

THE SPECIAL MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON MONDAY, DECEMBER 30, 2024, AT THE VILLAGE HALL SENIOR CENTER, 1 MONTEBELLO ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 11:12 A.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 - late
Absent:	Melanie Golden	Trustee
Recording Secretary:	Joan Will	Village Clerk-Treasurer

**Mayor’s Report:**

Mayor Millman stated that today is a Special Meeting in order to pass a Resolution regarding ARPA Funding.

**Public Comment:**

The Mayor opened the floor to public comment:

- Devora Samet, 14 Linda Drive, commented that she is concerned with all the break-ins in the area. She had been in contact with the Town of Ramapo Police Department regarding suspicious vehicles to no avail.
- Joseph Kessler, of 7 Charnwood Drive, commented that he is concerned about the break-in’s as well. He also has a complaint about the late snow removal on his street.
- Moshe Engel, of 21 Mayer Drive, commented that he is concerned about the break-ins.
- Sheri Kwilecki, of 41 Oxford Drive, commented about the break-ins and commented that her home has been burglarized twice in the past few years.

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

**Resolution No. 24 – 143**

**Village of Montebello**

Title: Obligating American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds

WHEREAS, the Village of Montebello received funds under ARPA Coronavirus State and Local Recovery Funds in 2021 and 2022, and after much consideration and study as to how best to utilize said funds in the best interests of the public and according to the purposes intended under the Act, and after studying various projects, the Village Board of Trustees hereby determines that the best and optimized

use of said funds is to improve the durability and safety of access to the Village Hall and its environs, including ADA access, for the long term, by replacing and/or restoring and improving the sidewalks, concrete ramp, curbing, parking areas, elevated porch front access, including structures and waterproofing, and surfaces thereof, railings, steps and related structures and surfaces (“The Project”); and

WHEREAS, as a consequence, the Village Engineer was instructed to design, calculate the costs and Project Manage furtherance of the above purpose in studying the Village Hall and its environs located at One Montebello Road, yielding a report entitled: Village of Montebello Buildings (Village Hall) Proposed 2025 Site Improvements Estimate, dated December 2024, referenced hereat as if a part hereof, which estimates the cost of The Project at \$409,201; and

WHEREAS, the Village Board of Trustees wishes to and hereby commits to implementing The Project and expending the ARPA funds in the amount of \$409,201 in furtherance of same, thus “Obligating” said funds, as consistent with and intended as complying with “Obligating” as defined and set forth in 31CFR Part 35, RIN 1501-AC83, Fed Register/Vol 88, No.222, November 20,2023.

THEREFORE, BE IT RESOLVED, that the Village of Montebello is obligating and hereby obligates by its Village Board of Trustees the total sum of \$409,201, for The Project from the aforesated ARPA Coronavirus State and Local Recovery Funds, it being understood that such determination also includes: authorization to the Village Engineer to prepare specifications and plans he views as necessary as well as to prepare associated documents and materials to seek proposals/Bids for said work as the law may require, to seek such proposals/bids, to make recommendations as to the award of same, and to oversee and manage said work; and, it also being understood that funds necessary to complete said work in excess of the obligated sum, if any, such being the aforesaid engineering estimate, are hereby committed to being expended from other funds budgeted or appropriated as surplus in the fiscal year(s) of expenditure.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon Vote, motion carried unanimously.

Village Attorney Berbit stated that the entire Board of Trustees were polled to state that they would hold this Special Meeting in order to approve the above Resolution.

**Resolution No. 24 - 144**

**Village of Montebello**

Title: Pass-Through of Garbage and Trash Pick-up Carting and Disposal Costs to Tax-Exempt Properties

WHEREAS, the cost of garbage and trash pickup, carting and disposal has traditionally within the Village of Montebello by virtue of the annual calendar year budgeting process been passed through via the Village real property tax as a component thereof and thus is billed to each property owner

on an ad valorem basis (according to the Tax Assessed Valuation [TAV] of the subject property as determined by the Assessor of the Town of Ramapo); and

WHEREAS, the alternative method lawfully in use in various places within Rockland County and throughout the state is direct billing for such services to each property owner as a fee outside the levy and collection of real property taxes; and

WHEREAS, it has been brought to the Village Board's attention by the Village Clerk-Treasurer and the Village's Financial Consultant that when and if a property changes status to tax exempt, under the real property ad valorem levy system, residents of the subject may continue to receive such collection and disposal services, rather than privately arrange services, but at no cost to the property owner vs. the direct billing system, which consequence and result is found to be unfair and inequitable as compared with the direct billing system in which case the exempt status of the property does not preclude such billing for such services as a fee; and

WHEREAS, the Village Board finds such to represent inequality and further finds as a fair and reasonable remedy, construing the charges for tax exempt properties which continue to receive such services as subject to direct billing but, utilizing an ad valorem based calculated fee, as based upon the Assessor's TAV for the subject property as if not tax-exempt relative to the entire roll; and

WHEREAS, the Village Board upon such recommendation, and advise of the Village Attorney, wishes to balance this inequity and unfair burden as placed upon non-exempt properties whereby and if an exempt property continues to receive such services, by impressing a once-per-annum directly billing fee upon same as based upon the subject exempt property TAV, calculated by the ratio of said TAV divided by the total TAV of the entire roll multiplied by the overall cost of said removal, carting and disposal service Village-wide, said direct billing to commence effective January 1, 2025 for the 2025 calendar year.

THEREFORE, BE IT RESOLVED, beginning with the 2025 calendar year, and thereafter year-after-year unless changed by the further action by Resolution of the Village Board, that tax exempt properties continuing to receive trash and garbage pickup, carting and removal services, be billed for such services once per annum as a direct fee based upon the overall budgeted cost of same including pickup, carting and tipping fees, multiplied by a factor consisting of the ratio of imputed TAV of the subject to the total TAV of the roll.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, motion carried unanimously.

At 11:30 AM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Egenhauser. Vote carried unanimously.