

MINUTES OF THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD ON
SEPTEMBER 14, 2022

The Town Board of the Town of Ramapo convened in on Wednesday, September 14, 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	Absent	
Alyssa Slater	First Assistant Town Attorney	Present	
Sharon M. Osherovitz	Town Clerk	Present	

Public Participation:

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

Bruce Levine - Montebello Road - Attorney- Fairway Park Oval -would like Town to work with residents in order to settle the matter; requested rescission of Resolution No. 2022-195 and Resolution No. 2022-243; submitted suggested resolution

Close Open Period For Public Participation

RESOLUTION NO. 2022-352

RESOLVED by the Town Board of the Town of Ramapo that the Open Period For Public Participation held this evening, September 14, 2022, be hereby **closed at 7:10 P.M.**

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

Acceptance of Minutes:

Regular Meeting of August 24, 2022

RESOLUTION NO. 2022-353

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:

AUGUST 24, 2022- REGULAR

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

Finance:

Fire District- Tax Levy

RESOLUTION NO. 2022-354

WHEREAS, there are six fire districts in the Town of Ramapo (the “Town”) that provide fire protection within the Town, and

WHEREAS, such fire districts are Moleston, Spring Valley #1, Monsey, Tallman, East Spring Valley and South Spring Valley (the “Town Fire Districts”), and

WHEREAS, fire districts in New York State receive the majority of their funding from property taxes levied on properties within the fire district, and

WHEREAS, in 2021, each of the Town Fire Districts adopted their 2022 annual budgets and submitted them to the Town to be attached to the Town budget in order for property taxes to be appropriately levied on the properties within each of the respective Town Fire Districts, and

WHEREAS, due to a transcription error, the full amount of the 2022 annual budgets for each of the respective Town Fire Districts were not levied, resulting in a shortfall for each district as set forth on the attached schedule, and

WHEREAS, in order to correct this error and to protect the health, safety and welfare of the Town residents, the Town has determined that it is in the best interests of Town residents to fund the shortfall to each district

NOW, THEREFORE, BE IT RESOLVED by the Town Board that authorization is hereby granted to fund a shortfall in the 2022 annual budgets submitted by each of the Town Fire Districts as set forth in the attached schedule.

SOURCE OF FUNDS: General Fund

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

Town Attorney:

Settlement of Pending Tax Certiorari Litigation

RESOLUTION NO. 2022-355

WHEREAS, there is pending litigation entitled *Congregation Vien of Monsey v. Town of Ramapo* under Rockland County Supreme Court Index No. 03644/2018 (“Litigation”) where the tax status of a certain parcel of property has been contested; and

WHEREAS, the Town desires to resolve this Litigation based upon the recommendation of the Office of the Town Attorney that will allow the tax exempt status of the subject property referenced in said Litigation to be restored for the 2018/2019 Tax Year; and

WHEREAS, the Town desires to resolve this Litigation upon such terms as recommended by the Office of the Town Attorney to so conclude this Litigation

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Office of the Town Attorney is authorized to resolve this Litigation by executing a proposed Settlement Agreement that has been presented to and reviewed by the Town Board and such authorization shall extend to executing any other required documentation to finally conclude this Litigation.

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

Settlement of Tax Certiorari: Qing Zhang and Cheng Qian

RESOLUTION NO. 2022-356

QING ZHANG AND CHENG QIAN

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>
2021/22	46.08-1-2	\$172,000	\$148,980, 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
ABSENT:	Wanounou, Weissmandl

Police Matters:

Authorization for 4 Officers to attend Special Event Management Seminar:

RESOLUTION NO. 2022-357

WHEREAS, Chief Martin Reilly has requested authorization for himself, Capt. Michael Colbath, Lt. Blaine Howell, and Sgt. Shawn Bakker, to attend the *Special Event Management Seminar* to be held in Fort Lauderdale, Florida, on November 8th through November 10th, 2022, and
WHEREAS, the associated costs for four (4) POs to attend said Seminar, travel days being November 7th and November 11th, is as follows: registration \$2,796.00, hotel \$3,184.00, flights \$1,200.00, per diem meal reimbursement \$1,242.00, and car rental \$1,000.00, which has been budgeted for in 2022

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that authorization be hereby granted for **CHIEF MARTIN REILLY, CAPT. MICHAEL COLBATH, LT. BLAINE HOWELL, and SGT. SHAWN BAKKER**, to attend the *Special Event Management Seminar* to be held in Fort Lauderdale, Florida, on November 8th through November 10th, 2022, at a cost not to exceed **\$10,000.00**, and

BE IT FURTHER RESOLVED that said expenses incurred by the above are to be considered a proper municipal charge under Town Law, Section 116(12) and General Municipal Law, Section 77b.

