

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, JANUARY 17, 2024, AT THE DR. JEFFREY OPPENHEIM COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 7:00 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE LEAD BY STUDENTS FROM SUFFERN HIGH SCHOOL'S PARTICIPATION IN GOVERNMENT CLASS.

Present:	Lance N. Millman Melanie Golden Bruce Egenhauser Warren E. Berbit	Mayor Trustee Trustee Village Attorney
Newly Appointed:	Michael Humphrey	Trustee
Absent:	Stacy Caridi	Deputy Mayor
Recording Secretary:	Joan Will	Village Clerk-Treasurer

Mayor Millman welcomes the large contingent of students from Suffern High School Participation in Government class and briefly explains the process and invites them to ask questions.

Resolution No. 24 - 001

Village of Montebello

Title: Filling Vacant Village Board Position

WHEREAS, by virtue of Resolution No. 23–137 of the Village Board adopted December 21, 2023, the Village Board seat of Dr. David Liebergall was declared as vacant, effective December 6, 2023; and

WHEREAS, the Mayor after soliciting candidates, reviewing credentials, and conducting interviews, has recommended that Michael B. Humphrey, who resides within the Village on Oxford Drive, be appointed to fill said vacancy for the period permitted in the circumstances by operation of the Village Law and Election Law, until the seat is filled at a Special Election to be held March 2024, and the electee is duly sworn on or before the Reorganizational Meeting in April 2024; and

WHEREAS, Mr. Humphrey, a graduate of SUNY with a BA in Business Management, has over ten years' experience in business management and sales, and significant community service, e.g., as a volunteer fire fighter with the Brewer Fire Engine Co. presently serving as President thereof, thus appears skilled and a prudent choice to serve as a Village Board Member; and

WHEREAS, Mr. Humphrey wishes to continue his Community Service with an emphasis on maintaining and preserving the beauty of the Village.

THEREFORE, BE IT RESOLVED, that Michael B. Humphrey be and hereby is appointed to fill the vacant Village Board position and, once duly sworn, to serve until an electee is duly sworn for the term beginning April 2024.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, motion carried unanimously.

Mayor Millman swears in Trustee Michael Humphrey.

Mayor's Report:

Mayor Millman reports that the Village is still in talks with Homeland Towers to potentially install a cell tower on the Dr. Jeffrey Oppenheim Community Center property potentially located in the wood fronting the parking lot. He advises that we will post on the Village website (www.villageofmontebello.org) when the Public Hearing will take place once we reach that stage in the process.

Mayor Millman expresses sincere condolences to the wife and family of Anthony (Tony) Piazza, who passed away recently. Tony was a former Parks Commission Chairman, Vice-Chair of the HPPC, and an integral part of the Kathryn Gorman Ponds Park vision. A park bench was installed in commemoration of all his hard work and dedication within the Village and he will sorely be missed, which sentiment was echoed by all.

Mayor Millman reports that the Village did not sustain any blackouts or damage from this past week's snow and windstorm. Unfortunately, as the snow melts there is more chance of flooding within the Village. Mayor Millman wishes to express his thanks to the Town of Ramapo Police for the notification of the areas that have been flooded and closed. Mayor Millman asks everyone to use caution while driving in these conditions.

Mayor Millman reminds everyone to lock their doors and cars and to not leave your purse, wallet, or key fobs in your car. There have been reports of thieves driving around the area looking for cars that are open. Also, please remember to close your garage doors.

Mayor Millman reminds residents to sign up for the Do Not Knock registry at Village Hall. This list is given to peddlers / solicitors who receive a permit from the Village. The peddlers / solicitors are not permitted to knock at your house if you are registered or post a sign.

Mayor Millman would like to thank the Town of Ramapo Highway Department for the wonderful job they did with plowing and salting Village Hall and the Community Center.

Mayor Millman is working on a meeting with County Executive Ed Day, various towns and villages, NYS Department of Transportation with regards to the Traffic Study for the IV2 Rockland Project off of Hemion Road (former Novartis site).

Mayor Millman reports that the Town of Ramapo Police advised him that a juvenile was arrested in January in connection with calling in a bomb threat at Suffern High School.

Mayor Millman congratulated the businesses that were awarded tourism grants from Rockland County.

Mayor Millman announces the opening of the Freedom Award from Rockland County.

Public Comment:

David Sampson of 12 Charnwood Drive, Montebello asked about the potholes on Mile Road.

Yosef Gestetner of 45 Crestview Road, Monsey would like to congratulate the Village Board on their appointment of Michael Humphrey.

