



TOWN OF RAMAPO
237 Route 59
Suffern, New York 10901
(845) 357-5100 Fax: (845) 357-3877

DANIEL FRIEDMAN
Councilman

March 3, 2014

Michael Klein
Ramapo Town Attorney
237 Route 59
Suffern, NY 10901

Michael,

This morning, I was very dismayed to read an article in *The Journal News* that indicated that personnel decisions were improperly made about two new employees hired by the Town of Ramapo. These hires were authorized by a vote of the Ramapo Town Board – which included my vote – after discussions were made on the details of the positions, their respective responsibilities, and their salary.

Sadly, after further investigation and by the public admission of Supervisor St. Lawrence in the above-referenced article, it appears that the salary, responsibilities, and hours of employment of these individuals are almost entirely in conflict with what was agreed upon by the Supervisor and Town Board.

As you know, violating a vote of the Town Board is illegal. Unauthorized activity such as changing details of a Town Board vote after the fact is unacceptable. Today I was confounded to read the resolutions hiring these two individuals –which was written after our vote – that included information never discussed or agreed upon, as well as hours of employment and salary that were certainly not approved by the Town Board.

As a result, I am asking your office to conduct an immediate investigation into how the will of the Town Board was rejected. I would like your investigation to detail what individuals altered the employment details of these hires in the resolution that was written after the vote. I would also like you to determine how the specific details listed below were altered following our vote, and who is responsible for altering them.

In the case of Ms. Mallia, Supervisor St. Lawrence and the Town Board agreed on several things. Firstly, she was to be hired as a part-time employee. Secondly, she was to be paid at “the lowest grade possible,” according to Supervisor St. Lawrence, who then specified “\$10 - \$12 an hour” as her salary. Additionally, since the Town Attorney’s office had a reduced staff, she was to work as a paralegal in the Town Attorney’s office.

With regard to the position of “Temporary Employee – Town Attorney’s Office,” I would like your investigation to encompass at the very least the following:

- Who directed Ms. Mallia, as well as the Personnel Department and the Finance Department, to transform her part-time position into a full-time position against the vote of the Town Board;

- Who directed the Finance Department as well as any other applicable departments, to set her salary at \$22 an hour, in violation of the expressed stated salary given by the Supervisor and Town Board;
- Who directed Ms. Mallia to work in the town's Building Department, when she was specifically hired to provide relief to the understaffed Town Attorney's office;
- How many hours has she worked in each town department (if she did work in more than one) since her hire.

I would like your investigation to resolve the following legal questions:

- Is it appropriate, ethical, or legal for a family member to be a direct supervisor of a town government employee;
- Is it standard practice for a position in the Building Department to be funded by the Town Attorney's office as is the case at the moment with Ms. Mallia's position.

With regard to the position of "Public Affairs Consultant," I would like your investigation to encompass at the very least the following:

- Why does the resolution not include the specific requirement that was agreed upon by the Town Board that Mr. Charles would work 30 hours a week;
- Who directed Mr. Charles to do work other than that which was agreed upon by the Town Board and stated in the resolution;
- Why was Mr. Charles ordered to work unnecessarily on the issue of fire protection costs when that does not relate in any way to providing recreation for Ramapo residents, and was never part of the employment agreement approved by the Town Board;
- Why was Mr. Charles given an office, according to Supervisor St. Lawrence, in the Department of Public Works, when the Town Board agreed this position would involve the Cultural Arts Center alone.

I would also like a written opinion about the legality of violating resolutions approved by the Town Board, as well as any consequences that an individual can face for doing so.

It is my hope that your investigation will be thorough so that we can uproot wrongdoing in Town Hall immediately. Additionally, as the will of the Town Board is being violated on a daily basis, further resulting in the unauthorized use of taxpayer funds, I am asking that you temporarily suspend these individuals, as their current workload, hours, and pay are in violation of the terms of their employment agreement with the Supervisor and Town Board.

I ask that your investigation be expedient and detailed so that these individuals can return to the jobs they were appointed to do, under the terms of the Town Board vote dated January 16, 2014.

Sincerely,

DANIEL FRIEDMAN
Ramapo Town Councilman

PATRICK J. WITHERS
Ramapo Town Councilman
Deputy Supervisor