

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON TUESDAY, OCTOBER 16, 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 Absent Trustee
Others Present:	Warren Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

Preceding the regular meeting of the Board of Trustees a Budget workshop was held at 7:00 P.M.

Mayor's Report:

Mayor Millman reports that the Village has been relatively quiet of late. He also reports that CBS Television show "Instinct" is filming in the village and that there was one complaint regarding it which has been satisfactorily handled.

Mayor Millman advised that Orange and Rockland will be trimming trees on the wires and that the Village has no say in which trees or how much of the tree is trimmed, and that Orange and Rockland has strict regulations regarding this.

Parks Commission:

With no one from the Parks Commission available, Village Attorney Berbit spoke of the Parks Commission's idea to hold an event on May 5, 2019, which is near the Village's anniversary of May 7th. He stated that they are looking to have a resident's flea market, band, and possibly a fun run and small car show. More details to follows.

Mayor Millman mentioned having asked the Village Attorney Berbit to look into having the Parks Commission and the Historic Preservation Commission merge. Village Attorney Berbit stated that he is reviewing the Local Laws and Resolutions regarding each commission, and will report back to the Board.

Public Comment:

Mr. Peter Warren of 4 Lake Road spoke regarding: (1) speeding concerns in Montebello especially on Lake Road. He would like the Mayor to mention this in the next newsletter. (2) he was concerned about the repair to Lake Road after the recent water main break. He stated that there is a hump and the repair is horrible. (3) He also would like to thank the Village Board and staff at Village Hall for everything they do.

Resolution No. 18-117

Village of Montebello

Title: Appointment of P/T 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 27, 2018; and

WHEREAS, after advertising to fill the position, reviewing applications and interviewing Justice Court Clerk candidates, the Mayor wishes to appoint and qualify, with the agreement of Justice Arnold Etelson, Debra Petrosky to the position of Justice Court Clerk P/T effective October 1, 2018, to fill the vacated position.

THEREFORE, BE IT RESOLVED, that Debra Petrosky is hereby appointed to the position of Justice Court Clerk P/T, a maximum of 15 hours per week in office plus court time, at a salary of \$21.00 per hour.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote the Resolution carried unanimously.

Resolution: 18-118

Village of Montebello

Title: Kathryn Gorman Ponds Park Dam Safety Engineering Assessment

WHEREAS, because of the Kathryn Gorman Ponds Park dams, specifically the pond 6 dam, Dam #196-145H, Hazard Class B, the NYS DEC requires engineering assessments to be submitted on a 10-year cycle, which assessments consist of hydrology and hydraulics analysis as well as stability analysis for the existing structure. Within the Park, due to its size and height, said dam on pond 6 is required to have this assessment (the other dams of ponds 1-5 and 7, are below this threshold), the Village having assumed ownership of the Park and dams in 2009; and

WHEREAS, as a consequence of the anticipation of the engineering assessment the Village Engineer solicited proposals from engineering firms that provide these specialty services under a RFP; and

WHEREAS, proposals were received from 4 qualified firms that perform these services, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, the salient details of which are as follows:

Gorman Ponds Park Dam Safety Engineering Assessment Pond 6-Dam		
Proposer's Name	Address	Proposal Bid
Maser Consulting	New Windsor, NY	\$18,245
Atzl, Nasher and Zigler, PC	New City, NY	\$18,298
Civil Dynamics	Stockholm, NJ	\$27,220
Paul C. Rizzo Engineering	Tarrytown, NY	\$50,932

; and

WHEREAS, although the proposal from Maser and Atzl are very competitive, Maser had performed prior work at these ponds as they were the engineer during the Montebello Pines improvements and the development/survey of the Park. Thus, the Village Engineer recommends awarding the work to Maser Consulting, New Windsor, NY, as per his memo of September 24, 2018.

THEREFORE, BE IT RESOLVED, that engineering assessment of the dam on pond 6, #196-145H, be awarded to Maser Consulting at a cost of \$18,245.00 subject to a form of contract and terms that meet the approval of the Village Engineer and Village Attorney.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote the motion carries unanimously.

Mayor Millman would like to thank Martin Spence and Spence Engineering for all their hard work in assisting the Village.

Resolution No. 18-119

Village of Montebello

Title: Approval of Minutes for September 26, 2018

BE IT RESOLVED, the minutes of the Board of Trustees of September 26, 2018, be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote the motion carries unanimously.

Resolution No. 18-120

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated October 16, 2018, and totaling \$95,591.34 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote the motion carries unanimously.

Resolution No. 18-121

Village of Montebello

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

BE IT RESOLVED, the Abstract and Schedule of Claims dated October 16, 2018, and totaling \$235.00 is hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote the motion carries unanimously.