David Sampson asked how to make his photography business out of his home an official business in the Village.

No one else from the public wishing to speak, Mayor Millman closed this portion of the meeting.

Building Department Report:

The following is the Building Department Report for the month of December 2023:

- (14) building permits were filed. A total of \$7,344.00 in permit fees were collected.
- (10) Certificates of Occupancy were issued.
- All locations have been inspected to date; no Fire Inspection fees were collected during the month.
- (7) code violations were issued.

Historic Preservation and Parks Commission (HPPC)

With no one from the HPPC wishing to speak, Mayor Millman closed this portion of the meeting.

PRESENTATION – STONEHEDGE

Marsel Amona, owner
Jonathan Lockman, Village Planner

Mr. Amona wants to move the project to the next step.

Mr. Lockman advised that a letter was sent to Mr. Amona and his team outlining the outstanding items that need to be accomplished before the project can proceed. Mr. Lockman advised that there are several items left on the list before he can move to send the local law to the General Code, including a determination from the Building Inspector regarding two accesses, amongst other issues, etc.

Mayor instructs Mr. Lockman to begin the paperwork for the intention of declaring Lead Agency by the Village Board and the work on any updates needed to Local Law 1 of 2024.

The Participation in Government students got their forms signed for class and are required to ask a question of the board. Question 1: Ben Ryan – 16 Babbling Brook Lane, Montebello asked how someone can participate in the Community Garden. The Mayor explained how. Question 2: A Student asked about the old Novartis property in the Village of Suffern. The Mayor gave a brief summary.

Resolution No. 24 - 002

Village of Montebello

Title: Certain Justice Court Prosecutions

BE IT RESOLVED, in furtherance and acceptance of the letter of the District Attorney of Rockland County, Thomas E. Walsh II, (“DA”) dated January 1, 2024 referenced as if fully set forth hereinafter, a copy of which shall be appended to the minutes hereof, pursuant to the DA’s consenting to the prosecution of the matters listed therein, that such shall be prosecuted by the Village Attorney or Assistant Village Attorneys in the Justice Court of the Village of Montebello.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, the motion carries unanimously.

Resolution No. 24 - 003

Village of Montebello

Title: Village Justice and Associate Justice Changes

WHEREAS, Karen Riley, the Elected Village Justice and a resident of the Village of Montebello whose term expires April 2025, reported in a letter dated January 16, 2024, referenced as if set forth hereinafter, that, regrettably, she is moving outside of the Village, but within the Town of Ramapo, effective January 17, 2024; and

WHEREAS, Kenneth Gobetz, the Associate Justice, who resides within the Village of Montebello, serves in his appointed position through April 2024; and

WHEREAS, the Village Justice must reside within the Village of Montebello, but the Village Board may broaden the territory wherein the appointed Associate Justice may reside; and

WHEREAS, both Justices are willing to continue serving the Village, subject to the terms and conditions and the actions set forth hereinafter.

THEREFORE, BE IT RESOLVED, as follows:

1. That Karen Riley's resignation as the Village Justice of Village of Montebello due to non-residency be accepted with regret, effective January 17, 2024, and the Village Justice position be considered vacant as of that date.
2. That Kenneth Gobetz's resignation as Associate Village Justice of Village of Montebello to facilitate appointment to the above vacated position, be and hereby is accepted effective immediately, and that such Associate Village Justice position be declared as vacant effective immediately.
3. That Kenneth Gobetz be and hereby is appointed to serve as Village Justice effective immediately upon the vacancy in that position for the balance of Justice Riley's former term ending April 2025, which by operation of the Village Law and Election Law coincides, in the circumstances, with when a replacement must be duly elected in a Village Election to be held pursuant to NYS Village and Election Law, in March 2025, said appointee to serve until the electee is duly sworn effective at the Reorganizational Meeting in April 2025.
4. That the place of residence for the Associate Village Justice be and hereby is expanded and authorized to be residency within the Town of Ramapo.
5. That effective immediately, and by operation of above number 4, that Karen Riley be and hereby is appointed to serve as the Associate Village Justice upon being duly sworn for the balance of Justice Gobetz's former term ending April 1, 2024, or at the Reorganization Meeting at which time the Village Board shall prospectively appoint an Associate Village Justice to said position.
6. That upon such new appointments the annual salaries of said Justices shall be adjusted, to be paid, as follows:
 - a) Kenneth Gobetz, as Village Justice, increased to \$8,000.00.
 - b) Karen Riley, as Associate Justice, decreased to \$7,000.00.
7. That it is understood, recognized, and agreed, that said Justices have acknowledged and are accepting of the aforesaid changes in position, terms, and conditions, subject to the actions taken herein, and have also agreed to continue to cooperate in

apportioning the caseload of the Justice Court, including Village Code violations, civil lawsuits, criminal and traffic matters, but recognizing the ultimate authority of the Village Justice and oversight by the Office of Court Administration in such matters; and

BE IT FURTHER RESOLVED that both Justices be wished well in their changed roles and are thanked for their service to date and their ongoing dedication to the citizens of Montebello, and the public at large.

