

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, SEPTEMBER 26, 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 Stacy Caridi Melanie Golden Steven H. Beldock Evan T. Kuperman	Mayor Deputy Mayor Trustee Trustee Trustee
Others Present:	Warren Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

**Mayor’s Report:**

The Mayor stated that three roads were paved in Montebello (Linda Drive, Marget Ann Lane, and a portion of Mile Road), and they have been completed. The parking lot at the Community Center is scheduled to be paved within the next few weeks.

**Parks Commission:**

Chairperson Amy Rapoport stated that there is an Eagle Scout working on the signs for the trail markings at the park. She also stated that the Parks Commission does not have any scheduled events at this time and would like the previously approved Garage / Tag Sale tabled until Spring since she received no response from the other commission members. She would also like to include a concert and car show at the same time and possibly a run. A discussion then ensued about outside companies that set up runs.

**Public Comment:**

Chairperson Amy Rapoport of the Montebello Parks Commission spoke regarding the condition of the Montebello Community Garden and suggested that the Village close half of it. She also suggested that the fees be increased to cover costs. She would like the Board to consider opening up the garden to outsiders at an increased rate. She was disappointed in the participants not taking care of their plots and general maintenance of the garden. The Board appreciated her comments.

Ms. Rapoport stated that she would like the board to consider adopting a registry for LLC’s that own property and rent it out. She stated that way the Village would be able to contact the actual homeowner if there were any issues.

Ms. Rapoport stated that the golf course pesticide report was not received yet. It was stated by the Village Attorney that the report of all the technical details of the materials utilized of about 58 pages was received and would be forwarded to her immediately.

Ms. Rapoport stated that Mile Road has not been striped. It was stated that it will be striped and painted when all the paving in the Town of Ramapo is completed as they stripe/paint all roads within the Town on the same day.

**Resolution: 18-107**

Village of Montebello

Title: Disposal of Surplus Property – Computers

WHEREAS, after a search of the used equipment market and upon the report and recommendation of the Village's IT Company, Delaney Computer Services, Inc., the Village Clerk has determined that the following, outdated computers were of no further use to the village and had no market value, or the cost of the effort to sell same would exceed the likely return; and

WHEREAS, in anticipation of this action, the following have been sent to the Delaney Computer Services, Inc. on September 13, 2018, for immediate disposal as per their Security Policy #8 – Disposal Procedure for immediate sanitizing of media and disposal:

- HP Elitedesk 800 G1 TWR Serial #2UA3462BHB Model #E1Z90UT#ABA
- HP Elitedesk 800 G1 TWR Serial #2UA3462BH8 Model #E1Z9OUT#ABA
- HP Elitedesk 800 G1 TWR Serial #2UA3462BHW Model #E1Z9OUT#ABA
- HP Compaq 6200 Pro Small Form Factor Serial #MXL1330585 Model #LA064UT#ABA
- HP Compaq 6200 Pro Small Form Factor Serial #MXL133058T Model #LA064UT#ABA
- HP Compaq 6200 Pro Small Form Factor Serial #MXL133058L Model#LA064UT#ABA
- HP Compaq dc5800 Small Form Factor Serial #MXM8100C9F Model #KA419UT#ABA
- HP Compaq 600 Pro MicroTower Serial #2UA0150WVG Model #NV506UT#ABA HP
- ProLiant ML350 G6 Serial #MXQ1370G53 Model #600426-005

THEREFORE, BE IT RESOLVED, as follows:

1. That the nine above mentioned computers are found to be and declared to be surplus property for the aforesated reasons.
2. That after fair and adequate deliberation, such are determined to be of no value as confirmed by Delaney Computer Services, Inc. (the Village's IT Company) in their current state even for parts, and such may be disposed of per Security Policy #8.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

**Resolution No. 18-108**

Village of Montebello

Title: Accepting Resignation of Court Clerk

WHEREAS, Patricia Marsh whose appointment expires April 2019, has tendered her resignation effective September 28, 2018 due to personal reasons.

