

MINUTES OF THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD ON
DECEMBER 28, 2022

The Town Board of the Town of Ramapo convened in on Wednesday, December 28, 2022 in the Edwin Wallace Auditorium of Ramapo Town Hall, 237 Route 59, Suffern, New York 10901.

Supervisor Michael B. Specht called the meeting to order and **Town Clerk, Sharon Osherovitz** called the roll. The following Board members were present and answered to their names:

Call to Order

Attendee Name	Title	Status	Arrived
Michael B. Specht	Supervisor	Present	
Brendel Charles	Councilwoman	Present	
Michael Rossman	Councilman	Present	
David Wanounou	Councilman	Absent	
Yehuda Weissmandl	Councilman	Present	7:20 PM
Alyssa Slater	First Assistant Town Attorney	Present	
Sharon M. Osherovitz	Town Clerk	Present	

Public Participation:

No one wished to address the Town Board this evening.

Close Open Period for Public Participation

RESOLUTION NO. 2022-502

RESOLVED by the Town Board of the Town of Ramapo that the Open Peripod for Public Participation held this evening, December 28, 2022, be hereby **closed at 7:02 P.M.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman
ABSENT:	Wanounou, Weissmandl

Public Hearing:

Set Public Hearing: Introductory Local Law: Real Property Tax Exemption for Qualifying Volunteer Firefighters and Volunteer Ambulance Service Workers

RESOLUTION NO. 2022-503

BE IT RESOLVED that an Introductory Local Law, entitled “**REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE SERVICE WORKERS**” be, and it hereby is, introduced by Supervisor Specht before the Town Board of the Town of Ramapo in the County of Rockland and State of New York at a duly noticed meeting of the Town Board held December 28, 2022, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the proposed local law shall thereafter be duly considered by the Board, and

BE IT FURTHER RESOLVED that a **Public Hearing** be hereby held on January 11, 2023 at 7:05 P.M., at Ramapo Town Hall, 237 Route 59, Suffern, New York, for the purpose of soliciting public comment on said Introductory Local Law entitled **“REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE SERVICE WORKERS”**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman
ABSENT:	Wanounou, Weissmandl

Town Attorney:

Conceptual Development Special Permit Application- Watchtower

GEORGE LITHCO, Town’s outside counsel, addressed GML comments, SEQRA, height, CDSP approval and tree clearing authorization. Mr. Lithco stated a Supplemental EIS is not required, Additional Building Height Plan subject to conditions set forth in resolution, CDSP approval subject to compliance with conditions set forth in resolution and Schedule C, authorization to conduct tree cutting activities on the Project Site subject to compliance with conditions set forth in resolution and Schedule B

Approval of Conceptual Development Special Permit: Watchtower

RESOLUTION NO. 2022-504

Watchtower Bible and Tract Society of New York, Inc. Watchtower Audio/Video Production Center Conceptual Development Special Permit Approval

At a duly noticed meeting of the Town of Ramapo Town Board (“Board”), held on December 14, 2022, the Board, acting pursuant to Article XVI of Chapter 376, Zoning, of the Town Code, initially considered the application of Watchtower Bible and Tract Society of New York, Inc., 900 Red Mills Road, Wallkill, NY 12589, for approval of a Conceptual Development Special Permit (CDSP), which is required by § 1219 B.(6)(b) of the Town Zoning Law for uses permitted in the MU-3 Zoning District.

After receiving written comments and affording all present an opportunity to be heard, the Board closed the public hearing on that date, and then determined that it would continue its consideration of the CDSP application at its next regular meeting on December 28, 2022.

Background

Applicant Watchtower Bible and Tract Society of New York, Inc., (“Watchtower”) proposes to build a new Audio/Video Production Center on property located at 155 Sterling Mine Road, in the Town of Ramapo, New York (the “Project Site”).

The Applicant previously petitioned the Town Board to amend the Town’s 2004 Comprehensive Plan, amend the Town Zoning Law to create a new mixed-use (MU-3) zoning district and amend ancillary provisions of the Zoning Law, including the Use and Bulk Tables, and to amend the Town Zoning Map to rezone its property from the existing RSH Zoning District into the new MU-3 Zoning District in order to allow such development (the “SEQRA Action”) as an integrated live/work development.

As adopted on November 9, 2022, the revised zoning amendments require that any proposed use in the MU-3 Zoning District obtain a Conceptual Development Special Permit from the Town Board.

The zoning allows a CDSP applicant to request approval of an Additional Building Height Plan, if the applicant demonstrates, to the satisfaction of the Town Board, that the development allowed by that Plan would further the Town's interests in reducing impacts on the environment, including, but not limited to, protecting environmentally sensitive areas, reducing development coverage and encouraging the protection of open space areas, and reducing visual impacts of the proposed development on surrounding properties and viewsheds to a greater extent than a plan restricted to the conforming building height.

An applicant may also request that the Town Board authorize tree clearing activities within the limits of disturbance allowed by the CDSP approval prior to Site Development Plan approval by the Planning Board, if the applicant demonstrates that restrictions on the period of time when tree clearing is permitted would otherwise prevent the overall site from being developed in a coordinated and efficient manner that would reduce the duration or extent of construction activities on the site, and that those activities will be done in a manner that avoids, minimizes or mitigates any associated environmental impacts.

CDSP Application

On October 7, 2022, the Applicant submitted its CDSP application, acknowledging that by doing so before the Town Board acted on the Comprehensive Plan and zoning amendments before it, the Applicant accepted the risk that the Board might decline the rezoning request.

The CDSP application, and the documents submitted in the support of that application, are listed in Schedule A. In accordance with the standard procedure for Town Board special permits, the Applicant also submitted an application for Site Development Plan (SDP) approval.

The application requests that the Town Board approve the Applicant's proposed Additional Building Height Plan; the Application Narrative and supporting exhibits address that Plan's compliance with the standards set forth in §376-1219 B.(6)(b) (Exhibit B, at pages 8-13).

The application also requests that the Board authorize tree clearing activities prior to Planning Board approval of a Site Development Plan; the Narrative and supporting exhibits address compliance with the requirements for that authorization (Exhibit B, pages 14-15)

The CDSP application was referred to the Community Design Review Committee (CDRC) for review and report to the Town Board. The Applicant appeared at the November 9, 2022 CDRC meeting, and CDRC subsequently issued a report advising the Town Board that the application was complete for purposes of referring it to the Rockland County Planning Department (RCPD) for GML 239 review, and setting a public hearing.

The Town Board has now considered the review and report of the Town's professional planning and engineering consultants, MJ Engineering and Land Surveying, P.C., dated December 22, 2022, and the recommendations therein with respect to the CDSP application, the Applicant's request for authorization to conduct tree clearing activities, and the additional building height plan.

GML 239 Referral

On November 10, 2022, the CDSP application and supporting exhibits, together with the environmental review record, including the Watchtower Environmental Impact Statement and the Town Board's SEQRA Findings Statement, were delivered to the Rockland County Planning Department for GML 239 review.

