optiplex 320	JJYMC1
1	PC	Dell Optiplex GX280	F76FW61
1	PC	Dell Optiplex GX240	22G2G11
1	PC	Dell Optiplex GX240	7K22F11
1	PC	Dell Optiplex GX260	CH4JM21
1	PC	Dell Optiplex GX260	7H4JM21
1	PC	Dell Optiplex GX270	10ZYL31
1	PC	Dell Optiplex GX270	50ZYL31
1	PC	Dell Optiplex GX50	8ZF5121
1	Server	Dell Poweredge 2300	9KBC1
1	PC	Dell Vostro 200	1ZF6YF1
1	PC	Dell Vostro 200	4ZF6YF1

and

WHEREAS, Mona Montal, Director of Purchasing, recommends that the above office equipment be declared surplus,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the aforesaid office equipment is hereby declared to be surplus, and the Director of Purchasing is hereby authorized to dispose of said office equipment in accordance with New York State Law.

**ACCEPTANCE OF PROPOSAL- ENERGY PURCHASES: RESOLUTION
CONSULTING GROUP**

The following resolution was **moved by Councilman Friedman, seconded by Councilman Ullman** and adopted by all board members present with Supervisor St. Lawrence being absent:

RESOLUTION NO. 2011- 568

WHEREAS, the Town of Ramapo currently purchases Natural Gas and Electricity for use in Town facilities, and

WHEREAS, Mona Montal, Director of Purchasing, is in receipt of a proposal from Resolution Consulting Group of 500 Mamaroneck Avenue, Suite 320, Harrison, NY 10528, to assist the Town of Ramapo in the purchasing of Natural Gas and Electricity, and

WHEREAS, Mona Montal has reviewed the above proposal and recommends its acceptance,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the proposal of Resolution Consulting Group to assist the Town of Ramapo in the purchase of Natural Gas and Electricity, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with Resolution Consulting Group in a form approved by the Town Attorney's Office, and

BE IT FURTHER RESOLVED by the Town Board of the Town of Ramapo that the Agreement between the Town of Ramapo and Premier Electrical Services for the provision of Natural Gas and Electricity to the Town is hereby terminated as of October 31, 2011.

REJECTION OF BIDS – SPOOK ROCK POOL MODERNIZATION PHASE II

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

RESOLUTION NO. 2011- 569

WHEREAS, the Purchasing Department of the Town of Ramapo has solicited bids for Spook Rock Pool Modernization, Phase II, Construction of Leisure Pool, and

WHEREAS, bids were received by the Town Clerk of the Town of Ramapo and opened on August 31, 2011, in accordance with the provisions of the law, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, has recommended rejecting the bid as all bids exceeded the estimated cost, 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 bids for Spook Rock Pool Modernization, Phase II, Construction of Leisure Pool are hereby **rejected**.

PURCHASE OF VEHICLES

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

RESOLUTION NO. 2011- 570

WHEREAS, the Purchasing Department of the Town of Ramapo has solicited bids for the Purchase of Vehicles, and

WHEREAS, bids were received by the Town Clerk of the Town of Ramapo and opened on September 15, 2011, in accordance with the provisions of the law, and

WHEREAS, Mona Montal, Director of Purchasing, recommends the acceptance of the lowest responsible bids of New Rochelle Chevrolet and Grand Prize Chevrolet,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the lowest responsible bid submitted by New Rochelle Chevrolet of 291 Main Street, New Rochelle, NY 10801 for:

2012 Chevrolet Tahoe, 4WD, 4 Door, 5W4 Model, 1500 Commercial CK1070 Exterior Color: White	\$31,335.00
Under Full Warranty for:	36 Months, 36,000 Miles, Drive Train: 60 Months, 100,000 Miles
Certified Delivery:	Approx. 90 Calendar Days
Minimum Discount from MSRP:	5%

be hereby approved and accepted, and

BE IT FURTHER RESOLVED by the Town Board of the Town of Ramapo that the lowest responsible bid submitted by Grand Prize Chevrolet of 32 Route 304, Nanuet, NY 10954 for:

2012 Chevrolet Silverado 2500HD, CK20903, 4WD, Regular Cab, 133.7” Work Truck, 6.6L/403 CID Turbo- Charged Diesel V8	\$32,317.00
Under Full Warranty for:	36 Months, 36,000 Miles
Certified Delivery:	90 Calendar Days
Minimum Discount from MSRP:	14%

be hereby approved and accepted, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with New Rochelle Chevrolet and Grand Prize Chevrolet in a form approved by the Town Attorney’s Office.

