

**MINUTES OF THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD
ON JANUARY 12, 2011**

The Town Board of the Town of Ramapo convened in **Regular Session** on Wednesday, January 12, 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 Ullman led the assembled group in the Pledge of Allegiance.

APPOINTMENT OF OFFICE SERVICES CLERK (PROVISIONAL)- TOWN HALL

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

RESOLUTION NO. 2011- 55

WHEREAS, there is a vacancy in the position of **Office Services Clerk** in the Town of Ramapo Supervisor's Office, 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 **Baruch Adams** provisional Office Services Clerk, effective January 13, 2011 at the annual salary of \$37,060.

SOURCE OF FUNDS: OPERATING BUDGET 1670A.3100

**ESTABLISHMENT OF HIGHWAY MAINTENANCE SUPERVISOR I POSITION-
HIGHWAY DEPARTMENT**

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

RESOLUTION NO. 2011- 56

WHEREAS, the Superintendent of Highways has recommended the establishment of **Highway Maintenance Supervisor I** position in the Town of Ramapo Highway Department, and

WHEREAS, the Rockland County Personnel Office has classified the position of Highway Maintenance Supervisor I,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ramapo that the Board authorizes the establishment of the position of Highway Maintenance Supervisor I.

SOURCE OF FUNDS: OPERATING BUDGET 5110DB.3100

**ESTABLISHMENT OF SENIOR CLERK/TYPIST (PART TIME) POSITION- POLICE
DEPARTMENT**

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

RESOLUTION NO. 2011- 57

WHEREAS, the Supervisor has recommended the classification of a Senior Clerk/Typist (Part Time) position in the Town of Ramapo Police Department, and

WHEREAS, the Rockland County Personnel Office has classified the position of Senior Clerk Typist (P/T),

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ramapo that the Board authorizes the establishment of the position of Senior Clerk/Typist (Part Time).

SOURCE OF FUNDS: OPERATING BUDGET 3125AB:3100

APPOINTMENT OF SENIOR CLERK/TYPIST (PART TIME) - POLICE DEPARTMENT

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

RESOLUTION NO. 2011- 58

WHEREAS, there is a vacancy in the position of Senior Clerk/Typist (Part Time) at the Town of Ramapo Police 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 **Kathleen Ferrazzano** of Suffern, New York as Senior Clerk/Typist (Part Time) in the Police Department, effective January 13, 2011 at the annual salary of \$19,850.

SOURCE OF FUNDS: OPERATING BUDGET 3125AB:3100

ESTABLISHMENT OF DIRECTOR OF MUNICIPAL DEVELOPMENT AND PROPERTY MANAGEMENT(LESS THAN FULL TIME) POSITION

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

RESOLUTION NO. 2011- 59

WHEREAS, the Supervisor has recommended the classification of a Director of Municipal Development and Property Management (Less Than Full Time) at the Town of Ramapo, and

WHEREAS, the Rockland County Personnel Office has classified the position of Director of Municipal Development and Property Management (LFT),

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ramapo that the Board authorizes the establishment of the position of Director of Municipal Development and Property Management (LFT).

APPOINTMENT OF DIRECTOR OF MUNICIPAL DEVELOPMENT AND PROPERTY MANAGEMENT (LESS THAN FULL TIME)-CULTURAL PROPERTY PRESERVATION AND MANAGEMENT DEPARTMENT

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

RESOLUTION NO. 2011- 60

WHEREAS, there is a vacancy in the position of **Director of Municipal Development and Property Management (LFT)** at the Town of Ramapo Cultural Property Preservation and Management 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 **Liborio Derario** of Montebello, New York Provisional Director of Municipal Development and Property Management (LFT) in the Town of Ramapo Cultural Property Preservation and Management Department, pending clearance by Rockland County Personnel, said appointment effective January 13, 2011. Annual salary to be \$114,660.

