

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, NOVEMBER 7, 2024, AT THE DR. JEFFREY OPPENHEIM COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 7:09 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Lance N. Millman Stacy Caridi Bruce Egenhauser Michael Humphrey Warren E. Berbit	Mayor Deputy Mayor Trustee Trustee Village Attorney
Absent:	Melanie Golden	Trustee
Recording Secretary:	Louise Renud	Deputy Village Clerk

Mayor's Report:

Mayor Millman read a letter from Spence Engineering in regard to the Hudson Valley Regional Council awarding the Village the "Resilience Award" for the Village's continued participation in the Municipal Separate Stormwater Sewer System (MS\$) Program as part of the Stormwater Consortium of Rockland County.

Mayor Millman stated that Homeland Towers will conduct a second balloon test on Sunday, November 17 between the hours of 9 a.m. and 12 p.m. at 350 Haverstraw Road. This is in connection with its proposal to locate a cell tower behind the facility, between it and the parkland.

Mayor Millman offered his congratulations to Senator Bill Weber and Congressman Michael Lawler on their election wins. Recently Congressman Lawler was able to get funding for the Town and Villages for pedestrian infrastructure. Our portion will enable us to fix infrastructure around Village Hall. Our neighbor, Suffern, received substantial money to fix Memorial Drive, which has been closed for several years. This will hopefully reduce the traffic on Orchard Street and Lake Road within the Village once Memorial Drive is reopened.

Building Department Report:

The following is the Building Department Report for the month of October 2024:

- (10) building permits were filed. A total of \$22,356 in permit fees were collected.
- (6) Certificates of Occupancy were issued.
- (9) locations were inspected; \$450.00 in Fire Inspection fees were collected during the month.
- (4) code violations were issued. (1) violation was cleared up.

Historic Preservation and Parks Commission (HPPC) Report

The commission met on Wednesday, October 15th.

Member Status

- Due to the Local Law Amendment the member status of 6 regular commissioners and one ad-hoc must change to 5 regular members plus 2 ad-hocs. The members were instructed to consider changing their status (one member would have to change to an ad-hoc). If no one volunteers to change their status, the Village Attorney stated this would be done by the Mayor and Board of Trustees.

Jazz Festival Update

- The event was held on Sunday, September 8th and was deemed a success.

Historic Preservation

- Certificate of Appropriateness
 - Applicant David Fried, 63 Viola Road, presented a plot plan with proposed single-family dwelling with the removal of the current home and landscaping plan. He will be present at the November meeting with more renderings.

Parks

- No discussion ensued.

Time Capsule

- The commission spoke about digging up the current time capsule on a significant date like May 7, 2025, or July 4, 2026. They discussed the possibility of using the old capsule instead of buying a new one and have a plaque made to put over the burial site.

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

Public Comment:

Mr. Baruch Poliatzky of 51 Mayer Drive thanked the Mayor and Board for their good work. He had several questions regarding the cell tower. His first question was the location of the cell tower. Mayor Millman explained the location was behind the parking lot at 350 Haverstraw Road on the hill. He also wanted to know who was paying for the tower. Mayor Millman explained that tower is being built by Homeland Towers and they will lease the property where the tower is being built and they will be paying revenue rental to the Village so there is no cost to the taxpayers. Mr. Poliatzky asked if the Village knew what frequency range the tower will be operating. Mayor Millman stated he did not know the answer to that but added that there will be a Public Hearing with Homeland Towers where those questions could be asked. A date has not been set yet, but the information will be published on the Village website and in the local newspaper. Mr. Poliatzky asked if the Board had looked into the safety aspect of the tower. Mayor Millman assured him the safety of the Village residents is his first priority and that comprehensive data on safety was being supplied to the Village and looked into by the Board. Mr. Poliatzky had some additional data that he had collected on safety and asked that the Board look at it. The information was given to the Deputy Clerk to disperse to the Board for review. Village Attorney Berbit, who is also a former electrical engineer and understands the subject, who has been working with Homeland Towers spoke on the safety of the tower as he knows it. He indicated a frequency range he believes of 800 to 2400 HMZ. Also, he mentioned that exposure reduces by distance per the inverse square rule, thus using a cell phone represents greater exposure.

