

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY APRIL 17, 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 Melanie Golden Steven H. Beldock Evan T. Kuperman	Mayor Trustee Trustee Trustee
Absent:	Stacy Caridi	Deputy Mayor
Others Present:	Warren Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

Mayor’s Report:

Mayor Millman reminded everyone that the Village Board Meetings are currently being held at the Senior Center at Village Hall while the Dr. Jeffrey Oppenheim Community Center is undergoing repairs since the February broken pipe. He stated that the insurance company, adjusters, and now contractors are hard at work getting the facility back open.

The Mayor stated that pothole repair within the Village has already started and if you have a pothole that needs repair, you can contact either Village Hall or the Town of Ramapo Highway Department and notify them. He also requested that if you see any leaning or falling trees or limbs that you contact us as well.

The Memorial Day Remembrance Ceremony will be held on Sunday, May 26th at 9 am on the front lawn of Village Hall. All are welcome to attend.

The Mayor stated that at the June 19th Board meeting, we will be honoring the Montebello Students graduating in the top 10 percent from Suffern High School. It is a very special meeting where the brightest students come and receive acknowledgement of their success.

The Mayor wished to thank the Town of Ramapo Police Department who always stop by at Village meetings and for sending the bike patrol through the Kathryn Gorman Ponds Park. He very much appreciates their efforts.

Historic Preservation and Parks Commission:

The Mayor stated that the first meeting of the newly joined Historic Preservation and Parks Commission will be held on Wednesday, April 24, 2019 at 8:00 pm at the Senior Center located at 1 Montebello Road.

Public Comment:

Brett and Stefanie Cotter of 47 Mayer Drive wished to speak about the parking situation in front of their house. They state that overflow parking from his neighbors, Rabbi Gancz, block his driveway impeding his family from safely entering and exiting his driveway. He states that there have been two accidents because of this problem already. He is notifying the Board that he would like to have a firm resolution to the problem. He suggested that the Village install No Parking signs to deter parking on which he and the Rabbi are in agreement. He would like the Village's assistance on handling the situation.

Mayor Millman stated that he is very much aware of the situation and the Village is looking into same. However, the proposed solution, selective No Parking, would ignore hundreds of the same situations around the Village.

Village Attorney Berbit stated that he has a few thoughts for solutions and would like to investigate prior the stating them to anyone. Furthermore, if they involve affirmative action by the Rabbi, different than proposed, he should be in on the discussion.

Mayor Millman would like the Village Engineer to take a look at the area and see if he has any suggestions. He stated that he would get back to the Cotter's with more information once we more fully know and understand.

Student Question:

Nicole Iemma from 4 Coe Farm Road asked why it was so hard to make a left hand turn from Mile Road onto Viola Road. She stated that there is a large obstruction of a rock or bush which makes it difficult to make a safe left turn. She asked if a stop sign could be placed on Viola Road or some other solution to make travel in that area safer. Mayor Millman thanked her for her very insightful question and stated that the problem will be looked into.

Resolution No. 19 - 031

Village of Montebello

Title: Appointment of Deputy Mayor

WHEREAS, the appointment of Stacy Caridi as Deputy Mayor ordinarily expires with this meeting, but is to be construed as continuing until a successor is appointed and sworn,

WHEREAS, due to her re-election in March, Stacy Caridi needs to be sworn in as successor trustee to herself, but, circumstantially, she is unavailable being overseas.

THEREFORE, BE IT RESOLVED, that Stacy Caridi be and hereby is construed as continuing in office for the foregoing reasons, and then is to be considered reappointed Deputy Mayor of the Village of Montebello until the next reorganizational meeting of April 2020 once she signs the oath of office.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 032

Village of Montebello

Title: Master Reorganizational Resolution

BE IT RESOLVED, that all organizational resolutions 19-033 through 19-053 are hereby approved in one master reorganizational resolution.

Motion: Trustee Golden

Second: Trustee Beldock

Resolution: 19 - 033

Village of Montebello

Title: Appointment Village Clerk - Treasurer

WHEREAS, the Mayor hereby reappoints Joan Will as Village Clerk - Treasurer.

THEREFORE, BE IT RESOLVED, that Joan Will is hereby reappointed Village Clerk-Treasurer for the Village of Montebello pursuant to the Village Law of the State of New York until the next reorganizational meeting of April 2020.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 -034

Village of Montebello

Title: Appointment of Deputy Village Clerk

WHEREAS, the appointment of Louise Renud as Deputy Village Clerk expires with this meeting.