SOURCE OF FUNDS: OPERATING BUDGETS 8340SW.3100 and 5182SL.3100

AMENDMENT OF 2010 TOWN BUDGET:RECEIPT OF DONATION FROM JOINT TERRORISM TASK FORCE

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

RESOLUTION NO. 2011- 61

WHEREAS, the Town is in receipt of \$2,867.04 from the Joint Terrorism Task Force, and **WHEREAS**, receipt of said funds is not reflected in the 2010 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 2010 Town Budget as follows:

Increase Revenue Account AB.24390 (Cops Federal Grants) by \$2,867.04 and

Increase Appropriations 3120AB.3141 (Homeland Security Overtime) by \$2,867.04 to reflect receipt of the above funds for October and November of 2010.

AMENDMENT OF 2011 TOWN BUDGET: RECEIPT OF GRANT FROM THE STORM WATER CONSORTIUM OF ROCKLAND COUNTY

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

RESOLUTION NO. 2011- 62

WHEREAS, the Town has been awarded a grant obtained by the Storm Water Consortium of Rockland County in the amount of \$18,861.06, and

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

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 as follows:

Increase Account 8160B.3407S (Storm Water Phase II) by \$18,861.06 and increase Account B.227709 (RC Misc. Grant Money) to reflect receipt of the above grant.

APPROVAL AND ACCEPTANCE OF SOLE RESPONSIBLE BID

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

RESOLUTION NO. 2011- 63

WHEREAS, the Purchasing Department of the Town of Ramapo has solicited bids for Special Events, and

WHEREAS, these bids were received by the Town Clerk of the Town of Ramapo and opened on December 30, 2010, in accordance with the provisions of the law, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, recommends the acceptance of the sole responsible bid of B&C Industries, 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 sole responsible bid submitted by B&C Industries of 1 East Blossom Road, Suffern, NY 10901 for:

- 1. Winter Carnival \$ 3,400.00
- 2. Drive-in Movie \$ 3,000.00
- 3. Family Day \$11,000.00
- 4. Create and Explore \$ 3,150.00
- 5. Teen Trek \$ 1,750.00
- 6. Camp Scuffy \$ 3,350.00
- 7. Connor Elementary School \$ 2,475.00
- 8. Montebello Elementary School \$ 2,475.00
- 9. Sloatsburg Elementary School \$ 1,475.00
- 10. Grandparent’s Day \$ 1,775.00
- 11. Pumpkin Day \$ 2,075.00
- 12. Harvest Festival \$ 2,350.00
- 13. Haunted House \$ 1,350.00
- 14. Turkey Trot \$ 700.00
- 15. Total cost for award of all 14 jobs \$40,325.00

be hereby approved and accepted, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with B&C Industries, in a form approved by the Town Attorney's Office. Source of Funds: Various Operating 7310A.34802, 7310A.34809 and 7310A.34810

ACCEPTANCE OF PROPOSAL: CONSTRUCTION MANAGER FOR CONSTRUCTION OF PURCHASING OFFICE

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

RESOLUTION NO. 2011-64

WHEREAS, the Town of Ramapo has hired a Director of Purchasing, and

WHEREAS, no office currently exists, and

WHEREAS, the Director of Purchasing recommends that the proposal of Source Development, Inc. be accepted as a Construction Manager for the construction of said office, and

WHEREAS, the Building and Grounds staff will work in conjunction with the Construction Manager in construction of said office,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby authorizes \$34,500.00 for the construction of the Purchasing Office, and

BE IT FURTHER RESOLVED by the Town Board of the Town of Ramapo that the proposal of Source Development, Inc. of 91 Ramapo Road, Garnerville, NY 10923, as a Construction Manager for the construction of a purchasing office, in an amount not to exceed \$10,000.00 of the above total construction amount of \$34,500.00, be accepted, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with Source Development, Inc., in a form approved by the Town Attorney's Office. Source of Funds: Capital 5197H40.34460

APPROPRIATION OF FUNDS TO RAMAPO LOCAL DEVELOPMENT CORP.

