

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, AUGUST 12, 2020 VIA TELECONFERENCE ZOOM MEETING. THE MEETING WAS CALLED TO ORDER AT 7:30 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
Other:	Warren E. Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

### **Mayor's Report:**

Mayor Millman read the following statement:

**PLEASE TAKE NOTICE**, on March 12, 2020 and in response to the current COVID-19 virus emergency, Governor Andrew Cuomo issued Executive Order 202.1 that suspended the Open Meetings Law requirement to hold in public in-person meetings and allowed official meetings to be held via telephone conference or similar technologies.

**PLEASE TAKE FURTHER NOTICE**, that the public may access the teleconference recording on Wednesday, August 12, 2020 at 7:30 pm by joining our ZOOM Meeting. Links to gain access have been posted to our website [www.villageofmontebello.com](http://www.villageofmontebello.com). Please note the rules for public participation are as follows:

- 1 – the public is allowed to view and listen to the Board of Trustees meeting live via Zoom.
- 2 – if the public wishes to make a comment or has a question, they were asked to send their questions into the Village Clerk at [villageclerk@villageofmontebello.com](mailto:villageclerk@villageofmontebello.com) prior to the start of tonight's meeting.
- 3 – all participants of this meeting will be muted.

**PLEASE TAKE FURTHER NOTICE** that a copy of this Board of Trustees meeting link and agenda have been available on our website @ [www.villageofmontebello.org](http://www.villageofmontebello.org) and the minutes of this meeting will be available to the public and the public will be given additional opportunity to make comments at that time.

**AS A REMINDER TO EVERYONE** that this meeting is being recorded and posted to our website. In order for each of the Board of Trustees to be heard, please make sure only one person speaks at a time so that there will be an understandable recording.

Mayor Millman reported that Tropical Storm Isaias hit the Village of Montebello and the County of Rockland pretty hard. The village reported 40 – 50% of the residents had no power at the worst time. The Mayor had daily conference calls with Orange and Rockland and the other Mayors and Supervisors from the County in order to keep informed of their progress and we advised them that the Village of Montebello always seemed to last to be restored with power. Our relentless Deputy Mayor pursued the outages with Orange and Rockland and our other Trustees, Village Hall Staff, and Professionals assistance whose efforts were extremely helpful in assisting the residents. Special thanks again to Deputy Mayor Caridi for all her efforts. Chief Weidel of Town of Ramapo Police Department and Supervisor Michael Specht of the Town of Ramapo also informed Orange and Rockland of the vast outages in our village.

Mayor Millman advised that after speaking with the County Executive Ed Day and the other Mayors and Supervisors that no one had a direct number to Altice / Optimum for government use regarding disasters and outages. The Mayor was assured that the County Executive's office would pursue this matter and advise the Village with the contact information.

Mayor Millman advised that any resident that had an outage of more than 48 hours can file a claim with Orange and Rockland for spoilage of food and / or medications. He advised filing

the claim quickly. The website is [www.oru.com](http://www.oru.com). The Village will also be filing claims for damages to Village owned property from the storm. The Kathryn Gorman Ponds Park sustained damage to the fencing and downed trees. We are currently preparing a list of our other facilities with the help of our Village Engineer.

Mayor Millman stated that our village Newsletter will be out shortly after the updates have been made.

Mayor Millman reminded the residents to fill out the CENSUS form. Remember that this means money for villages. The deadline has been moved to September so please fill out your Census form.

Mayor Millman noted that there are pink ribbons on trees on Mile Road. The trees are marked for removal by Orange and Rockland. At this time we have requested that our Village Engineer take a look at the trees and discuss with the Board and Orange and Rockland which of the trees are necessary to be removed. He stated that Mile Road is a beautiful vista of trees that should not be disturbed, unless it is absolutely necessary in the case of Ash Trees that need removal.

### **Building Department Report:**

The following is the Building Department Report for the month of July 2020 was incorrectly attached. The July report will be added to the September agenda.

### **Public Comment**

With no one from the public wishing to speak even though there were people in attendance, Mayor Millman closed this portion of the meeting.

### **Historic Preservation and Parks Commission (HPPC)**

No one from HPPC was in attendance and no report submitted, Mayor Millman closed this portion of the meeting.

### **Resolution No. 20 – 089**

**Village of Montebello**

#### **Title: Approval of Minutes for July 15, 2020**

BE IT RESOLVED, the minutes of the Board of Trustees of July 15, 2020 be and are hereby approved.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

### **Resolution No. 20 – 090**

**Village of Montebello**

#### **Title: Approval of Abstract & Schedule of Claims**

BE IT RESOLVED, the Abstract and Schedule of Claims dated August 12, 2020, and totaling \$553,098.24 is hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

Village Attorney Berbit stated that the abstract may seem higher but noted that 12 roads were paved within the Village at a sum of \$463,000 which Mayor Millman stated was a preapproved BAN amount.

