

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, OCTOBER 18, 2023, 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.

Present:	Lance N. Millman	Mayor
	Stacy Caridi	Deputy Mayor
	Melanie Golden	Trustee
	David A. Liebergall	Trustee
	Bruce Egenhauser	Trustee
	Warren E. Berbit	Village Attorney

Recording Secretary: Joan Will	Village Clerk-Treasurer
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Preceding the regular meeting of the Board of Trustees was a Budget workshop that was held at 6:00 P.M. The Regular meeting of the Board of Trustees began at 7:00 P.M.

Mayor's Report:

Mayor Millman stated that we are still pursuing the traffic studies for Mile Road and Montebello Road as well as speed reduction on Route 202 with Senator Bill Weber. Rockland County Highway has cleared a better sightline on the corner of Mile and Montebello Road in the interim to hopefully deter accidents.

Mayor Millman stated that the Village is still in discussions with the Cell Tower company as well as Enbridge (pipeline).

Mayor Millman stated that with it getting darker earlier, to please watch for walkers in the roadway and for walkers to wear some sort of reflective clothing for safety.

Building Department Report:

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

- (10) building permits were filed. A total of \$13,312.00 in permit fees were collected.
- (6) Certificates of Occupancy were issued.
- (16) locations were inspected/reinspected; \$4,912.50 in Fire Inspection fees were collected during the month.
- (10) code violations were issued.

Historic Preservation and Parks Commission (HPPC)

Chairperson Lisa Levin sent in the following report:

- W3R sign installation is ongoing, coordinating with County and State Highway departments.
- 2023 Certificate of Appropriateness hearings status:
103 Montebello Road – Date of initial public hearing: March 1, 2023
ONGOING (Public hearing remains open). Unanimous HPPC conditional approval of COA was granted at HPPC regular meeting on October 4, 2023. The Village Attorney is drafting the resolution and, upon final approval of resolution by members, COA will be issued.
- Martin Spence has conducted a survey of work to be done at KGPP and has sent it out to bid. So far, the bids are astronomical and unachievable in pricing (well over \$100K) and Joan is waiting for the balance of these bids to come in. Will have to be a budgeted/ granted item and will need to get approval to be added to the budget. As of now, it is a project for the 2024 season as the scope is enormous
- New KGPP park landscaping bids for 2024 have been send out (the current landscaper has not been doing enough around the ponds). Additional work was also added in that area.
- The park bench in honor of Tony Piazza has been delivered. Currently out for bid to have the footings installed. Hoping bidding process will be completed shortly and will then schedule an “unveiling” for Tony.
- Assistant Building Inspector and Groundskeeper have been walking the trails at KGPP, especially the Daniel Beard trail on a weekly basis, and have been finding evidence of camping and fire rings in that area. HPPC has been made aware of this and have been instructed to notify RPD immediately if anyone sees anything suspicious.

With no one from the HPPC in attendance, Mayor Millman closed this portion of the meeting.

Public Comment:

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

Resolution No. 23 - 119

Village of Montebello

Title: Approval of Minutes for September 20, 2023

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

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the motion was carried unanimously.

Resolution No. 23 – 120

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated October 18, 2023, and totaling \$143,132.80 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, the Resolution was carried unanimously.

Resolution No. 23 – 121

Village of Montebello

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

BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fee dated October 18, 2023, for Professional Fees, and totaling \$21,623.84 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, the Resolution was carried unanimously.

Presentation: Stonehedge

Mr. Amona requested to appear in front of the Village Board with regards to the Village's letter regarding the Stonehedge project. Mr. Amona responded to several concerns from the Village Planner Jonathan Lockman. Mayor Millman requested that Mr. Amona adhere to the requests of the Village Planner, Jonathan Lockman and to make sure Mr. Lockman and the Village Board have the latest up-to-date plans for his project. Mayor Millman reminded Mr. Amona that the Village Board must approve the project before it can go to the Planning Board and that it is in Mr. Amona's best interest to comply and complete the suggestions within the letter. Mr. Amona agreed to complete the missing information, and that there will be no airway egress windows or doors from basements, and indicated the submitted plans were dated. He protested re: utility testing such as pressure for hydrants, etc., but was reminded there must be NO open ends to proceed. He also agreed to go back to one lot for Minetto house and caretaker's cottage.

Public Comment:

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

Title: Accept 2022 Independent Audit Report

BE IT RESOLVED that the audit report from EFPR Group, Certified Public Accountants, for the calendar year ending December 31, 2022, is hereby accepted.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution was carried unanimously.