On December 1, 2022, the Applicant made a presentation to the Rockland County Planning Department staff to explain its CDSP application and how it had addressed the procedures and standards that had been incorporated into the Town Board special permit process, partly as a result of concerns that the Department identified in prior GML 239 reviews, particularly with respect to the visual impact of additional building height on public viewsheds and surrounding properties.

On December 14, 2022, the Town Clerk received RCPD's GML 239 review letter, dated December 12, 2022, which recommended modifications for the Board's consideration.

On December 14, 2022, the Applicant reviewed and responded to the Department's GML 239 recommendations by letter from Emanuel Law, P.C., the Applicant's land use counsel. While that letter commented on various provisions of the Department's letter, it affirmatively represented that the Applicant would not request any GML overrides.

It will therefore be a condition of this approval that all aspects of the proposed actions to be undertaken by the Applicant be consistent with the GML 239 review comments listed in the RCPD's December 12, 2022 letter, except to the extent that those Recommendations may suggest, but do not expressly require, modification of the proposed action.

Public Hearing

At its November 9, 2022 meeting, the Town Board received the report of CDRC, advising that the CDSP application appeared complete and recommending that the Board consider scheduling a public hearing.

By resolution, the Town Board then determined that a public hearing should be scheduled for its December 14, 2022 meeting, and directed that: the CDSP application, supporting narrative, and other exhibits be circulated to involve and interested agencies, and others who had requested notice, and referred to the Rockland County Planning Department for GML 239 review; notice of the hearing be published and posted on the Town website; the application and supporting documents be posted to the Town's website and made available for public review at the Office of the Town Clerk and the Town Building Department; and that notice of the public hearing required by GML 239-nn be sent to municipal clerks of adjoining municipalities.

At its December 14, 2022 meeting, the Town Board received affidavits of publication in the Town's official newspaper on November 13, 2022, of posting on the Town Clerk's bulletin Board on November 10, 2022, of mailing to adjoining owners by the Applicant on November 16, 2022, [*]and acknowledged that the CDSP application has been posted to the Town website on November 9, 2022 and the public hearing notice had been posted on November 10, 2022.

[*Town Code does not require property posting for special permits]

The Board also acknowledged receipt of the Rockland County Planning Department's GML 239 letter, dated December 12, 2022.

The Town Board then opened the public hearing, first acknowledging its receipt of written comment from interested agencies, organizations, and members of the public, and then offering the opportunity for any interested members of the public to be heard.

The Board then closed the hearing, after ensuring that all present in person and wishing to speak were heard. Following discussion among the members, consideration of the application was then continued to the next Town Board meeting on December 28, 2022.

SEQRA

The Town Board assumed the role of SEQRA Lead Agency for the overall SEQRA Action, which comprised the Applicant's rezoning request, its conceptual development plan for the Audio/Video Center, and numerous other approvals. That SEQRA Action was the subject of an extensive environmental review process, which included preparation of an Environmental Impact Statement. That process concluded when the Town Board adopted its SEQRA Lead Agency Findings Statement on November 9, 2022.

That SEQRA Findings Statement considered the environmental impacts of the proposed development, identified potential mitigation measures to avoid, minimize or mitigate those impacts, and various alternatives to the proposed action, include a conforming building height plan that was studied in detail, with an extensive visual impact analysis.

The Town Board, acting as an involved agency, must now consider whether the EIS is adequate to inform its environmental review of the CDSP application. In doing so, the Board notes that the CDSP process was developed in response to comments by Rockland County Planning, interested organizations and the public that recommended use of a special permit process and clear standards for consideration of any proposal that allowed additional building height, and the overall CDSP process, including the standards for allowing additional building height, was extensively discussed in the FEIS and the Town Board's Findings Statement.

On consideration of the EIS, the review and report of the Town's consultants on the consistency of the actions now proposed as part of the CDSP application with the actions considered in the EIS, the Town Board's SEQRA Findings Statement, and the standards set forth in 6 NYCRR 617.9 (a)(7), the Town Board determines that the environmental record is sufficient for its SEQRA review of the CDSP application, that on its review of the CDSP application there are no project modifications, new information, or changed circumstances that require preparation of a Supplemental EIS, The Town Board therefore reaffirms its SEQRA Findings Statement.

Additional Building Height Determination

The MU-3 Zoning District regulations provide that the Town Board may permit additional building height where it finds that such additional height, in the context of the development of a project site pursuant to site-specific building envelope controls, furthers the Town's interests in reducing impacts on the environment, including, but not limited to environmentally sensitive areas, and (1) reduces development coverage, and (2) mitigates visual impacts of the proposed development on surrounding properties and viewsheds to a greater extent than a plan restricted to the conforming building height.

The Applicant's CDSP application narrative proposes that the Town Board do so.

The Applicant has submitted both its proposed Additional Building Height Plan ("ABH Plan") that allows a maximum building height of 75 feet (Appendix E), and a narrative explaining how it believes the proposed ABH Plan meets each of the standards set forth in § 376-1219 B.(6)(b) apply (Appendix B, pages 8-13), and a conceptual development plan consistent with the bulk regulations of the MU-3 zoning district, including the 45-foot maximum building height (the "Base Height Plan"), that is proposed to establish a baseline for the Town Board's consideration of the ABH Plan (Appendix J).

Based on its review of the CDSP application narrative and the report and recommendations of the CDRC and the Board's engineering and planning consultants, the entire record of environmental review, and the SEQRA Lead Agency Findings Statement previously adopted by the Town Board in its capacity as SEQRA Lead Agency, the Town makes the following findings of fact:

1. the Base Height Plan reasonably attempts to accomplish the Project Sponsor's objectives, and conforms to all dimensional requirements for the MU-3 zoning district, and to the applicable dimensional requirements of the site development plan regulations and the subdivision regulations of the Town without waivers or variances.

2. On consideration of the Additional Building Height Plan, and comparison of the ABH Plan to the Base Height Plan, the Project Sponsor has demonstrated to the satisfaction of the Town Board that the standards of § 379-1219 B.(6)(b) have been met, in that:

A. The FAR of the proposed ABH Plan (0.194) does not increase the Floor Area Ratio allowed by the Base Height Plan (0.196).

B. The application demonstrates that the maximum increase in permitted height for proposed buildings within the building envelope allowed by the CDSP will be no more than one foot for every three feet separating the nearest point of the building and the nearest lot line, and that no building will exceed 75 feet (Narrative, page 10).

C. The proposed building heights on the ABH Plan will not violate the MU-3 ridgeline protection requirements.

D. The highest rooftop elevation (Residence 9, 784 feet) allowed by the ABH Plan will not be higher than the highest rooftop elevation of the Base Height Plan (Residences 14-17, 807.5 feet') (Narrative, page 10).

E. The overall development coverage shown on the ABH Plan is 18.7% (35.02 acres), while the development coverage shown on the Base Height Plan is 24.67 % (47.24 acres). The reduction in development coverage due to the increased building height is 24.2 percent (12.22 acres), which substantially exceeds the minimum reduction of 10% required by this standard. . The ABH Plan shows 50% of the gross lot area of the Project Site (121.10 acres) will be deed restricted open space.

