

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

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

PUBLIC HEARING: PRELIMINARY BUDGET - YEAR 2012

Scheduled for this evening at 8:00 PM was a public hearing to solicit public comment on the **PRELIMINARY BUDGET FOR THE TOWN OF RAMAPO FOR THE YEAR 2012.**

The following person addressed the Town Board this evening:

1. **Robert Romanowski** – 177 Maple Avenue, Monsey, NY 10952 – commented on the combining of the positions of Town Clerk and Receiver of Taxes

CLOSE PUBLIC HEARING

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

RESOLUTION NO. 2011- 607

RESOLVED by the Town Board of the Town of Ramapo, that the Public Hearing held this evening, November 9, 2011, to solicit public comment on the **PRELIMINARY BUDGET FOR THE TOWN OF RAMAPO FOR THE YEAR 2012** be hereby **closed at 8:42PM**, and

BE IT FURTHER RESOLVED, that a special town board meeting is hereby scheduled for Wednesday, November 16, 2011 at 8:00 PM to consider adoption of the final budget for the Town of Ramapo for the year 2012.

ACCEPTANCE OF MINUTES

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

RESOLUTION NO. 2011- 608

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 26, 2011 – Regular

SETTLEMENT OF ACTION: FRANK CHICHERCHIA & FRANK'S PREMIUM AUTO BODY, INC. v. TOWN OF RAMAPO

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

RESOLUTION NO. 2011 - 609

WHEREAS, Frank Chicherchia and Frank's Premium Auto Body, Inc. had commenced an action in United States District for damages caused by removal from the Town's Police Department towing list, and

WHEREAS, the Town Attorney's Office has reviewed the above action and recommends that it be subject to the following:

- 1) Payment of \$15,000
- 2) Frank's Premium Auto Body, Inc. will receive the first three (3) repair opportunities involving Town Police vehicles,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the above action is hereby settled pursuant to the terms set forth above, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute a Stipulation of Settlement on the above action.

Source of Funds: CSL1931

EXTENSION OF AGREEMENT: NEW YORK STATE DEPARTMENT OF TRANSPORTATION: SNOW & ICE AGREEMENT

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

RESOLUTION NO. 2011- 610

WHEREAS, pursuant to Section 12 of the Highway Law of the State of New York, the maintenance of State Highways includes the control of snow and ice thereon as the Commissioner of Transportation, hereinafter "**COMMISSIONER**", may deem to be necessary to provide reasonable passage and movement of vehicles over such highways, and

WHEREAS, the work of such control of snow and ice may be done by the Town of Ramapo, hereinafter "**TOWN**", pursuant to an agreement entered into between the **TOWN** and the **COMMISSIONER**, and

WHEREAS, the **TOWN** has previously entered into an agreement with the **COMMISSIONER** and such agreement expired on June 30, 2011, and

WHEREAS, the **COMMISSIONER** has proposed to extend the agreement for an additional one year period retroactive to July 1, 2011 and terminating June 30, 2012 at a total compensation of \$119,788.69 for the remainder of the agreement unless changed by future update, and

WHEREAS, the Superintendent of Highways, Anthony Sharan, has reviewed the agreement and recommends its approval,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ramapo does hereby approve and authorize the Supervisor to execute an agreement to extend the Municipal Snow and Ice Agreement for an additional one year to June 30, 2012 at a total compensation for the additional year of \$119,788.69.

APPROVAL OF AGREEMENT: ADDUCE CONSTRUCTION, INC.: INSTALLATION OF BUS SHELTERS – MAPLE AVENUE SIDEWALK PROJECT

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

RESOLUTION NO. 2011 - 611

WHEREAS, three bus shelters need to be replaced during the construction of the Maple Avenue sidewalk project, and

WHEREAS, Anthony Sharan, the Superintendent of Highways is in receipt of a proposal from Adduce Construction, Inc., 19 Fairview Terrace, Suffern, New York 10901, for installation of three bus shelters in the amount of \$15,438.50,

