

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, SEPTEMBER 16, 2020 VIA TELECONFERENCE ZOOM MEETING. THE MEETING WAS CALLED TO ORDER AT 7:30 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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|----------------------|---|--|
| 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, September 16, 2020 at 7:30 pm by joining our ZOOM Meeting. Links to gain access have been posted to our website 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 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 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 stated that things in Montebello are moving along nicely. There have been no noted violations of COVID related or mass gathering incidents.

Mayor Millman stated that the Village, by himself, the Deputy Mayor and Village Attorney, had a meeting on September 11th with the Town of Ramapo Police Department to discuss things going on within our village and asked if there were any specific areas that needed more attention. We discussed the Kathryn Gorman Ponds Park, the parking issues on Dunnigan Drive, a few minor burglaries within the area, ATV's on Regis Court, event and food giveaway traffic at the former Novartis site, and the consensus was it was a productive meeting with good understanding on both sides. We are looking into the illegal signs on Dunnigan Drive for the protection of everyone.

Building Department Report:

The following is a recap of the Building Department Report for the months of June, July and August 2020 which are attached:

June

- Sixteen building permits were filed. A total of \$6,767 in permit fees was collected.
- Four Certificates of Occupancy were issued.

- A total of \$3,653 in Fire Inspection fees was collected.
- One code violation was issued.

July

- Eleven building permits were filed. A total of \$4,080 in permit fees was collected.
- Six Certificates of Occupancy were issued.
- A total of \$1,300 in Fire Inspection fees was collected.
- Two code violations were issued.

August

- Thirteen building permits were filed. A total of \$11,652 in permit fees was collected.
- Four Certificates of Occupancy were issued.
- A total of \$5,750 in Fire Inspection fees was collected.
- Two code violations were issued.

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 amongst the HPPC members was in attendance and no report submitted, Mayor Millman closed this portion of the meeting.

Mayor Millman read a letter from past Chairperson Amy Rapoport as follows:

Dear Lance,

Thank you very much for the Proclamation and the tree that will be designated for me at Village Hall. The Proclamation was a very good description of me and my relationship with our village.

It's hard to believe I was in Montebello from its creation and the many years a making it one of the finest places to live.

I look forward to seeing the tree that you have designated for me.

Best Wishes and good health to all.

Sincerely,
Amy

Mayor Millman and the Board wish her well in her new location.

Discussion from Building Inspector

Building Inspector, Larry Picarello, brought to the Mayor and Village Board's attention a few occurrences that are increasing within the Village:

1. "No vehicle shall be parked in any required yard" – cars are parking illegally between the frontline of the street and roadway but, worse, all over the front lawn
2. "For Sale or Rent" signs – signs are being placed off the subject property such as at intersections
3. Signs are being left up, despite the requirement that they be removed after they have served their purpose

A consensus was reached to enforce no lawn parking, and to require sign removal no later than 7 days after it has served its purpose.

Presentation by Steve Kaner – Conservation Easement Relief

Mr. Steven Kaner of 7 Birdie Drive requested relief from the Conservation Easement in

order to build a pool/patio area in the rear of his yard. He acknowledged knowing about the easement when he purchased and believed he could construct the pool on his side lot, but the rear was the better location. He also indicted that part of the easement was lawn when he purchased.

Mayor Millman asked Village Attorney Berbit for a brief description of Conservation Easements. Discussions ensue. Historically, the only intrusions allowed have been to a very minor pool surveying error or for child safety fencing new busier roads/intersections. That easement from the rear of houses on Birdie Drive to Montebello Road was to shield the homes from the traffic, and to block the look of the rear of the homes intruding on the tree scape.

Village Board to review property and site in person with permission from homeowner. It will decide informally whether there is any interest in scheduling a Public Hearing.

Resolution No. 20 – 098

Village of Montebello

Title: Approval of Minutes for August 12, 2020

BE IT RESOLVED, the minutes of the Board of Trustees of August 12, 2020 be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carries unanimously.

Resolution No. 20 – 099

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated September 16, 2020, and totaling \$139,070.06 is hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

Resolution No. 20 - 100

Village of Montebello

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

BE IT RESOLVED, the Abstract and Schedule of Claims-Professional Fee dated September 16, 2020 for Professional Fees, and totaling \$15,377.05 is hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

Resolution No. 20 - 101

Village of Montebello

Title: Bond Vote Declaration

WHEREAS, by virtue of Village Board Resolution No. 20-078, the Board approved the sale of 15 year Bonds in the amount of \$1,495,000 to cover the cost of road repairs and improvements, subject to a public vote on same, on September 15, 2020; and

WHEREAS, said vote was conducted in person at the Village Hall polling place from 6 am to 9 pm, and by absentee ballot; and

WHEREAS, the inspectors of the election have tallied the results and have reported same to the Joan Will, Village Clerk-Treasurer who reports that a total of 125 valid Ballots were cast, 94 in person and 31 by absent, as follows:

In Person: Yeas: 93 Nays: 1
 Absentee: Yeas: 30 Nays: 1
 TOTALS YEAS: 123 NAYS: 2

THEREFORE, BE IT RESOLVED, there being 123 votes in favor and 2 opposed, that the authorization to sell the Bonds of the Village is hereby declared as per Resolution No. 20-078.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carries unanimously.