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

RESOLUTION NO. 2011- 65

WHEREAS, The Ramapo Local Development Corporation has constructed an affordable workforce housing development entitled "Ramapo Commons" on Elm Street adjacent to the Village of Spring Valley, and (Elm Street Park), and

WHEREAS, the Ramapo Local Development Corporation will construct specific on-site improvements for said park, and

WHEREAS, the above on-site improvements will also contribute to improving the Town of Ramapo Parks and Recreation Department, and

WHEREAS, the cost of the improvements and design and development of the Elm Street Park, made by the Ramapo Local Development Corporation, which will directly benefit the residents of the Town of Ramapo, is \$951,180, and

WHEREAS, the Town is desirous of contributing to improvements, which will benefit the residents of the Town of Ramapo, the cost of which will be attributed to the appropriate accounts of Park Embellishment and Capital Improvements,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to appropriate to the Ramapo Local Development Corporation \$951,180 for the cost of improvements made by the Corporation, which improved, designed and developed the Elm Street Park, and

BE IT FURTHER RESOLVED that the Finance Department is hereby authorized to amend the 2011 Town Budget as follows:

Transfer \$159,780 to 7197H18.39909 (Transfer out)(Neighborhood Park Funds) to H14.25031 (Transfer in) to provide the funds for the above appropriation

Source of Funds: 7197H14.34460 - \$951,180

EXCHANGE OF HOLIDAY FOR LINCOLN'S BIRTHDAY

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

RESOLUTION NO. 2011- 66

WHEREAS, the Town of Ramapo CSEA Contract provides that a holiday can be exchanged for the day after thanksgiving as a day off from work, and

WHEREAS, the Town of Ramapo Labor Management Committee has recommended that February 12, 2011, Lincoln's Birthday be exchanged for the day after Thanksgiving as a day off from work,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that all Town offices will hereby be closed on the day after Thanksgiving, Friday, November 23, 2011, in exchange for February 12, 2011, Lincoln's Birthday.

APPOINTMENT OF GOLF COURSE COMMITTEE

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

RESOLUTION NO. 2011- 67

RESOLVED by the Town Board of the Town of Ramapo that the following named persons be hereby *appointed* as members of the GOLF COURSE COMMITTEE OF THE TOWN OF RAMAPO, for a one (1) year term effective January 4, 2011, said term to expire on December 31, 2011:

JIM REECE
SUFFERN, NY

NORMAN ISAACSON
SUFFERN, NY

JOSEPH JACARUSO
SUFFERN, NY

FRED FABBRI
SPRING VALLEY, NY

ROBERT HOOPER
POMONA, NY

TSILLA FLINT
SUFFERN, NY

PETER HAUBNER
SUFFERN, NY

HOWARD MUNCK
MONSEY, NY

TONY POWELL
HILLBURN, NY

TERRY GROSSELFINGER
SUFFERN, NY

TONEY EARL
SPRING VALLEY, NY

CHRISTINE MORRISON
AIRMONT, NY

ADOLPH RIVERA
AIRMONT, NY

APPROVAL AND ADOPTION OF SERIAL BONDS: POLICE VEHICLES

The following resolution was **moved by Councilman Withers, seconded by Councilman Friedman** and adopted on a Roll call of 5-0:

RESOLUTION NO. 2011-68

RESOLVED by the Town Board of the Town of Ramapo that the bond resolution dated January 12, 2011 entitled "A RESOLUTION AUTHORIZING THE ISSUANCE OF \$350,000 SERIAL BONDS OF THE TOWN OF RAMAPO, ROCKLAND COUNTY, NEW YORK, TO PAY THE COST OF PURCHASING, ACQUIRING AND REPLACING POLICE VEHICLES FOR THE TOWN" as set forth on Schedule A attached hereto be hereby approved and adopted.