Resolution: 24 - 128

Village of Montebello

Title: Adoption of Local Law No. 3 of 2024 to Override the Tax Levy Limit Established in General Municipal Law

WHEREAS, a public hearing was held on November 7, 2024, on adopting Local Law No. 3 of 2024, "A Local Law No. 3 of 2024 to Override the Tax Levy Limit Established in General Municipal Law "; and

WHEREAS, the Village Attorney ascertained with the Deputy Clerk that due legal notice was given by virtue of the publishing of the Legal Notice on October 29, 2024, and posting of the Legal Notice on October 28, 2024, in furtherance of Resolution No. 24-127 and supplying said Local Law to the Trustees and making same available to the public on October 28, 2024; and

WHEREAS, the Clerk read the Legal Notice into the record as follows:

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Board of Trustees of the Village of Montebello on Thursday, November 7, 2024 at 7:00 p.m. or as soon thereafter as the matter can be heard at the Dr. Jeffrey Oppenheim Community Center, 350 Haverstraw Road, Montebello, N.Y. 10901, to consider a local law which would allow the Village of Montebello to adopt a budget for the calendar year commencing January 1, 2025 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

All members of the public and all interested parties are invited to attend and participate. The proposed Local Law will be available for inspection and review at the Village Office during normal working hours, Monday through Friday, 9:00 a.m. to 4:00 p.m.”; and

WHEREAS, the following documents were received and included in the record:

1. Legal Notice and Affidavits.
2. Proposed Local Law. ; and

WHEREAS, the Public Hearing portion was opened at 7:31 p.m. with a motion by Deputy Mayor Caridi, seconded by Bruce Egenhauser, all in favor, and closed at 7:33 p.m. with a motion by Deputy Mayor Caridi, seconded by Bruce Egenhauser, all in favor, with no one else from the public other than Mr. Poliatzky, who asked a question which was answered by the Mayor and Village Attorney, wishing to speak and the Village Board duly deliberated in public.

THEREFORE, BE IT RESOLVED, that said Local Law, to be known as: Local Law No. 3 of 2024 to Override the Tax Levy Limit Established in General Municipal Law, said Local Law to become effective immediately contingent upon filing with the Secretary of State.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the Resolution carried unanimously.

Resolution: 24 - 129

Village of Montebello

Title: Adoption of 2025 Budget

WHEREAS, a Public Hearing to adopt the 2025 budget was opened at 7:36 p.m. on November 7, 2024, by motion by Deputy Mayor Caridi, seconded by Bruce Egenhauser, all approved; and Mr. Baruch Poliatzky, residing at 51 Mayer Drive, asked about the potential increase in taxes, to which the Mayor responded, and

WHEREAS, no one else one from the public wished to speak; and

WHEREAS, motion to close the Public Hearing at 8:01 p.m. was motioned by Deputy Mayor Caridi, and seconded by Trustee Humphrey, all approved.

THEREFORE, BE IT RESOLVED, after deliberation by the Village Board, that the Tentative Budget be and hereby is adopted as the Budget of the Village of Montebello for the tax year 2025 in a total amount of \$3,354,988.00 and that the sum to be raised by taxation of real property, \$1,364,472.00, shall be and hereby is levied, and that the warrant of the Village should be issued for the collection thereof, based upon a tax rate of 11.36327 per one thousand dollars (\$1,000) of taxable assessed valuation, being and intended to be the sum to be raised by taxation divided by the total taxable assessment of \$120,517,471 and

BE IT FURTHER RESOLVED, that in addition, the Village Clerk-Treasurer is hereby authorized to re-levy unpaid professional and property maintenance fees on those properties subject to same.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

The Board was polled:	Mayor Millman	-	Aye
	Deputy Mayor Caridi	-	Aye
	Trustee Golden	-	Absent
	Trustee Eganhauser	-	Aye
	Trustee Humphrey	-	Aye

Resolution No. 24 – 130

Village of Montebello

Title: Approval of Minutes for October 16, 2024

BE IT RESOLVED, the minutes of the Board of Trustees of October 16, 2024, be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Humphrey

Upon vote, motion carries unanimously.