Resolution: 18-122

Village of Montebello

Title: Schedule a Public Hearing on Tentative Budget for 2019

BE IT RESOLVED, that a Public Hearing is to be held on the Tentative Proposed Budget being the Mayor's budget with changes as discussed for fiscal year 2019 on November 14, 2018 at 8:00 p.m. local time or as soon thereafter as the matter can be heard, such that a Budget for said year can be adopted.

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to notice and post same including that the meeting will be held at the Montebello Village Hall.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

Resolution: 18-123

Village of Montebello

Title: Snow Removal/Landscaping Services 2018-2019

WHEREAS, the Village Clerk-Treasurer sent out RFP's for Snow Removal and Landscaping Services at Village Hall, (One Montebello Road) and the Dr. Jeffrey Oppenheim Community Center, (350 Haverstraw Road) and for Landscaping Services at the Viola Road Cemetery, around the 7 Village roadside entry signs, and along Ponds Park for the grassy margin between it and Senator Levy Drive, and Landscape and Maintenance around the pond

areas, including the pathway and parking area, and meadow, the open space at 8 & 14 Lake Road, and the community garden, for the period December 1, 2018 to November 30, 2019, all as set forth in her Request for Proposal dated September 19, 2018 to be considered as part of the contractual Agreement; and

WHEREAS, a proposal was received from Belleville Landscaping, Inc., and from no other contractor, 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:

Description	Belleville Landscaping Inc
Snowplow and Landscape Village Hall and Community Center. Mow Edge of Ponds Park (Senator Levy Dr.), landscape cemetery and Village Signs, Parking Areas and Pathway Ponds and maintain open space at 8 & 14 Lake Road and the community garden mowing	\$1,650.00/mo.
Extra charge salt	\$375.00/salting
Snow Falls over 10 Inches in a single event	\$150.00/inch

; and

WHEREAS, Belleville has reliably performed said services over the years and has not increased its contract price; and

WHEREAS, only one proposal was received despite which such seems cost effective in light of proposals in recent years, and time is of the essence given the November 1st starting date.

THEREFORE, BE IT RESOLVED, that the Village Board upon due deliberation and for the aforesaid reasons, does hereby accept the proposal of Belleville Landscaping, Inc., for Snow Removal and Landscaping Services at Village Hall and the Dr. Jeffrey Oppenheimer Community Center, and for Landscaping Services at the Viola Road Cemetery, around the 7 entry signs, and along Ponds Park for the grassy margin between it and Senator Levy Drive, maintenance around the pond areas including the pathway and parking area, and the open space at 8 & 14 Lake Road, for the period December 1, 2018 to November 30, 2019 at an all-inclusive package price of \$19,800.00, plus an extra charge for snowfalls over 10 inches and for salt, as more particularly set forth in the proposal and RFP, and authorizing that said sum be expended for said purposes, contract to be in a form as approved by the Village Attorney, and subject to proof of insurance.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

Resolution: 18-124

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 19, 2019; 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 Mayor and two Trustees are to be filled at the Village Election on Tuesday, March 19, 2019, and that the term of these offices will be four years on the terms for the Mayor and the Trustees, commencing at noon on April 1, 2019; and

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

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the motion carries unanimously.

Resolution: 18-125

Village of Montebello

Title: Polling Place and Hours of Election

BE IT RESOLVED, that the polling place for the Election of Village Officers, shall be held on Tuesday, March 19, 2019 at the Village Hall, One Montebello Road, Montebello, NY. The polls shall be open from seven o'clock in the morning until nine o'clock in the evening, local time; and

BE IT FURTHER RESOLVED, that the Village Clerk-Treasurer shall notice and post same as required by the Election Law.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

Resolution: 18-126

Village of Montebello

Title: Village Hall Zoning Map Update

WHEREAS, the Building Department has requested an update to the Village’s Zoning Map; and

WHEREAS, three potential ways to update the maps were reported by the Village Planner, Nelson, Pope & Voorhis, LLC, (NPV) in a report dated September 24, 2018, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, the salient details of which are as follows:

Proposal #	Description	Projected Cost
1	Work with the County to prepare an updated Zoning Map – in the past, the County would prepare zoning maps for municipalities and post those maps on the County website. Paper copies may be purchased from the County. If NPV proceeds in this manner, however, the Village will not have full control over how the maps look aesthetically as the County promotes a uniform look to all of their maps.	\$500
2	Update the current CorelDraw Zoning Map – the Village would receive a zoning map similar to the current map. The map will have no interactivity with the County Geographic Information System (GIS).	\$2,500
3	Use updated County information to prepare an interactive GIS-based Zoning Map. (This service is provided by NPV.)	\$1,500

; and

WHEREAS, all of the potential ways have been reviewed by the staff, the Mayor and Village Board.