Schedule A

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$350,000 SERIAL BONDS OF THE TOWN OF RAMAPO, ROCKLAND COUNTY, NEW YORK, TO PAY THE COST OF PURCHASING, ACQUIRING AND REPLACING POLICE AND OTHER TOWN VEHICLES FOR THE TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed or shall be performed prior to the issuance of such serial bonds; 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, as follows:

Section 1. For the purpose of paying the cost of the purchase, acquisition and replacement of police and other Town vehicles for the Town, including incidental expenses in connection therewith, there are hereby authorized to be issued \$350,000 serial bonds of the Town of Ramapo, Rockland County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years, pursuant to subdivision 77 of paragraph a. of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed three years.

Section 3. 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 serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, 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 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 of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Ramapo, Rockland County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. 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 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

2) 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

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

Section 10. Upon this resolution taking effect, it shall be published in summary in The Rockland County Times, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

DESIGNATION OF QUALIFIED AND ELIGIBLE SPONSOR OF URBAN RENEWAL AREA

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

RESOLUTION NO. 2011- 69

**Designation of Qualified and Eligible Sponsor of
Pomona Road and Firemen's Memorial Drive
Urban Renewal Area**

WHEREAS, on August 9, 2009 Town purchased approximately 61 acres of land at the intersection of Pomona Road and Fireman's Memorial Drive, identified on the Town of Ramapo tax map as Sections 33.14-1-2, 33.14-1-5 and 33.14-1-6, hereinafter referred to as the "Property", and

WHEREAS, in furtherance of the objectives of Article 15 of the General Municipal Law of the State of New York, the Town of Ramapo desired to undertake a program for clearance, reconstruction and economic development of property it owned in the Town, and

WHEREAS, pursuant to Section 504 of the General Municipal Law, on March 24, 2010 the Town Board declared the Property to be an urban renewal area having determined that the re planning, clearance, rehabilitation or development of the Property for commercial, recreational, or other purposes is beneficial to the Town and in the public interest; and

WHEREAS, on June 28, 2010, the Town Board approved the plan for the development of the Property, including a ballpark for the part-time use of a professional baseball team, on the site; and

WHEREAS, the Town Board, prior to the plan approval, had prepared a Final Environmental Impact Statement and, on June 28, 2010, it adopted and issued a written Findings Statement, with respect to the Final Environmental Impact Statement pursuant to the State Environmental Quality Review Act, and

WHEREAS, the Town Board prepared, or caused to be prepared, an urban renewal plan for such urban renewal area and submitted such plan to the Planning Board of the Town of Ramapo (the "Planning Board") pursuant to Section 505 of the General Municipal Law, to review and approve such plan and certify whether such plan complies with the provisions further described in Section 505 of the General Municipal Law, and

WHEREAS, the Planning Board certified its unqualified approval of such plan, and

WHEREAS, the Town Board reviewed and approved such plan and found that the Property was appropriate for urban renewal, and

WHEREAS, the Property was deemed to be the Pomona Road and Firemen's Memorial Drive Urban Renewal Area, and

WHEREAS, on November 23, 2010, the Town transferred the Property to the Ramapo Local Development Corporation ("RLDC") to facilitate the construction of the above project, and

WHEREAS, Section 507 of the General Municipal Law requires that a person, firm or corporation developing a property within an urban renewal be designated as a qualified and eligible sponsor, and

NOW, THEREFORE, BE IT RESOLVED that, in accordance with Section 507 of the General Municipal Law, it is hereby ratified and confirmed that the RLDC is a qualified and eligible sponsor and is the designated sponsor for this urban renewal project and empowered with all of the provisions set forth in the General Municipal Law relating thereto, and

BE IT FURTHER RESOLVED that, the Supervisor or his designee is hereby authorized to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution and execute any and all necessary documents.

