

**MINUTES OF THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD
ON OCTOBER 26, 2011**

The Town Board of the Town of Ramapo convened in **Regular Session** on Wednesday, October 26, 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 **Deputy Town Clerk, Maureen Pehush** 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
	Deputy Town Clerk	Maureen Pehush

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

ITALIAN HERITAGE NIGHT

Aldo Gulino sang the National Anthem.

Rosemary Schellaci, President of the Italian Twinning Committee, gave welcoming remarks followed by the presentation of the Honorees; **Emily Canessa, John DeMeo, Gianna Mazzeo, Steven Seeberger, Daniela Sepulveda and Skyler Wulfson**. **Supervisor St. Lawrence** offered congratulations and gave closing remarks. At the conclusion of the program, guests enjoyed the tastes and sounds of Italian culture with music and deserts.

ACCEPTANCE OF MINUTES

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

RESOLUTION NO. 2011- 591

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 11, 2011 – Regular

APPROVAL OF RETROACTIVE TAX EXEMPTION: TOWN OF RAMAPO

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

RESOLUTION NO. 2011 – 592

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:

Town of Ramapo
Torne Valley Road
Hillburn, New York 10931
S/B/L: 01/47.11-1-2
2010 Assessment Roll

and

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: UPPER ROOM HOUSE OF WORSHIP

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

RESOLUTION NO. 2011 – 593

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:

Upper Room House of Worship
118 Bethune Boulevard
Spring Valley, New York 10977
S/B/L: 05/59.24-1-38
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.

SETTLEMENT OF CERTIORARI ACTION: CONGREGATION CHASSIDIC VIZNITC

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

RESOLUTION NO. 2011 – 594

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

<u>CONGREGATION CHASIDIC VIZNITC</u>			
<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2008/09	49.20-3-16	\$72,200	\$72,200*

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

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

*Property shall be 100% exempt

SETTLEMENT OF CERTIORARI ACTION: WALD REALTY CO.

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

RESOLUTION NO. 2011 - 595

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

WALD REALTY CO., INC.

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2007/08	57.18-2-92	\$278,200	\$278,200
2008/09	57.18-2-92	\$275,000	\$275,000
2009/10	57.18-2-92	\$275,000	\$250,200
2010/11	57.18-2-92	\$260,000	\$240,600

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.

SETTLEMENT OF CERTIORARI ACTION: WESTPORT REALTY

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

RESOLUTION NO. 2011- 596

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

WESTPORT REALTY, LLC

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2010/11	57.30-1-14	\$12,000	\$12,000
2011/12	57.30-1-14	\$12,000	\$12,000
2010/11	57.30-1-21	\$198,000	\$134,400
2010/11	57.30-1-21	\$198,000	\$134,400

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.

PROPERTY ACQUISITION BY NYS DEPARTMENT OF TRANSPORTATION

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

RESOLUTION NO. 2011 - 597

WHEREAS, the State of New York Department of Transportation, by a letter dated August 29, 2011 to the Town, wishes to acquire a portion of the Town owned property on Route 45 together with a temporary easement for grading, seeding and use as a work area as shown on the attached map for the following fees:

- a) Property acquisition: \$ 8,200
- b) Temporary easement: \$ 3,600
- Total: \$11,800

and

WHEREAS, the Assessor's Office has reviewed the above offer and finds it acceptable, and
WHEREAS, said Town owned property is not required for any Town purposes,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the above offer of the New York Department of Transportation for acquisition of the property subject to the above terms, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement of Adjustment for Advance Payment in a form approved by the Town Attorney's Office.

AUTHORIZATION FOR HERB GARDEN AT BURGESS MEREDITH PROPERTY

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

RESOLUTION NO. 2011 – 598

WHEREAS, the Town had previously purchased approximately 7.87 acres at 96 Camp Hill Road, the former home of Burgess Meredith, and

WHEREAS, the property contains several buildings and vacant land, and

WHEREAS, the Town's Green Committee has recommended that the Town establish a neighborhood herb garden at the above property,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to establish a neighborhood herb garden at 96 Camp Hill Road for use by Ramapo residents.

APPROVAL OF AGREEMENT: USE OF 120 TORNE VALLEY ROAD – M.V. TRANSPORTATION

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

RESOLUTION NO. 2011 – 599

WHEREAS, the Town Board, by Resolution No. 2011-462, approved the execution of a License Agreement with M.V. Transportation, Inc., 2024 College Road, Elkton, ID 51531 to utilize 120 Torne Valley Road in Hillburn, New York, for the storage of transit vehicles, and

WHEREAS, said License Agreement will be conditioned upon M.V. Transportation, Inc. being awarded the County bus transportation bid by the County of Rockland, and

WHEREAS, pending commencement of the License Agreement, the Town wishes to grant M.V. Transportation, Inc. an option agreement with respect to use of the above facility subject to the following:

- a) Term: Six months
- b) Fee: \$11,000 per month
- c) During the option period M.V. Transportation, Inc. shall apply for and receive revised site plan approval
- d) During the option period M.V. Transportation, Inc. shall obtain all necessary County of Rockland and other required governmental approvals to utilize the site for the approved use
- e) Town may continue to utilize premises during the option period, and
- f) The Town of Ramapo shall refrain from marketing the premises for use by other potential users during the option period

and

WHEREAS, the above facility was previously utilized as a bus storage and maintenance facility by a private firm, and when purchased by the Town, as a seasonal storage facility for Town vehicles, and

WHEREAS, the proposed use of the above facility for the storage of transit vehicles is similar to the prior use of the site, and is therefore a permitted use,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby grants an option agreement to M.V. Transportation, Inc. with respect to 120 Torne Valley Road, commencing on or about November 1 2011 subject to the terms set forth above, and

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

SETTING PUBLIC HEARING DATE: 2012 PRELIMINARY BUDGET

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

RESOLUTION NO. 2011 - 600

WHEREAS, the Town Law requires a public hearing be held on the Town's Preliminary Budget for the year 2012,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that a public hearing be held on November 9, 2011 at 8:00 p.m. at Ramapo Town Hall to solicit public comment on the preliminary budget for the Town of Ramapo for the year 2012.