THEREFORE, BE IT RESOLVED, that Louise Renud be and hereby is appointed Deputy Village Clerk for the Village of Montebello pursuant to the Village Law of the State of New York until the next reorganizational meeting of April 2020.

Motion: Trustee Golden

Second: Trustee Beldoc,

Upon vote, the Resolution carried unanimously.

Resolution No. 19-035

Village of Montebello

Title: Appointment Village Attorney

WHEREAS, the appointment of Warren E. Berbit as Village Attorney expires with this meeting.

THEREFORE, BE IT RESOLVED, upon the recommendation of the Mayor, that Warren E. Berbit be and hereby is reappointed Village Attorney for the Village of Montebello until the next reorganizational meeting of April 2020, or as soon thereafter as a successor can be appointed.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 036

Village of Montebello

Title: Appointment Deputy Village Attorney

WHEREAS, the appointment of Alyse Terhune as Deputy Village Attorney expires with this meeting.

THEREFORE, BE IT RESOLVED, upon the recommendation of the Mayor, that Alyse Terhune be and hereby is reappointed Deputy Village Attorney for the Village of Montebello until the next reorganizational meeting of April 2020, or as soon thereafter as a successor can be appointed.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 – 037

Village of Montebello

Title: Appointment Assistant Deputy Village Attorney

WHEREAS, the appointment of Elizabeth Cassidy as Assistant Deputy Village Attorney expires with this meeting.

THEREFORE, BE IT RESOLVED, upon the recommendation of the Mayor, that Elizabeth Cassidy be and hereby is reappointed Assistant Deputy Village Attorney for the Village of Montebello until the next reorganizational meeting of April 2020, or as soon thereafter as a successor can be appointed.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 038

Village of Montebello

Title: Appointment of Assistant Village Attorney (Golland)

WHEREAS, the Mayor recommends that Jay Golland, Esq. continue in the position of Assistant Village Attorney to work with the Village Attorney on prosecutions.

THEREFORE, BE IT RESOLVED, that Jay Golland be and hereby is reappointed as an Assistant Village Attorney for the purpose of handling prosecution of violations under the direction of the Village Attorney, for a term to expire at the reorganizational meeting in April 2020 or as soon thereafter as a successor can be appointed, but with the Village Board reserving the right to end the appointment sooner, compensation to be \$150.00 per hour for in court time, and \$125.00 for preparation time.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 039

Village of Montebello

Title: Appointment of Assistant Village Attorney for Prosecutions (Yodowitz)

WHEREAS, the Mayor recommends that Robert Yodowitz continue in the position of Assistant Village Attorney to work with the Village Attorney on prosecutions for the Justice Court.

THEREFORE, BE IT RESOLVED, that Robert Yodowitz be reappointed as an Assistant Village Attorney for the purpose of handling the Village’s traffic related prosecutions of violations under the direction of the Village Attorney, until the next reorganizational meeting in April 2020, or as soon thereafter as a successor can be appointed, but with the Village Board reserving the right to end the appointment sooner, compensation to be \$150.00 per hour for in court time, and \$125.00 for preparation time.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 040

Village of Montebello

Title: Appointment of Clerk to Planning & Zoning Boards – Regina Rivera

WHEREAS, the appointment of Regina Rivera as Clerk to the Planning Board and Zoning Board of Appeals expires with this meeting.

THEREFORE, BE IT RESOLVED, that Regina Rivera be and hereby is reappointed Clerk to the Planning Board and Zoning Board of Appeals until the next reorganizational meeting of April 2020.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19-041

Village of Montebello

Title: Appointment of Justice Court Clerk

WHEREAS, the appointment of Raquel Diaz as Justice Court Clerk expires with this meeting.

THEREFORE, BE IT RESOLVED, that Raquel Diaz be and hereby is reappointed as Justice Court Clerk for the Village of Montebello at an hourly rate of \$21.00, until the next reorganizational meeting of April 2020.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 042

Village of Montebello

Title: Appointment of Chairman to the Planning Board

WHEREAS, the Mayor recommends the reappointment of Anthony Caridi as Chairman to the Planning Board for a term of one year to expire at the reorganizational meeting of April 2020.

THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Mayor, said appointment be and hereby is extended as Chairman for a one-year term or until the Annual Meeting of April 2020.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19-043

Village of Montebello

Title: Appointment of Planning Board Member

WHEREAS, the Mayor recommends the reappointment of Jane Burke to the Planning Board for a five-year term to expire at the reorganizational meeting of April 2024.

