

MINUTES OF THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD ON
MAY 24, 2023

The Town Board of the Town of Ramapo convened in on Wednesday, May 24, 2023 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	Present	
Yehuda Weissmandl	Councilman	Absent	
Alyssa Slater	First Assistant Town Attorney	Present	
Sharon M. Osherovitz	Town Clerk	Present	

Award Ceremony In Recognition of National Emergency Medical Services (EMS) Week

An award ceremony was held this evening, May 24, 2023, in recognition of National Emergency Medical Services (EMS) Week. Supervisor Specht and the entire Town Board recognized the following:

HATZOLOH EMS OF ROCKLAND COUNTY

TOWN OF RAMAPO POLICE DEPARTMENT DISPATCHERS

Peter Barba

Evan Humphrey

Michael Monroe

Heather Silber

MEMBERS OF SPRING HILL COMMUNITY AMBULANCE CORP

Brandon Smith

Justin Braunfotel

Arielle Arbel

Arin Shatkin

Eliyahu Wicentowsky

Mario Sandoval

Kenneth Cohen

Tzvi Needleman

MEMBERS OF W.P. FAIST VOLUNTEER AMBULANCE CORP

Christopher Stewart

Lazer Biener

Stephanie Kunow Schloss

Chaim ‘Mimi’ Klein

ROCKLAND PARAMEDICS- EMS AGENCY OF THE YEAR

ROCKLAND PARAMEDICS

Timothy Egan

Brandon Smith

Monica Duarte

Angel Morrobel

Public Participation:

The following person wished to address the Town Board this evening:

Chief Tauber - Spring Hill Ambulance Corp. - updated the Board on Corp. data, statistics, and numbers

Close Open Period For Public Participation

RESOLUTION NO. 2023-254

RESOLVED by the Town Board of the Town of Ramapo that the Open Period for Public Participation held this evening, May 24, 2023, be hereby **closed at 7:18 P.M.**

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

Public Hearing:

Reschedule Public Hearing: Proposed Revisions to Section 267-12 of the Town Code

RESOLUTION NO. 2023-255

RESOLVED by the Town Board of the Town of Ramapo that the Public Hearing scheduled this evening, March 24, 2023, to solicit public comment on a **LOCAL LAW AMENDING SECTION 267-12, PARAGRAPH A OF THE TOWN CODE REGARDING OVERNIGHT PARKING IN THE TOWN OF RAMAPO** be hereby **RESCHEDULED** on June 28, 2023, at 7:00 P.M. at Ramapo Town Hall.

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

Acceptance of Minutes:

Regular Meeting of May 10, 2023

RESOLUTION NO. 2023-256

RESOLVED by the Town Board of the Town of Ramapo that the following Minutes of the Ramapo Town Board be hereby accepted, adopted, and recorded in the Minute Book:
MAY 10. 2023 - REGULAR

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

Town Attorney:

Settlement of Claim: Town of Ramapo v. Ezriel Berger

RESOLUTION NO. 2023-257

WHEREAS, on March 26, 2023, a vehicle driven by Ezriel Berger and owned by EZ Wiring Electric Contracting struck a Town of Ramapo Police vehicle, causing damage in the amount of \$831.00, and,

WHEREAS, the Town is in receipt of a check from Selective Insurance Company of America in the amount of \$831.00 for the cost of repair of the above Police vehicle, and

WHEREAS, the Town Attorney’s Office has recommended that the Town accept the payment from Selective Insurance Company of America in full settlement of the above claim,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts payment of \$831.00 from *SELECTIVE INSURANCE COMPANY OF AMERICA* in full settlement of the above claim, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to sign all Release documents in a form recommended by the Town Attorney’s Office.