EXTENSION OF BID: SHADE TREE PLANTINGS

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

RESOLUTION NO. 2011- 601

WHEREAS, the Town Board, by Resolution No. 2010-515, adopted at the September 13, 2010 Town Board Meeting, accepted the bid of Solicito and Son Contracting Corp. of 162 Erie Street, Blaauvelt, NY 10913 for Shade Tree Plantings, and

WHEREAS, the Agreement between the Town and Solicito and Son Contracting Corp. provided for an extension of said Agreement for an additional one (1) year period, subject to the mutual consent of the Town and Solicito and Son Contracting Corp., and

WHEREAS, Edward P. Dzurinko, Director of Public Works, recommends the extension of said Agreement, 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 Agreement between the Town and Solicito and Son Contracting Corp. for Shade Tree Plantings, is hereby extended for an additional one (1) year period **from November 4, 2011 through November 3, 2012**, at the same terms and conditions, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with Solicito and Son Contracting Corp., in a form approved by the Town Attorney's Office.

Source of Funds: Capital 7197H16.34460 (Shade Trees)

ACCEPTANCE OF PROPOSAL: ASPHALT MEMBRANE APPLICATION FOR THE SECTION OF ROCKLAND LANE BETWEEN DWIGHT AVENUE & ALEXANDER AVENUE

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

RESOLUTION NO. 2011- 602

WHEREAS, Anthony Sharan, Superintendent of Highways, has solicited proposals for Asphalt Fabric Membrane Application for the Section of Rockland Lane between Dwight Avenue and Alexander Avenue, and

WHEREAS, the Superintendent of Highways has recommended that the proposal of Roth Brothers Construction, Inc. of 65 Groveville Road, Yardville, NJ 08620 in the amount of \$6,840.00 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 Roth Brothers Construction, Inc. for Asphalt Fabric Membrane Application for the Section of Rockland Lane between Dwight Avenue and Alexander Avenue in the amount of \$6,840.00 be accepted, and

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

Source of Funds: Capital 5197H36.3470 (Road Resurfacing Material)

AMENDMENT OF 2011 BUDGET: TRANSFER OF FUNDS

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

RESOLUTION NO. 2011 - 603

WHEREAS, the Police Department wants to purchase necessary equipment for its police vehicle fleet, and

WHEREAS, the Police Department Budget does not contain sufficient funds specifically allocated for the above purchase of equipment,

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 the following funds:

- \$14,000 from 3120AB.3142 (Youth Academy)
- \$ 3,000 from 3120AB.34011 (REACT Team)
- \$ 8,000 from 3120AB.3431 (Gun Belts Ammo)
- \$ 8,000 from 3120AB.3442 (Computer Hardware)
- \$ 3,000 from 3120AB.3444 (Software Programs)
- \$20,000 from 3120AB.3465 (Schools & Seminars)
- \$ 4,000 from 3120AB.3483 (Laboratory Fees)

to 3120AB.3260 – Other Equipment, to fund the above purchase of equipment

SETTLEMENT OF CLAIM: JOSEPH GROSS

At the Regular Meeting of the Ramapo Town Board held on October 26, 2011, the following resolution was **moved by Councilman Withers, seconded by Councilman Friedman** and adopted by all board members:

RESOLUTION NO. 2011- 604

WHEREAS, Joseph Gross of 2 Bartlett Road, Monsey, New York filed a Notice of Claim dated September 11, 2011 for damage to his vehicle as a result of it being struck by a Town of Ramapo Police vehicle, and

WHEREAS, the Town Attorney's office has reviewed the above claim and recommends it be settled in the amount of \$800.00.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby settles the claim of Joseph Gross in the amount of \$800.00, 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 Joseph Gross.

OPEN PERIOD FOR PUBLIC PARTICIPATION

The following person addressed the Town Board this evening:

1. **Robert Romanowski** – 177 Maple Avenue, Monsey, NY 10952 – inquired when decorative street light in front of his property would be fixed.

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 – 605

RESOLVED by the Town Board of the Town of Ramapo that the Open Period for Public Participation held this evening, October 26, 2011, be hereby **closed at 9:20 PM.**

COUNCIL MEMBERS' COMMENTS

Councilwoman Hunter – Friday, October 28th - Haunted House and Crafts 6:00 PM St. Lawrence Center; Saturday, October 29th and Sunday, October 30th – Shredding Weekend 12:00 PM - 3:00 PM parking lot of Town Hall; Saturday, October 29th – Big Screen Classics “The Uninvited” 11:30 AM Lafayette Theatre free for Town of Ramapo Seniors; Sunday, November 6th Ninth annual 5K Turkey Trot 8:15 AM – 9:15 AM registration with race starting at 9:30 AM Reisman Sports Complex rain date Sunday, November 13th

SUPERVISOR'S REPORT

Supervisor St. Lawrence – Invites all to attend Big Screen Classics Film Festival at Lafayette Theatre tickets available in Supervisor's office; Thanks to Italian Twinning Committee and congratulations again to Honorees

ADJOURNMENT

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

RESOLUTION NO. 2011- 606

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, October 26, 2011, be hereby **adjourned at 9:25 PM.**

Respectfully submitted,

Maureen Pehush
Deputy Town Clerk