WHEREAS, Anthony Sharan has advised that Adduce Construction, Inc. is the sole contractor for County of Rockland bus shelters,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the proposal of Adduce Construction, Inc. for the installation of three bus shelters in the amount of \$15,438.50, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with Adduce Construction, Inc. in a form approved by the Town Attorney's Office.
Source of Funds: 5197H36.34460M

APPROVAL OF RETROACTIVE TAX EXEMPTION: TOWN OF RAMAPO

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

CORRECTED RESOLUTION
RESOLUTION NO. 2011 - 612

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:

- a) Town of Ramapo
98 Concklin Road
Pomona, New York 10970
S/B/L: 89/33.15-1-10
2009 Assessment Roll
- b) Town of Ramapo
982 Route 45
Pomona, New York 10970
S/B/L: 89/33.15-1-5
2009 Assessment Roll
- c) Town of Ramapo
10 Torne Brook Road
Hillburn, New York 10931
S/B/L: 89/39.19-1-2
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 properties for the tax year in question if legislation is passed and signed by the Governor.

SETTLEMENT OF CERTIORARI ACTION: AUTO ZONE, INC.

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

RESOLUTION NO. 2011- 613

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

AUTO ZONE

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2009/10	57.47-1-41	\$49,200	\$40,000
2010/11	57.47-1-41	\$40,000	\$40,000
2009/10	57.47-1-42	\$145,000	\$120,000
2010/11	57.47-1-42	\$110,000	\$110,000

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.

APPROVAL OF LICENSE AGREEMENT: INSTALLATION OF DISTRIBUTED ANTENNAE SYSTEM - NEXTG

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

RESOLUTION NO. 2011 – 614

WHEREAS, the Town is in receipt of a request from NextG Networks, Inc., 131-05 14th Avenue, College Point, New York 11356 for installation of a Distributed Antennae System in various locations within Town right-of-ways subject to the following terms:

1. Term: 10 years
2. Fee: 5% of gross revenues from services provided by NextG,

and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to grant a License Agreement to NextG Networks, Inc. for installation of a Distributed Antennae System within Town rights-of-way subject to the terms set forth above, and

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

REQUEST FOR TURNING LANES: ROUTE 306 & VIOLA ROAD

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

RESOLUTION NO. 2011 – 615

WHEREAS, there is a large volume of traffic at the intersection of Route 306 and Viola Road, and

WHEREAS, the installation of right turn lanes on Route 306 will improve traffic flow,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby requests that New York State Department of Transportation install right turn lanes on Route 306 at the intersection of Viola Road.

REQUEST FOR THRU LANE: ROUTE 306 & PHYLLIS

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

RESOLUTION NO. 2011 – 616

WHEREAS, there is a large volume of traffic at the intersection of Route 306 and Phyllis Terrace, and

WHEREAS, the installation of a thru lane on Route 306 at the intersection with Phyllis Terrace going south will improve traffic flow,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby requests that New York State Department of Transportation install a thru lane on Route 306 at the intersection with Phyllis Terrace going south.

REQUEST FOR TURNING LANE: FORSHAY ROAD & COLLEGE ROAD AT LODI LANE

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

RESOLUTION NO. 2011 – 617

WHEREAS, there is a large volume of traffic at the intersection of Forshay Road and College Road at Lodi Lane, and

WHEREAS, the installation of a turning lane at the above mentioned intersection will improve traffic flow,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby requests that the county of Rockland install a turning lane at the intersection of Forshay Road and College Road at Lodi Lane.

ACCEPTANCE OF PROPOSAL: INSTALLATION OF CONCRETE FOUNDATION FOR RAMAPO SALT BOX – NIKKO CONSTRUCTION CORPORATION

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

RESOLUTION NO. 2011 – 618

WHEREAS, the Town is currently installing the Ramapo Salt Box in the Torne Valley section of the Town, and

WHEREAS, said installation requires the construction of a concrete foundation, and

WHEREAS, Lee Derario, Director of Municipal Development and Property, solicited proposals for the above construction, and

WHEREAS, Lee Derario and Mona Montal, Director of Purchasing, recommend that the proposal of Nikko Construction Corp., 173 Route 303, Valley Cottage, New York 10989 in the amount of \$28,200 be accepted,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the proposal of Nikko Construction Corp. for installation of a concrete foundation for the Ramapo Salt Box at a fee of \$28,200.