Resolution No. 23 -123

Village of Montebello

Title: Installation of Park Bench at Kathryn Gorman Ponds Park

WHEREAS, the Village has purchased a park bench to honor Anthony “Tony” Piazza for his dedication and years of service to the Parks Commission, and;

WHEREAS, the Village Clerk-Treasurer sought proposals from several contractors to provide prep work, assembly, installation with concrete footing and cleanup of said bench at Kathryn Gorman Ponds Park, and

WHEREAS, the following proposals were received,

Vendor	Description of Work	Price Quote
Christopher Meredith Inc.	Park Bench Installation <ul style="list-style-type: none">• Install (1) park bench (supplied by Village)• Assemble bench• Dig area for concrete footing• Set bench in concrete footing• Clean area around area below bench All workmanship carries 1 year warranty.	\$1,500.00
Curti & Associates	Contractor will supply labor, equipment and material to perform the following services: <ul style="list-style-type: none">• Contractor to excavate, form and pour (2) 12” sonotube footings 36” below existing grade, per specifications provided, insert support posts, and allow to cure• Return the next day to assemble park bench, furnished by Montebello• Project debris to be removed from site and work areas left in a clean and safe condition	\$2,255.00

; and

WHEREAS, based upon the price quotes from each contractor, it is recommended that the contract be awarded to Christopher Meredith Inc. of Pomona, NY;

THEREFORE, BE IT RESOLVED, that the proposal of Christopher Meredith, Inc. be accepted at a total cost of \$1,500.00.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, the motion was carried unanimously.

Resolution: 23 - 124

Village of Montebello

Title: Extension of 2023 - 2024 Contract for Village Engineering Services

WHEREAS, Spence Engineering Consulting and Municipal Engineers (“Spence”) supplied services as the Village Engineer since 2007; and

WHEREAS, Spence proposes to continue to provide services for 2023 - 2024 in a proposal dated October 5, 2022, referenced as if set forth hereinafter at length, a true copy of which shall be appended to the Minutes hereof (“The Proposal”), for the fixed fee services,. Which are the same rates since 2016, at a lump sum of \$31,800 per annum (\$2,650 per month),

THEREFORE, BE IT RESOLVED, as follows:

1. That the Proposal of Spence Engineering as aforereferenced to provide regular engineer services to the Village in 2023 - 2024 including anticipated costs for Capital Projects including annual paving, stormwater MS4, hazardous mitigation, DEC requirements for Gorman Ponds and special reports be and hereby is extended effective January 1, 2024, subject to the following conditions:
 - a. That it be understood that the Village’s professional bill appeal procedure shall be appended to the proposal as a part thereof; and
 - b. That the agreement may be terminated by the Village upon ninety (90) days advance written notice without cause at its election.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, motion carries unanimously.

Resolution: 23 - 125

Village of Montebello

Title: 2024 Contract for Village Planning Consultant Services

WHEREAS, Nelson, Pope & Voorhis, LLC (“NPV”), the Planning Consultant for the Village of Montebello, who, by the services of Max Stach and other staff under his auspices,

including Jonathan Lockman, together, have served the Village in that capacity from August 2016, for the purpose of working with the Planning Board and Zoning Board of Appeals and generally to provide planning services, proposing to do so on a per diem fee basis not to exceed \$10,000 per annum without further action of the Board, plus the cost of services for the Village Board/Clerk/Village Hall staff/Village Attorney, not to exceed \$20,000 in 2024, as required and whereby project specific pass-through services are separately billed, to be reimbursed to the Village by the applicants, as were set forth in the proposal received October 5, 2023.

THEREFORE, BE IT RESOLVED that said Proposal, be and hereby is accepted for the 2024 calendar year and the Mayor is hereby authorized to execute same on behalf of the Village, it being understood that said contract is with Nelson, Pope & Voorhis, LLC.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

Resolution No. 23 - 126

Village of Montebello

Title: 2024 Contract with Town of Ramapo for Highway Services

WHEREAS the Village has contracted with the Town of Ramapo for Highway Services since the formation of the Village despite having explored other options from time to time; and

WHEREAS the Supervisor in his letter dated October 17, 2023, reports the need to increase the contract by 2.5% to \$395,273.00 per annum payable at \$32,939.42 monthly, and the Mayor recommends accepting same, to cover increased materials and labor costs.

THEREFORE, BE IT RESOLVED, subject to acceptance by the respective boards and, pending signing of the Agreement that renewal of said contract for 2024 be and hereby is approved at a fixed cost of \$395,273.00 per annum, payable at \$32,939.42 monthly, for the reasons set forth above, other terms and conditions to continue as they were in prior years contracts.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carried unanimously.

The Village Board will skip the resolutions for a fueling agreement, landscaping & snow removal contract, and Village Financial Consultant until the agreements are received by Village Hall.