THEREFORE, BE IT RESOLVED, that Jane Burke be and hereby appointed to the Planning Board, term to expire at the reorganizational meeting of April 2024.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19-044

Village of Montebello

Title: Appointment of Chairman to the Zoning Board of Appeals

WHEREAS, the Mayor recommends the reappointment of Rodney Gittens as Chairman to the Zoning Board of Appeals for a one-year term to expire at the reorganizational meeting of April 2020.

THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Mayor, said appointment be and hereby is extended as Chairman for a one-year term, or until the Annual Meeting of April 2020.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 045

Village of Montebello

Title: Appointment of Zoning Board of Appeals Member

WHEREAS, the Mayor recommends the reappointment of Janet Gigante to the Zoning Board of Appeals for a five-year term to expire at the reorganizational meeting of April 2024.

THEREFORE, BE IT RESOLVED, that Janet Gigante be and hereby appointed to the Zoning Board of Appeals term to expire at the reorganizational meeting of April 2024.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19-046

Village of Montebello

Title: Appointment of Ad-Hoc Member to the Zoning Board of Appeals

WHEREAS, the Mayor recommends the appointment of Samuel Diaz as an Ad-Hoc Member of the Zoning Board of Appeals term to expire April 2021.

THEREFORE, BE IT RESOLVED, that Samuel Diaz be and hereby is appointed as Ad-Hoc Member of the Zoning Board of Appeals, term to expire at the reorganizational meeting of April 2021.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19-047

Village of Montebello

Title: Appointment of Ad-Hoc Member to the Zoning Board of Appeals

WHEREAS, the Mayor recommends the appointment of Elizabeth Dugandzic as an Ad-Hoc Member of the Zoning Board of Appeals term to expire April 2021.

THEREFORE, BE IT RESOLVED, that Elizabeth Dugandzic be and hereby is appointed as Ad-Hoc Member of the Zoning Board of Appeals, term to expire at the reorganizational meeting of April 2021.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19-048

Village of Montebello

Title: Appointment of the Village Historian

WHEREAS, the appointment of Craig Long as the Village Historian expires with this meeting.

THEREFORE, BE IT RESOLVED, that Craig Long be and hereby is reappointed Village Historian for the Village of Montebello until the next reorganizational meeting of April 2020 with an annual stipend of \$800.00.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 049

Village of Montebello

Title: Appointment of Associate Village Justice

WHEREAS, the Mayor recommends the reappointment of Karen Riley as Associate Village Justice until the next reorganizational meeting of April 2020.

THEREFORE, BE IT RESOLVED, that Karen Riley be and hereby is appointed as Associate Village Justice, until the next reorganizational meeting of April 2020.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 050

Village of Montebello

Title: Appointment of Court Officers

BE IT RESOLVED, that Robert Nesi and Brian Block are hereby reappointed as Court Officers at a rate of \$20.00 per hour.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 051

Village of Montebello

Title: Building Inspector as Independent Contractor

WHEREAS, the Village’s Building Inspector, Larry Picarello, is currently employed by the Village of Montebello; and

WHEREAS, Larry Picarello has continued to provide services to the Village for 3 hours per day, 3 days per week, or as needed as a part-time Building Inspector, it being understood that such is as an independent contractor at a fixed hourly rate, without benefits, said rate of \$66.15/hour, hereby set by mutual agreement.

THEREFORE, BE IT RESOLVED, that, Larry Picarello is retained as an independent contractor to provide Building Inspector services at an hourly rate of \$66.15/hour, without benefits, for approximately 9 hours/weekly, Mr. Picarello to set his exact hours in his judgement as he deems necessary to service the Village.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 052

Village of Montebello

Title: Appointment of Fire Inspector P/T

WHEREAS, Adam Gordon, who is presently a P/T Fire Inspector for the Village of Montebello.

THEREFORE, BE IT RESOLVED, that Adam Gordon be reappointed as Fire Inspector (P/T) for a term to expire at the reorganization meeting in April 2020, or as soon thereafter as a successor can be appointed, but with the Village Board reserving the right to end the appointment at any time, compensation to be at \$22.49 per hour, not to exceed 10 hours per week or as necessary.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 053

Village of Montebello

Title: Appointment of Code Enforcement Officer P/T

WHEREAS, Sean Tichenor, who is presently the P/T Code Enforcement Officer for the Village of Montebello.