Source of Funds: H40.34460 – Improvement and Construction

H14.34460 – P & R

ACCEPTANCE OF RESIGNATION OF COURT CONSTABLE

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

RESOLUTION NO. 2011- 619

WHEREAS, Jay Helfgott of Pomona, New York has resigned from his position of Court Constable (PT), retroactive to October 31, 2011,

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

RECLASSIFICATION OF CASHIER TO RECREATION INFORMATION CLERK I – PARKS & RECREATION

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

RESOLUTION NO. 2011- 620

WHEREAS, the Director of Parks & Recreation has recommended the re-classification of a Cashier position to Recreation Information Clerk I at the Town of Ramapo Department of Parks & Recreation, and

WHEREAS, the Rockland County Personnel Office has classified the position of Recreation Information Clerk 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 Recreation Information Clerk I.

(SOURCE OF FUNDS: OPERATING BUDGET 7150A.3100)

APPOINTMENT OF PROVISIONAL RECREATION INFORMATION CLERK I – PARKS & RECREATION

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

RESOLUTION NO. 2011- 621

WHEREAS, there is a vacancy in the position of Recreation Information Clerk I at the Town of Ramapo Department of Parks & Recreation, and

WHEREAS, The Director of Parks & Recreation, 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 **Barbara Sprake**, of Airmont, New York, Recreation Information Clerk I effective November 14, 2011 at the annual salary of \$42,911.

(SOURCE OF FUNDS: OPERATING BUDGET 7150A.3100)

AMENDMENT OF 2011 TOWN BUDGET: RECEIPT OF FUNDS – JOINT TERRORISM TASK FORCE

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

RESOLUTION NO. 2011 – 622

WHEREAS, the Town is in receipt of \$2,320.17 from the Joint Terrorism Task Force, and

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

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

Increase Revenue Account AB.24390 (Cops Federal Grants) by \$2,320.17 and
Increase Appropriations 3120AB.3141 (Homeland Security Overtime) by \$2,320.17

to reflect receipt of the above funds for July and August 2011.

ACCEPTANCE OF BID : DRY CLEANING & LAUNDERING OF POLICE UNIFORMS

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

RESOLUTION NO. 2011- 623

WHEREAS, the Purchasing Department of the Town of Ramapo has solicited bids for Dry Cleaning and Laundering of Police Uniforms, and

WHEREAS, bids were received by the Town Clerk of the Town of Ramapo and opened on October 24, 2011, in accordance with the provisions of the law, and

WHEREAS, Peter Brower, Chief of Police, recommends the acceptance of the lowest aggregate responsible bid submitted by Nu-Trend Cleaners, Inc., 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 lowest aggregate responsible bid submitted by Nu-Trend Cleaners, Inc. of 60 Route 59, Monsey, NY 10952 for:

Launder Regulation Shirt, Short Sleeve	@\$.90 each
Launder Regulation Shirt, Long Sleeve	@\$.90 each
Launder Dress Shirt, Short Sleeve	@\$.90 each
Launder Dress Shirt, Long Sleeve	@\$.90 each
Dry Clean a Pair of Trousers	@\$2.50/pair
Dry Clean Regulation Shirt, Short Sleeve	@\$1.50 each
Dry Clean Regulation Shirt, Long Sleeve	@\$1.50 each
Dry Clean Regulation Uniform Hat	@\$1.00 each
Dry Clean Summer Jacket	@\$3.50 each
Dry Clean Sport Coat	@\$4.00 each
Dry Clean Suit	@\$5.00 each

Dry Clean Overcoat (Raincoat)	@\$5.00 each
Dry Clean Tie	@\$1.00 each
Dry Clean Bulletproof Vest Carrier	@\$1.50 each
Dry Clean Sweater	@\$2.00 each
Dry Clean Car Jacket	@\$4.00 each
Dry Clean Blouse (Dress Jacket)	@\$5.00 each

be hereby approved and accepted, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with Nu-Trend Cleaners, Inc., in a form approved by the Town Attorney's Office.
Source of Funds: Operating 3120AB.3413

EXTENSION OF BID: BUSES FOR VARIOUS TRIPS (COACH BUS OR EQUIVALENT) – WEST POINT TOURS, INC.