Account: A22680 (Insurance Recovery)

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

Settlement of Tax Certiorari: Hillcrest Center SV II, LLC

RESOLUTION NO. 2023-258

HILLCREST CENTER SV II, 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	50.64-1-2	\$560,000	\$422,300, 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 [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou
ABSENT:	Weissmandl

Settlement of Tax Certiorari: 1 Palm, LLC

RESOLUTION NO. 2023-259

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

1 PALM, LLC

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2018/19	55.08-3-16	\$95,400	\$77,350, 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 Suffern 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 [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou
ABSENT:	Weissmandl

Settlement of Tax Certiorari: Congregation Birchos Yosef

RESOLUTION NO. 2023-260

WHEREAS, the Town Attorney’s Office has recommended that the following certiorari matters be settled:

CONGREGATION BIRCHOS YOSEF

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2020/21	57.09-1-41	\$70,000	\$70,000
2021/22	57.09-1-41	\$70,000	\$70,000*
2019/20	42.11-2-1	\$27,900	\$27,900
2020/21	42.11-2-1	\$27,900	\$27,900
2021/22	42.11-2-1	\$27,900	\$27,900*,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Town Attorney is hereby authorized to settle the above matters, and
BE IT FURTHER RESOLVED that refunds can only be made when the Petitioner is current on all tax liability.

*Property shall be 100% exempt.

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

Acceptance of Additional Compensation from the Department of Transportation

RESOLUTION NO. 2023-261

CORRECTED RESOLUTION

WHEREAS, the Department of Transportation held a temporary easement over the property known as 925 Chestnut Ridge Road, owned by the Town of Ramapo, which was conveyed to them by Resolution No. 2011-597, and

WHEREAS, the Town was compensated for said easement by the Department of Transportation in the sum of \$11,800.00, which was paid in full on March 1, 2012, and

WHEREAS, the easement encumbered the Town’s property for a period in excess of the originally anticipated time frame, and

WHEREAS, the Town is entitled to additional compensation from the Department of Transportation in the sum of \$8,400.00, and

WHEREAS, the Department of Transportation has provided the Town with an Agreement and subsequent papers to be executed prior to the release of the additional compensation.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the additional compensation in the sum of \$8,400.00 from the **DEPARTMENT OF TRANSPORTATION**, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to sign all required documents in a form approved by the Town Attorney’s Office.

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

Amendment of Resolution No. 2021-489: Purchase of Street Lights: NYPA Street Light Project

RESOLUTION NO. 2023-262

WHEREAS, the Town Board by Resolution No. 2021-489, authorized an agreement with Orange & Rockland Utilities for the purchase of streetlights and authorized a project agreement with New York Power Authority (NYPA), and

WHEREAS, the Town Board wishes to amend said resolution

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ramapo that **RESOLUTION NO. 2021-489 is hereby AMENDED** to read as follows:

“**WHEREAS**, in 2018 the Town completed a purchase of 1,370 streetlights in unincorporated Ramapo from Orange & Rockland Utilities, and

WHEREAS, the Town desires to purchase the remaining 521 underground electrified lights in unincorporated Ramapo that were not included in the first purchase, and

WHEREAS, O&R Utilities has agreed to sell the additional streetlights and has determined an offer price for these lights based on the PSC formula guidelines of \$596,842, and

WHEREAS, New York Power Authority (NYPA) provides turnkey assistance to municipalities in connection with converting their street lighting assets to energy efficient LED lighting along with public safety, environmental, transportation and connectivity enhancements, and

WHEREAS, the NYPA engineering team has worked closely with Town employees to develop a detailed project cost estimate of \$7.6 million (See Attachment A, on file in the Town Clerk’s office), to include:

- The purchase of the remaining 521 streetlights
- The conversion of the entire inventory of 1,891 streetlights to LED
- The addition of 1,549 LED streetlights to be added to streets that currently have inadequate lighting, and
- NYPA to provide short term construction financing to cover the costs up to the point of completion,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Supervisor is hereby authorized to finalize the purchase of the remaining 521 streetlights at a cost not to exceed \$600,000 and execute an agreement with **O&R Utilities** in a form approved by the Town Attorney’s Office, and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to finalize the amended project agreement with *New York Power Authority (NYPA)* for a project cost not to exceed \$7.6 million and execute an agreement in a form approved by the Town Attorney's Office."

