

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY MARCH 20, 2019 AT VILLAGE HALL, ONE MONTEBELLO 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 Evan T. Kuperman	Mayor Deputy Mayor Trustee Trustee
Absent:	Steven H. Beldock	Trustee
Others Present:	Warren Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

**Mayor’s Report:**

Mayor Millman appreciated the support of all the residents during the Election and wanted to take this moment to thank everyone who came out and voted.

Mayor Millman stated his belief that there will be no more snow this season in Montebello and that the Community Garden will be in full swing. He noted that if anyone was interested in being a member of the Community Garden they should contact Village Hall. He stated that the garden is all organic and that he hopes everyone has a good growing season.

Mayor Millman reminded everyone that the Village has sustained a heating pipe break at the Community Center which caused significant damage, and that all meetings will be held at the Village Hall Senior Center during the repair phase.

**Parks Commission:**

Parks Commissioner Tony Piazza addressed the Mayor and the Board and introduced Thomas Fantry, Jr. from Troop 29. Scout Fantry presented to the Board his Eagle Scout Service Project Workbook and explained the project idea in detail. His project will encompass clearing of the Daniel Beard Trail from brush and fallen trees, replacing the log steps; the marking of each trail start and end with the appropriate signage; the supplying and installation of a comprehensive trail map sign; and the planting of daffodils around the gazebo, as well as fund-raising efforts to fund same. He presented samples of the trail signs as well as the Trail Map sign. He stated that he would like the project to be completed by the end of August 2019.

After Board discussion, and with no one else from the Parks Commission present to speak, Mayor Millman closed this portion of the meeting.

**Resolution No. 19-023**

Village of Montebello

Title: Eagle Scout Project – Kathryn Gorman Ponds Park

WHEREAS, Thomas Fantry, Jr. has proposed as his Eagle Scout project, trail enhancement and installing permanent trail marker signs at start and end of every trail, plus installing a main trail map sign at entrance, at the Kathryn Gorman Ponds Park, as more particularly set forth in a document entitled “KGP Trail Beautification” distributed this evening and made a part hereof; and

WHEREAS, the Parks Commission has recommended approval of the project; and

WHEREAS, Thomas Fantry, Jr. has presented to the Village Board this evening, and the Village Board, after dialogue with him, agrees that the project including refurbishing the Daniel Beard Trail and log steps, and installing trail start and end signs, and a main trail map direction sign at the entrance consistent with Village Board Resolution No. 18-138, represents a worthy enhancement to Kathryn Gorman Ponds Park.

THEREFORE, BE IT RESOLVED that said project is approved, subject to final image and verbiage of the sign, with gratitude expressed to Thomas, his troop #29 and the Boy Scouts of America for this enhancement to Kathryn Gorman Ponds Park.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

**Resolution No. 19 - 024**

Village of Montebello

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

BE IT RESOLVED, the Abstract and Schedule of Claims for the Parks Fund dated March 20, 2019, and totaling \$43.00 is hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 19-025**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated March 20, 2019, and totaling \$96,217.34 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 19 - 026**

Village of Montebello

Title: Polling Place for Local Primary and General Election

BE IT RESOLVED, that the polling place for the Local Primary and General Election shall be held on Tuesday, June 25, 2019 and Tuesday, November 5, 2019, respectively, at the Dr. Jeffrey Oppenheim Community Center (Montebello Community Center), 350 Haverstraw Road, Montebello, NY, located in the Town of Ramapo and authorized by the Rockland County Board of Elections for Election Districts 22, 62, 72, and 78 at a rate of \$480.00 in total.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

**Resolution No. 19 - 027**

Village of Montebello

Title: Certifying of Elected Officials

BE IT RESOLVED, that the results of the Village Election held on March 19, 2019, be and hereby is certified, and the following declared as elected:

Lance N. Millman, Mayor for a term of four years by a vote of 225 to 4; and

Stacy Caridi, Trustee, for a term of four years, by a vote of 220 to 9; and

Evan Kuperman, Trustee, for a term of four years, by a vote of 220 to 9; and

it being understood that said terms end on the first business day in April, or until a successor is elected and sworn.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Resolution No. 19 - 028**