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

RESOLUTION NO. 2011- 624

WHEREAS, the Town Board, by Resolution No. 2011-112, adopted at the January 27, 2011 Town Board Meeting, accepted the bid of West Point Tours, Inc. of P. O. Box 125, 1047-1049 Route 94, Vails Gate, NY 12584 for Buses for Various Trips (Coach Bus or Equivalent) and

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

WHEREAS, Michelle Antosca, Director of Parks and Recreation, 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 West Point Tours, Inc. for Buses for Various Trips (Coach Bus or Equivalent), is hereby extended for an additional one (1) year period **from February 1, 2012 through January 31, 2013**, at the same terms and conditions, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with West Point Tours, Inc., in a form approved by the Town Attorney's Office.
Source of Funds: Various Operating (7310A and 7610A)

EXTENSION OF BID: BUSES FOR VARIOUS ONE DAY TRIPS (SCHOOL BUS OR EQUIVALENT) – CHESTNUT RIDGE TRANSPORTATION, INC.

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

RESOLUTION NO. 2011- 625

WHEREAS, the Town Board, by Resolution No. 2010-742, adopted at the December 22, 2010 Town Board Meeting, accepted the bid of Chestnut Ridge Transportation, Inc. of 56 West Church Street, Spring Valley, NY 10977 for Buses for Various One Day Trips (School Bus or Equivalent), and

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

WHEREAS, Michelle Antosca, Director of Parks and Recreation, 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 Chestnut Ridge Transportation, Inc. for Buses for Various One Day Trips (School Bus or Equivalent), is hereby extended for an additional one (1) year period **from February 1, 2012 through January 31, 2013**, at the same terms and conditions, and

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

Source of Funds: Various Operating (7310A and 7610A)

ACCEPTANCE OF PROPOSAL: TEMPORARY REPAIR OF HARMONY HALL ROOF – HOLT CONSTRUCTION

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

RESOLUTION NO. 2011- 626

WHEREAS, the roof at Harmony Hall is in need of immediate repair, and

WHEREAS, failure to repair the roof will result in serious future damage to Harmony Hall, and

WHEREAS, Mona Montal, Director of Purchasing, has solicited proposals for the temporary repair of the Harmony Hall roof, and

WHEREAS, Mona Montal, Director of Purchasing, is in receipt of a proposal from Holt Construction, for the temporary repair of the Harmony Hall roof, in the amount of \$16,500.00,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the proposal of Holt Construction of 50 E. Washington Avenue, Pearl River, NY 10965, for the temporary repair of the Harmony Hall roof, in the amount of \$16,500.00, and

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

Source of Funds: Capital 5197H40.344626 – Harmony Hall

ACCEPTANCE OF PROPOSAL: INTERIM REPAIR NEAR GOAL POST AT THE DOME

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

RESOLUTION NO. 2011- 627

WHEREAS, Michelle Antosca, Director of Parks and Recreation, has solicited a proposal for an interim repair for damage near the goal post on the parking lot side of the Dome at the Joseph T. St. Lawrence Community Health and Sports Center, and

WHEREAS, Michelle Antosca has recommended that the proposal of Air Structures American Technologies, Inc. of 211 S. Ridge Street, Rye Brook, NY 10573 in the amount of \$6,500.00 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 Air Structures American Technologies, Inc. for an interim repair for damage near the goal post on the parking lot side of the Dome at the Joseph T. St. Lawrence Community Health and Sports Center in the amount of \$6,500.00 be accepted, and

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

Source of Funds: Capital 7197H14.34460

ACCEPTANCE OF PROPOSAL: PURCHASE OF POLICE CAR SNOW TIRES- EASTERN STATE TIRE CORPORATION

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

CORRECTED RESOLUTION NO. 2011- 628

WHEREAS, the Purchasing Department of the Town of Ramapo has solicited price quotes for the purchase of snow tires for Police cars, and

WHEREAS, Edward P. Dzurinko, Director of Public Works, has recommended that the quote of Eastern State Tire Corp. of 40 Washburn Lane, Stony Point, NY 10980 in the amount of **\$6,934.80** 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 quote of Eastern State Tire Corp. for the purchase of snow tires for Police cars, in the amount of **\$6,934.80**, be accepted.