**Resolution No. 20 - 091**

**Village of Montebello**

**Title: Approval of Abstract & Schedule of Claims – Professional Fees**

BE IT RESOLVED, the Abstract and Schedule of Claims-Professional Fee dated August 12, 2020 for Professional Fees, and totaling \$30,096.90 is hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 20 - 092**

**Village of Montebello**

**Title: ADOPTION OF LOCAL LAW NO. 3 OF 2020 AMENDING §195-60 OF THE VILLAGE CODE, REDUCING THE AT-LARGE MEMBERS OF THE HISTORIC PRESERVATION PARKS COMMISSION (“HPPC”) FROM NINE (9) TO SEVEN (7)**

WHEREAS, a Public Hearing was opened by ZOOM on August 12, 2020 on proposed Local Law No. 3 of 2020 entitled:

Local Law No. 3 of 2020: LOCAL LAW NO. 3 OF 2020 AMENDING CHAPTER 195-60 SUBSECTION C OF THE VILLAGE CODE, REDUCING THE AT-LARGE MEMBERS OF THE HISTORIC PRESERVATION PARKS COMMISSION (“HPPC”) FROM NINE (9) TO SEVEN (7)

; and

WHEREAS, the Village Attorney concluded that due notice was given after questioning the Village Clerk on the record hereat and ascertaining that the following Legal Notice was published in the Journal News on August 2, 2020 and was posted on July 31, 2020 at 7 places that were opened due to Covid, and that said Notice and the versions of said Local Law before us this evening were provided to the Trustees and made available to the public on August 3, 2020 and were posted at 7 places, published on the Village’s website, and notices were hand affixed to the doors of the meeting room:

**NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a Public Hearing will be held on Wednesday, August 12, 2020, beginning at 7:30 p.m. or as soon thereafter as the matter can be heard via ZOOM, to consider adopting Local Law No. 3 of 2020, a Local Law amending Chapter 195-60 Subsection C of the Village Code to Reduce the At Large Members of the Historic Preservation and Parks Commission (HPPC) from Nine (9) to Seven (7) Members. The final draft version of the Local Law will be available no later than ten (10) days before the actual hearing date.

All interested parties are invited to attend. The Local Law will be available for inspection and review at the Village Office during normal working hours, Monday through Friday, 9:00 a.m. to 4:00 p.m. as well as on the Village of Montebello website [www.villageofmontebello.org](http://www.villageofmontebello.org)

Joan Will  
Village Clerk - Treasurer  
Village of Montebello  
One Montebello Road  
Montebello, NY 10901  
(845) 368-2211

Warren E. Berbit  
Village Attorney  
July 15, 2020

WHEREAS, at the request of the Mayor, the Village Attorney explained the local law; and

WHEREAS, THE Public Hearing was opened to the floor on August 12, 2020 at 7:47 pm by motion by Deputy Mayor Caridi and seconded by Trustee Kuperman, all in favor, and the Village Attorney requested first that the following be included in the Record:

1. Resolution No. 20-084 of July 15, 2020, approving holding a Public Hearing (attached)
2. Legal Notice, and Affidavit of Publishing and Posting (attached)
3. Final correspondence with General Code, in an email dated July 9, 2020 (attached)
4. Draft Local Law No. 3 of 2020; and

WHEREAS after observing the ZOOM holding room, the Village Clerk reports 2 members of the public were present, no one from the public wished to speak, motion by Trustee Beldock to close the Public Hearing, and seconded by Trustee Kuperman at 7:52 pm, all in favor.

THEREFORE, BE IT RESOLVED, after a Public Hearing and due deliberation, that said Local Law be and hereby is approved by authority of Municipal Home Rule Law §20(5) to become effective upon filing with the Secretary of State.

After deliberation the Board was polled:

Mayor Millman	-	Approve
Deputy Mayor Caridi	-	Approve
Trustee Golden	-	Approve
Trustee Beldock	-	Approve
Trustee Kuperman	-	Approve

Local Law No. 3 of 2020 approved, all in favor.

**Resolution No. 20 – 093**  
**Title: Accept Annual Justice Court Audit**

**Village of Montebello**

WHEREAS, the Village’s Justice Court commenced operation on or about June 1<sup>st</sup>, 2012, and §2019-a of the Uniform Justice Court Act (“the Act”) requires that the Village Justices annually provide their court records and dockets to the village auditing board (the Village Board), and that such records thereby be examined or audited and that fact be entered into the Minutes of the Board’s proceedings, and thereafter that such be filed with the Director of Internal Audit, NYS Office of Court Administration; and

WHEREAS, the Village’s Financial Consultant, Marvin Nyman CPA, has, under his cover of July 20, 2020, authored his analysis of the records of the Village of Montebello’s Justice Court, and the Justice Court bail records to determine adherence to court procedures and compile relevant operating data and to determine if the bail account held sufficient assets to cover the associated liability, which analysis is likewise dated July 20, 2020; both documents (hereinafter “The Reports”) referenced hereat as if fully set forth hereinafter, true copies of which shall be appended to the minutes hereof; and

WHEREAS, the Village Board has reviewed the Reports and associated records, and confirms the conclusions drawn by the Village’s Financial Consultant.

