

MINUTES OF THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD ON
JULY 12, 2023

The Town Board of the Town of Ramapo convened in on Wednesday, July 12, 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	Present	7:05 PM
Alyssa Slater	Assistant Town Attorney	Present	
Sharon M. Osherovitz	Town Clerk	Present	

Public Participation:

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

Dora Green - 6 Ash Street, Monsey, NY - previous member of the Town of Ramapo Planning Board - stated the Board should start working on the Comprehensive Plan; Planning and Zoning Boards are making rash decisions, approving massive variances; stated schools are not all legal

Rosely Feinsod - 57 Mariner Way, Monsey, NY - agreed with Ms. Green’s comments; stated there are no standards for safety

Close Open Period For Public Participation

RESOLUTION NO. 2023-306

RESOLVED by the Town Board of the Town of Ramapo that the Open Period for Public Participation held this evening, July 12, 2023, be hereby **closed at 7:07 P.M.**

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

Acceptance of Minutes:

Regular Meeting of December 28, 2022

RESOLUTION NO. 2023-307

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:

DECEMBER 28, 2022 - REGULAR

RESULT:	ADOPTED [4 TO 0]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSTAIN:	Wanounou

Regular Meeting of June 28, 2023

RESOLUTION NO. 2023-308

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:
JUNE 28, 2023 - REGULAR

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

Town Attorney:

Rescission of Resolution No. 2019-506- Lease of Property

RESOLUTION NO. 2023-309

WHEREAS, the Town Board, by Resolution No. 2019-506, authorized the lease of property located at the Hamlets of Ramapo site, and
WHEREAS, the Town Board wishes to rescind said resolution,
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that **Resolution No. 2019-506 is hereby rescinded.**

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

Approval of Agreement - Lease of Property

RESOLUTION NO. 2023-310

WHEREAS, Recon Construction Corporation, P.O. Box 197, Hillburn, New York, has requested the Town lease property located at the Hamlets of Ramapo site, for storage of construction vehicles,
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to a month by month lease the above property to **RECON CONSTRUCTION CORPORATION** for storage of construction vehicles subject to the following:
1. Term: month by month beginning June 1, 2023
2. Fee: 2,000/month
,and
BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute a lease agreement with Recon Construction Corporation, 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, Weissmandl

Extension of License Agreement: Uncle Mike's Ice Cream, LLC

RESOLUTION NO. 2023-311

WHEREAS, the Town Board, by Resolution No. 2014-305, amended by Resolution No. 2014-339, and extended by Resolution Nos. 2018-222 and 2022-290, granted a license agreement to Uncle Mike’s Ice Cream, LLC, 470 Piaget Avenue, Apt. K8, Clifton, New Jersey, 07011, to operate ice cream trucks at various Town facilities, and

WHEREAS, Uncle Mike’s Ice Cream, LLC has requested extension of the above agreement, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, has recommended that said agreement be extended at the following terms:

1) Soft Serve and Novelty Ice Cream Trucks

- a) Ramapo Town Hall
- b) Rella Fields
- c) Eugene Levy Park
- d) Manny Weldler Park
- e) Children’s Park
- f) Clark Park
- g) St. Lawrence Center
- h) Spook Rock Pool
- j) Special Events

2) One year term:

- a) year 2023 at a fee of \$3,000.00

3) Additional Terms:

- a) All trucks will be Rockland County Board of Health certified, if required
- b) Town to be provided with a list of drivers, drivers’ licenses and background information
- c) All drivers will provide fingerprints and undergo background checks
- d) Town to be named as an additional insured
- e) All prices to be clearly marked on outside of trucks
- f) No music or announcements at Saddle River Pool and Manny Welder Park

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby agrees to extend the License Agreement to operate ice cream trucks at various Town facilities with **UNCLE MIKE’S ICE CREAM, LLC**, at the terms set forth above, subject to licensee applying for and receiving a Town of Ramapo Peddling Permit and

BE IT FURTHER RESOLVED the Town reserves the right to revoke said license for non-adherence to all the above terms, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute a license agreement with Uncle Mike’s Ice Cream, LLC, 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, Weissmandl

Acceptance of Settlement: Pending Litigation

RESOLUTION NO. 2023-312

WHEREAS, Connectivity Systems LLC, commenced a lawsuit against the Town of Ramapo alleging, *inter alia*, violations of the First, Fifth, and Fourteenth Amendments; and

WHEREAS, the Town’s Outside Counsel and the Town Attorney’s Office has recommended that the matter be settled pursuant to the proposed Stipulation of Settlement and subject to its terms referenced therein, which was recommended to both Plaintiff and the Town by the Federal Mediator

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the matter of Connectivity Systems LLC v. Town of Ramapo, et al. is hereby settled subject to the aforementioned proposed Stipulation of Settlement and the Town Supervisor is authorized to execute said Stipulation of Settlement on behalf of the Town.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman
NAYS:	Wanounou, Weissmandl

Settlement of Tax Certiorari: The World Values Network

RESOLUTION NO. 2023-313

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

THE WORLD VALUES NETWORK

<u>Tax Year</u>	<u>Section/Lot</u>	<u>Original Assessment</u>	<u>Corrected Assessment</u>
2022/23	40.08-1-6	\$105,000	\$105,000*, and

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 20% exempt.

