

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, JANUARY 20, 2021 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 Alyse Terhune	Village Attorney Deputy 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, January 20, 2021 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 announced that we have a new president with a unity country and our Village is A-political meaning not Republican or Democrat and we looking to moving forward.

Jonathan T. Lockman of Nelson, Pope, and Voorhis, our Village Planner opened a discussion on the proposed Local Law 1 and 2.

**Resolution: 21-001**

Village of Montebello

Title: Schedule a Public Hearing

BE IT RESOLVED that a Public Hearing is to be held on the proposed Local Law No.1 of 2021 - Amending Chapter 195, Zoning, and Chapter 104, Hotels, Inns and Boardinghouses, to Regulate Short Term Rentals of Residential Dwellings, on February 17, 2021 at 7:30 p.m. local time or as soon thereafter as the matter can be heard, via ZOOM; and

BE IT FURTHER RESOLVED that the Village Board declares itself to be Lead Agency, declares this to be a Type 1 Action, and that the proposed Local Law No. 1 of 2021 with Public Hearing Notice and SEQRA Notice (FEAF Part 1, Part 2 and Part 3) be distributed to Rockland County Planning Department, Villages of Suffern, Airmont and Wesley Hills and the Town of Ramapo; and

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to publish notice and post same including that the meeting will be held February 17, 2021 via ZOOM.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Resolution: 21-002**

Village of Montebello

Title: Further Discussions Pending Scheduling a Public Hearing Local Law 2

BE IT RESOLVED, that a Public Hearing on the proposed Local Law No. 2 of 2021 - Amending Chapter 195, Zoning, to Clarify Regulations of Home Occupations shall be on hold while discussions and revisions to the proposed law are being considered and discussed; and.

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to schedule further discussion at the Village Board meeting on February 17, 2021, the future scheduling of the Public Hearing pending that discussion.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

### **Building Department Report:**

The following is the Building Department Report for the month of December 2020:

- Seventeen (17) building permits were filed. A total of \$8,436 in permit fees was collected.
- Nine (9) Certificates of Occupancy were issued.
- A total of \$5,974.50 in Fire Inspection fees was collected.
- Two (2) code violations were issued.

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

With no one from HPPC was in attendance, Mayor Millman closed this portion of the meeting.

### **Public Comment**

Mayor Millman opened the Public Comment to anyone who wished to speak.

Brendan Cahill, Senior Constituent Liaison for Senator Elijah Reichlin-Melnick of the 38<sup>th</sup> Senate District (845.623.3627) wished to introduce himself on behalf of Senator Reichlin-Melnick. He stated that he is the new representative after Senator David Carlucci left office. Mayor Millman stated that we look forward to working with them and wish them the best of luck.

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

Title: Polling Place and Hours of Election

BE IT RESOLVED that the polling place for the Election of Village Officers, shall be held on Tuesday, March 16, 2021 at the Village Hall, One Montebello Road, Montebello, NY. The polls shall be open from seven o'clock in the morning until nine o'clock in the evening, local time; and

BE IT FURTHER RESOLVED that the Village Clerk-Treasurer shall notice and post same as required by the Election Law.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

Title: Fire Department – Ice Training Drills

WHEREAS, the Tallman Fire Department, by its letter dated December 21, 2020 requests, for the fourth year in a row, use of the ponds in Kathryn Gorman Ponds Park for the annual ice rescue refresher course: and

WHEREAS, said letter recognizes the need for sufficient Fire Department insurance, that no heavy equipment can be on the walking trails, that the Ramapo Police Department will be given notice to help monitor the activity, and that notice shall also be given to the public; and

WHEREAS, after consulting with the HPPC Co-Chairpersons or HPPC and the Village’s insurer, which has not yet occurred, any other conditions believed reasonably necessary to protect the public, the ponds and the park, shall be considered included herewith; and

WHEREAS, additional details are required from the Fire Department setting forth the exact nature of its drills, when they will be held, and an alternate date if the weather doesn’t cooperate.

