

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY DECEMBER 19, 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
Absent:	Evan T. Kuperman	Trustee
Others Present:	Warren Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

**Mayor’s Report:**

Mayor Millman reports that there are two potential assisted living facilities moving into Montebello. One of them is interested in a tax reduction and the Village is working very hard on a compromise. Mayor Millman reported that Route 202 was closed the night before due to an accident.

Mayor Millman reported that the Village tax bills have been mailed to all the residents and that the tax rate has changed due to assessment reductions given by the Town of Ramapo and received late to the Village.

**Parks Commission:**

With no one from the Parks Commission present 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 No. 18-139** Village of Montebello

Title: Approval of Minutes for November 14, 2018

BE IT RESOLVED, the minutes of the Board of Trustees of November 14, 2018, be and are hereby approved.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

Absent: Trustee Kuperman

**Resolution No. 18-140**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated December 19, 2018, and totaling \$268,523.58 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Absent: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 18 -141**

Village of Montebello

Title: Amended Tax Rate and Budget for 2019

BE IT RESOLVED, that the Tax Rate, and as set forth in the 2019 Budget, as set at 10.5910 per \$1,000 by the action of the Village Board taken on November 14, 2018, as based upon the final information supplied immediately before such action by the Assessor of the Town of Ramapo, be and hereby are amended to be and read 10.6467 per \$1,000 assessment, due to the Assessor's office reducing the final taxable assessed valuation by \$608,742. without prior notice to the Village, after the Village Board took the aforesaid action.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Absent: Trustee Kuperman

Upon vote, motion carries unanimously.

**Resolution: 18 - 142**

Village of Montebello

Title: 2019 Contract with Financial Consultant

WHEREAS, the Village's Financial Consultant Marvin Nyman has been providing financial consultant services to the Village since its inception; and

WHEREAS, Mr. Nyman's services include budget preparation, assisting the Clerk-Treasurer in maintaining the Village's financial records, preparation and submittal of the New York State AUD and Constitutional Tax Limit Report as well as an annual audit of the Justice Court accounts; and assisting the Village Clerk - Treasurer as needed.

WHEREAS, the Financial Consultant proposes continuing such services for 2019 pursuant to the terms set forth in a proposal dated November 28, 2018 referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, said proposal being according to the updated terms of \$26,000 (\$2,166.67 per month)

THEREFORE, BE IT RESOLVED, that Marvin Nyman continue to provide financial consultant services to the Village for the budgeted amount of \$26,000 paid in monthly installments of \$2,166.67 for the period of January 1, 2019 through December 31, 2019.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Absent: Trustee Kuperman

Upon vote, motion carries unanimously.

**Resolution: 18-143**

Village of Montebello

Title: 2019 Contract for Village Engineering Services

WHEREAS, Spence Engineering Consulting and Municipal Engineers ("Spence") supplied services as the Village Engineer since 2007; and

WHEREAS, Spence proposes to continue to provide services for 2019 in a proposal dated September 10, 2018, referenced as if set forth hereinafter at length, a true copy of which shall be appended to the Minutes hereof ("The Proposal"), for the fixed fee services at a lump sum of \$31,800 per annum (\$2,650 per month), and time billable professional engineering and technical services between \$105 and \$129 per hour, and clerical services at \$48 per hour all as more particularly set forth in the Proposal.

THEREFORE, BE IT RESOLVED, as follows:

1. That the Proposal of Spence Engineering as aforereferenced to provide regular engineer services to the Village in 2019 including anticipated costs for Capital Projects and special reports be and hereby is accepted effective January 1, 2019, subject to the following conditions:
  - a. That it be understood that the Village's professional bill appeal procedure shall be appended to the proposal as a part thereof; and

- b. That the agreement may be terminated by the Village upon ninety (90) days advance written notice without cause at its election.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Absent: Trustee Kuperman

Upon vote, motion carries unanimously.

**Resolution: 18-144**

Village of Montebello

Title: 2019 Contract for Village Planning Consultant Services

WHEREAS, Nelson, Pope & Voorhis, LLC (“NPV”), the Planning Consultant for the Village of Montebello, who, by the services of Max Stach and other staff under his auspices, together, have served the Village in that capacity from August 2016, for the purpose of working with the Planning Board and Zoning Board of Appeals and generally to provide planning services, proposing to do so on a per diem fee basis not to exceed \$10,000 per annum without further action of the Board, plus the cost of services further overseeing and the implementation of the Comprehensive Plan, not to exceed \$25,000 in 2019, as a function of the Village Board’s choices in its sole discretion from points “8” thru “25” from the schedule attached, to the Proposal dated September 20, 2018, referenced as if set forth hereinafter a true copy of which shall be appended to the Minutes hereof, subject to any change or acceleration or reordering of priorities of the Comprehensive Plan effectuation services as directed by the Mayor after discussion with the Village Board, and also recognizing that Numbers 7 and 21 were previously added and accomplished, and paid for, Number 21 representing a pass-through to an applicant; and

WHEREAS, said firm has not increased its hourly rate from its Proposal accepted by Resolution No. 16-109 for all personnel for review of applications before CDRC, Planning Board and Zoning Board of Appeals per the attached fee schedule.