F. Each of the multistory buildings on the ABH Plan that benefit from increased building height contains at least one level, but not more than two levels, of interior parking within its footprint.

G. Each of the buildings that benefit from increased building height are setback a minimum of 200 feet from front property line (Narrative, page 11).

H. On consideration of the visual impact analysis included as Appendix I of the FEIS, which is incorporated by reference in the CDSP Application, and the reports and recommendations of the CDRC, and the Board's professional planning and engineering consultants, as well as the environmental review record before the Board and the findings set forth in its SEQRA Findings Statement, that the siting of the increased height buildings mitigates the visual impacts of the proposed development on surrounding properties and viewsheds to a greater extent than a plan restricted to the conforming building height (Narrative, pages 11-12)

In reaching that conclusion, the Board specifically considered that the Base Height Plan would require a substantially greater area of disturbance and tree clearing, reducing screening from off-site locations; that clearing and construction of buildings would be required at higher elevations on the slopes; that increased amounts of fill would result that would have to be accommodated in those areas of disturbance in order to maintain a balance site, increasing the actual elevation of those building and their visibility from off-site locations; that the resulting increase in the height of the roof of those buildings above sea level will not only increase visibility but reduce the effectiveness of the mitigation measures identified during the environmental review process.

I. Due to distance between the location of the buildings benefited by the increased building heights allowed by the ABH Plan and the eastern and western property lines, as well as the further distance separating existing buildings from the property, those buildings will not create any significant visual or shadow impacts on off-site structures (Narrative, page 12).

The Town Board, after its extensive review of the CDSP Application, which included receiving the report and recommendations of CDRC and of its professional planning and engineering consultants, the GML review of Rockland County Planning, conducting a public hearing on the CDSP Application at which the comments of interested and involved agencies, organizations, and members of the public were received and considered, and the environmental review record set forth above, finds that the CDSP conceptual development plan should incorporate the Additional Building Height Plan, subject to the following conditions:

1. prior to final Site Development Plan approval, the Planning Board shall find and determine that the proposed Site Development Plan:

a. conforms in all respects to the approved CDSP conceptual development plan with respect to maximum building height and each of the standards set forth above.

b. incorporates all of the visual impact mitigation measures identified in the environmental review process.

2. In the event that site conditions or project modifications require an increase in the building height of any proposed additional height building beyond the final building height shown in the CDSP application (Appendix B, Narrative, page 10), the Applicant shall return to CDRC for a determination as to whether that increase in height may be considered a field change, requiring no modification of the CDSP approval, or whether it requires amendment of the CDSP approval. In no case will any building be allowed with additional building height that exceeds 75 feet.

CDSP Approval

Upon considering the CDSP application, the application narrative and the documents and plans submitted in support of the application, which are listed in Exhibit A, the reports of the Town's Community Review Design Committee (CDRC) and the Town's professional planning and engineering consultants, as well as the environmental review record that was established by the Board in its role as SEQRA Lead Agency for the overall SEQRA Action that included the plan of development that would be allowed by this Special Permit, which is more fully described in the Town Board's Lead Agency SEQRA Findings Statement, and in Town Board Resolution 2022-433, which adopted the Findings Statement on November 9, 2022, the Board finds that the Conceptual Development Special Permit should be approved, subject to appropriate conditions.

Tree Clearing Authorization

The MU-3 Zoning District regulations provide that the Town Board may authorize tree clearing within the limits of disturbance allowed by the CDSP where it finds that doing so prior to approval of a site development plan by the Planning Board would allow the coordination of site development activities in a manner that would (1) avoid, minimize or mitigate any associated environmental impact and (2) allow the site to be developed in a coordinated manner that would reduce the duration or extent of construction activities on the site.

The Applicant's CDSP application requests that the Town Board authorize tree clearing activities within the limits of the conceptual development plan in order to allow those activities to be undertaken prior to Planning Board action on the Site Development Plan that will be allowed by approval of this CDSP application.

The Narrative (Appendix B, pages 13-14) explains the nature and extent of the tree clearing activities that will be required in order to allow the site to be developed in a coordinated manner that allows the necessary site grading and clearing activities to be balanced between cuts and fills, avoiding the need for a substantial amount of construction traffic that would otherwise be required, and allow the construction phase to be completed sooner. The substantial reduction of truck trips to and from the site during the clearing and grading phase of the development will reduce traffic, noise and dust impacts on local roads and neighboring property.

The Narrative further explains that federal and State agencies have established various restrictions on tree cutting activities between November 1 and March 31 in order to protect threatened and endangered species that may be present on or near the Project.

Therefore, if the Planning Board's site development plan review is not completed in time to allow the necessary tree cutting activities to be completed prior to March 31, the resulting delay in tree cutting activities would likely delay the commencement of clearing and grading activities until early 2024 and delay the proposed construction schedule by at least a year.

The Board notes that the potential impact of tree clearing activities was considered in the course of the Town Board's environmental review of the proposed action. The Findings Statement concluded that the potential impact of tree clearing on disturbed areas of the Project Site would be adequately mitigated by a Storm Water Pollution Prevention Plan ("SWPPP") that incorporates appropriate erosion and sediment controls and measures to manage stormwater runoff from disturbed areas of the Project Site and maintain water quality, and by implemented a phased tree clearing plan avoids removal of stumps and otherwise reduces the extent of site disturbance in individual phases, so that best practice site stabilization measures will reduce the potential impact of site disturbance associated with such tree cutting activities.

On considering the record before it, including the report and recommendations of the CDRC and the Town's professional engineering and planning consultants, the Board, mindful that the limits of disturbance shown on the conceptual development plan will result in the preservation of open space areas on at least 50% of the overall site, will allow open space to be retained in contiguous areas to the maximum extent feasible, and will avoid, minimize or mitigate impacts on environmentally sensitive areas of the Site, to the extent practicable, finds that the tree clearing activities within the proposed limits of disturbance shown on the Tree Clearing Plan are necessary to allow development of the site in a coordinated manner.

The Board is also mindful that it has considered the Applicant's proposed tree clearing activities and the related stormwater plan in the course of its environmental review, including the Applicant's representations that it would agree to enter into a performance agreement to ensure that best practices are followed during the tree cutting activities, including the development of a SWPPP to ensure appropriate erosion and sediment controls, stormwater management and water quality practices are installed and maintained at all times, and provide performance security such that if the Applicant abandons the Project or defaults on its obligations, the Town would have both the opportunity, but not the obligation, to enter the property and install or maintain disturbed areas of the Site and the resources to do so, and the further representation that it would enter into a restoration agreement that would allow the Town to cause such planting of trees as would in the course of time restore the Site to conditions similar to the existing conditions described in the EIS in the event the Applicant fails to do so.

The Board further notes that Chapter 237 of the Town Code authorizes the Town to require that a developer provide, prior to undertaking land development activities, a performance bond, cash escrow, or irrevocable letter of credit to guarantee satisfactory completion of all conditions set forth by the Town of Ramapo in its approval of the stormwater pollution prevention plan for a proposed development.