Resolution No. 23 - 127

Village of Montebello

Title: Contract for Cleaning Services 2024

WHEREAS, weekly cleaning services have been provided for the Village Hall, including the Seniors Club, and for the Dr. Jeffrey Oppenheim Community Center by Vanguard Cleaning Services, out of Nanuet, NY, for the past year at a cost of \$480.00 per month for Village Hall and the Senior Center and \$420.00 per month for the Dr. Jeffrey Oppenheim Community Center has proposed a minor increase of \$40.00 per month.

THEREFORE, BE IT RESOLVED, that the proposal of Vanguard Cleaning Systems out of Nanuet, NY be accepted, effective January 1, 2024, at a cost of \$940.00 per month, plus the extra services as noted in their contract if requested.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

Resolution 23 - 128

Village of Montebello

Title: 2024 Website Services

WHEREAS, the Village website is designed, developed, and deployed by iMediaWerks; and

WHEREAS, iMediaWerks proposes providing a monthly monitoring service at \$20/month that ensures any necessary security patches and website updates, the monthly maintenance plan covers:

1. Weekly back-up of website content (up to 4 months of back-ups are keep available)
2. Daily monitoring site for any available software/server patches and apply patches as needed.
3. Bi-weekly full back-up of website (up to 4 months of back-ups are keep available)
4. Assistance with resolving technical issues. Primary 24/7 support is available via current webhosting company (SiteGround.com)
5. Restoration of website content as needed.

THEREFORE, BE IT RESOLVED, at the recommendation of the Village Clerk that a one-year contract be entered into with iMediaWerks at a cost of \$20/month as per the Proposal.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carries unanimously.

Resolution No. 23 - 129

Village of Montebello

Title: Establishing a Standard Workday for Retirement System Purposes

BE IT RESOLVED, that the Village of Montebello Location Code 40575 hereby confirms establishing 6 hours per day as the standard work day for Elected and Appointed Officials and will report days worked to the New York State and Local Employees' Retirement System based on the

time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body, as based upon said standard work day in accordance with Regulation 315.4 of the New York State & Local Retirement System; and

BE IT FURTHER RESOLVED that all Elected and Appointed Officials that are presently members of the New York State & Local Retirement System, shall have days worked reported on the monthly report, set as per the attached Form RD2417-A, and shall include the term of office and expiration for each elected and appointed official.

BE IT FURTHER RESOLVED, that upon adoption, this Resolution shall be posted on the Village's website for 30 days and the Village Clerk shall submit an affidavit of posting and a copy of the Resolution to the Office of the State Comptroller within 45 days of adoption.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

Resolution: 23 - 130

Village of Montebello

Title: Schedule a Public Hearing on Tentative Budget for 2024

BE IT RESOLVED that a Public Hearing is to be held on the Tentative Proposed Budget being the Mayor's budget with changes as discussed, this evening for fiscal year 2024 on November 15, 2023, at 7:00 p.m. local time or as soon thereafter as the matter can be heard, such that a Budget for said year can be adopted.

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to notice and post same including that the meeting will be held November 15, 2023, at Dr. Jeffery Oppenheim Community Center, 350 Haverstraw Road, Montebello, NY 10901

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

Old / New Business

- The board discussed that the Mayor and Village Attorney will be meeting with a representative of Enbridge / Algonquin Pipeline on Thursday.
- Discussion by the Board to possibly increase the Tree Permit from \$10.00 per permit to \$20.00 per permit. Board denied request.
- NYCOM – New York State Conference of Mayors and Municipal Officials sent the following letter to the Village:

August 22, 2023

Dear Mayor:

Since 1961, the Conference of Mayors has annually honored public officials who have served a single community for twenty-five years or more by awarding them a "Certificate of Public Service". The privilege of presenting the actual certificate is reserved for each municipality, thereby affording you the opportunity to extend recognition and appreciation to the individual officials with whatever formality you consider appropriate.

The Conference of Mayors is pleased that you, along with many other municipalities, have chosen to honor these individuals. We join you in congratulating these municipal officials who have dedicated themselves to public service.

Sincerely,

*Barbara J. Van Epps
Executive Director*

Congratulations:

- Warren E. Berbit, Village Attorney for 35 years*
- Deborah Miceli for 35 years*
- Craig Long for 35 years*
- Marvin Nyman for 35 years*

The Mayor and Board congratulated the recipients, some of whom have actually served continuously since incorporation, May 7, 1986 (37+ years).

At 8:07 PM, Deputy Mayor Caridi made a motion to go into Executive Session to discuss possible legal actions, seconded by Trustee Liebergall. Vote carried unanimously.

At 8:44 PM, Trustee Golden made a motion to exit the Executive Session, seconded by Trustee Egenhauser. Vote carried unanimously.

At 8:44 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Golden. Vote carried unanimously.