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

Settlement of Claim: Benzion Kupferstein

RESOLUTION NO. 2023-314

WHEREAS, Benzion Kupferstein of 109 Grove Street, Monsey, New York, has filed a Notice of Claim against the Town for damages caused by a sewer backup, and

WHEREAS, Itamar Yeger, Town Attorney, and L.G. Boucher, the Town’s adjuster, have reviewed the claim for damages and recommend that it be settled in the amount of \$1,075.00,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby settles the claim of **BENZION KUPFERSTEIN** in an amount not to exceed \$1,075.00, 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 Benzion Kupferstein.

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

Resolution and Notice Declaring SEQRA Lead Agency Status: Harriman Meadows

RESOLUTION NO. 2023-315

WHEREAS, the Town Board of the Town of Ramapo has received a petition from PF RE HOLDINGS, LLC (petitioner) for the rezoning of specific parcels of land and for an amendment to the Town’s Comprehensive Land Use Plan for a proposed planned residential development, titled, “Harriman Meadows” to be composed of 85 single family homes, 298 market rate townhouses, 72 condominium flats with affordability provisions and 24 rental apartments (the “Project”), and

WHEREAS, the Project site consists of approximately 196.4 acres located within the Town of Ramapo currently having an R-40 zoning designation which encompasses tax parcels 32.11-1-2, 32.11-1-3, 32.11-1-4, 32.11-1-12, 32.11-1-13, 32.11-1-14, 32.11-1-16, 32.14-2-3. To construct the proposed Project, petitioner requests the rezoning of approximately 61.3 acres of the Project site from the R-40 to the MR-8 zoning district, and

WHEREAS, the actions requested by the petitioner constitute a Type I action under the NYS Environmental Quality Review Act Regulations, 6 NYCRR Part 617 (SEQR), and

WHEREAS, in addition to the Town Board’s consideration of the requested rezoning of a portion of the Project site and amendment to the Comprehensive Land Use Plan, there are numerous other approvals required from other SEQR involved agencies, necessitating a lead agency to coordinate review of the Type I Action, and

WHEREAS, the Town Board declared its intent to act as lead agency by Resolution 2023- 106 and issued notices to SEQR involved and interested agencies on March 3, 2023. In response to the SEQR Lead Agency notices, none of the involved agencies objected to the Town Board’s intent to be the SEQR lead agency and conduct the required SEQR review for the Project.

NOW THEREFORE, BE IT RESOLVED and **PLEASE TAKE NOTICE** that at its meeting held on July 12, 2023, the Town of Ramapo Town Board declared itself the SEQR lead agency for the coordinated environmental review of this proposed Type I action.

BE IT FURTHER RESOLVED that the Town Board directs the Town’s SEQR consultants and counsel to communicate with involved and interested agencies as necessary, in order to provide advice and recommendations to the Town Board for further SEQR action.

This Notice is issued pursuant to §617.6 of the SEQR Regulations (6 NYCRR Part 617.6). This Resolution will be sent to all involved agencies reasonably identified at this time.

Name of Action:	“Harriman Meadows” Planned Residential Development
Description of Action:	Rezoning and Comprehensive Land Use Plan amendment for a planned residential development titled Harriman Meadows, composed of 479 residential units (of mixed types)
Type of SEQRA Action:	Type I.
Site Location:	Between US Route 202 (Haverstraw Road) and NYS Route 306, Pomona, NY; Tax Parcels: 32.11-1-2, 32.11-1-3, 32.11-1-4, 32.11-1-12, 32.11-1-13, 32.11-1-14, 32.11-1-16, 32.14-2-3
Reasons Supporting	

This Determination:

On March 3, 2023, the Town of Ramapo Town Board issued notice of its intent to declare itself the SEQR lead agency to all involved agencies. None of the other involved agencies contested the Town Board’s intent to serve as lead agency for the Project’s review within 30 days of March 3, 2023. The Town Board has jurisdiction to take action on the applicant’s petition for rezoning and Comprehensive Land Use Plan amendment. Any impacts of the proposals will be primarily local.

Contact Person:

Michael B. Specht
Town Supervisor
Town of Ramapo Town Hall
237 Route 59
Suffern, New York 10901
(845) 357-5100
spechtm@ramapo-ny.gov <<mailto:spechtm@ramapo-ny.gov>>

This Notice shall be filed in accordance with the SEQR Regulations and sent to the agencies and entities on the attached list.