THEREFORE, BE IT RESOLVED, that Proposal #3 – an interactive GIS-based Zoning Map as the most versatile and cost-effective option, be awarded to NPV at a cost of \$1,500.00.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the motion carries unanimously.

Resolution No. 18-127

Village of Montebello

Title: Authorization to apply for JCAP Grant

BE IT RESOLVED by the Board of Trustees of the Village of Montebello at a meeting held on October 16, 2018, that authority is hereby granted to apply for a 2019 Justice Court Assistance Program (JCAP) Grant.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the motion carries unanimously.

Resolution No. 18-128

Village of Montebello

Title: Dr. Jeffrey Oppenheim Community Center Wi-Fi Installation

WHEREAS, Delaney Computer Services (Delaney), was recently awarded the contract to provide the equipment and software, and to maintain Internet access to the Village, by virtue of Resolution No. 18-068; and

WHEREAS, persons associated with the operation of the Court, plus board chairpersons have expressed concern that the Dr. Jeffrey Oppenheim Community Center does not have its own Wi-Fi service, expressing the view that such is essential to efficient Village operations; and

WHEREAS, as a consequence Delaney was asked to make a proposal for the hardware, software, and wiring to accomplish the purpose of providing Wi-Fi service at the Community Center; and

WHEREAS, Delaney proposes to provide such services by virtue of a proposal dated October 11, 2018 at a total of \$3,325.00, software, hardware and installation, all as originally set forth in said proposal, referenced as if fully set forth hereinafter.

THEREFORE, BE IT RESOLVED, at the request of the Court and the Boards, and per recommendation of Joan Will, Village Clerk-Treasurer, that such proposal be accepted at a cost of \$3,325.00, which sum is authorized to be expended therefor.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carries unanimously.

In the discussion which ensued regarding the Wi-Fi Installation at the Community Center, the Village Clerk confirmed that other than this one-time cost, Delaney's monthly charges would not increase, nor would Optimum's monthly costs increase.

Resolution No. 18-129

Village of Montebello

Title: Honoring Ira M. Emanuel, Esq.

WHEREAS, Ira M. Emanuel, Esq. has played an integral and essential role in the building of the Village of Montebello, spanning from its creation as a fledgling municipal entity in May of 1986, through guiding its Commission which created its first Local Laws necessary for it to fully function as a village, through guiding its Comprehensive Development Commissions which steadily improved its Local Laws as it evolved and as did the world did around it, and, most importantly, for guiding its Planning Board and Zoning Board of Appeals through a vast majority of the many land use applications to pass in front of these boards over, lo' these many years; and

WHEREAS, except when he was Counsel to the Legislature from about April 1992 to April 1998, Ira has steadfastly been there helping to shape the Village for most of its 32 years; and

WHEREAS, others outside the Village noticed along the way as Ira's expertise in land use and meeting environmental issues grew, and likewise his prominence in those areas, forcing him to have to recuse himself more and more due to outside connections with the applicants, whether direct or indirect, to the point where he and the Village Attorney jointly concurred that, as much as they both revered the relationship, it was time to pass the torch; and

WHEREAS, even in this final regard, Ira assisted with finding worthy replacements who may never fill his shoes, but who will, in time, create their own shoes to fill.

THEREFORE, BE IT RESOLVED, as follows:

1. That Ira M. Emanuel be wished continued success in the law, and that he and his family wished many more years of happiness, prosperity and good health.

2. That for posterity, and to forever mark his legacy and profound positive impact upon the Village, that October, 2018, shall be declared to be and shall be known as “A Month in Honor of Ira M. Emanuel, Esq., in gratitude expressed for all of our boards and commissions, and for all of our citizens, for his invaluable service to the Village.”

3. That two originals of this Proclamation be prepared in ceremonious form, for signing and framing; one to be presented to Ira M. Emanuel and the other to be hung at a place of honor at the Village Hall or the Dr. Jeffrey Oppenheim Community Center.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carries unanimously.

Public Comment

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

At 8:42 PM, Trustee Kuperman made a motion to enter into Executive Session to discuss several personnel matters and current litigation, seconded by Deputy Mayor Caridi. Vote carried unanimously.

At 8:53 PM, Deputy Mayor Caridi made a motion to end Executive Session, seconded by Trustee Golden. Vote carried unanimously.

At 8:54 PM, Deputy Mayor Caridi made a motion to adjourn the meeting, seconded by Trustee Golden. Vote carried unanimously.

Joan Will, Village Clerk - Treasurer