The Town Board therefore finds and determines that the Applicant be authorized to conduct the tree cutting activities proposed in the CDSP application, within the limits of disturbance shown on the Tree Clearing Plan (Appendix H), subject to the condition that prior to conducting any tree clearing activities, the applicant shall provide a stabilization and restoration bond in such amount as the Town engineer recommends as necessary to ensure that all areas disturbed by that work can be stabilized, and that the disturbed areas can be restored in the event that the Applicant fails to do. That authorization is also subject to the further condition that all approved tree clearing activities shall be conducted in accordance with the phased plan for such activities incorporated in the Storm Water Pollution Prevention Plan (SWPPP) Appendix G, once that SWPPP has been reviewed by the Town's Storm Water Management Officer and the Town's consulting engineer, granted MS4 approval and filed with the DEC, and those activities shall, as a continuing condition of this authorization, remain in compliance with the applicable requirements of the General Permit for Discharge of Stormwater from Construction Sites and Chapter 237 of the Ramapo Code.

NOW, THEREFORE, BE IT RESOLVED that the Town Board, having considered the adequacy of the Watchtower EIS, the consistency of the actions now proposed as part of the CDSP application with the actions consider in the EIS and the Town Board's SEQRA Findings Statement, and the standards set forth in 6 NYCRR 617.9 (a)(7), determines and finds that the environmental record is sufficient, that there are no project modifications, new information, or changed circumstances that require preparation of a Supplemental EIS, and the Town Board therefore reaffirms its SEQRA Findings Statement.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Board, upon its thorough review of the CDSP Application and the record before, which included receiving the report and recommendations of CDRC and its professional planning and engineering consultants, the GML review of Rockland County Planning, conducting a public hearing on the CDSP Application at which the comments of interested and involved agencies, organizations and members of the public were received and considered, and the environmental review record set forth above, finds and determines that the CDSP conceptual development plan should incorporate the Additional Building Height Plan, subject to the following conditions:

1. prior to final Site Development Plan approval, the Planning Board shall find and determine that the proposed Site Development Plan:

a. conforms in all respects to the approved CDSP conceptual development plan with respect to maximum building height and each of the standards set forth above, and

b. incorporates all of the visual impact mitigation measures identified in the environmental review process.

2. In the event that site conditions or project modifications require an increase in the building height of any proposed additional height building beyond the final building height shown of the CDSP application, the Applicant shall return to CDRC for a determination as to whether that increase in height may be considered a field change, requiring no modification of the CDSP approval, or whether it requires amendment of the CDSP. In no case will any building be allowed with additional building height that exceeds 75 feet.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Board, upon its thorough review of the CDSP Application and the aforesaid record before it, hereby finds and determines that it will grant the Applicant's request for approval of the conceptual development special permit, subject to the conditions set forth above and in Schedule C.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Town Board, upon its thorough review of the CDSP Application and the aforesaid record before it, that it hereby grants the Applicant's request for authorization to conduct tree cutting activities on the Project Site for the reasons set forth above, subject to compliance with the conditions set forth above and in Schedule B.

On a **ROLL CALL VOTE**, the aforesaid motion was adopted by a vote of 3 in favor, 0 opposed, 2 absent. The Supervisor declared the motion adopted.

The Town Clerk is directed to cause this Resolution to be promptly filed in the Office of the Town Clerk, and to be posted on the Town's website.

Schedule A - CDSP Application and Exhibits

Conceptual Design Special Permit Application, dated October 6, 2022

Appendix A: Site Development Permit Application Form, dated October 6, 2022, signed and prepared by Watchtower Bible and Tract Society of New York, Inc., pages 2 through 17

Appendix A: Special Permit Application Form, dated October 7, 2022, signed and prepared by Watchtower Bible and Tract Society of New York, Inc., pages 18 through 34.

Appendix B: Narrative Summary, dated October 6, 2022, prepared by Watchtower Bible and Tract Society of New York, Inc., pages 2 through 17.

Appendix C: Legal Description of Properties Involved, October 2022, prepared by Watchtower Bible and Tract Society of New York, Inc., pages 2 through 4. ALTA/ACSM Land Title Survey, prepared by Atzl, Scatassa & Zigler, P.C., dated February 21, 2009, 1 sheet.

Appendix D: Zoning Compliance Table - 19001-GP002-P12-Site Zoning Compliance Summary-Additional Building Height Plan, last revised October 3, 2022. Signed, sealed, and prepared by Watchtower Bible and Tract Society of New York, Inc., page 2

Appendix D: Zoning Compliance Table - 19001-GP101-P10-Site Zoning Compliance Summary-Additional Building Height Plan, last revised October 3, 2022. Signed, sealed, and prepared by Watchtower Bible and Tract Society of New York, Inc., page 3

Appendix E: Conceptual Site Plan Drawing - 19001-GP101-P10-Site Zoning Compliance Summary-Additional Building Height Plan, last revised October 3, 2022. Signed, sealed, and prepared by Watchtower Bible and Tract Society of New York, Inc., page 2.

Appendix F: Analyses of Existing Water and Sanitary Sewer Infrastructure, October 2022, prepared by Watchtower Bible and Tract Society of New York, Inc., pages 2 through 3.

Appendix G: Stormwater Pollution Prevention Plan (SWPPP), last revised October 4, 2022, prepared by Watchtower Bible and Tract Society of New York, Inc., pages 2 through 1445.

Appendix H: Tree Clearing and Grading Plan - 19001-CC101-P12-Site Tree Removal Plan, last revised September 14, 2022. Signed, sealed, and prepared by Watchtower Bible and Tract Society of New York, Inc., page 2.

Appendix I: Open Space Preservation Plan - 19001-GP101-P10-Site Zoning Compliance Summary-Additional Building Height Plan, last revised October 3, 2022. Signed, sealed, and prepared by Watchtower Bible and Tract Society of New York, Inc., page 2.

Appendix J: Base Height Plan - 19001-GP003-P1-Site Zoning Compliance Summary-Base Height Plan, last revised October 3, 2022. Signed, sealed, and prepared by Watchtower Bible and Tract Society of New York, Inc., page 2.

Appendix J: Base Height Plan - 19001-GP004-P1-Site Zoning Compliance Elevations-Base Height Plan, last revised October 3, 2022. Signed, sealed, and prepared by Watchtower Bible and Tract Society of New York, Inc., page 3.

Appendix J: Base Height Plan - 19001-GP102-P1-Site Zoning Compliance Plan-Base Height Plan, last revised October 3, 2022. Signed, sealed, and prepared by Watchtower Bible and Tract Society of New York, Inc., page 4.

Schedule B - Tree Clearing Conditions

The Town Building Inspector may issue a letter authorizing the Tree Clearing Activities shown on the plan entitled Tree Clearing and Grading Plan, dated September 14, 2022, as last revised, following the Applicant's compliance with the following conditions:

1. the Town Clerk's written acknowledgement that the Applicant has submitted:

(a) A duly signed and acknowledged Performance Agreement for the proposed Tree Clearing Activities; and

(b) Security for the Applicant's performance of its obligations pursuant to the Agreement, in the amount of \$2,283,000, of which 25% shall be in the form of cash or an "evergreen" letter of credit acceptable to the Town Attorney's Office, and 75% may be in the form of cash, an "evergreen" letter of credit, or a performance surety bond issued by an entity authorized to do so in New York State.