Source of Funds: Operating 1640A.3437

APPROVAL OF CHANGE ORDER: HARMONY HALL ARCHITECTURAL SERVICES – CRAWFORD & STERN

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

RESOLUTION NO. 2011 – 629

WHEREAS, the Town Board, by Resolution No. 2008-793, retained Crawford & Sterns, 134 Walton Street, Armory Square, Syracuse, New York 13202 for the provision of architectural and preservation consultant services for the rehabilitation of the roof, front porch and front doorway at Harmony Hall in the amount of \$50,604, and

WHEREAS, Lee Derario, Director of Municipal Development and Property Management has recommended that the following Change Order be approved:

Change Order No. 1 Revision of Bid Specifications \$7,000.00

NOW, THEREORE, 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 \$50,604 to \$57,604.

Source of Funds: 5197H40.344626 – Harmony Hall

APPROVAL OF CHANGE ORDER: REPAIR OF SOCCER FIELD AT HERB REISMAN SPORTS COMPLEX – FIELD PRO ENTERPRISES

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

RESOLUTION NO. 2011 – 630

WHEREAS, the Town Board by Resolution No. 2011-379, entered into an agreement with Field Pro Enterprises, LLC, P.O. Box 2143, Monroe, New York 10949, for repair of the soccer field at the Herb Reisman Sports Complex for \$5,000, and

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

Change Order No. 1 Additional sod and topsoil.....\$500.00

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby approves Change Order No. 1 and the contract amount is hereby increased from \$5,000 to \$5,500.

Source of Funds: Capital – 7197H14.34460

APPROVAL OF CHANGE ORDER: PROVIDENT BANK PARK PLAYGROUND - GAMETIME INC.

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

RESOLUTION NO. 2011- 631

WHEREAS, the Provident Bank Park construction included the installation of a concrete slab for the Park’s playground equipment, and

WHEREAS, Gametime, Inc. installed a concrete slab at a cost of \$42,600.00, and

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

Change Order No. 1 Increase in playground space: \$1,810.00,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby approves Change Order No. 1, and the contract is revised from \$42,600.00 to \$44,410.00.

Source of Funds: Capital 7197H14.34460

**APPROVAL OF CHANGE ORDER: FENCING & PLANTING - MAPLE AVENUE
RECONSTRUCTION PROJECT – MORANO BROTHERS CORPORATION**

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

RESOLUTION NO. 2011- 632

WHEREAS, the Town Board, by Resolution No. 2008 – 389, approved an agreement with Morano Brothers Corporation, 2045 Albany Post Road, Croton-on-Hudson, New York 10520 for the Maple Avenue reconstruction project in the amount of \$3,564,697.00, and

WHEREAS, the Town Board, by Resolution No. 2008-515, approved Change Orders Nos. 1, 2 and 3 and increased the contract amount to \$3,623,872.00, and

WHEREAS, the Town Board, by Resolution No. 2008-564, approved Change Orders Nos. 4, 5, 6, 8 and 9 and increased the contract amount to \$3,881,710.90, and

WHEREAS, the Town Board, by Resolution No. 2008-611, approved Change Orders Nos. 10, 11, 12 and 13 and increased the contract amount to \$3,899,601.43, and,

WHEREAS, the Town Board, by Resolution No. 2008-658, approved Change Orders Nos. 14, 15 and 16 and increased the contract amount to \$4,130,842.22, and

WHEREAS, the Town Board, by Resolution No. 2008-798, approved Change Orders Nos. 17, 18, 19, 20 and 21 and increased the contract amount to \$4,559,729.95, and

