

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, JANUARY 17, 2018 AT THE DR. JEFFREY OPPENHEIM COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 8:00 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Lance N. Millman	Mayor
	Stacy Caridi	Deputy Mayor
	Melanie Golden	Trustee
	Steven H. Beldock	Trustee
	Evan T. Kuperman	Trustee
Others Present:	Warren Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

**Mayor's Report:**

The Mayor was pleased to welcome new Trustee Evan Kuperman to the Board and those in attendance gave him a round of applause. He also stated that the Village has a new Deputy Village Clerk and everyone should stop in to introduce yourself and say hello to Louise.

The Mayor stated that he received notification from Verizon FiOS that they would be increasing their fees.

Mayor Millman advised everyone of the ongoing work on the new Tappan Zee Bridge with a girder installation and the removal of the old bridge is underway, and everyone should take care in crossing the bridge but enjoy the view of the work going on.

**Parks Commission:**

Parks Commission Chairperson, Amy Rapoport, spoke to the board about starting the walking trail project that was discussed during the drafting of the 2017 Comprehensive Plan. The Montebello Walking Trail will run from the Suffern Middle School to Suffern Free Library. The Village will look into seeing if there is grant monies available for this through the offices of Sen. Carlucci or Assemblywoman Jaffee and enlist the professional help of the Village Engineer, Martin Spence. Mr. Berbit pointed out that the Montebello Crossing site plan has a walkway that has been included that makes much of the connection.

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

**Public Comment:**

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

Resolution 18 - 001

Village of Montebello

Title: Ware Subdivision – Wilbur Road Extension and Modification of Turnaround

WHEREAS, by virtue of Resolution No. 17-157, the Village Board approved holding a Public Hearing pursuant to NYS Village Law §§ 6-612, 614, with respect to reconfiguring the turn around and extending Wilbur Road, as such relates to the Ware Subdivision, Tax Lot 40.20-1-4; and

WHEREAS, at the direction of the Mayor, the Village Attorney questioned the Village Clerk and ascertained that the following Legal Notice was published on January 7, 2018 and posted on January 8, 2018, and that the proposed map showing the reconfigured road and subdivision plat were available for public inspection at the Village Hall, both pending this hearing and as part of the Public Hearing duly noticed by the Planning Board:

**NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a Public Hearing will be held on Wednesday, January 17, 2018, beginning at 8:00 p.m. or as soon thereafter as the matter can be heard at the Dr. Jeffrey Oppenheim Community Center, 350 Haverstraw Road, Montebello, NY 10901, by Order of the Village Board dated December 20, 2017, pursuant to its authority under Village Law §§ 6-612 and 614, to consider granting the Application of the Ware Subdivision pertaining to lot 40.20-1-4, located at 10 Wilbur Road, to permit the extension of Wilbur Road approximately 220 feet south westerly, with a conforming cul-de-sac and abandoning the portion of the current turnaround not overlaid by the road extension.

All interested parties are invited to attend. The Application, map and Order (Resolution No. 17-157) 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. as well as on the Village of Montebello website [www.villageofmontebello.org](http://www.villageofmontebello.org)

Joan Will  
Village Clerk - Treasurer  
Village of Montebello  
One Montebello Road

Montebello, NY 10901  
(845) 368-2211

Warren E. Berbit  
Village Attorney

December 20, 2017

; and

WHEREAS, the Village Attorney concluded that due legal notice was given; and

WHEREAS, Deputy Mayor Caridi moved and Trustee Golden seconded, all in favor to open the Public Hearing at 8:26 p.m; and

WHEREAS, the Village Attorney explained that the Planning Board as Lead Agency issued a Negative Declaration under SEQRA, preliminarily approving the three lot subdivision, including the road reconfiguration, subject to the Village Board approving the road extension and turnaround reconfiguration, which are exclusively the authority of the Village Board under the referenced Sections of the Village Law; and

WHEREAS, the Village Attorney asked that the following be included in the Record:

1. Application to Village Board dated December 19, 2017 and attachments.
2. Map dated February 9, 2016 last revised October 25, 2017, showing the extended Wilbur Road.
3. Village Board Resolution No. 17-157.
4. Legal Notice, and affidavits pertaining to same; and

WHEREAS, the following gave testimony at the Public Hearing:

1. R. Karben, Esq, for the applicant indicating that the road change improves safety and creates better access for the lots and the dwellings thereon, and creates optimal drainage.
2. Rachel Barese, P. E., new cul-de-sac 96' diameter will allow buses and fire trucks to turn around.
3. Loren Ware, applicant – when road dedicated better engineered configuration; and

WHEREAS, no one else wishing to speak, Deputy Mayor Caridi motioned and Trustee Golden seconded closing the Public Hearing at 8:32 p.m. all in favor; and

WHEREAS, the Village Board deliberated in public and determined and held that extending and reconfiguring the road and turnaround as proposed is in the interest of public safety and provides better access to the dwellings on the subject lots.

THEREFORE, BE IT RESOLVED, as follows:

1. That by authority of Village Law §§6 – 612 and 6 – 614 the Board hereby approves the reconfiguration of Wilbur Road in substantially the form set forth on a drawing

dated February 9, 2016 last revised October 25, 2017, and entitled: "Ware Subdivision", which drawing is on file in the office of the Planning Board.

2. That after final approval of the Planning Board, and certification by the Village Engineer that all municipal improvements and paving have been made to his satisfaction, and then acceptance of the reconfigured road for dedication by the Village Board, upon filing and recording such aforementioned drawing in final form, such shall be construed for all purposes as abandoning the portion of the existing turnaround not overlaid by the extended roadway, each portion thus aggregating to and becoming a part of the abutting lot, and said extended roadway and new cul-de-sac thereby being accepted by the Village of Montebello for municipal purposes.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

Resolution No. 18 - 002

Village of Montebello

Title: Approval of Contract for Application of Aquatic Pesticides (Gorman Ponds Park)

WHEREAS, under Phase I of the Kathryn Gorman Ponds Park improvements, the Board resolved in the Summer of 2014, to commence pond management in the form of the application of aquatic pesticides to control algae and nuisance aquatic weeds, the presence of which impeded water flows, diminished pond functioning and created unpleasant odors, amongst other negatives, said services awarded that year and each year since following the Village's Procurement Policy, the intent being to continue the services which are viewed as beneficial to the Village and the environment of the ponds; and

WHEREAS, time is of the essence to contract for said services early enough each year so as to be able obtaining a DEC approval to facilitate timely applications of the pesticides; and

WHEREAS, the Village Engineer in following the Procurement Policy this year has issued a report dated January 17, 2018, copy attached hereto, proposals summarized as follows:

	Princeton Hydro	Limnology Information and Freshwater Ecology (LIFE)	The Pond and Lake Connection	Solitude Lake Management
<b>DEC Application Fees</b>	\$1,850.00	\$1,000.00	\$600.00	
<b>Treatment Fees</b>	\$1,330.00	\$4,000.00	\$3,100.00	
	\$1,330.00	\$3,500.00	\$2,790.00	
	\$1,330.00	\$3,500.00	\$2,790.00	
	\$1,330.00			
	\$1,330.00			
	\$1,330.00			
<b>NOI Fee</b>	\$170.00			
		<b>Estimate Maximum</b>		<b>Lump Sum</b>
<b>Totals =</b>	<b>\$10,000.00</b>	<b>\$12,000.00</b>	<b>\$9,280.00</b>	<b>\$13,944.00</b>

<i>Comments</i>	<i>Assumes 6 treatments, based on target in the past</i>	<i>Based on Number of Treatments proposed (2 Algae and 1 Submerged weeds)</i>	<i>Based on initial treatment and 2 follow-up treatments recommended. All additional treatments add \$2,790</i>	<i>9 site visits and possible treatments. Recommends a pond dye.</i>
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;and WHEREAS, as explained by the Village Engineer, he recommends taking into consideration the likely ability of the recommended contractors to timely insure DEC approval, which has been a problem each year and thus narrowed the choices to the smaller, believed to be more, LIFE and PLC the

THEREFORE, BE IT RESOLVED, time being of the essence that said contract be entered into with The Pond and Lake Connection “PLC”, at a cost of \$9,280, terms as per their proposal such appearing to be the lower cost of the two remaining proposals.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

Resolution No. 18- 003

Village of Montebello

Title: Approval of Minutes for December 20, 2017

BE IT RESOLVED, the minutes of the Board of Trustees of December 20, 2017, be and are hereby approved.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carried unanimously.