2. The submittal of a record copy of the Tree Clearing Plan in proper form and in compliance with the Board's resolution of approval, bearing original signatures of the Owner/Applicant, and the professional who prepared and sealed the plan, together with:

(a) a record copy of the tree clearing SWPPP that was approved by the Town MS4 enforcement official, and evidence that it has been accepted by DEC for filing so that General Permit coverage will in effect prior to the start of any proposed Tree Clearing Activities requiring such coverage; and

(b) any other documentation required to demonstrate that the Applicant has complied with the conditions of approval for the Building Inspector to issue a letter allowing the Tree Clearing Activities authorized by the Town Board resolution.

3. A written narrative explaining how the phased implementation plan for Tree Clearing Activities will be conducted in accordance with the approved Tree Clearing SWPPP, including how inspections will be conducted to confirm that all prior phases have been properly stabilized before the next phase of tree clearing activities begins.

Schedule C - CDSP Conditions of Approval

Residential and Non-residential Development

Condition 1: To ensure that the site is developed in accordance with the representations of the Applicant during the course of the Town Board's environmental review, it is a continuing condition of this Special Permit that any Site Development Plan approval be limited to 645 residential units (consisting of 545 are one-bedroom units and 100 are studio units) that will occupy approximately no more than 775,000 gross square feet of floor area (approximately 1,195 square feet per unit), and the non-residential development shown on the conceptual development plan, which will occupy no more than 1,050,000 gross square feet of floor area. Any additional build-out of the site or any material change from the conceptual development plan considered as part of this CDSP application will require amendment of the CDSP and be subject to independent review under SEQRA and site plan review. The Project Sponsor would be required to mitigate any new impacts caused by amendment of this Special Permit, including, but not limited to, additional build-out of residential or non-residential space.

Condition 2: To ensure that the site is developed in accordance with the representations of the Applicant during the course of the Town Board's environmental review, it is a condition of this Special Permit that that within 60 days of the date this resolution is adopted, that the Applicant either file an instrument abandoning the subdivision map filed by the Lorterdan developer in accordance with the procedure established in Section 560 of the Real Property Tax Law, and provide evidence of that filing to the Town Clerk, or, if such procedure is not available, file an application with the Town Planning Board to resubdivide the property by consolidating all of the existing subdivision lots into a single lot. In that event, it is a condition of this Special Permit approval that any Site Development Plan approval issued by the Planning Board include as a condition of approval that the approved plat be filed before that site plan is signed.

Tree Clearing Activities

Condition 1: As a condition of the Town Board authorization to implement tree cutting activities prior to Site Development Plan Approval, before engaging in any tree cutting activities or site disturbance, the Applicant must: (1) obtain MS4 approval of the tree clearing SWPPP submitted with its CDSP application, including the proposed waiver of the 5 acre limit on the area disturbed in any phase; (2) submit its Notice of Intent (NOI) to gain permit coverage under DEC General Permit GP-0-20-001 for those activities and provide confirmation to the SMO and the Town's consulting engineer that the requisite time period has passed from the submission of the NOI to obtain General Permit coverage; and (3) submit a Performance and Restoration Agreement specific to the proposed tree cutting activities, with performance and restoration security acceptable to the Town's consulting engineers to ensure that the erosion and sediment controls and stormwater management practices required by the approved SWPPP are properly implement and maintained, that all disturbed areas will be promptly stabilized and restored, and any violation of applicable stormwater management requirements and water quality standards can be remediated, and tree restoration activities are secured.

Condition 2: As a condition of the Town Board authorization to implement tree cutting activities prior to Site Development Plan Approval, before engaging in any tree cutting activities or site disturbance, the Applicant must:

a. Address all open comments in the December 22, 2022 letter-report from MJ Engineering regarding the tree clearing SWPPP to the satisfaction of the Town's consulting engineer.

b. Submit the SWPPP Acceptance Form to the Town SMO once the SWPPP is deemed technically correct by the Town's consulting engineer.

c. Not commence Site Disturbances associated with tree clearing until such time as the prior conditions are met, the Notice of Intent has been filed with the NYSDEC, the requisite time passes from the date of submission to the NYSDEC as prescribed in General Permit GP-0-20-001, and the Applicant receives the NYSDEC Acknowledgement letter.

d. Not commence Site Disturbances until the Applicant and its contractors have held a pre-construction meeting with the Town.

e. Not disturb more than 5-acres of land at any one time unless and until such time that the Town grants a 5-acre disturbance waiver.

f. Provide the appropriate security for tree clearing as stipulated in the Statement of Findings with the value and form of security to be determined in accordance with the project documents.

g. Address any other reasonable conditions that the Town Board, their professionals or Town staff find to be necessary and appropriate.

Condition 3: As a condition of the Town Board authorization to implement tree cutting activities prior to Site Development Plan Approval, if a site disturbance waiver is granted, it shall ensure that the specific measures to be employed during that stage of site work meet the standard best management practices (BMPs) for erosion and sediment controls and that inspections are performed with sufficient regularity to ensure site disturbances do not become unmanageable and the site susceptible to turbid discharges.

Condition 4: As a condition of the Town Board authorization to implement tree cutting activities prior to Site Development Plan Approval, the Applicant must ensure that tree cutting activities only take place within the limits of disturbance shown on the Tree Clearing Plan (Appendix H), which shall be located in the field in accordance with the direction of the Town's consulting engineer, and follow the phasing and stabilization plan in the SWPPP, as that plan may be amended from time to time.

Condition 5: As a condition of the Town Board authorization to implement tree cutting activities prior to Site Development Plan Approval, the Planning Board shall condition any Site Development Plan approval on the tree clearing SWPPP be amended to cover the overall site development activities in Stages 2 and 3. The amended SWPPP must be reviewed by the Town's consulting engineers and the Town of Ramapo Stormwater Management Officer (SMO). If a disturbance waiver is requested for activities in Stages 2 and 3, the amended SWPPP shall include specific measures to be employed that meet the standard best management practices (BMPs) for erosion and sediment controls to ensure site disturbances do not become unmanageable and the site susceptible to turbid discharges.

Blasting

Condition: To avoid impact on surrounding properties during construction, it is a condition of this Special Permit that any Site Development Plan approval require that prior to initiating blasting on the Project Site, the Applicant prepare and submit a site-specific Blasting Plan for review and approval by the Town Building Department and the Town's consulting engineers.

As the Building Inspector and the Town's consulting engineers deem it necessary and appropriate, that Plan may include a geotechnical report and a seismographic survey to determine maximum charges that can be used at each location in an area of excavation without damaging adjacent properties, which identifies the area of the Project Site where blasting is anticipated, the circumstances that require blasting instead of mechanical means of rock removal, any areas where the geotechnical report finds that conditions do or may exist that could result in off-site damage to buildings, structures or wells, and recommendations for avoiding or minimizing the risk of such damage.

