

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

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

Recording Secretary: Joan Will	Village Clerk-Treasurer
--------------------------------	-------------------------

Mayor’s Report:

Mayor Millman reported that the Village is still in discussion on replacement of the streetlights with Orange and Rockland’s legal department.

Mayor Millman reported that the Village has conducted a Balloon Test at the prospective site of the pine mono-tree cell tower behind the Community Center on Haverstraw Road. This Balloon Test will show approximately how high the cell tower will be. The objective is addressing any concerns, that were mentioned to Homeland Towers, regarding the placement of the cell tower including the preservation of trees and moving boulders.

Mayor Millman reported that he was on a joint conference call with Congressman Mike Lawler with other Mayors and Town Supervisors, and County Executive Ed Day. Congressman Lawler discussed the grants that the Towns and Villages will be receiving and stated that the payments will be delayed several months due to elections. He also discussed drone usage and the congestion pricing in New York City.

Mayor Millman stated that the Village has responded to the Town of Ramapo Planning Board with regards to 95 Highview Road. We expressed many issues that are a concern for our residents.

Mayor Millman stated that he followed up with the Town of Ramapo Police Department with regards to the drones in the area. They stated that no one should shoot them as that is an unlawful act plus they might not be a drone. The Police are aware of the drone issues and on top of it.

Building Department Report:

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

- (8) building permits were filed. A total of \$14,208.00 in permit fees were collected.
- (11) Certificates of Occupancy were issued.
- (4) locations were inspected; \$300.00 in Fire Inspection fees were collected during the month.
- (7) code violations were issued.

Historic Preservation and Parks Commission (HPPC) Report

The committee met on Wednesday, November 6, 2024.

Historic Preservation

- Certificate of Appropriateness Status:
 - David Fried of 63 Viola Road was unable to attend the November meeting. His COA application was adjourned to the next meeting on December 4th.
 - Nachmen Rottenberg of 62 Montebello Road presented a proposed new construction. He will be subdividing the property into two lots. He will keep the existing single-family dwelling and back structure on the first lot and on the second lot he is proposing a new single-family dwelling. He will keep the existing tree line and rock wall.

Parks

- No discussion about the parks.

Member Status

- Due to the Local Law changing the commission from 6 regular members to 5 regular members, member Josh Goldstein will change his status to ad-hoc. HPPC now consists of 5 Commissioners and 1 ad-hoc member plus an opening for another.

Time Capsule

- The Commission spoke again about digging up the current time capsule on a significant date. Examples were May 7, 2025, or July 4, 2026. An estimated cost of \$750 for a new time capsule measuring 15x15x30 was presented to the Chairman, with member Bill Ellsworth offering to fund same.

Public Comment:

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

Resolution No. 24 – 136

Village of Montebello

Title: Conducting a Public Hearing to Amend the Zoning Code, Chapter 195, to Regulate Tents

LOCAL LAW NO. 1 OF THE YEAR 2025
A LOCAL LAW AMENDING CHAPTER 195, ZONING, TO REGULATE TENTS

WHEREAS, the Village periodically reviews its Zoning Code to ensure that the various provisions continue to effectively implement the purposes set forth in § 195-3 of the Village Code, which directs the zoning law to protect and enhance environmental, human and community resources and maintain the rural and semirural character of the Village, while also providing opportunities for employment and economic development; and

WHEREAS, The Village finds that the current Code does not address permitting for erecting accessory tents, and also does not directly set any standards for such presumptively because such uses are prohibited by operation of §197-D of the Village Code such not listed as permitted in Chapter 195 nor in the Table of General Use Requirements including Columns B,C and E.; and

WHEREAS, the Village Board directed the staff to prepare code amendments to address these issues due to the seeming proliferation of tents despite governance by the State Fire Code, possibly due to silence in Village Code causing misbelief that the subject is not regulated despite attendant risks to persons and property; and

THEREFORE, BE IT RESOLVED as follows:

1. That, pursuant to 6 NYCRR 617 (SEQR), the following shall occur:
 - a.) That the Village Board designates itself as Lead Agency for adoption of proposed Zoning Amendments found in Local Law 1 of 2025, and immediately assumes such status, there being no other agencies involved in the Action for which such designation is to be coordinated with; and
 - b.) That the Village Board as Lead Agency classifies the action as Type II for the purposes of SEQR, thus requiring no further actions under SEQR; and
2. That a Public Hearing shall be held on January 15, 2025, beginning at 7 pm local time, on said Local Law 1 of 2025 amending the Zoning Code as aforementioned; and
3. That due notice with respect to same pursuant to GML §239 and Village Law 7-706 be given to the Rockland County Planning Department, all abutting municipal entities, outside agencies, and to consider any recommendations therefrom; and
4. The local law shall be provided to the Planning Board for review at its meeting scheduled for February 11, 2025, and with a request that the Planning Board provide recommendations to the Village Board regarding the matter, if any.
5. That the Village Clerk is authorized to post and publish any required Legal Notice to be drawn by the Village Attorney.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote motion carries unanimously.