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

Purchasing:

Acceptance of Bid: Repair and Replacement of Existing Sidewalks and Curbs

RESOLUTION NO. 2023-316

WHEREAS, the Purchasing Department has solicited bids for Repair and Replacement of Existing Sidewalks and Curbs, and

WHEREAS, bids were received by the Town Clerk of the Town of Ramapo and opened on June 23, 2023 in accordance with the law, and

WHEREAS, Fredric Brinn, Superintendent of Highways, has recommended that the bid from **A-TECH CONCRETE, 11 TAYLOR ROAD, EDISON, NJ 08817**, be accepted as the lowest responsible bid:

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 the bid submitted by **A-TECH CONCRETE**, be accepted, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with **A-TECH CONCRETE** in a form approved by the Town Attorney's Office.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou
NAYS:	Weissmandl

Acceptance of Proposal - Engineering - Carlton Road

RESOLUTION NO. 2023-317

WHEREAS, the Department of Public Works has solicited proposals for surveying services of Carlton Road from West Maple Avenue to Spook Rock Road, and

WHEREAS, proposals were received by the Department of Public Works of the Town of Ramapo, and

WHEREAS, Michael Sadowski, Deputy Director of the Department of Public Works, recommends acceptance of the proposal from MJ Engineering and Land Surveying, P.C., 1533 Crescent Road, Clifton Park, New York 12065, in the amount of \$50,800.00, which includes \$42,000.00 for the area outlined in the Town's Request for Proposal and \$8,800.00 for the additional area MJ Engineering believes is necessary based upon the conceptual realignment of Carlton Road, and

WHEREAS, Mona Montal, Director of Purchasing, concurs with said recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the proposal submitted by ***MJ ENGINEERING AND LAND SURVEYING, P.C.*** is hereby approved and accepted, and

BE IT FURTHER RESOLVED that the Town has the discretion of rejecting the surveying of the additional area proposed by MJ Engineering, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an Agreement with MJ Engineering and Land Surveying, P.C., 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, Weissmandl

Boards & Commissions

Appoint Planning Board Member

RESOLUTION NO. 2023-318

WHEREAS there is a vacancy on the Planning Board

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby appoints ***CHAIM TAUBER*** of Suffern, NY, as a Planning Board Member, to fill the unexpired term of Sylvain Klein, said term to expire December 31,2024.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou
ABSTAIN:	Weissmandl

Personnel:

Appoint Provisional Real Property Data Collector

RESOLUTION NO. 2023-319

WHEREAS, there is a vacancy in the position of Real Property Data Collector in the Assessor's Office within the Town of Ramapo, and

WHEREAS, Town Assessor, Scott Shedler, has made the following recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Board does hereby appoint ***WILLIAM HAGGERTY***, as Real Property Data Collector, on a provisional basis, effective July 24, 2023. The annual salary will be \$45,815, according to the current CSEA contract.

SOURCE OF FUNDS: 1355A.3100

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

Town Clerk:

Change to Town Board Meeting Schedule

RESOLUTION NO. 2023-320

WHEREAS, the Town Board would like to make the following change to the Town Board Meeting Schedule:

<u>CANCEL</u>			
Workshop	Monday	July 24, 2023	5:30 P.M.
Meeting	Wednesday	July 26, 2023	7:00 P.M.
<u>SCHEDULE</u>			
Workshop	Monday	July 24, 2023	6:00 P.M.
Meeting	Monday	July 24, 2023	7:00 P.M.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the date and time of the Regular Town Board Meeting be changed as stated above.

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

Waiver of 24 Hour Rule:

Waiver of Rules of Order: 24hr. Rule

RESOLUTION NO. 2023-321

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 [4 TO 0]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou
ABSTAIN:	Weissmandl

New Business:

Authorization to Commence Action

RESOLUTION NO. 2023-322

AUTHORIZATION TO FILE NOTICE OF CLAIM AGAINST
ROCKLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, the Town of Ramapo and other taxing jurisdictions had entered into a Payment In Lieu of Taxes (PILOT) Agreement (the “Agreement”) with Rockland County Industrial Development Agency (IDA) and Avon Corporation regarding property located at 1 Avon Place, Suffern, New York 10901 and also identified as Tax Map Nos. 54.36-1-6 and 54.36-1-6.1 (the “property”). That Agreement provides, among other provisions, that if a ‘recapture’ event occurs, such as substantially all of Avon’s employees at the property are transferred out of the Town or Avon sells or leases the property, then taxes that otherwise would have been due during the term of the PILOT Agreement, plus interest and penalties, must be paid to the Town. The Town does not know at this time whether a ‘recapture’ event occurred. However, by resolution adopted on April 20, 2023, the IDA Board of Directors waived the right of ‘recapture’ with respect to the property. The Town’s attorneys have requested information from the IDA whether or not a ‘recapture’ event occurred but have not yet received any such information. Therefore, it is in the interests of the Town to file a Notice of Claim against the IDA in order to preserve the Town’s rights.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Town Board hereby authorizes the Town’s attorneys to file a Notice of Claim against the IDA with respect to this matter.

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

Adjournment:

Adjournment

RESOLUTION NO. 2023-323

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, July 12, 2023, be hereby adjourned at 7:25 P.M.

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