THEREFORE, BE IT RESOLVED, that Sean Tichenor be reappointed as Code Enforcement Officer (P/T) for a term to expire at the reorganization meeting in April 2020, or as soon thereafter as a successor can be appointed, but with the Village Board reserving the right to end the appointment at any time, compensation to be at \$23.00 per hour, not to exceed 10 hours per week or as necessary.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 054

Village of Montebello

Title: Designation of Official Depository

BE IT RESOLVED, that Sterling National is hereby designated as the official depository for Village funds and that TD Bank, JP Morgan Chase and New York Class are also approved as Village Depositories.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 055

Village of Montebello

Title: Designation of Official Signatories

BE IT RESOLVED, that assuming prior authorization is required by law, any two of the following Village Officers shall be authorized for and on behalf of the Village to make and sign checks, drafts, or other orders with respect to any funds at any time to the credit of the Village with any official depository for Village funds and against any demand savings account or accounts of the Village maintained at any time with any such official depository: Village Clerk-Treasurer, the Mayor or in his absence, the Deputy Mayor.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 056

Village of Montebello

Title: Designation of Official Village Newspaper

BE IT RESOLVED, the Journal News is hereby designated as the official Village newspaper for publication of all legal notices and information pertaining to the Village of Montebello.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 057

Village of Montebello

Title: Appointment of Registrar and Deputy Registrar

BE IT RESOLVED, the Village Clerk/Treasurer, Joan Will, be and hereby is appointed as Registrar of Vital Statistics, effective April 17, 2019 until the Reorganization meeting in April 2023, as provided by law, provided she continue in her respective Village position.

Motion: Trustee Kuperman

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

Resolution No. 19-058

Village of Montebello

Title: Appointment of Deputy Registrar of Vital Statistics

BE IT RESOLVED, the Deputy Clerk, Louise Renud, be and hereby is appointed as Deputy Registrar of Vital Statistics, effective April 17, 2019 until the Reorganization meeting in April 2020, as provided by law, provided she continue in her respective Village position.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 059

Village of Montebello

Title: Arbor Day Tree Planting

WHEREAS, as consistent with the Village's past practice of honoring Arbor Day, the Village Clerk-Treasurer explored proposals from vendors for a Red Crimson Maple tree to be planted at the Warren Berbit Preserve with a minimum caliper of 4.5", and the following were received:

Vendor	Tree Proposal	Price Quote
J. Krokus Nursery	Green Mountain Sugar Maple – 1 ¾" to 2" caliper – 12 Feet tall – Delivered and Installed – Guaranteed for 1 year from date of install	Not installing trees anymore
Belleville Landscaping	Red Crimson Maple – 4.5" caliper Installed in top soil and covered in mulch – Planted with 6 month warranty	\$710.00

; and

THEREFORE, BE IT RESOLVED, that authorization is hereby granted to expend the sum of \$710.00 from the Shade Tree Fund to acquire and plant a Red Crimson Maple tree on the grounds of Warren Berbit Preserve as more particularly set forth in the proposal of Belleville Landscaping dated April 15, 2019, referred to as if fully set forth hereinafter, such meeting the caliper requirement.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, motion carries unanimously.

Title: Arbor Day 2019

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Lance N. Millman, Mayor of the Village of Montebello, do hereby proclaim April 26, 2019 as **ARBOR DAY** in the Village of Montebello, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Motion: Trustee Kuperman

Second: Trustee Golden

Upon vote, motion carried unanimously.

Resolution No. 19 - 061

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 April 17, 2019, and totaling \$32.25 is hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

Resolution No. 19 - 062

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated April 17, 2019, and totaling \$72,259.23 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Kuperman

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

Resolution No. 19-063

Village of Montebello

Title: Approval of Minutes for March 20, 2019

BE IT RESOLVED, the minutes of the Board of Trustees of March 20, 2019 be and are hereby approved.

Motion: Trustee Beldock

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

Resolution No. 19 - 064

Village of Montebello

Title: Scheduling Public Hearing to Amend Chapter 176 (Tree Preservation and Landscape Maintenance)

WHEREAS, in the context of revising the Tree Removal Permit Application, it was ascertained that §176-7, Penalties for Offenses, of Chapter 176 had not been updated in a number of years, making the statutory fine schedule insufficient to act as a deterrent, and also insufficient to cover the administrative costs of prosecuting offenses; and

WHEREAS, rather than having to amend said Chapter by having to hold a public hearing whenever there is a need to consider amending said Fine Schedule, the Village Attorney recommends instead amending said Chapter to henceforth permit amending said Fine Schedule by Resolution of the Village Board; and

WHEREAS, the Prosecuting Assistant Village Attorney agrees with this approach; also wishing to confirm that the stated fines are considered the upper limit to allow latitude to the Prosecutor and the Court, in order to differentiate between various levels of culpability in setting fines.