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

Personnel:

Appoint Permanent Program Coordinator, Cultural Arts Center

RESOLUTION NO. 2023-263

WHEREAS, Jeffrey Posner has been provisional Program Coordinator, Cultural Arts Center, within the Town of Ramapo Parks Department, and

WHEREAS, Jeffrey Posner's name is on Civil Service List #22165,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby appoint **JEFFREY POSNER** as probationary permanent Program Coordinator, Cultural Arts Center, effective May 25, 2023. Salary is to remain the same.

SOURCE OF FUNDS: 7020A.3100

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

Appoint Permanent Accountant III

RESOLUTION NO. 2023-264

WHEREAS, Loretta Furlong has been provisional Accountant III, within the Town of Ramapo Finance Department, and

WHEREAS, Loretta Furlong's name is on Civil Service List #23013,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby appoint **LORETTA FURLONG** as probationary permanent ACCOUNTANT III effective May 25, 2023. Salary is to remain the same.

SOURCE OF FUNDS: 1310A.3100

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

Nomination of Three Police Officers

RESOLUTION NO. 2023-265

WHEREAS, there are vacancies in the position of Police Officer at the Town of Ramapo Police Department, and

WHEREAS, Chief of Police Martin Reilly has made the following recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby nominate the following from Civil Service List #67-540/21033 as **Police Officer Grade 5**:

STEVEN MICHELINE
THOMAS BONKOSKI
SEAN MCGARVEY

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

Purchasing:

Acceptance of Bid: Purchase of Asphalt Rollers

RESOLUTION NO. 2023-266

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

WHEREAS, bids were received by the Town Clerk of the Town of Ramapo and opened on April 28, 2023, in accordance with the provision of the law, and

WHEREAS, Frederic Brinn, Superintendent of Highways, has recommended that the Town accept the bid of A. Montano Company, Inc., 571 Route 212, Saugerties, New York 12477, in the amount of \$23,400.00, as the lowest responsible bidder, and

WHEREAS, Mona Montal, Director of Purchasing, concurs with the above recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the bid of ***A. MONTANO COMPANY, INC.*** for the Purchase of Asphalt Rollers in the amount of \$23,400.00, and

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

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

General Matters:

Authorization for Two RPD Members to Attend the New York State Police Chiefs Association Training

RESOLUTION NO. 2023-267

WHEREAS, Police Chief Martin Reilly has requested authorization for two members of the Ramapo Police Department to attend the *New York State Chiefs of Police Annual Training Conference*, to be held in Albany, New York, July 16th thru July 19th, 2023, and

WHEREAS, attendance at the Conference calls for registration fees of \$650.00, hotel accommodations cost of \$1,060.00, per diem meal reimbursements of \$351.00 and approximate fuel cost of \$150.00, which has been budget for in 2023

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that permission be hereby granted for two members of the Ramapo Police Department to attend the *New York State Chiefs of Police Annual Training Conference*, to be held in Albany, New York, July 16th thru July 19th, 2023, **at a cost not to exceed \$2,400.00**, which has been budgeted for in 2023, and

BE IT FURTHER RESOLVED that said expense incurred by the above at this Course is to be considered a proper Municipal Charge under Town Law, Section 116(12) and General Municipal Law, Section 77B.

SOURCE OF FUNDS: 3120AB.3465 Schools, Seminars and Travel

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

Authorization for Police Officer to Attend Crash Reconstruction Course

RESOLUTION NO. 2023-268

WHEREAS, Police Chief Martin Reilly has requested authorization for PO Danielle Modica to attend the Crash Reconstruction Course, hosted by the NYS DCJS to be held in Buffalo, NY, June 5th through June 16th, 2023, and

WHEREAS, attendance at the class call for hotel accommodations cost of \$1,060.00, per diem meal reimbursement of \$621.00, and fuel & toll expense estimated at \$200.00, which has been budgeted for in 2023

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that authorization is hereby granted for ***PO DANIELLE MODICA*** to attend the Crash Reconstruction Course, hosted by the NYS DCJS in Buffalo, NY, June 5th through June 16th, 2023, **at a cost not to exceed \$2,000.00**, and

BE IT FURTHER RESOLVED that said expense incurred by the above at this Course is to be considered a proper Municipal Charge under Town Law, Section 116(12) and General Municipal Law, Section 77B.