SETTLEMENT OF CLAIM : THE COUNTY OF ROCKLAND

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

RESOLUTION NO. 2011- 70

WHEREAS, Essential Services & Programs LLC, as third-party Administrator of Rockland County, submitted a Notice of Claim dated November 23, 2010 for damage to a County of Rockland vehicle as a result of it being struck by a Town Highway Department vehicle while parked at the Town's Highway garage, and

WHEREAS, the Town Attorney's Office has reviewed the above claim and recommends that it be settled in the amount of \$1,325.73,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the claim of the County of Rockland is hereby settled in the amount of \$1,325.73, said settlement to be charged to Account CSL1931, and

BE IT FURTHER RESOLVED that said settlement is subject to receipt of a general release extended by the County of Rockland.

SETTLEMENT OF CLAIM: ESTHER WEIN

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

RESOLUTION NO. 2011 -71

WHEREAS, Esther Wein of 51 Briarcliff Drive, Monsey, New York filed a Notice of Claim against the Town, dated October 6, 2010, for damage to her residence as a result of a sewer back up, and

WHEREAS, the Town Attorney's Office has reviewed the claim and recommends that it be settled as follows:

- 1) \$378.23 for cost of clearing of blockage
- 2) \$1,850.00 upon submission of proof of installation and cost of check valve

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the claim of Esther Wein is hereby settled subject to the terms set forth above, and settlement to be charged to CSL1931, and

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

APPROVAL OF AGREEMENT:GOLDEN GLOVES TOURNAMENT-NY DAILY NEWS CHARITIES,INC.

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

RESOLUTION NO. 2011 - 72

WHEREAS, the Daily News Charities, Inc. wishes to hold a portion of its amateur boxing contest, sometimes known as the Daily News Golden Gloves, at the Joseph T. St. Lawrence Center on January 22, 2011, and

WHEREAS, the Town wishes to serve as a host for a portion of the Daily News Golden Gloves,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to enter into an agreement with Daily News Charities, Inc. to hold a portion of the Daily News Golden Gloves at the Joseph T. St. Lawrence Center on January 22, 2011, subject to the following:

1. The Daily News Charities, Inc. will provide insurance coverage in the amount of \$2,000,000 and name the Town as an additional insured, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with the Daily News Charities, Inc. in a form approved by the Town Attorney's office.

APPROVAL OF AGREEMENT: ENGINEERING SERVICES-PASCACK BROOK AREA: VILLAGE OF SPRING VALLEY

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

RESOLUTION NO. 2011-73

WHEREAS, the Town Board by Resolution No. 2010-705 authorized the issuance of \$1,000,000 Serial Bonds to pay the cost of the construction and reconstruction, widening or resurfacing of highway, road and streets in the Pascack Brook area of the Town, and

WHEREAS, the above improvements will be conducted in accordance with the projects being conducted in the Village of Spring Valley to improve drainage in the Pascack Brook area, and

WHEREAS, the Town is desirous of assisting the Village with its projects in the Pascack Brook area by providing the services of the Town's Engineers, project design and project inspection,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to provide the Village of Spring Valley engineering services with respect to improvement projects in the Pascack Brook area, at no fee, and

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.

AMENDMENT OF RESOLUTION NO. 2010-701: HI-TOR ANIMAL CARE CENTER, INC.

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

RESOLUTION NO. 2011- 74

WHEREAS, the Town Board, by Resolution No. 2010-701, approved an agreement with Hi-tor Animal Care Center, Inc. for the provision of pound and shelter services for dogs of the Town, and

WHEREAS, said resolution contained an incorrect term and fee with respect to the above agreement,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Resolution No. 2010-701 is hereby amended to read as follows:

"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, 2010 – June 30, 2011
- 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 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 CHANGE ORDERS: MORANO BROS. CORP.