The Blasting Plan should also explain how blasting schedules will be established in each construction phase (day, hour, and duration), how notice will be given to neighboring residents and owners, particularly to any properties where individuals or use is sensitive to noise measures to mitigate noise-related impacts, actions that will be taken to document conditions of nearby buildings and structures and monitoring wells within 1,000 feet of a blasting activity, and safety protocols associated with both blasting activities and the handling and transport of blasting materials. (FEIS Page 2-30; Response 3-1; Findings Statement, Pages 15, 19, 49)

Condition 2: To avoid impact on surrounding properties during construction, it is a condition of this Special Permit that any Blasting Permit issued by the Building Department shall incorporate the recommendations of the Town's consulting engineers, and shall require that blasting activities be conducted in conformance with the 2020 edition of the Fire Code of New York State and the National Fire Protection Association Explosive Materials Code (NFPA 495-2018) and all applicable laws and regulations, including Chapter 104 of the Town Code.

Vernal Pool and Wetlands Habitat

Condition: To avoid impact on impact on amphibian species of special concern during construction, it is a condition of this Special Permit that any Site Development Plan approval require the Applicant to avoid disturbance of vernal pools and other wetlands where possible, and minimize disturbance when necessary, so that at least four of the six vernal pools on Project Site will remain intact and viable as breeding habitat for Jefferson salamanders and other pool-breeding amphibians, and, consistent with best development practices for maintaining vernal pool function and integrity, further require that at least 200 meters of upland forest also be maintained in at least three directions from these wetlands, in order to provide ample terrestrial habitat into which Jefferson and other salamanders can migrate for the non-breeding seasons. (FEIS Response 4-21; DEIS page 4-18)

Rattlesnake Protection

Condition: To avoid impact on impact on rattlesnakes during construction, it is a condition of this Special Permit that any Site Development Plan approval require the Applicant to consult with DEC Region 3 prior to commencing blasting or other construction activities on precautionary measures to avoid potential impacts, such as avoiding disturbance of to rock formations on the Site to the maximum extent practicable, and the implementation of other mitigation measures discussed at FEIS Pages 2-9/10; FEIS Response 4-3 Findings Statement, Page 45). The Applicant shall provide the Building Department with confirmation that such consultation has taken place before any building permit or blasting permit is issued.

Traffic

Condition 1: To avoid impact on the local road network during construction, to the maximum extent practicable, it is a condition of this Special Permit that all construction staging, parking, and deliveries must occur on the Project Site. in the course of Site Plan review, the Applicant must identify on-site construction access, internal circulation routes, and parking areas during construction stages for all vehicles that will be utilized by site contractors, employees and volunteers and ensure that any off-site impact of construction activities on the surrounding road network are promptly addressed.

Condition 2: To avoid impact on the local road network during construction to the maximum extent practicable, it is a condition of this Special Permit that the Applicant must require all site contractors and their suppliers to direct trucks carrying heavy equipment and construction materials to and from the Project Site to use State routes (e.g., I-87 and NYS Route 17) and County Road 72 (Sterling Mine Road) to travel to/from the Project Site, thus minimizing impacts from large trucks on other area roadways.

Condition 3: To avoid impact on the local road network during construction to the maximum extent practicable, it is a condition of this Special Permit that the Applicant ensure that the volunteer construction workers residing at the Woodgrove at Sterlington apartment complex, or at other Applicant controlled residential areas, utilize jitney vehicles provided by the Applicant for travel to and from the Project Site, such that the majority of worker trips occur during off-peak travel times (7:00 AM to 8:00 AM and 4:00 PM to 5:00 PM) to avoid or minimize traffic impacts during the standard peak vehicular travel hours on surrounding roadways (8:00 AM to 9:00 AM and 5:00 PM to 6:00 PM) (see FEIS 2-29, Response 14-8; Findings Statement, Page 44)

Condition 4: To avoid impact on the local road network, it is a continuing condition of this Special Permit that any Site Development Plan approval provide for monitoring of the need for the traffic signal required to be installed by the Tuxedo Reserve project at the intersection of Sterling Mine Road and Eagle Valley Road, and when that signal is warranted, that the Applicant coordinate with the County to ensure the traffic signal (if approved) accommodates their driveway for alignment Option A, and that the signal timing plan maximizes efficiency and minimizes lost time per cycle for the two T-legged intersections under Option "A", (FEIS Appendix E, Traffic Impact Study; FEIS Responses 11-3, --14, -21) in addition to the traffic mitigation measures identified in the Town Board's SEQRA Findings (Page 38).

Condition 5: To avoid impact on the local road network, it is a continuing condition of this Special Permit that any Site Development Plan approval identify adequate post-construction parking and delivery areas on the Project Site to accommodate the anticipated need during site operations.

Condition 6: To avoid impact on the local road network, it is a continuing condition of this Special Permit that the Applicant ensure that non-resident staff traveling from other Applicant-controlled sites, including Tuxedo Bethel, in connection with site operations utilize jitney vehicles provided by the Applicant when practicable for their travel to and from the Project Site.

Air Quality

Condition: To avoid impact on air quality during construction to the maximum extent practicable, it is a condition of this Special Permit that the Applicant must include erosion and dust control best practices during construction to avoid, minimize or mitigate fugitive dust from construction activities, including the provision of a water truck during clearing and grading activities, and scheduling construction activities to avoid unfavorable wind conditions. (FEIS, Pages 2-30-31)

Noise

Condition 1: To avoid noise impacts on surrounding properties during construction, it is a condition of this Special Permit approval that the Applicant conduct all construction activities in full compliance with existing regulations, including Chapter 188 of the Town Code, which allows construction activities between the hours of 8 AM and 10 PM, except on Sundays and legal holidays, when no activity that would create an unreasonable noise across a residential real property boundary is permitted. (FEIS Page 2-29, Response 12-4; Town Code Section 188-4 C.)

Condition 2: While it is anticipated, as discussed in Chapter 12 of the DEIS, that noise generating activities would be concentrated in the center of the Project Site and would not generate unreasonable levels of noise at any property line, to avoid noise impacts on surrounding properties during construction, it shall be a condition of this Special Permit and of any Site Development Plan approval issued by the Planning Board, that in the event a specific construction activity, such as blasting or rock crushing, must be conducted at locations where it would generate noise exceeding allowable limits at the property line, the Applicant will be required to obtain a noise variance from the Town Board pursuant to 188-6. (FEIS Response 14-6)

Outdoor lighting

Condition: To avoid the adverse impact of lighting on surrounding properties, it is a condition of this Special Permit approval that any Site Development Plan approval granted by the Planning Board include a lighting plan that fully complies with existing regulations, and further includes those mitigation measures identified in the FEIS, including outdoor and interior design elements that minimize light spillover, glare, and are consistent with dark-sky preservation principles.