Resolution No. 24 - 131

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

THEREFORE, BE IT RESOLVED, the Abstract and Schedule of Claims dated November 7, 2024, and totaling \$112,805.53 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the Resolution was carried unanimously

Resolution No. 24 – 132

Village of Montebello

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

BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fees dated November 7, 2024, for Professional Fees, and totaling \$17,801.46 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the Resolution was carried unanimously.

Resolution: 24 – 133

Village of Montebello

Title: 2025 Contract with Financial Consultant

WHEREAS, a Financial Consultant is needed to provide financial consulting services for the Village, and our highly regarded, long-standing Financial Consultant has moved out of the area the logistics having become more difficult; and

WHEREAS, Donalee Berard of Berard & Associates CPA’s P.C. has been interviewed by the Mayor and Village Clerk – Treasurer and has been found to be most qualified to consult with the Village, possessing the skills and experience in representing several municipal entities; and

WHEREAS, Berard & Associates CPA’s, PC will provide the financial services for the Village including budget preparation, assisting the Village Clerk-Treasurer in maintaining the Village’s financial records, preparation and submittal of the New York State AUD and Constitutional Tax Limit Report as well as an annual audit of the Justice Court accounts; and assisting the Village Clerk - Treasurer as needed.

WHEREAS, the Berard & Associates CPA’s, PC proposes these services in the terms set forth in an Engagement letter dated October 24, 2024, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, said proposal being according to the updated terms of \$175.00 per hour with a cap of \$20,000 for the year.

THEREFORE, BE IT RESOLVED, Berard & Associates CPA's PC will provide financial consultant services to the Village for the budgeted amount of \$20,000/year at a rate of \$175 / hour for the period of January 1, 2025, through December 31, 2025, it being understood that such primarily involves the services of Donalee Berard, which shall be added to engagement letter.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, motion carries unanimously.

Resolution 24 - 134

Village of Montebello

Title: Return of Professional Fees – 59 Mile Road

BE IT RESOLVED, as per the email from the Village Engineer dated August 14, 2024, the Professional Fees and Land Disturbance Fees were not required for the Landscaping Project at 59 Mile Road; and

BE IT FURTHER RESOLVED, as per the report of the Village Engineer, dated August 14, 2024, that Professional Fees for 59 Mile Road in the amount of \$400.00 and the Land Disturbance Fees in the amount of 200.00 be returned to Luis Crespo as the project did not require a permit.

Motion: Deputy Mayor Caridi

Second: Trustee Humphrey

Upon vote, the Resolution 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 referenced the letter from Spence Engineering regarding the Road Resurfacing Program recommendations for 2025. This outlined the roads proposed for resurfacing in 2025 and the proposed roads for 2026-2027.
- Mayor Millman indicated a local scout has proposed a Eagle Scout Project within the Village. The proposal is to replace the sign for Brooklands Park that is located on Montebello Road, although the actual park is located in the Village of Suffern. The Mayor asked the Trustees to review the proposal. Mayor Millman asked Village Attorney Berbit to follow up with Anne Martel, who he is familiar with, to verify this is an approved project before the Board makes its decision.

At 8:23 PM, Deputy Mayor Caridi made a motion to go into Executive Session to discuss advice of counsel regarding a school district request, seconded by Trustee Humphrey. Vote carried unanimously.

At 8:37 PM, Deputy Mayor Caridi made a motion to exit the Executive Session, seconded by Trustee Humphrey. Vote carried unanimously.

At 8:38 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Egenhauser. Vote carried unanimously.

Respectfully submitted:

Louise Renud, Deputy Village Clerk