Motion: Trustee Humphrey

Second: Trustee Egenhauser

Upon vote, motion carried unanimously.

Resolution No. 24 – 004

Village of Montebello

Title: Approval of Minutes for December 20, 2023

BE IT RESOLVED, the minutes of the Board of Trustees of December 20, 2023, be and are hereby approved.

Motion: Trustee Golden

Second: Trustee Egenhauser

Deputy Mayor Caridi – absent

Trustee Humphrey - abstained

Upon vote, motion carries unanimously.

Resolution No. 24 - 005

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated January 17, 2024, and totaling \$229,478.89 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, the Resolution was carried unanimously.

Resolution No. 24 – 006

Village of Montebello

Title: Approval of Abstract & Schedule of Claims – Professional Fees

BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fee dated January 17, 2024, for Professional Fees, and totaling \$20,064.20 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, the Resolution was carried unanimously.

Resolution No. 24 - 007

Village of Montebello

Title: Pause in Chemical Treatment in 2024 of Ponds in Kathryn Gorman Ponds Park

WHEREAS, pursuant to the recommendations of the Martin K. Spence, Village Engineer, since 2016 the Village has actively implemented methods to maintain water quality at the 7 ponds at Kathryn Gorman Ponds Park, including the use of chemical treatments to minimize and control algae; and

WHEREAS, in 2016 aerators (bubblers) were installed and in 2022 a fountain was installed in pond 6; and

WHEREAS, said chemical treatment requires pre-approval by the DEC each year, with the annual treatment costing approximately \$10,000 for permits and treatments; and

WHEREAS the Village Engineer in his letter dated January 11, 2024, recommends suspending the chemical treatment in 2024, to monitor the ponds for overall effectiveness of the aeration.

THEREFORE, BE IT RESOLVED, for the reasons set forth herein and by the Village Engineer, that the chemical treatment of the Kathryn Gorman Ponds Park ponds be suspended for 2024.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, motion carried unanimously.

Resolution No. 24 - 008

Village of Montebello

Title: Purchase Conference System

WHEREAS, the layout and acoustics of the meeting room in the Dr. Jeffrey Oppenheim Community Center are not conducive to clear communications, sometimes making it difficult for the public, the Board, and other village participants to clearly hear each other, causing the Village Clerk-Treasurer to diligently search for a means to efficiently improve said communications at a reasonable cost; and

WHEREAS, the Village Clerk – Treasurer contacted our IT Department, Delaney Computers, to research and recommend a solution to the Village; and

WHEREAS, as a consequence of this effort, and after preliminarily sharing the following results with the Mayor and Village Attorney, the Village Clerk-Treasurer hereby shares the Proposal/Estimate of Conference Microphone, Est # ZES 5654, dated 1/12/24, in the total amount of \$3,680.50, referenced as if set forth hereinafter in full, the salient details of which include an 8 person Enersound Conference System with localized microphones and speakers, CS 308 carrying case, US Apack, cables and manuals; and

WHEREAS, such appears a reasonable and prudent means to enhance communications and comes highly recommended from Delaney Computers.

THEREFORE, BE RESOLVED that such purchase and expenditure in the amount of \$3650.50 be and hereby is approved, plus an extra cost not to exceed \$500 if necessary to allow for cabling to interconnect with existing sound systems if such proves to be necessary.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, motion carried unanimously.

Public Comment:

No one else from the public wishing to speak, Mayor Millman closed this portion of the meeting.

Old / New Business

- Mayor Millman advised that RealTerm has responded with additional questions regarding the purchase of streetlights and that the Trustees will answer them accordingly.

At 8:11 PM, Trustee Golden made a motion to go into Executive Session to discuss contract matters, seconded by Trustee Egenhauser. Vote carried unanimously.

At 8:31 PM, Trustee Egenhauser made a motion to exit the Executive Session, seconded by Trustee Golden. Vote carried unanimously.

At 8:31 PM, Trustee Golden made a motion to close the meeting, seconded by Trustee Egenhauser. Vote carried unanimously.