THEREFORE, BE IT RESOLVED, that said resignation is accepted effective September 28, 2018, and said position declared as vacant until a duly qualified candidate is found to serve as Court Clerk until April 2019, or until a successor is duly appointed.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 18-109**

Village of Montebello

Title: Appointment of Deputy Justice Court Clerk

WHEREAS, the Board of Trustees established the position of Justice Court Clerk on March 21, 2012 by adoption of Resolution No. 12-026; and

WHEREAS, the Village Justice Court Clerk, Patricia Marsh, resigned for personal reasons effective September 28, 2018; and

WHEREAS, after advertising to fill the position, reviewing applications and interviewing Justice Court Clerk candidates to no avail, the Mayor wishes to appoint, on a temporary basis,

with the agreement of Justice Arnold Etelson, Joan Will to the position of Deputy Justice Court Clerk effective September 28, 2018, to fill in the position until a permanent Court Clerk is appointed.

THEREFORE, BE IT RESOLVED, that Joan Will is hereby appointed to the position of a Deputy Justice Court Clerk until a permanent appointee is duly appointed.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote the motion carries unanimously.

**Resolution No. 18-110**

Village of Montebello

Title: Rockland County Multi-Jurisdictional Natural Hazard Mitigation Plan

WHEREAS, The Disaster Mitigation Act of 2000 (DMA 2000) (P.L. 106-390) provides an opportunity for States, Tribes, and local governments to take a new and revitalized approach to mitigation planning; and

WHEREAS, DMA 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Act) by repealing the previous Mitigation Planning section and emphasizes the need for State, Tribal, and local entities to closely coordinate mitigation planning and implementation efforts; and

WHEREAS, the Village of Montebello, in partnership with the County of Rockland and with the assistance of Tetra-Tech Corporation, has gathered information and prepared the Rockland County Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, The Rockland County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Village of Montebello has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Village of Montebello has reviewed the Plan and affirms that sections pertaining to the Village will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED that the Village of Montebello adopts the Rockland County Multi-Jurisdictional Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan and resolves to execute the actions in the Plan.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carries unanimously.

**Resolution: 18-111**

Village of Montebello

Title: Dr. Jeffrey Oppenheim Community Center Roof Repairs

WHEREAS, there are several areas of the ceiling within the Dr. Jeffrey Oppenheim Community Center which have continued to suffer significant water damage despite previous repairs as a consequence of rain, snow and ice build-up; and

WHEREAS, in the past the roof problem has been studied by the Village Engineer and roofers, and the conclusion reached that the flat roof design was inherently flawed, leading to the Village Engineer to prepare plans and specifications to reconstruct same, and proposals to perform said work were solicited according to the Village's procurement policy and such work performed; and

WHEREAS, such work improved but did not fully cure the problem, leading to further study and RFP for more work; and

WHEREAS, one proposal was received from Janusz Kogut, and none from other contractors, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, the salient details of which is as follows,

<b>Description</b>	<b>Janusz Kogut Price</b>
Clean-up, prep and patch several locations where leaks were observed including existing roof penetrations (drainage pipes) and joints	\$350.00
Install (approx.8"x12"x1" high) support blocks (composite material or approved equal) under solar panels metal brackets to eliminate direct contact of metal with roof and improve water flow.	\$550.00
Modify pitch of roof to slope water to scuppers. Select cutting, repair and patch approximately 6 SF (Min 2" Deep) around existing roof drain. 2 locations at roof scuppers includes all repair materials for work areas.	\$900.00
<b>Total Bid</b>	<b>\$1,800.00</b>

;and

WHEREAS, such work appears essential to preventing further deterioration.

THEREFORE, BE IT RESOLVED, that the repair of the roof at the Dr. Jeffrey Oppenheim Community Center be awarded to Janusz Kogut at a cost of \$1,800.00, subject to form of contract and terms that meets the approval of the Village Attorney and Village Engineer.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Resolution: 18-112**

Village of Montebello

Title: Village Hall Front Steps Repair Project

WHEREAS, the Village Clerk-Treasurer sent out RFP's for repair to the front steps at Village Hall; and

WHEREAS, two proposals were received, one from Belleville Landscaping, Inc., and one from Janusz Kogut, referenced as if set forth hereinafter, true copies of which shall be appended to the Minutes hereof, the salient details of which are as follows:

Description	Belleville Inc.	Janusz Kogut
Remove, Clean-up, Prep and Reset (Flush w/Step) Front row of Pavers	\$700	\$180
Carefully loosen existing steps in place, clean-up, reinforce existing base and reset steps in mortar, leveled with a positive pitch. This work includes re-pointing of joints with mortar.	\$700	\$550
Saw-cut and patch approximately 4 SF (Min. 2" Deep) of existing concrete slab.	\$200	\$190
Clean-up and fill loose railing post holes (where needed) with mortar	<u>\$200</u>	<u>\$80</u>
<b>Total Base Proposal</b>	<b>\$1,600</b>	<b>\$1,000</b>

; and

WHEREAS, both proposals have been reviewed by the Village Engineer, and both contractors have provided reliable services to the Village in the past, and thus the Village Engineer recommends awarding Janusz Kogut, who is offering to do the repair work at the lowest cost.