THEREFORE, BE IT RESOLVED that said Proposal, be and hereby is accepted for the 2019 calendar year and the Mayor is hereby authorized to execute same on behalf of the Village, it being understood that said contract is with Nelson, Pope & Voorhis, LLC.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Absent: Trustee Kuperman

Upon vote, motion carries unanimously.

**Resolution No.18-145**

Village of Montebello

Title: 2019 Contract for Cleaning Services

WHEREAS, weekly cleaning services have been provided for the Village Hall, including the Seniors Club, and for the Dr. Jeffrey Oppenheim Community Center by Stan’s Reliable Cleaning Inc, 204 Eagleton Drive, Monroe, NY 10950, PO Box 1415, Monroe, NY 10949, at a cost of \$125 per week for Village Hall and the Senior Center and \$100 per week for the Dr. Jeffrey Oppenheim Community Center and are offered for a two year period starting January 1, 2019, plus costs for the extra services as were particularly set forth in a proposal dated September 7, 2018; and

WHEREAS, said services have proven acceptable, and the Village now wishes to continue same for the two year period according to the Proposal, a true copy to be attached to the Minutes hereof; and

WHEREAS, said cleaning service understands the absolute need and agrees to secure the buildings and their contents, and keep the contents of same confidential at all times.

THEREFORE, BE IT RESOLVED, subject to the conditions set forth herein which shall become part of the Agreement, as shall the Proposal, that said services are hereby renewed for the 2019 calendar year renewable by the Village for 2020 upon written notice given no later than November 15, 2019, subject to termination by the Village with or without cause on 30 days notice, as per agreement, at a cost of \$125 per week for Village Hall and Senior Center and \$100 per week for the Dr. Jeffrey Oppenheim Community Center, plus the extra services noted payable monthly, subject to proper insurance and bonding, and proof of insurance in the judgement of an insurance broker.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

Absent: Trustee Kuperman

**Resolution No. 18-146**

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 by 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, the Village Engineer, in following the Procurement Policy last year has issued a report dated September 6, 2018, copy attached hereto, has recommended renewing that contract given the proposal from the successful contractor last year, the Pond and Lake Connection “PLC”, with no increase in the costs, summarized as follows;; and

	<b>The Pond and Lake Connection</b>
<b>DEC Application Fees</b>	\$600.00
<b>Treatment Fees</b>	\$3,100.00
	\$2,790.00
	\$2,790.00
NOI Fee	
<b>Totals =</b>	<b>\$9,280.00</b>
<i>Comments</i>	<i>Based on initial treatment and 2 follow-up treatments recommended. All additional treatments add \$2,790</i>

; and

THEREFORE, BE IT RESOLVED, that said renewed contract be entered into with The Pond and Lake Connection, “PLC”, at a cost of \$9,280, terms as per their proposal for the 2019 season, the same as in 2018 remaining consistent with the lower cost of the two competitive proposals last year.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Absent: Trustee Kuperman

Upon vote, motion carries unanimously.

**Resolution: 18 - 147**

Village of Montebello

Title: Resignation of Parks Commissioner Robert Congionti

WHEREAS, Robert Congioni, a long-term member and past Chairman of the Parks Commission, has resigned effective December 1, 2018, due to employment that requires frequent travel overseas, coupled with a desire to continue to be able to spend quality time with his family.

THEREFORE, BE IT RESOLVED, that Robert Congioni's resignation from the Parks Commission is hereby accepted with regret, effective retroactively to December 1, 2018, and his seat declared as vacant; and

BE IT FURTHER RESOLVED, that Mr. Congioni be thanked for his long term of good and valuable service to the Village, and that he be wished well and success in his career, and that he and his family be wished much joy and happiness in the holiday season, and in all the years to come.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Absent: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

### **Old / New Business**

The Mayor stated that all 2019 tax bills and PILOT agreement bills have been mailed out.

The Mayor stated that the Board is considering combining the Parks Commission and Historic Preservation Commission into one commission and that a copy of the present Draft version of the Local Law was enclosed with everyone's packets.

The Mayor stated that the Village was approached to write a resolution banning the use of non-reusable plastic bags. The Board will consider this at the January meeting.

The Mayor stated that the work on the parking lot at the Dr. Jeffrey Oppenheim Community Center, which was done completely with grant money procured by Assemblywoman Ellen Jaffee's office looks great and it such a wonderful improvement. He also stated that the new lighting in the parking lot is a great improvement as well. Many thanks to Assemblywoman Jaffee.

### **Public Comment**

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

At 8:33 PM, Deputy Mayor Caridi made a motion to enter into Executive Session to discuss the status of an Article 78 Proceeding re: Montebello Crossing, and current litigation, seconded by Trustee Beldock. Vote carried unanimously.

At 8:50 PM, Deputy Mayor Caridi made a motion to end Executive Session, seconded by Trustee Golden. Vote carried unanimously. Best wishes were stated to all for the holiday, and for a Happy New Year.

At 8:50 PM, Deputy Mayor Caridi made a motion to adjourn the meeting, seconded by Trustee Golden. Vote carried unanimously.

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Joan Will, Village Clerk - Treasurer