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

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

Authorization for Sgt Andres Sanchez to attend "NYS Volunteer Ambulance & Rescue Association"

RESOLUTION NO. 2022-358

WHEREAS, the New York State Volunteer Ambulance & Rescue Association (NYSVARA) will be hosting their annual PULSE Check Conference in Albany, NY, October 7th through October 9th, 2022, and

WHEREAS, Town of Ramapo Police Dispatchers Peter Mair and Kyle Lynch are being recognized as *EMS Communications Specialist of Excellence* for their work during the Evergreen fire in 2021, and

WHEREAS, Chief Martin Reilly has requested authorization for Sgt. Andres Sanchez to represent the Town of Ramapo Police Department at said Conference on October 8, 2022, at a cost not to exceed \$300.00, which has been budgeted for in 2022

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that authorization be hereby granted for Sgt. Andres Sanchez to represent the Town of Ramapo Police Department at the NYSVARA Conference on October 8, 2022 in Albany, NY, at a cost not to exceed \$300.00, and

BE IT FURTHER RESOLVED that said expenses incurred by the above are to be considered a proper municipal charge under Town Law, Section 116(12) and General Municipal Law, Section 77b.

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

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

Authorization for 7 Officers to attend NYS Highway Safety Annual Symposium

RESOLUTION NO. 2022-359

WHEREAS, Police Chief Martin Reilly has requested authorization for seven (7) Police Officers to attend the *New York Highway Safety Annual Fall Symposium* to be held in Albany, New York on October 26th -October 28th, 2022, and

WHEREAS, arrangements for attendance at the Symposium call for registration fees of \$2,520.00, hotel accommodations of \$1,140.00, transportation costs not to exceed \$150.00 and dinner meal reimbursements of \$699.00

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that authorization be hereby granted for **LT. BLAINE HOWELL, SGT. SHAWN BAKKER, SGT. MICHAEL CARBONE, PO MATTHEW MURPHY, PO MICHAEL MILOVICH, PO WILLIAM O'CONNOR & PO JOHN GENITO** to attend the *New York Highway Safety Annual Fall Symposium* in Albany, New York, October 26th - October 28th, 2022, at a cost not to exceed \$4,600.00, which has been budgeted for in 2022, and

BE IT FURTHER RESOLVED that said expenses incurred by the above are 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
ABSENT:	Wanounou, Weissmandl

Boards and Commissions:

Re-Appointment: Board of Assessment Review Member: Martha Patrick

RESOLUTION NO. 2022-360

RESOLVED by the Town Board of the Town of Ramapo that the following named person be hereby **re-appointed** to serve as a Member of the Town of Ramapo **BOARD OF ASSESSMENT REVIEW** effective October 1, 2022 for a five (5) year term, said term expiring September 30, 2027:

MARTHA PATRICK
Spring Valley, NY

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

Purchasing:

Acceptance of Bid: Various Fencing Work Within The Town of Ramapo

RESOLUTION NO. 2022-361

WHEREAS, the Purchasing Department of the Town of Ramapo has solicited bids for Various Fencing Work Within the Town of Ramapo, and

WHEREAS, bids were received by the Town Clerk of the Town of Ramapo and opened on May 19, 2022, in accordance with the provisions of the law, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, recommends the acceptance of the bid from Yaboo Fence Co., Inc., 95 West Nyack Way, West Nyack, New York 10994, as the lowest responsible bidder paying prevailing wage rates, 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 sole bid submitted by **YABOO FENCE CO., INC.**, be accepted, and

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

SOURCE OF FUNDS:

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

Authorization to Re-Bid: Purchase of Motor Oil, Anti-Freeze, Hydraulic Oil & Transmission Fluid

RESOLUTION NO. 2022-362

WHEREAS, the Purchasing Department solicited bids for the Purchase of Motor Oil, Anti-Freeze, Hydraulic Oil and Transmission Fluid, and

WHEREAS, no bids were submitted, and

WHEREAS, Mona Montal, Director of Purchasing, recommends that said bid be re-bid,

NOW, THEREFORE, BE IT RESOLVED by the Town Board and the Town of Ramapo that the bid for the *PURCHASE OF MOTOR OIL, ANTI-FREEZE, HYDRAULIC OIL and TRANSMISSION FLUID* be re-bid and the Director of Purchasing is hereby authorized to re-solicit bids for said purchases.

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

Personnel:

Appoint Office Services Aide (Yiddish Speaking) - Attorney's Office

RESOLUTION NO. 2022-363

WHEREAS, there is a vacancy in the position of Office Services Aide (Yiddish Speaking) within the Attorney's Office in the Town of Ramapo, and

WHEREAS, Supervisor, Michael B. Specht, 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 *YVES LEVY* as probationary *OFFICE SERVICES AIDE (YIDDISH SPEAKING)*, effective September 19, 2022, at an annual salary of \$46,704 in accordance with the current CSEA contract.