Village of Montebello

Title: Appointing HPPC Members

WHEREAS, by virtue of Local Law No. 1 of 2019 adopted February 26, 2019 and sent for filing with the Secretary of State on March 1, 2019, the Historic Preservation Commission (HPC) and the Parks Commission (Parks) will be combined into the Historic Preservation and Parks Commission (HPPC); and

WHEREAS, once the HPC and Parks no longer exist, upon notice of filing with the Secretary of State, the present commissioners' respective terms will, defacto, be at an end, requiring, per Local Law No. 1, the filling of 9 commissioner positions, including 2 co-chairs, as well as that of 2 ad-hoc positions; and

WHEREAS, as based upon who were the respective Chairpersons, seniority on the respective commissions, and attendance at meetings over the past year and related factors, the Mayor recommends appointments as follows, effective upon official notice of filing with the Secretary of State:

2020 Amy Rapoport, through reorganization meeting April 2025 and as Co-chair through April  
 2020 Lisa Levin, through reorganization meeting April 2025, and as Co-chair through April  
 Tony Piazza, through reorganization meeting April 2025  
 Rosemary Mocio, through reorganization meeting April 2024  
 Dorice Madronero, through reorganization meeting April 2024  
 Robert Israel, through reorganization meeting April 2023  
 Maureen Danzig, through reorganization meeting April 2023  
 Howard Hochberg, through reorganization meeting April 2022  
 William Ellsworth, through reorganization meeting April 2022  
 Matt Moetzing, as ad-hoc through reorganization meeting April 2022  
 Josh Goldstein, as ad-hoc through reorganization meeting April 2022; and

WHEREAS, a regular day of the month should be set for the meeting of the HPPC.

THEREFORE, BE IT RESOLVED, as follows:

1. That the appointments set forth above as recommended by the Mayor, be and hereby are ratified, effective upon notice of filing with the Secretary of State.
2. Initially, that regular meetings of the HPPC shall be held on the fourth Wednesday of the month, circumstances permitting, as later subject to the recommendation of the HPPC if it desires a change, which the Village Board will take into consideration.

The Board was polled:	Mayor Millman	-	Yes
	Deputy Mayor Caridi	-	Yes
	Trustee Golden	-	Yes
	Trustee Beldock	-	Absent
	Trustee Kuperman	-	Yes

Resolution approved 4 in favor and 0 opposed 1 absent

**Resolution No. 19 - 029**

Village of Montebello

Title: Historic Preservation Commission Application for Certified Local Government Grant

WHEREAS, the Historic Preservation Commission (“HPC”) wishes to apply for a grant, pursuant to the State Historic Preservation Office’s (“SHPO”) administration of annual federal historic fund grants under the National Historic Preservation Act; and

WHEREAS, such grants are competitively distributed to qualifying Certified Local Government (“CLG”) applicants, such as the Village, with the understanding that the CLG applicant must submit an application compliant with the guidelines, including a willingness to locally fund in cash or equivalent up to 40% of the cost; and

WHEREAS, after studying the matter and due deliberation, the HPC has concluded that sponsoring a survey of the Village's historic stone walls, fences and Village's architecture and historic buildings, as more particularly set forth in the application, at an estimated cost of \$10,000, would be a very productive and worthwhile activity, and should be done before the passage of time changes and forever diminishes these important vestiges of our history; and

WHEREAS, said survey is also intended as guiding the preservation of these important historical assets.

THEREFORE, BE IT RESOLVED, that approval is hereby given to proceed with making application for a grant for the above purpose, with the understanding that the Village will fund up to 40% in cash or equivalent of the direct cost if any; and

BE IT FURTHER RESOLVED, given Local Law No. 1 of 2019 and that the combination of the Historic Preservation Commission and Parks Commission into the Historic Preservation and Parks Commission (HPPC) is in the offing, that this application be construed as likewise from the HPPC, as a function of the timing of the same.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

**Resolution No. 19 - 030**

Village of Montebello

Title: Approval of Minutes for February 26, 2019

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

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, motion carried 3 – 0, Trustee Golden abstained.

**Public Comment:**

Mr. Alan Goldberg of 10 W. Ryan Mansion Drive, Montebello wished to discuss with the Mayor and the Board the age limit of 55 /45 that exists at the Rio Vista Condominiums. He has resided at Rio Vista for about one year and claims that the age restriction is hurting his resale value. He states that neighbors who were selling their condo had a buyer that had a college age child and was not allowed to move in because of the age restriction. Mr. Goldberg also stated that older persons could not have live in assistance that was under 45 years of age. He stated that it is a hardship.