THEREFORE, BE IT RESOLVED, that repair of the front steps at Village Hall project be awarded to Janusz Kogut at a cost of \$1,000.00 subject to a form of contract and terms that meets the approval of the Village Engineer and Village Attorney.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

**Resolution No. 18-113**

Village of Montebello

Title: Approval of Minutes for August 15, 2018

BE IT RESOLVED, the minutes of the Board of Trustees of August 15, 2018, be and are hereby approved.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Resolution No. 18-114**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated September 26, 2018, and totaling \$231,756.07 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

**Resolution No. 18-115**

Village of Montebello

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

BE IT RESOLVED, the Abstract and Schedule of Claims dated September 26, 2018, and totaling \$95.25 is hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

### **Public Comment**

Park Commissioner Amy Rapoport stated that there are floating objects in the Mahwah River near the Viola Road bridge. The Board stated that they will have it looked into.

### **Old / New Business**

The Mayor stated that the Board is considering combining the Parks Commission and Historic Preservation Commission into one commission with two co-chairpersons. The Village Attorney will review the laws and advise the Board.

At 8:49 PM, Trustee Kuperman made a motion to enter into Executive Session to discuss legal staff and other staff personnel matters and village litigation matters (e.g. 49 N. Airmont Road), seconded by Deputy Mayor Caridi. Vote carried unanimously.

At 9:35 PM Deputy Mayor Caridi made a motion to end Executive Session, seconded by Trustee Golden. Vote carried unanimously.

### **Resolution No. 18-116**

Village of Montebello

Title: Appointing Assistant Village Attorney – Alyse Terhune

WHEREAS, Alyse Terhune was hired as an Assistant Village Attorney, effective April 18, 2018, by virtue of Resolution No. 18-067; and

WHEREAS, such was necessitated to help fill a void created when another Assistant Village Attorney was forced to cease working for the Village due to a scheduling conflict, and, more importantly, to transition her to the position of the long-term Assistant Village Attorney, Ira M. Emanuel, by mutual agreement, due to the need for Ira to more and more have to recuse himself because of the increasing number of matters in Montebello wherein he has some client connection to an applicant, or due to his professional connection with Amy Mele, who has been appearing for Montebello applicants with increasing frequency; and



WHEREAS, it was agreed with Alyse Terhune upon her hiring that she would transition, circumstances permitting, to Ira M. Emanuel's position on or about October 1, 2018, including a fixed salary per annum for non-pass through work; and

WHEREAS, after discussion in Executive Session, especially due to the pendency of a significant new application (or applications) to the Planning Board, it is reasonable and prudent to adhere to the October 1, 2018 time table.

THEREFORE, BE IT RESOLVED, as follows, upon the recommendation of the Mayor with the support of the Village Attorney:

1. That Alyse Terhune transition into the Assistant Village Attorney position presently filled by Ira M. Emanuel, effective October 1, 2018, including a per annum salary of \$ \$10,000.00 for all non-pass-through work, such to be adjusted pro rata for the balance of 2018.
2. That Ira M. Emanuel shall continue on a pass-through basis for 2018 and 2019, to the extent necessary for him to finish any ongoing Planning Board or Zoning Board of Appeals applications for which he has been the participating Assistant Village Attorney, and his fixed salary shall continue through December 31, 2018, only to cover any non-pass-through work, such as effectuating the 2017 Comprehensive Plan.
3. That Elizabeth Cassidy continue as the Substitute Assistant Village Attorney.
4. That the Village Attorney be instructed to prepare a ceremonious Resolution to honor Ira M. Emanuel, and his many, many years of invaluable contributions to the Village of Montebello.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote the motion carries unanimously.

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