With respect to Interior lighting, mitigation will include bi-level dimming, photo sensors, occupancy sensors, time clocks, and egress lighting control, all of which minimize potential visibility of indoor lighting in the upper floors of the proposed Project Site buildings in the evening hours. In addition, the broad side of the residential buildings are oriented to the east and west to reduce the visibility of interior light sources from off-site locations, as the east windows face the interior of the Project Site and the west windows face a thick buffer of trees and a ridge. Balconies must be situated when possible to orient views toward the south, and be designed and constructed to provide a screen for the majority of the windows that prevents light spillage toward Sterling Mine Road and the neighborhood to the north.

With respect to outdoor lighting, the lighting plan shall utilize low energy LED light sources in outdoor fixtures with full-cutoffs to minimize light spillover and glare, and daylight, timeclock, and presence controls; building design will incorporate elements consistent with the NYStretch Energy Code 2020. Any Site Development Plan approval by the Planning Board and the Town Architectural Review Board must ensure that all elements of the outdoor lighting plan are compatible and of appropriate scale for the development, that outdoor lighting will not adversely impact existing residences on surrounding properties, and that the lighting plan includes all mitigation measures identified in the EIS, and conforms to all applicable town regulations. (DEIS Chapter 7, "Visual Resources and Community Character"; DEIS Chapter 12, "Noise and Lighting"; FEIS Page 1-22, Response 1-39; Findings Statement, Pages 39-40)

Archeological Protection Plan

Condition: To avoid any adverse impact of construction activities on precontact archeological resources identified in the EIS, it is a condition of this Special Permit approval that any Site Development Plan approval issued by the Planning Board include as a condition of approval that the Applicant prepare and submit an Archaeological Avoidance Plan to the New York State Office of Historic Preservation that proposes protection measures to be implemented during construction activities to prevent disturbance to these sites, and that it be a condition of any building permit that no site disturbance activities will be allow in the vicinity of those resources until those protection measures are in place (Findings Statement, Page 34).

Community Facilities

Condition 1: To avoid any adverse impact of the development on fire protection services identified in the EIS, it is a condition of this Special Permit approval that any Site Development Plan approval issued by the Planning Board include as a condition of approval that no building permit be issued for any building or structure until the Applicant, provides the Village of Sloatsburg with funding for the acquisition of a mini-pumper and brush truck to replace the Fire Department’s existing apparatus. FEIS Page 1-20; FEIS Response 8-3)

Condition 2: To avoid any adverse impact of the development on fire protection services identified in the EIS, it is a condition of this Special Permit approval that any Site Development Plan approval issued by the Planning Board include as a condition of approval that no certificate of occupancy be issued until the Applicant demonstrates that a water reserve with sufficient storage to meet the flow requirements for the largest fire area has been provided with the necessary water pressure, and that a loop hydrant system has been installed to allow for fire department connection for firefighting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman
ABSENT:	Wanounou, Weissmandl

Statement

Councilman Weissmandl arrived at tonight’s Meeting at 7:20 P.M.

Settlement of Tax Certiorari: Polnoya Homes, LLC

RESOLUTION NO. 2022-505
POLNOYA HOMES, LLC

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

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2022/23	42.19-1-2.28	\$105,000	\$52,500
2022/23	42.19-1-2.27	\$60,000	\$30,000
2022/23	42.19-1-2.26	\$30,000	\$15,000
2022/23	42.19-1-2.25	\$30,000	\$15,000
2022/23	42.19-1-2.24	\$30,000	\$15,000
2022/23	42.19-1-2.23	\$30,000	\$15,000
2022/23	42.19-1-2.22	\$99,300	\$49,650, 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 East Ramapo Central School District, and

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

RESULT:	ADOPTED [3 TO 0]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman
ABSTAIN:	Weissmandl
ABSENT:	Wanounou

Settlement of Claim: Julia Schiller v. Town of Ramapo

RESOLUTION NO. 2022-506

WHEREAS, Julia Schiller filed a Notice of Claim against the Town of Ramapo for personal injuries she sustained as a result of a fall on a pedestrian pathway, and

WHEREAS, outside counsel, Morris Duffy Alonso Faley & Pitcoff, settled the personal injury claim on September 7, 2022 in the amount of \$100,000, the Town’s portion of the payment being \$50,000,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the personal injury claim of ***JULIA SCHILLER*** is hereby settled in the amount of \$100,000, the Town’s portion being \$50,000, said settlement to be charged to 5142DA341931.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Settlement of Claim: Yaakov Bayer

RESOLUTION NO. 2022-507

WHEREAS, Yaakov Bayer of 77 Reagan Road, Apt. 7, Spring Valley, New York, has filed a Notice of Claim against the Town for damages caused by a sewer backup, and

WHEREAS, the Town Attorney’s Office has reviewed the claim for damages and recommends that it be settled in the amount of \$699.02,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby settles the claim of ***YAAKOV BAYER*** in an amount not to exceed \$699.02, said settlement to be charged to Account 8130SS.341931, and

BE IT FURTHER RESOLVED that said settlement is subject to receipt of a General Release from Yaakov Bayer.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Rossman, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Acceptance of Easements: Bluefield Extension Subdivision

RESOLUTION NO. 2022-508

WHEREAS, the Town of Ramapo Planning Board has granted certain approval(s) for “Bluefield Extension Subdivision” located at 122, 126, 128, and 130 Union Road, Spring Valley, and

WHEREAS, said approvals required the granting of a Stormwater Maintenance Agreement, Stormwater Access Easement, Sanitary Sewer and Drainage Easement and 5-Foot Wide Shade Tree Easement to the Town, and

WHEREAS, MJ Engineering and the Town Attorney’s Office have reviewed the above easements and recommend their acceptance,
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the above easements, subject to recording.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Finance:

Adoption of Tax Rates

RESOLUTION NO. 2022-509

RESOLVED by the Town Board of the Town of Ramapo that upon the advice of the Director of Finance, the Town Board does hereby adopt the following rates as the TAX RATES FOR THE YEAR 2023 for the Town of Ramapo as shown on the attached “Schedule A.”