Roll Call

Lance Millman, Mayor Approve
 Stacy Caridi, Deputy Mayor Approve
 Melanie Golden, Trustee Approve
 Steven Beldock, Trustee Approve
 Evan Kuperman, Trustee Approve

The Mayor wished to thank everyone from the Village who took the time to come out to vote and who also took the time to vote by absentee ballot.

Resolution No. 20 - 102

Village of Montebello

Title: Village Insurance Renewal- September 7, 2020 - September 7, 2021

WHEREAS, it is prudent that the Village maintain insurance coverage for loss to property, general liability, auto, hired car-non owner auto, crime, public officials, boiler/machinery, and umbrella liability, etc., as has been covered in prior years, the coverage for which is expired on September 7, 2020; and

WHEREAS, last year competitive proposals were sought via our broker, Salerno Brokerage, such coverages remain available this year at a still optimized cost as set forth hereafter, the total cost being about \$4,579.15 higher than last year; and

WHEREAS, upon oral approval Salerno Brokerage bound up said coverage given the September 7th cut-off; and

WHEREAS, Salerno Brokerage described the proposals it received in its letter dated and received September 2, 2020 a true copy of which with attachments shall be appended to the Minutes hereof as if a part of the Resolution, as summarized as follows:

| | American Alternative |
|--|-----------------------------|
| Property, General Liability and Automobile (National Union) | \$32,764.41 |
| Public Officials/ (ACE) Employment Practices | \$7,572.00 |
| Municipal Automobile (National Union) | Included |
| Umbrella (American Alternative) | \$13,567.00 |
| Public Employees Blanket Bond (Utica) | \$504.00 |
| Cyber Insurance (ACE) | \$1,584.00 |
| Total | \$54,991.41 |

;and

WHEREAS, Salerno Brokerage recommends that said coverage be obtained as afore described in the best interest of the Village.

THEREFORE, BE IT RESOLVED, that insurance coverage as afore-described for the Village be renewed with National Union, and the associated coverages as brokered by Salerno Brokerage for the period of September 7, 2020 to September 7, 2021, at the cost of \$54,991.41, such found to be reasonable and prudent, all factors considered; and

BE IT FURTHER RESOLVED, that the terms and conditions of such insurances and undertaking shall be as set forth on the face of same, which policies and undertaking shall be considered appended to the minutes hereof as if fully set forth hereinafter.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, resolution carried unanimously.

The Mayor stated that he had a discussion with Salerno Insurance regarding the lateness of their proposals and they understood that if the Village does not have a quote from Salerno at least two months prior to the expiration, the Village will seek to replace them with a new broker. Salerno confirmed that even though the Trustees had not voted on this yet, the Village is covered retroactive with no lapse.

Resolution 20 - 103

Village of Montebello

Title: Fant Farm Lane Subdivision – Return of Escrow

BE IT RESOLVED, as per the report of Village Engineer, that escrow for Fant Farm Lane Subdivision Road Improvement Escrow, in the amount of \$93,418.52 be returned to Fant Farm Lane Subdivision as the project has been completed.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

Mayor Millman advised the Board that they have a copy of the completed Independent Auditors' Report for year-end December 31, 2019 from EFPR Group, CPAs, PLLC. He stated that it has been reviewed by our Financial Consultant, Marvin Nyman as well as himself. The Board has accepted the audit. The Mayor stated that the Audit should be sent to Moody's for filing.

Old and New Business:

- A report was given to all Trustees regarding the next phase of the Comprehensive Plan which will cover the regulation of home-based businesses, short term rentals, and Airbnb type rentals/pools (also would be covered by Department of Health). This will be covered at the next meeting. All comments should be forwarded to the Clerk and Village Planner.

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.

At 8:45 PM Deputy Mayor Caridi made a motion to enter executive session to discuss legal matters, a lawsuit regarding the Weinberger subdivision, seconded by Trustee Kuperman. Vote carried unanimously.

At 8:54 PM Trustee Golden made a motion to exit executive session, seconded by Deputy Mayor Caridi. Vote carried unanimously.

At 9:06 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Golden. Vote carried unanimously.

Respectfully submitted:

Joan Will, Village Clerk-Treasurer