Ater a lengthy discussion staff was directed to amend the proposed Local Law and to present another draft at the January meeting.

All in favor.

Resolution: 24 - 137

Village of Montebello

Title: Designation of Offices to be Filled at Village Election

WHEREAS, the next Village Election for offices will be held on Tuesday, March 18, 2025; and

WHEREAS, the Board of Trustees must designate by resolution and publication the offices which are to be filled at such election and the terms thereof.

THEREFORE, BE IT RESOLVED, that the Board of Trustees designates that the offices of two Trustees and one Village Justice are to be filled at the Village Election on Tuesday, March 18, 2025, and that the term is four years for the two Trustees and Village Justice, commencing at noon on April 1, 2025; and

BE IT FURTHER RESOLVED that the Village of Montebello constitutes One Election District for the Village Election.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the motion carries unanimously.

Resolution No. 24 - 138

Village of Montebello

Title: Marvin Nyman Proclamation

WHEREAS, Marvin Nyman, has continuously and very ably served as the Financial Consultant for the Village of Montebello for an unprecedented period beginning on or about the Village's incorporation in 1986; and

WHEREAS, throughout all this time, Marvin's ability, knowledge and dedication have been extraordinary, as is his reliability and creativity, thus benefiting the Village, its residents and taxpayers in many important ways; and

WHEREAS, even after his moving to western North Carolina, the relationship was important enough to both parties to actively maintain same regardless of the distance, however, the logistical difficulties have led to the reluctant decision to allow the arrangement to come to an end as of December 31, 2024.

THEREFORE, BE IT RESOLVED, in honor of Marvin Nyman's extraordinary service to the Village, and in eternal gratitude for the same, as follows:

1. That two originals of this Resolution be prepared in Proclamation form each duly signed, dated and framed, one to be provided to Marvin Nyman and the other to be hung in a place of honor within the Village Hall or at the Dr. Jeffrey Oppenheim Community Center.
2. That to be spread across these Minutes for posterity, the month of December 2024 be declared to be Marvin Nyman Month within the Village in his honor.
3. That profound and enduring thanks and gratitude be expressed by the Mayor, Trustees, staff and all citizens of Montebello to Marvin Nyman for his service to the Village.
4. That Marvin be wished ongoing professional success, and especially that he and his family be granted many more good years enjoying life in the hills of North Carolina.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, resolution carries unanimously.

Resolution No. 24 – 139

Village of Montebello

Title: Approval of Minutes for November 7, 2024

BE IT RESOLVED, the minutes of the Board of Trustees of November 7, 2024, be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Humphrey

Trustee Golden abstained.

Upon vote, motion carries unanimously.

Resolution No. 24 – 140

Village of Montebello

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

BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fees dated December 18, 2024, for Professional Fees, and totaling \$17,940.97 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution was carried unanimously.

Discussion of removing the debris on the rock wall at the Community Center was tabled for more discussion. Mayor Millman would like to contact the Boy Scouts to see if they would like to handle as a group project. Village Attorney Berbit will follow up on this.

Resolution No. 24 - 141

Village of Montebello

Title: Interim Agreement with Town of Ramapo re: Snow and Ice Removal at Village Facilities

WHEREAS, by virtue of an addendum to the Highway Services Agreement with the Town of Ramapo, the TOR provided Snow and Ice Removal Services at the Village Hall and Dr. Jeffrey Oppenheim Community Center for the period December 1, 2023 thru November 30, 2024, which period has expired and the Town offered a one-year extension according to proposed terms which increased the cost such being attributed to analysis of time and materials utilized under the expired agreement; and

WHEREAS, negotiations are continuing, and final terms have not yet been agreed to, but in the interests of public safety with the gratitude of the Village Board, the Town will continue to supply such services at a level equivalent to good practices as applied to its own facilities with the exception of retroactive payment.

THEREFORE, BE IT RESOLVED, that such services continue on an interim basis with the recognition and agreement that the Town will be reimbursed retroactively for any services and materials rendered hereunder from December 1, 2024, through prospectively coming to terms, or the village determines to end such services in which case the reimbursement shall be based upon the last, best offer of the Town.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, motion carried unanimously.

Resolution No. 24 -142

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

THEREFORE, BE IT RESOLVED, the Abstract and Schedule of Claims dated December 18, 2024, and totaling \$236,377.58 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution was carried unanimously.

Old / New Business

- Mayor Millman stated that the next version of the Newsletter will be out in February and all articles must be turned in to the Deputy Village Clerk by January 15.
- Mayor Millman stated that the application to Tree City was sent in.
- Mayor Millman stated that the Public Hearing for the Draft Comp Plan will be on March 26, 2025.

Public Comment:

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

At 8:02 PM, Deputy Mayor Caridi made a motion to go into Executive Session to discuss contractual negotiation matters, seconded by Trustee Humphrey. Vote carried unanimously.

At 8:48 PM, Trustee Golden made a motion to exit the Executive Session, seconded by Deputy Mayor Caridi. Vote carried unanimously.

At 8:49 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Humphrey. Vote carried unanimously.