SOURCE OF FUNDS: 3120AB.3465 Schools, Seminars and Travel

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

Memorializing Resolution Opposing the Release of Contaminated Water from the Indian Point Nuclear Power Plant Site into the Hudson River

RESOLUTION NO. 2023-269

WHEREAS, the company decommissioning the Indian Point nuclear power plant has announced its intention to release water from onsite radioactive fuel waste pools into the Hudson River; and

WHEREAS, to date there has been no specific reporting of the radionuclide contents of this water which is heavily contaminated from the storage of the nuclear fuel waste; and

WHEREAS, pre-release filtration to remove these isotopes has been presented as a solution to reduce the content of these carcinogenic contaminants to a level “as low as reasonably achievable;” and

WHEREAS, the National Academy of Science has indicated that there is no verifiably safe level of these isotopes when they are ingested or inhaled and such pre-release treatment would not remove tritium, also carcinogenic, from the water; and

WHEREAS, any contaminants in the Hudson River present the risk of entering the food chain; and

WHEREAS, there are community members who depend on fish from the Hudson River as a food source, and in addition, there are seven communities upriver who source their drinking water from the Hudson River; and

WHEREAS, since the Hudson River is an estuary that flows from south to north as well as from north to south, this fact must be considered; and

WHEREAS, the Hudson River also serves as a source of recreational activities and represents an economic resource that will be endangered by this action; and

WHEREAS, New York Senate bill S.5181 has been introduced, an act to amend the Environmental Conservation Law to prohibit the discharge of any radiological agent into the waters of the State and imposing fines for violations of \$25,000 per day, \$50,000 per day for a second violation, and \$150,000 per day per violation thereafter; and we strongly support the concept,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Ramapo hereby strongly opposes the plan to release over a million gallons of contaminated water from the Indian Point Nuclear Power Plant site into the Hudson River; and be it further

BE IT FURTHER RESOLVED, that the Town Board of the Town of Ramapo hereby urges the New York State Senate to pass S.5181 - an act to amend the Environmental Conservation Law to prohibit the discharge of any radiological agent into the waters of the State, urges the New York State Assembly to introduce similar legislation, and urges the governor to sign such legislation; and be it further.

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

Waiver of Rules of Order: 24 Hr. Rule

Wavier of Rules of Order: 24hr. Rule

RESOLUTION NO. 2023-270

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:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou
ABSENT:	Weissmandl

New Business:

Approval of Agreement: Special Counsel - Veolia Water Rate Increase Petition

RESOLUTION NO. 2023-271

WHEREAS, Veolia Water New York, Inc. (formerly Suez Water) has filed a petition with the New York Public Service Commission, under Docket No. 23-W-0111; and

WHEREAS, the petition seeks to increase water rates for the New York division and move towards consolidating rates for various districts, including Rockland County; and

WHEREAS, the Towns of Haverstraw, Clarkstown, Orangetown, Ramapo and Stony Point, as well as Rockland Green and the Rockland County Sewer District have received a proposal from Dichter Law LLC, Attorneys at Law, 118 N. Bedford Road, Suite 300, Mount Kisco, New York 10549, to represent them with respect to the above rate increase petition; and

WHEREAS, the above parties have agreed to jointly retain Dichter Law LLC to represent all of the above parties with respect to the Veolia rate increase petition.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to jointly retain **DICHTER LAW LLC** to represent the Town before the New York Public Service Commission with respect to the above rate increase petition, with the Town’s portion of the fee not to exceed \$16,000 plus prorated disbursements, and

BE IT FURTHER RESOLVED that the Supervisor is authorized to execute any documents necessary to carry out the provisions of this Resolution.

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

Adjournment:

Adjournment

RESOLUTION NO. 2023-272

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, May 24, 2023, be hereby **adjourned at 7:35 P.M.**

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