WHEREAS, the Town Board, by Resolution No. 2009-225, approved Change Order No. 22 and increased the contract amount to \$4,658,429.95, and

WHEREAS, the Town Board, by Resolution No. 2009-265, approved Change Order Nos. 23 and 24 and increased the contract amount to \$4,722,029.95, and

WHEREAS, the Town Board, by Resolution No. 2009-331, approved Change Order No. 25 and increased the contract amount to \$5,235,529.95, and

WHEREAS, the Town Board, by Resolution No. 2009-394, approved Change Order No. 26 and increased the contract amount to \$5,278,719.38, and

WHEREAS, the Town Board, by Resolution No. 2009-457, approved Change Order Nos. 27 and 28 and increased the contract amount to \$5,321,024.84, and

WHEREAS, the Town Board, by Resolution No. 2009 – 494, approved Change Order Nos. 29, 30, 31, 32, 33,34, 35, 36 & 37, and increased the contract amount to \$5,613,374.33, and

WHEREAS, the Town Board, by Resolution No. 2009-523, approved Change Order Nos. 38, 39 and 40 and increased the contract amount to \$5,649,728.58, and

WHEREAS, the Town Board, by Resolution No. 2009-553, approved Change Order Nos. 41 and 42 and increased the contract amount to \$5,715,395.88, and

WHEREAS, the Town Board, by Resolution No. 2009-554, amended the above agreement by extending the curbed sidewalk project and increasing the contract amount by \$528,481.70 to \$6,243,877.58, and

WHEREAS, the Town Board, by Resolution No. 2010 – 70 approved Change Order No. 43 and increased the contract amount to \$6,262,909.12, and

WHEREAS, the Town Board, by Resolution No. 2010-192, approved Change Order No. 44 and increased the contract amount to \$6,282,309.12, and

WHEREAS, the Town Board, by Resolution No. 2010-250, approved Change Order No. 45 and increased the contract amount to \$6,286,559.12, and

WHEREAS, the Town Board, by Resolution No. 2010-319, approved Change Order Nos. 46, 47, 48 and 49 and increased the contract amount to \$7,223,346.13, and

WHEREAS, the Town Board, by Resolution No. 2010-402 approved Change Order Nos. 50 and 51 and increased the contract amount to \$7,244,446.13, and

WHEREAS, the Town Board, By Resolution No. 2010-478, approved Change Order No. 52 and increased the contract amount to \$7,255,279.15, and

WHEREAS, the Town Board, By Resolution No. 2010-634, approved Change Order No. 53 and increased the contract amount to \$7,262,857.15, and

WHEREAS, the Town Board, By Resolution No. 2011-537, approved Change Order Nos. 54, 55, 56 and increased the contract amount to \$7,317,041.29, and

WHEREAS, Anthony Sharan, Superintendent of Highways, has recommended that the following Change Order be approved:

Change Order No. 57	Replacement fencing	\$40,983.40
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NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Change Order No. 57 is hereby approved and the contract amount for the Maple Avenue Reconstruction Project is hereby increased from \$7,317,041.29 to \$7,358,024.69.

DECLARATION OF EMERGENCY: TREE AND BRUSH REMOVAL – O’SULLIVAN TREE SERVICE, INC.

The following resolution was **moved by Councilman Withers, seconded by Supervisor St. Lawrence** and adopted by a **Voice Vote of 4-0** with Councilman Ullman abstaining:

RESOLUTION NO. 2011- 633

WHEREAS, the recent October 29, 2011 winter storm caused extensive damage to trees throughout the Town, and

WHEREAS, failure to remove the damaged trees will cause a threat to both pedestrians and vehicles along roads in the Town, and

WHEREAS, the Highway Department requires the services of a contractor to assist the Highway Department with tree and brush removal,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that pursuant to Section 103(4) of the General Municipal Law of the State of New York, an emergency is hereby declared with respect to the removal of the above damaged trees and brush such that immediate action is required which cannot await competitive bidding, and

BE IT FURTHER RESOLVED that O’Sullivan Tree Service, Inc., 201 Western Highway, West Nyack, New York, is hereby retained to assist the Highway Department in tree and brush removal at an amount not to exceed \$50,000, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with O’Sullivan Tree Service in a form approved by the Town Attorney’s Office.