THEREFORE, BE IT RESOLVED as follows:

1. That the Village Attorney is directed to draft a proposed amendment to Chapter 176, by virtue of Local Law No. 2 of 2019, to accomplish the above purpose, with sufficient timing to allow same to be noticed and heard at the May 15, 2019 Regular Meeting of the Village Board; and

2. That the Village Attorney is likewise directed to draft the associated Notice of Public Hearing, and the Village Clerk-Treasurer directed to publish and post same, and to make proposed Local Law No. 2 of 2019 available in a timely basis to the Trustees and the public.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, motion carried unanimously.

Resolution: 19- 065

Village of Montebello

Title: Rebuild Backflow Preventer at Village Hall

WHEREAS, the backflow preventer at Village Hall was tested per requirement of Suez Water; and,

WHEREAS, the testing done by the certified backflow prevention installer recommended by Suez Water failed and needs to be repaired; and

WHEREAS, proposals were sought from several plumbing contractors to perform said work, yielding the following proposals:

Vendor		Price Quote
Schlissel Plumbing	Rebuild 1” backflow preventer complete – device will be tested again after repair at no charge with all test forms then sent to water company and Health Department – this should last 5 years	\$300.00
Ken Malone Plumbing & Heating	Install backflow preventer 1 inch turn on and check for leaks – labor and materials	\$650.00

(see proposals for more information); and

WHEREAS, after discussing the different proposals with the Village Engineer and he is contacting both vendors to discuss same, the proposals as outlined the best and most economical choice, is Schlissel Plumbing, at a total cost of \$300.00.

THEREFORE, BE IT RESOLVED, that the proposal of Schlissel Plumbing, for a total cost of \$300.00 which will include the repairing and retesting of the backflow preventer, the expenditure of which for these purposes is hereby approved.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, motion carries unanimously.

Resolution No. 19-066

Village of Montebello

Title: Establishing a Standard Work Day for Retirement System Purposes

BE IT RESOLVED, that the Village of Montebello Location Code 40575 hereby confirms establishing 6 hours per day as the standard work day for Elected and Appointed Officials and will report days worked to the New York State and Local Employees’ Retirement System based on the time keeping system records or the record of activities maintained and

submitted by these officials to the clerk of this body, as based upon said standard work day in accordance with Regulation 315.4 of the New York State & Local Retirement System; and

BE IT FURTHER RESOLVED, that all Elected and Appointed Officials that are presently members of the New York State & Local Retirement System, shall have days worked reported on the monthly report, set as per the attached Form RD2417-A, and shall include the term of office and expiration for each elected and appointed official.

BE IT FURTHER RESOLVED, that upon adoption, this Resolution shall be posted on the Village's website for 30 days and the Village Clerk shall submit an affidavit of posting and a copy of the Resolution to the Office of the State Comptroller within 45 days of adoption.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

Resolution No. 19-067

Village of Montebello

Title: Declaring Remediation Work at Dr. Jeffrey Oppenheim Community Center as Emergency

WHEREAS, significant damage was caused to the Dr. Jeffrey Oppenheim Community Center (DJOCC) on or about February 5, 2019, especially to the main meeting room and the Judge's Chambers, by virtue of a heating pipe having burst and consummate flooding over a period estimated to be about 2 days until detected; and

WHEREAS, the extent of the damage could not be fully ascertained, or further damage prevented, until the walls were opened, burst pipe repaired, shorted electrical devices replaced, carpeting lifted, and sodden materials removed and remaining materials dried, especially since such created conditions conducive to mold growth and other forms of deterioration; and

WHEREAS, the Village does not have full control over the situation given the necessary involvement of its insurer, and Glatfelter Claims Management (the insurance company), C.I.A. Adjusters and Investigators, Inc. (the insurance adjusters), and NY Fire Water Mold and Pennoni (a mold and remediation company), the urgent need to take the above steps guided by the above and the Village Engineer and Building Inspector, while gathering proposals to do the overall reconstruction work, as the unavailability of the meeting room and court for a protracted period has created difficulty for the Village to keep functioning, as well as to its tenant who relies on the availability of the meeting room; and

WHEREAS, despite the circumstances, the Village is doing all that it can to get the work done in a competitive environment but with careful attention to detail, especially given the complex, interwoven circumstances, balanced against getting the facility back in line as soon as possible, none of which is conducive to a formal bidding process which would delay the process much more to the detriment of the Village and its tenant; and

WHEREAS, in the circumstances, and the urgent need for the facilities, and that work could only be accomplished with one independent phase leading to the next, and the controlling involvement of the insurer and its adjuster, the Village Attorney reports his opinion that declaration of an emergency pursuant to GML §103(4) is appropriate and necessary in the circumstances, thus obviating the need for more formal bidding process pursuant to GML§103.