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Amendment to 2022 Budget - Stop DWI

RESOLUTION NO. 2022-510

WHEREAS, the Town is in receipt of \$3,327 from the County of Rockland for DWI Overtime Patrols, and
WHEREAS, receipt of said funds is not reflected in the 2022 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 2022 TOWN BUDGET as follows:

- Increase Revenue Account AB.222601 (DWI) by \$3,327,
- Increase Expenditure Account 3120AB.3122 (Police Overtime DWI) by \$3,327,

to reflect receipt of the above funds.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Rossman, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Amendment to 2022 Budget - JTTF Grant

RESOLUTION NO. 2022-511

WHEREAS, the Town is in receipt of a JTTF Grant in the amount of \$4,275, and
WHEREAS, receipt of said funds is not reflected in the 2022 Town Budget,
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Department of Finance is hereby authorized to amend the 2022 TOWN BUDGET as follows:

- Increase Revenue: AB.24390 (COPS Federal Grant) - \$4,275

- Increase Expenditures: 3120AB.3141 (Homeland Security) - \$4,275

to reflect receipt of the above Grant.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Amendment to 2022 Budget - FBI Task Force Grant

RESOLUTION NO. 2022-512

WHEREAS, the Town is in receipt of a FBI Task Force Grant in the amount of \$4,843, and

WHEREAS, receipt of said funds is not reflected in the 2022 Town Budget,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Department of Finance is hereby authorized to amend the 2022 TOWN BUDGET as follows:

- Increase Revenue: AB.24391 (US Dept of Justice Grant) - \$4,843
- Increase Expenditure: 3120AB.3101 (Overtime) - \$4,843

to reflect receipt of the above Grant.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Amendment to 2022 Budget - STEP Grant

RESOLUTION NO. 2022-513

WHEREAS, the Town is in receipt of a STEP Grant in the amount of \$23,933, and

WHEREAS, receipt of said funds is not reflected in the 2022 Town Budget,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Department of Finance is hereby authorized to amend the 2022 TOWN BUDGET as follows:

- Increase Revenue: AB.24394 (Traffic Safety Federal) - \$23,933
- Increase Expenditure: 3120AB.3144 (Patrol Traffic) - \$23,933

to reflect receipt of the above Grant.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Personnel:

Appoint Permanent Assessing Clerk I

RESOLUTION NO. 2022-514

WHEREAS, Alyssa Luis has been a provisional Assessing Clerk I, within the Town of Ramapo Assessor's Office, and

WHEREAS, Alyssa Luis' name is on Civil Service List No. 22045,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby appoint ***ALYSSA LUIS*** as probationary permanent ASSESSING CLERK I, effective December 29, 2022. Salary is to remain the same.

SOURCE OF FUNDS: 1355A.3100

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

General Matters:

Acceptance of Proposal: Third Party Administrator for Alcohol and Drug Testing 2023

RESOLUTION NO. 2022-515

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

WHEREAS, Mona Montal, Chief of Staff, is in receipt of a proposal from Partners in Safety to administer the federally mandated DOT program and provide alcohol and drug testing services for the calendar year 2023 for the following fee:

\$43.00 Per DOT mandated employee

Additional fees, as needed, for pre-employment, post-accident, reasonable suspicion, and follow-up tests during normal business hours at a lab or office of Partners in Safety:

- \$49.00 per DOT Drug Test at lab or offices of Partners in Safety
- \$92.00 per DOT Drug Test at approved walk-in medical facility
- \$40.00 per DOT Alcohol Test at offices of Partners in Safety
- \$62.00 per DOT Alcohol Test at approved walk-in medical facility
- \$79.00 per Return to Duty/Follow-up drug test at offices of Partners in Safety
- \$112.00 per Return to Duty/Follow-up drug test at approved walk-in medical facility
- \$275.00 per DOT Split Specimen Retest
- \$185.00 per hour for 24 hour/day Emergency Services (2 hour minimum)
- \$72.00 pre-employment DOT physical at offices of Partners in Safety

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

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby accept the proposal of ***PARTNERS IN SAFETY*** to provide alcohol and drug testing services subject to the fees set forth above for the period of January 1, 2023 to December 31, 2023.

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

SOURCE OF FUNDS: 1989A.3466 (Drug and Alcohol Testing)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Acceptance of Proposal: Excess Workers' Compensation 2023

RESOLUTION NO. 2022-516

WHEREAS, the Town is in receipt of a proposal from Safety National Casualty Corporation through LeBaum Company, Inc., 17 Monsey Boulevard, Monsey, New York 10952, for renewal of the Town’s Specific Excess Workers Compensation by Safety National Casualty Corporation as follows:

SPECIFIC EXCESS WORKERS COMPENSATION

W.C. Limit Each Accident.....	Statutory
E.L. Limit Each Accident.....	\$2,000,000.00
Retention Each Accident (Non-Police).....	\$600,000.00
Retention Each Accident (Police).....	\$900,000.00
Rate Per \$100 Payroll.....	0.6825
Minimum Premium.....	Not to exceed \$236,143.00
Deposit Premium.....	Not to exceed \$262,381.00
Term.....	January 1, 2023 - January 1, 2024

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the proposal of *LEBAUM COMPANY, INC.* with respect to the Specific Excess Workers Compensation as set forth above is hereby approved and accepted.

SOURCE OF FUNDS: 1710CSW 341710

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Waiver of the 24 Hour Rule

Waiver of Rules of Order: 24 hr rule

RESOLUTION NO. 2022-517

WHEREAS the Town Board, by Resolution No. 2018-83, adopted Rules of Order for the Town Board of the Town of Ramapo, and

WHEREAS, pursuant to said Rules, to the extent practicable, no resolution may be brought for a vote unless printed or digital copies are presented to each Board member 24 hours prior to the opening of the meeting, and

WHEREAS, said rule can be waived by a majority consent of the Board members present,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby waives the *RULES OF ORDER* with regard to the 24 hour rule.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Rossman, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

New Business:

Amendment of Resolution No. 2022-493: Appropriations of Coronavirus Local Fiscal Recovery Funds

RESOLUTION NO. 2022-518

WHEREAS, the Town Board wishes to amend Resolution No. 2022-493,
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Resolution No. 2022-493 is hereby amended to read as follows:

“WHEREAS, the American Rescue Plan Act was signed into law by President Biden on March 11, 2021, guaranteeing direct relief to cities, towns and villages in the United States to respond to the COVID-19 emergency, and

WHEREAS, the Coronavirus State and Local Fiscal Recovery Funds provide governments with a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout and lay the foundation for a strong and equitable economy as the country recovers from the COVID-19 pandemic, and

WHEREAS, the Town of Ramapo is a recipient of a second payment of fiscal recovery funds, in the amount of \$2,296,198.21, and may use these funds to support public health expenditures; support urgent COVID-19 response efforts to continue to decrease the spread of the virus; address negative economic impacts; replace lost revenue, and invest in water, sewer, and broadband infrastructure, and

WHEREAS, within these overall categories, recipients have broad flexibility to decide how best to use this funding to meet the needs of their communities

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby appropriates local fiscal recovery funds for the following Town purposes:

- | | |
|---------------------------------------|---------------------|
| • TOWN OUTSIDE HIGHWAY EQUIPMENT | \$50,000.00 |
| • TOWNWIDE HIGHWAY SNOWPLOW | \$300,000.00 |
| • PARKS & OTHER GENERAL TOWN EXPENSES | \$296,198.21 |
| • POLICE EQUIPMENT | \$100,000.00 |
| • AMBULANCE RECOVERY | \$703,000.00 |
| • PURCHASE OF AMBULANCE | \$97,000.00 |
| • WATER DISTRICT RECOVERY | <u>\$750,000.00</u> |

\$2,296,198.21

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou

Adjournment:

Adjournment

RESOLUTION NO. 2022-519

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, December 28, 2022, be hereby **adjourned at 7:40 P.M. IN MEMORY of RABBI JOSEF NEUMAN** who succumbed to his injuries from a machete attack three years ago today.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Rossman, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSENT:	Wanounou