Source of Funds: Capital 5197H33.3230

ACCEPTANCE OF PROPOSAL – REPAIR OF ST. LAWRENCE CENTER TURF**FIELD: THE LANDTEK GROUP, INC.**

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

RESOLUTION NO. 2011 – 571

WHEREAS, the turf field at the Joseph T. St. Lawrence Center was damaged during Hurricane Irene, and

WHEREAS, the damage to the field makes the field unusable and unsafe, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation is in receipt of a proposal from The LandTek Group, Inc., 235 County Line Road, Amityville, New York 11701, for the repair of the above field at a cost of \$113,469.00, and

WHEREAS, The LandTek Group, Inc. had made earlier repairs to the turf field and failure to utilize The LandTek Group, Inc. will void the existing warranty for the field,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the proposal of The LandTek Group, Inc. for repair of the above turf field at a fee of \$113,469.00.

Source of Funds: 7197H14.34460

OPEN PERIOD FOR PUBLIC PARTICIPATION**The following person addressed the Town Board this evening:**

1. **Dennis Dale** – 25 Skylark Drive, Spring Valley, NY 10977 – inquired about Board participation in consideration of a Town of Ramapo bond issue

CLOSE PERIOD FOR PUBLIC PARTICIPATION

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

RESOLUTION NO. 2011 – 572

RESOLVED by the Town Board of the Town of Ramapo that the Open Period for Public Participation held this evening, September 27, 2011, be hereby **closed at 8:30PM**.

MEETING DATE CHANGES IN OCTOBER & NOVEMBER

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

RESOLUTION NO. 2011- 573

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 changes to the Town Board Meeting and Workshop schedule:**

CANCEL

<u>Workshop</u>	Monday	October 10, 2011	8:00PM
<u>Meeting</u>	Wednesday	October 12, 2011	8:00PM
<u>Meeting</u>	Thursday	October 20, 2011	11:00AM
<u>Workshop</u>	Monday	November 21, 2011	8:00PM
<u>Meeting</u>	Wednesday	November 23, 2011	8:00PM

SCHEDULE

<u>Special Meeting</u>	Wednesday	October 5, 2011	6:00PM
<u>Budget Workshop</u>	Wednesday	October 5, 2011	6:30PM
<u>Budget Workshop</u>	Monday	October 24, 2011	6:30PM
<u>Workshop</u>	Tuesday	October 11, 2011	6:30PM
<u>Meeting</u>	Tuesday	October 11, 2011	8:00PM
<u>Workshop</u>	Monday	November 21, 2011	6:30PM
<u>Meeting</u>	Monday	November 21, 2011	8:00PM

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the dates and times of Town Board Meeting and Workshop schedule be changed as stated above.

COUNCIL MEMBERS' COMMENTS

Councilman Withers – requests that Lee DeRario's mom and Michael Klein's dad be remembered in our prayers; acknowledged P.I.G. students and value of their participation

Councilman Ullman – happy and healthy new year to all

Councilwoman Hunter – reminder about Big Screen Classics this weekend; Blue Grass Festival October 2nd at Harmony Hall; October 1st is Hillburn Day in Hillburn and 11:00AM; Salute to Veterans, Sunday November 20th at 2:00PM; additional shredding will be on Saturday October 29th and Sunday October 30th from 12:00PM – 3:00PM

ADJOURNMENT

The following resolution was **moved and seconded by all board members present and unanimously adopted:**

RESOLUTION NO. 2011 – 574

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, September 27, 2011, be hereby **adjourned at 8:40PM**, with a **request for prayers** in support of Ramapo Town Attorney Michael Klein's father, **Arthur Klein**, who is very ill.

RESOLUTION NO. 2011 – 574

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, September 27, 2011, be hereby **adjourned at 8:40PM, in memory of Helen DeRario** who passed away on September 24th at the age of 73. Helen, mother of Liborio DeRario, Town of Ramapo's Director of Municipal Development and Property Management, graduated from Hunter College with a degree in Zoological sciences and enjoyed traveling with her late husband "Sonny". She was a loving mother to her three sons; Liborio, Chris and Gregory as well as a loving mother-in-law and grandmother. Helen had a career in the telecommunications industry, was an active member of the Suffern Woman's Club and Cub Scout den mother for Boy Scouts of America. She will be dearly missed by family, friends and all who loved her.

Respectfully submitted,

Christian G. Sampson
Town Clerk