Resolution No. 18-004

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated January 17, 2018, and totaling \$127,531.41 is hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon Vote motion carries unanimously.

Resolution No. 18-005

Village of Montebello

Title: Approval of Abstract & Schedule of Claims – Parks Fund

BE IT RESOLVED, the Abstract and Schedule of Claims dated January 17, 2018, and totaling \$3,230.25 is hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon Vote motion carries unanimously.

Resolution 18 -006

Village of Montebello

Title: NYSBOC of Rockland Training Program – Building Inspector and Fire Inspector

BE IT RESOLVED, pursuant to the request of the Building Inspector and Fire Inspector, that attendance by Building Inspector, Lawrence Picarello and Fire Inspector, Christopher Kear, at NYSBOC of Rockland Training Program on Tuesday, April 10 through Thursday, April 12, 2018 at a cost of \$320.00 for the Building Inspector's membership fee and classes and \$137.50 for the Fire Inspector's classes, the latter being split with another municipality, is hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon Vote motion carries unanimously.

Title: Village of Montebello School Choice Week

WHEREAS, all children in the Village of Montebello should have access to the highest-quality education possible; and,

WHEREAS, the Village of Montebello recognizes the important role that an effective education plays in preparing all students in Village of Montebello to be successful adults; and,

WHEREAS, quality education is critically important to the economic vitality of the Village of Montebello; and,

WHEREAS, the Village of Montebello is home to a multitude of high quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

WHEREAS, the Village of Montebello has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, I, Mayor Lance N. Millman, do hereby recognize January 21-27, 2018 as the Village of Montebello School Choice Week, and I call this observance to the attention of all of our citizens.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon Vote motion carries unanimously.

Title: Court Clerk Training Program

BE IT RESOLVED, pursuant to her request in a letter dated January 9, 2018, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, that attendance by the Court Clerk, Patricia Marsh, at a Court Clerk's Training Program sponsored by



the Association of Towns given in NYC on February 19<sup>th</sup>, be and hereby is approved, including the cost of travel, estimated at less than \$40.00, and utilization of her time as a Clerk necessary to facilitate attendance thereat.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon Vote motion carries unanimously.

Resolution: 18-009

Village of Montebello

Title: Designation of Offices to be Filled at Village Election

WHEREAS, the next general election for officers will be held on Tuesday, March 20, 2018; 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 Trustee is to be filled at the general election on Tuesday, March 20, 2018, and that the term of these offices will be the one year remaining on the term for the Trustee, commencing at noon on April 1, 2018; and

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

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon Vote motion carries unanimously.

Title: Appointment of Election Inspectors

BE IT RESOLVED, that the Board of Trustees of the Village of Montebello does hereby appoint the following persons to serve as Election Inspectors for the upcoming Village election to be held on March 21, 2018:

<u>Name</u>	<u>Address</u>
Doug Whipple	55 Church Road Airmont, NY 10952 (845) 369-7258
Judith Block	10 Somerset Drive – Apt 26K Suffern, NY 10901 (845) 918-1286

BE IT FURTHER RESOLVED that their compensation be set at a rate of \$12.00 per hour.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon Vote motion carries unanimously.

### **Student Participation**

Suffern High School has a course in Participation in Government in which the students are to attend local government meetings. There were eight students in attendance. Melissa Wirchansky of 3 Bell Court, Airmont asked a question of the board regarding how to change a law (her example being to allow parking on the roads year round).

**Public Comment:**

Parks Commissioner Chairperson Amy Rapoport brought up an issue regarding invasive vines throughout the village and wanted to know if there was something the Village could do about it. She also precipitated a discussion about the shade tree fund.

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

At 9:15 PM Deputy Mayor Caridi made a motion to enter into executive session to discuss legal matters (in particular a lawsuit about a project just approved by the Planning Board and also a threatened lawsuit regarding noise), seconded by Trustee Golden. Vote carried unanimously.

At 9:40 PM Deputy Mayor Caridi made a motion to exit executive session, seconded by Trustee Golden. Vote carried unanimously.

At 9:40 PM Deputy Mayor Caridi made a motion to adjourn the meeting, seconded by Trustee Golden, vote carried unanimously.