The following resolution was **moved by Councilman Friedman, seconded by Supervisor St. Lawrence** on a Voice Vote of 3-2 with Councilmen Ullman and Withers voting NO:

RESOLUTION NO. 2011- 75

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, 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. 7:	Hydro seeding and site drainage.....	\$263,330.50
Change Order No. 8:	Additional detention and drainage.....	\$247,385.18

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Change Order Nos. 7 and 8 are approved and the contract amount for the above project is hereby increased from \$5,890,314.88 to \$6,401,030.56.
Source of Funds: 5197H36.34460 FMD

APPROVAL OF CHANGE ORDERS: FAIRWAY TESTING

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

RESOLUTION NO. 2011- 76

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 Fireman’s Memorial Drive Project in the amount of \$35,000, 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. 1	Additional soil testing: soil and concrete	\$25,000
Change Order No. 2	Additional soil testing: steel	\$9,000

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 \$35,000 to \$69,000.

Source of Funds: 7197H14.34460

APPROVAL OF CHANGE ORDER: TURCO GOLF, INC.

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

RESOLUTION NO. 2011- 77

WHEREAS, the Town Board, by Resolution No. 2010 – 540, approved an agreement with Turco Golf, Inc. of 212 Orange Avenue, Suffern, New York 10901 for a natural turf playing field system for Fireman’s Memorial Drive Project in the amount of \$796,510.63, and

WHEREAS, the Town Board by Resolution No. 2010-726 approved Change Order No. 1 and increased the contract amount to \$1,011,418.01, 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 Order be approved:

Change Order No. 2	Installing soil stabilization fabric and underground utility	\$520,063.45
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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 project is hereby increased from \$1, 011,418.01 to \$1,531,481.46

Source of Funds: 7197H14.34460

AUTHORIZATION FOR TRAFFIC CONTROL SIGNS: PARK LANE

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

RESOLUTION NO. 2011- 78

WHEREAS, the Police Department is in receipt of a request for a review of parking on Park Lane, and

WHEREAS, the Police Department and Michael Galante, of Frederick P. Clark Associates, the Town’s Traffic Engineer, reviewed the above street and recommend the following signs:

Install No Parking signs on the west side of Park Lane, prohibiting parking between the hours of 7:00 AM to 10:00 AM and 2:00 PM and 5:00 PM.

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 the above signs on Park Lane.

ACCEPTANCE OF SUBDIVISION DEED: HACHNOSAS ORCHIM OF MONSEY

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

RESOLUTION NO. 2011-79

WHEREAS, the Town of Ramapo Planning Board approved a site plan entitled “Hachnosas Orchim of Monsey,” located in the vicinity of Saddle River Road, and

WHEREAS, the Planning Board, as a condition of approval, required a dedication of a road widening for general municipal purposes, and

WHEREAS, the Department of Public Works has reviewed said deed and recommends its acceptance,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the road widening deed for dedication, subject to recording.

ESTABLISHMENT OF STANDARD WORK DAYS FOR ELECTED OFFICIALS FOR RETIREMENT CREDIT

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

RESOLUTION NO. 2011- 80

WHEREAS, the Office of the New York State Comptroller has adopted revised regulations for reporting days worked by elected and appointed officials to the New York State and Local Retirement System (NYSLRS), and

WHEREAS, the Town Board is required to establish a standard work day for all elected and appointed officials after August 12, 2009 whom participate in the New York State and Local Retirement System (NYSLRS)

NOW, THEREFORE, BE IT RESOLVED, that the TOWN OF RAMAPO hereby establishes the following as standard work days for elected officials and will report the following days worked to the New York State and Local Employees Retirement System based on the record of activities maintained and submitted by these official to the clerk of this body:

TITLE	NAME	SOCIAL SECURITY # Last 4 digits	Registration Number	Standard Work Day	Term Begins/ends	Participates in Employer's Time Keeping System (Y/N)	Days/ Month (Based on record of Activities)
ELECTED OFFICIALS							
Supervisor	Christopher P. St. Lawrence	2173	38633657	7	1/1/2010-12/31/2011	N	20.22
Board Member	Frances Hunter	7742	35221332	6	1/1/2008-12/31/2011	N	22.86
Board Member	Yitzchok Ullman	3608	43022722	6	1/1/2010-12/31/2013	N	20.76
Board Member	Patrick Withers	7953	50023076	6	1/27/2010-12/31/2010	N	20.08
Board Member	Daniel Friedman	6479	50009885	6	4/14/2010-12/31/2010	N	22.18
Town Justice	Rhoda Schoenberger	1264	12450029	6	1/1/2010-12/31/2013	N	23.11
Town Justice	David J. Stein	2482	34441485	6	1/27/2010-12/31/2010	N	11.97

AUTHORIZATION FOR SETTLEMENT OF CERTIORARI ACTION: A BETTER APPROACH, INC.

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

RESOLUTION NO. 2011- 81

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

A BETTER APPROACH, INC.

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2008/09	3/38.49-1-3	\$500,000	\$365,000
2009/10	3/38.49-1-3	\$500,000	\$365,000
2010/11	3/38.49-1-3	\$365,000	\$365,000

and

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.

AUTHORIZATION FOR SETTLEMENT OF CERTIORARI ACTION: CONGREGATION AHAVAS YISROEL

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

RESOLUTION NO. 2011- 82

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

CONGREGATION AHAVAS YISROEL

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2010/11	67.8-1-73	\$591,600	\$591,600*

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

AMENDMENT OF WORKPLACE VIOLENCE POLICY

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

RESOLUTION NO. 2011- 83

WHEREAS, the Town Board by Resolution No. 2010-221 adopted a Workplace Violence Policy, and

WHEREAS, the Personnel Department and the Town Attorney's Office have recommended that said policy be amended, a copy of which is attached hereto,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby adopts an amended Workplace Violence Policy, dated January 12, 2011, a copy of which is on file at the Town Clerk's Office.

AUTHORIZATION FOR RETROACTIVE TAX EXEMPTION: ST. JAMES MAR THOMA CHURCH

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

RESOLUTION NO. 2011 –84

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

- a) ST. JAMES MAR THOMA CHURCH
41 FOURTH STREET
HILLBURN, NY 10931

SBL: (01/47.18-3-1)

2009 Assessment Roll

and

WHEREAS, the State Legislature requires the Town Board to state that it will grant the retroactive tax exemptions 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 properties for the tax years in question if legislation is passed and signed by the Governor.

OPEN PERIOD FOR PUBLIC PARTICIPATION

No one wished to address the Town Board this evening

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

RESOLUTION NO. 2011- 85

RESOLVED by the Town Board of the Town of Ramapo that the Open Period for Public Participation held this evening, January 12, 2011, be hereby closed at 9:32 PM.

COUNCIL MEMBERS COMMENTS:

Councilman Friedman-congratulations to Councilwoman Hunter on appointment to Deputy Supervisor

Councilman Withers- echoed congratulations to Councilwoman Hunter; thanks Supervisor for efforts to control utility costs to residents.

SUPERVISOR'S REPORT:

Supervisor St. Lawrence- called for a moment of silence to reflect on the senseless loss of life as a result of the recent assassination attempt on Congresswoman Gabrielle Giffords.

ADJOURNMENT IN MEMORY: JANUARY 8, 2011 VICTIMS IN TUCSON, ARIZONA

The following resolution was unanimously adopted by all board members:

RESOLUTION NO. 2011- 86

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, January 12, 2011, be hereby **adjourned at 9:38PM in memory** of the six people killed in Tucson, Arizona on January 8, 2011 and with hope for the complete recovery of the additional people wounded, including Congresswoman Gabrielle Giffords, all victims of a senseless assassination attempt.

Respectfully submitted,

Christian G. Sampson
Town Clerk