Source of Funds: 5140DA.3469

SETTLEMENT OF CLAIM: MICHAEL SHEEHAN

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

RESOLUTION NO. 2011 – 634

WHEREAS, Michael Sheehan of 346 Reservoir Road, Goshen, New York 10924 filed a Notice of Claim dated September 27, 2011, for damage to his automobile as a result of it being struck by a Town Building and Grounds vehicle, and

WHEREAS, the Town Attorney’s Office has reviewed the above claim and recommends that it be settled in the amount of \$1,046.64,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby settles the claim of Michael Sheehan in the amount of \$1,046.64, 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 Michael Sheehan.

APPROVAL OF AGREEMENT: POLICE SERVICES - WALMART

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

RESOLUTION NO. 2011 – 635

WHEREAS, Walmart, located at 250 Route 59, Airmont, New York, has requested that the Town provide police officers for crowd control from the period 8:00 p.m. November 24, 2011 through midnight November 25, 2011 and 9:00 a.m. to 9:00 p.m. on Saturday and Sunday, November 26 and November 27, and

WHEREAS, the Town is willing to provide said police officers subject to Walmart agreeing to reimburse the Town for the cost of the assignment of police officers at the following rates:

Police Sergeants - \$135.00 per hour

Police Officers - \$120.00 per hour

NOW, THEREFORE, BE IT RESOLVED that the Town hereby agrees to provide police officers to Walmart to assist with crowd control at the dates requested, subject to the rates set forth above, provision of the Town being named as an additional insured, and

BE IT FURTHER RESOLVED that the Supervisor be hereby authorized to execute a letter agreement with Walmart in a form approved by the Town Attorney’s Office.

APPROVAL OF AGREEMENT: SECTION 8 HOUSING INSPECTIONS – HILLBURN HOUSING DEVELOPMENT FUNDING CORPORATION

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

RESOLUTION NO. 2011 – 636

WHEREAS, the Hillburn Housing Development Funding Corporation, P.O. Box 1206, Hillburn, New York 10931, by letter dated November 9, 2011, has requested that the Town conduct Section 8 Housing Inspections on behalf of the Hillburn Housing Development Funding Corporation for the remainder of 2011 and all of 2012, and

WHEREAS, Anthony Mallia, Director of Building, Planning and Zoning, has recommended that the Town provide the above Section 8 Inspections at a fee of \$100.00 per inspection and \$75.00 per re-inspection,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to provide Section 8 Housing Inspections for the Hillburn Housing Development Funding Corporation subject to the terms set forth above for the remainder of 2011 and the year 2012,

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

OPEN PERIOD FOR PUBLIC PARTICIPATION

The following person addressed the Town Board this evening:

1. **Honorable David J. Stein** – 4 Quincy Court, Suffern, NY 10901 – congratulations to election winners, thanks to Michelle Antosca and the Department of Parks & Recreation and to the Police Department for the 5k Turkey Trott

CLOSE PERIOD FOR PUBLIC PARTICIPATION

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

RESOLUTION NO. 2011 – 637

RESOLVED by the Town Board of the Town of Ramapo that the Open Period for Public Participation held this evening, November 9, 2011, be hereby **closed at 9:05 PM.**

COUNCIL MEMBERS' COMMENTS

Councilwoman Hunter – Big Screen Classics Film Festival: Saturday, November 12th – “Elmer Gantry”, Saturday, November 19th – “Winchester’ 73”

SUPERVISOR'S REPORT

Supervisor St. Lawrence – commented on returning Veterans and announced Ronald Agard will receive the Purple Heart at the Veteran Post in New City, NY.

ADJOURNMENT

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

RESOLUTION NO. 2011- 638

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, November 9, 2011, be hereby **adjourned at 9:08 PM.**

Respectfully submitted,

Christian G. Sampson
Town Clerk