THEREFORE, BE IT RESOLVED, pursuant to the Act, as hereby entered into the Minutes of the Village Board, that said Reports be and hereby are approved after the required examination was conducted, and that the Reports and a Clerk certified completed copy of this Resolution be filed with George Danyluk, Chief Internal Auditor, NYS Office of Court Administration, 2500 Pond View-Suite LL01, Castleton On Hudson, NY 12033.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Resolution: 20 - 094**  
**Title: Appointment of Election Inspectors**

**Village of Montebello**

BE IT RESOLVED, that the Board of Trustees of the Village of Montebello does hereby appoint the following persons to serve as Election Inspectors for the upcoming Village election on a Bond Resolution to be held on September 15, 2020 in accordance with COVID operation procedures:

<u>Name</u>	<u>Address</u>
Doug Whipple	55 Church Road Airmont, NY 10952 (845) 369-7258
Stewart Rhymer	18 Crescent Drive Spring Valley, NY 10977 (845) 371-8166

BE IT FURTHER RESOLVED that their compensation be set at a rate of \$12.00 per hour or required minimum wage for Rockland County if higher.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon Vote motion carries unanimously.

Mayor Millman reminded everyone that there will be a BOND vote on September 15, 2020 at Village Hall.

**Resolution: 20 - 095**  
**Title: Updating Security System at Village Hall**

**Village of Montebello**

WHEREAS, the current security system at Village Hall has been malfunctioning; and,

WHEREAS, the Village Clerk-Treasurer contacted Hi-Tech Security Services, Inc., who installed and monitors our current system; and

WHEREAS, based on the current system being outdated and malfunctioning, the following proposal has been submitted:

<b>Vendor</b>	<b>Project Breakdown</b>	<b>Price Quote</b>
Hi-Tech Security Services, Inc.	Install system as follows – Qolsys II Touch system control panel, door transmitters, motion detectors and wireless panic alarms	\$1,375.00

; and

WHEREAS, based on the estimate as outlined the recommendation of the Village Clerk-Treasurer is to award the contract to Hi-Tech Security Services, Inc.in the amount of \$1,375.00.

THEREFORE, BE IT RESOLVED, that the proposal of Hi-Tech Security Services, Inc. be accepted at a total cost of \$1,375.00, the expenditure of which for these purposes is hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

**Resolution: 20 - 096**

**Village of Montebello**

**Title: Appointing Member to the Planning Board**

WHEREAS, the resignation of Michael Iatropoulos as a member of the Planning Board was accepted and his seat, which runs until the reorganizational meeting of April 2022 was declared as vacant; and

WHEREAS, the Mayor recommends the appointment of the current Ad-Hoc member, Howard Hochberg, to fill the vacant seat on the Planning Board for the term which ends at the reorganizational meeting of April 2022 leaving the Ad-Hoc position vacant; and

WHEREAS, the Mayor recommends the appointment of David Levine, residing at 3 Robinhood Road, as an Ad-Hoc member of the Planning Board term to expire April 2021.

THEREFORE, BE IT RESOLVED, that Howard Hochberg is hereby appointed to fill the seat vacated by Michael Iatropoulos, as Planning Board member for a term which ends at the reorganizational meeting of April 2022, and his Ad-Hoc position declared as vacant; and

BE IT FURTHER RESOLVED, upon the further recommendation of the Mayor, that David Levine be appointed as Ad-Hoc member of the Planning Board term to expire April 2021.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, the Resolution carries.

**Resolution: 20-097**

**Village of Montebello**

**Title: Adopting New Retention and Disposition Schedule for NY Local Government Records (LGS-1)**

WHEREAS, the Board of Regents adopted the final local government retention schedule (LGS-1) at its July meeting; and,

WHEREAS, the new regulations became effective for use by local governments on August 1, 2020.

THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Montebello that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed herein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) Only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein.
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

**Old and New Business:**

- Deputy Mayor Caridi stated that she is still working on making sure all the Village roads are open with especial note to East Mayor. She stated that cable is still not operable. Mayor Millman stated that he had a conversation with Supervisor Specht to make sure the highway department clears the trees.
- Mayor Millman stated that he is still working to get a cable representative and phone number.
- Deputy Mayor Caridi stated that the only homes without power are the residents that need private electrical work.
- Mayor Millman stated that he is working with Supervisor Specht to get a meeting with Orange and Rockland and the Town to discuss the confusion and long wait times in restoring power to our area.
- Trustee Golden reminded everyone to register with the Village on the website [www.villageofmontebello.org](http://www.villageofmontebello.org) to add their names to our contact list. The list will only be used for emergency notifications.

**Public Comment:**

With no one from the public wishing to speak even though they were in the waiting room, Mayor Millman closed this portion of the meeting.

Mayor Millman reminds everyone to social distance and wear a mask. Remember this will be around for a while. If you need to report an incident regarding this, please contact the Police Department.

At 8:14 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Kuperman. Vote carried unanimously.

Respectfully submitted:

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Joan Will, Village Clerk – Treasurer

NB – waiting room

Cory Berwanger  
Genevieve Krebs