SOURCE OF FUNDS: 1420A.3100

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael B. Specht, Supervisor
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman
ABSENT:	Wanounou, Weissmandl

Appoint Office Services Aide - Assessor's Office

RESOLUTION NO. 2022-364

WHEREAS, there is a vacancy in the position of Office Services Aide within the Assessor's Office in the Town of Ramapo, and

WHEREAS, the 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 **CARSEN DEBROCK** as probationary **OFFICE SERVICES AIDE**, effective September 19, 2022, at an annual salary of \$44,481 in accordance with the current CSEA contract.

SOURCE OF FUNDS: 1355A.3100

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael B. Specht, Supervisor
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman
ABSENT:	Wanounou, Weissmandl

General Matters:

Refund of Overcharged Building Permit Fee: 6 Holly Circle

RESOLUTION NO. 2022-365

WHEREAS, Benjamin Kahan, 7 Rose Garden Way Unit 111, Monsey, New York, 10952, was issued building permit 2022-0162 on June 3, 2022, for a project at 6 Holly Circle, property tax lot 56.06-3-29, for which he paid an application fee of \$12,595.50, and

WHEREAS, upon calculating the square footage of the work area per the submitted electronic pdf files, Sandro Bucci, Assistant Building Inspector, determined there was a miscalculation, whereby Mr. Kahan should have been charged an application fee of \$9,411.00, and

WHEREAS, Benjamin Kahan in an email to the Town Clerk dated August 26, 2022, has requested a refund of his overcharge in the amount of \$3,184.50

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that John Lynch, Director of Finance, is hereby authorized to refund \$3,184.50 to **BENJAMIN KAHAN** for his overpayment for building permit 2022-0162.

SOURCE OF FUNDS: B22555

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

Approval of Waiver of Fees: Extension of Permits - Blueberry Equities LLC.

RESOLUTION NO. 2022-366

WHEREAS, the Town Board by Resolution No. 2020-213 allowed for extension of building permits and approvals for the reasons set forth therein, and

WHEREAS, impacts and after effects and other sequella from COVID-19 that is the basis for said Resolution is still evidenced by those lingering impacts, and

WHEREAS, Blueberry Equities LLC, 260 Kearsing Parkway, Monsey, New York, was issued building permits for a project located at 200A Route 306, and

WHEREAS, said building permits expired or are due to expire before the project can be completed due to those lingering impacts, including but not limited to supply chain issues and material shortages, and

WHEREAS, the Town is in receipt of a request from Blueberry Equities LLC for the waiver of fees to extend the permits for an additional six (6) months to complete the project, and

WHEREAS, Building Inspector Ian Smith, supports the permit extension fee waivers

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo, that building permits issued to Blueberry Equities LLC related to the project located at 200A Route 306, be hereby extended for an additional six (6) months in order to complete the project, and

BE IT FURTHER RESOLVED, Building Inspector Ian Smith is hereby authorized to waive the permit extension fees.

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

Town Clerk:

Approval of Relocation of Fire Hydrant

RESOLUTION NO. 2022-367

WHEREAS, Veolia Water New York, Inc., is in receipt of a request from Sparaco & Youngblood Engineering & Land Surveying, PLLC to relocate a fire hydrant at the following location:

- **HYDRANT #TBD - IN FRONT OF 10 MELANEY DRIVE, MONSEY, NY**

WHEREAS, Sharon M. Osherovitz is in receipt of a sketch from Veolia covering the proposed relocation, and

WHEREAS, Joseph Tiso, Fire Inspector for the Town of Ramapo, recommends that said relocation be approved

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that Sharon M. Osherovitz, Town Clerk, is hereby authorized to accept the proposal of **VEOLIA WATER NEW YORK INC.** to relocate the above fire hydrant with respect to the above location.

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

Waiver of 24 Hour Rule

Waiver of Rules of Order: 24hr. Rule

RESOLUTION NO. 2022-368

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
ABSENT:	Wanounou, Weissmandl

New Business:

Intermunicipal Agreement: Dog Control Services

RESOLUTION NO. 2022-369

WHEREAS, there is a need for dog control services in the Town of Ramapo, and
WHEREAS, the Town Board desires to provide dog control services to the residents of the Town,
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Supervisor is hereby authorized to enter into an intermunicipal agreement for dog control services 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
ABSENT:	Wanounou, Weissmandl

Executive Session:

Move Into Executive Session: Litigation Matters

RESOLUTION NO. 2022-370

RESOLVED by the Town Board of the Town of Ramapo that the Board hereby moves INTO EXECUTIVE SESSION to discuss litigation matters at 7:40 P.M.

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

Move Out Of Executive Session

RESOLUTION NO. 2022-371

RESOLVED by the Town Board of the Town of Ramapo that the Board hereby moves OUT OF EXECUTIVE SESSION to discuss litigation matters at 8:30 P.M.

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

Adjournment:

Adjournment

RESOLUTION NO. 2022-372

RESOLVED by the Town Board of the Town of Ramapo that the Regular Meeting of the Ramapo Town Board held this evening, September 14, 2022, be hereby adjourned at 8:33 P.M.

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