THEREFORE, BE IT RESOLVED, for the reasons outlined above, that an emergency be and hereby is declared pursuant to GML §103(4), thus obviating the need for a more formal bidding process, and with the approval of the Insurer (and its adjuster) who is covering the cost less \$2,500 deductible, that the following contractors have been accepted to perform the necessary work, such being ratified, time being of the essence, as follows, after such offered estimates that comply with municipal guidelines:

- Ken Malone Plumbing & Heating, Inc. – 234 Old Mill Road – West Nyack, NY on an emergency call out for immediate remediation of water flowing and all subsequent plumbing and heating issues as they arose at the facility.
- Pennoni – 31 West 34th Street - New York, NY, a mold company, to test the facility air quality.
- Construct-rite, Inc. – 12 Adams Lane – Suffern, NY, among the three proposals received to rebuild/restore the facility, with only it having submitted a proposal meeting all technical requirements, plus meeting prevailing wage requirements, which the others did not do, at an estimated cost of about \$49,087.50 (see proposal dated April 1, 2019) for all reconstruction and painting work necessary to completely restore the premises.
- Valvo Electric – 50 Fairmont Avenue – Haverstraw, NY, was called on an emergency basis to inspect the facility after the flood and to address all subsequent water derived electrical issues as they arose at the facility.
- AirDuct Brothers – 291 Maple Avenue – Wallington, NJ, was called in to clean the ducts of mold following the flooding condition.
- Hi-tech Security Services, Inc. – PO box 428 – Suffern, NY, the Village's security company, responded to an emergency call out to handle the issues the flood had on the security system and all subsequent security issues as they arose at the facility.
- Delaney Computer Services, 575 Corporate Drive – Mahwah, NJ, the Village's IT company, responded to an emergency call out to handle the computer and IT issues that arose following the flood and all other subsequent issues and repairs necessary to repair the facility.
- NY Fire Water Mold was called on an emergency call out to remove the water and debris from the flood and whose payments will be covered directly from the insurance carrier.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

Public Comment:

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

Old / New Business:

- A “Bear in the Area” warning sign has been installed at the Dr. Jeffrey Oppenheim Community Center after several sightings have been made near the dumpster. The dumpster has also been repaired and the tenants have been asked not to leave any trash or boxes on the exterior of the dumpster.
- A thank you letter has been sent to the McCavitt Family for their generous donation of a historic picture of Pine Tree Farm that is now hanging in Village Hall.
- Discussions were made regarding speakers for Memorial Day.

At 9:02 PM, Trustee Beldock made a motion to enter into Executive Session to discuss legal matters and personnel matters. Seconded by Trustee Golden. Vote carried unanimously.

At 9:33 PM, Trustee Beldock made a motion to exit Executive Session, seconded by Trustee Kuperman. Vote carried unanimously.

Resolution No. 19 – 068

Village of Montebello

Title: Approval to Purchase Walk -Through Metal Detector

WHEREAS, the Village of Montebello has received a grant through the Justice Court Assistance Program in the amount of \$2,595 for the purchase of a walk-through metal detector; and

WHEREAS, the Associate Village Justice wrote a letter to the Mayor and the Board of Trustees stating the importance of security in the courtroom; and

WHEREAS, the Board recognizes the need for additional personnel to operate the walk-through metal detector.

THEREFORE, BE IT RESOLVED, for reasons of safety and security, the Mayor and the Board of Trustees are authorizing the purchase of a walk-through metal detector which was

received under grant money from the Justice Court Assistance Program and the hiring of additional court attendants that will be necessary to properly operate the machine during court, representing an estimated extra cost of about \$500 to \$600 per annum.

Motion: Trustee Kuperman

Second: Trustee Golden

Upon vote, motion carried unanimously.

At 9:34 PM, Trustee Kuperman made a motion to adjourn the meeting, seconded by Trustee Golden. Vote carried unanimously.

Joan Will, Village Clerk - Treasurer