Mayor Millman responded that when Rio Vista was in inception, there were very long discussions that lasted almost two years with the builders and interested residents. He stated that they took many factors into consideration before making the over 55 community, one of which was the school bus traffic so close to the school. This was set up for people who moved from large homes and wanted a higher end, peaceful community, without teenagers and cars and parties. Originally 55/55 was set. 55/45 was later requested as well as a change to condo status which halved the taxes. Mayor Millman stated all persons who purchased a Rio Vista Condominium were well aware of the rules of the association and Local Law before their purchase. Mayor Millman stated that the residents and buyers wanted the age restriction in the development, and all knew the restrictions before they purchased. Mr. Goldberg acknowledged knowing the rules when he purchased one-year ago.

Village Attorney Berbit and the Mayor discussed the discussions that went on at the beginning of the project regarding the age restriction of 55 /55 and the rules and the reduction of the second age. Mr. Berbit confirmed the Mayor's report that the Village made a concession when it reduced the second age with the Developer and Homeowners Association, and also to change the way the ownership was designated which greatly lowered real property taxation. He stated that the Homeowners Association spoke with one voice that stated they want the 55 / 45 rules enforced and that this Covenant has been included with all Deeds and filings with the State. The owners and HOA have wanted the 55/45 rule strictly enforced. He disagreed that such projects were ordinarily all 55/18, which would obviate the exclusivity that the buyers wished for. He also pointed out that underage visitations are allowed for up to 30 days continuously, not to exceed 60 days in a year. He also mentioned that with adequate medical support, a caregiver's age might be an exception.

Diane Ravner of 10 W. Ryan Mansion Drive, Montebello, spoke and stated that life circumstances should allow the 55/45 Local Law to be changed. She echoed Mr. Goldberg's comments.

She also stated that she would not like to have any type of school purchase the Mansion as it would be disruptive.

The Board stated that the Mansion is a historic building covered by the Comprehensive Plan and our Zoning Law, and to refer to them to see what type of restrictions and land use it may have.

The Mayor congratulated Trustees Caridi and Kuperman who were re-elected.

The Mayor noted on the agenda is appointing HPPC members and that Ad-Hoc members who act as a member shall remain on the project until its completion. The Village Attorney pointed out that with nine members it is likely that the ad-hocs would be quite busy.

Arbor Day Tree Planting will not be addressed as Village Hall has only received one bid on the tree since the nurseries are not open yet. This will be added to the April 17<sup>th</sup> Board Meeting.

### **Old / New Business**

- Highway Department

Discussion: The Mayor stated that he, the Village Attorney and the Village Clerk-Treasurer were in constant contact with the Town of Ramapo in order to have the Highway Contract readjusted if the average village contract per mile charged was less than per the 2018-2019 Contract. He stated that all contracts have been received except for one and that the Town will be forwarding it as soon as they locate it. Other than that, the new calculations appear to cause a substantial reduction in the monthly highway charges which the Village Attorney confirmed.

- Justice Court Grant

Discussion: The Mayor stated the Village has received a grant from JCAP for a walkthrough metal detector. He stated that there are several factors that need to be addressed before the Village can decide if it will accept same; one of which is the insurance companies response to Court Attendant questions as this appears to double the number of Court Attendant from one to two. The Mayor stated that he is also waiting to hear from the Judges regarding the metal detector.

- Updated Tree Permit Applications

Discussion: The Mayor stated that the Village is currently working on streamlining the Tree Permit and is including on the permit the new fee and fine schedule. The Mayor advised the Board to review the sample and to discuss at the next board meeting in April when we will have a resolution to amend the fines.

- Shade Trees

Discussion: The Mayor stated that the Village was working on a list of Shade Trees that need to be replaced and that it is working on pricing trees.

- New York Class

Discussion: The Mayor stated that the fund is responding very nicely and we look forward to reviewing the progress in the coming months.



At 9:16 PM, Trustee Kuperman made a motion to adjourn the meeting, seconded by Deputy Mayor Caridi. Vote carried unanimously.

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Joan Will, Village Clerk - Treasurer