THEREFORE, BE IT RESOLVED that said use is hereby approved and permitted in the public good, subject to meeting any further reasonable conditions as mentioned above, which shall be made known to the Fire Department as soon as possible it being believed that the Fire Department has anticipated these conditions as mentioned in its letter and due to its prior usage.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

**Resolution No. 21 - 005**

Village of Montebello

Title: County-Wide Shared Services Intermunicipal Agreement

WHEREAS, in furtherance of the Shared Services Initiative, by virtue of Resolution No. 17-079, the Mayor was appointed as the Village's delegate to the Shared Services Initiative Panel, and by virtue of Resolution No. 17-124, the Village accepted the Shared Services Report; and

WHEREAS, thereafter, ongoing activities have led to adoption of the County-wide Shared Services Plan, as culminating in a Shared Services Intermunicipal Agreement ("the Agreement"), as approved by Resolution No. 237 of 2019 of the Rockland County Legislature; and

WHEREAS, by operation of the letter of the Principal Assistant County Attorney received by the Village of Montebello on or about December 21, 2020, the Village is invited to become a party to such Agreement, such to be evidenced by the Mayor's signature thereupon.

THEREFORE, BE IT RESOLVED, upon the recommendation of the Mayor and in furtherance hereof, that the Village of Montebello hereby approves entering into the Agreement with the County of Rockland and the other signatories thereof, it being understood that any Shared Services deriving therefrom to the benefit of the Village, shall be determined on a case-by-case basis as may be recommended by the Mayor and approved by the Village Board of Trustees in the interest of economy and efficiency, as may be prudent and in the best interest of the Village and its taxpayers.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carries unanimously.

**Resolution No. 21 - 006**

Village of Montebello

Title: Certain Justice Court Prosecutions

BE IT RESOLVED, in furtherance and acceptance of the letter of the District Attorney of Rockland County, Thomas E. Walsh II, ("DA") dated January 5, 2021, referenced as if fully set

forth hereinafter, a copy of which shall be appended to the minutes hereof, pursuant to the DA's consenting to the prosecution of the matters listed therein, that such shall be prosecuted by the Village Attorney or Assistant Village Attorneys in the Justice Court of the Village of Montebello.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the motion carries unanimously.

**Resolution: 21 - 007**

Village of Montebello

Title: Stop Sign Installation – Henry Court and Mayer Drive

WHEREAS, a request has been made for a Stop Sign to be installed on Henry Court at the intersection of Mayer Drive due to drivers exiting Henry Court without stopping for oncoming traffic on Mayer Drive; and

WHEREAS, the Village Engineer has reviewed the request and has recommended a Stop Sign and painted bar be installed on Henry Court as per his email dated January 19, 2021, referenced as if a part hereof to be appended to the Minutes hereof.

THEREFORE, BE IT RESOLVED, that the Village Clerk~Treasurer is hereby authorized to contact the Town of Ramapo Highway Department and arrange such installation.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 21 - 008**

Village of Montebello

Title: Approval of Minutes for December 18, 2019

BE IT RESOLVED, the minutes of the Board of Trustees of December 16, 2020 be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

**Resolution No. 21 – 009**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated January 20, 2021, and totaling \$136,841.12 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 21 - 010**

Village of Montebello

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

BE IT RESOLVED, the Abstract and Schedule of Claims-Professional Fee dated January 20, 2021 for Professional Fees, and totaling \$17,873.30 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Public Comment:**

Marsel Amona of 220 Spook Rock and the owner of Stonehedge Heights Development (S/B/L 49.13-1-13) and his attorney James Licata of Licata and Conklin, wished to update the Board of Trustees regarding a prospective change to the building plans for that development. Mr. Amona wishes to make the 11 homes, which he already has the approval for, into 22 combined units, semi-attached condominium style homes. He has submitted renderings and floor plans for the prospective homes. This would require a zone change. He proposed that each pair be a separate condominium association.

Discussion ensued regarding Homeowner’s Association and the impracticality of 11 associations controlling the road and common areas, which Marsel Amona said was necessitated by cost to build the entire project at once. However, he did indicate a need to retain a special counsel expert with focus on condos. The Village Attorney suggested phasing.

Mayor Millman polled the board to see if there was interest in Mr. Amona continuing subject to resolving the open issues:

- Trustee Kuperman – yes
- Trustee Golden – yes
- Trustee Beldock – yes
- Deputy Mayor Caridi – yes
- Mayor Millman – yes

Mayor Millman advised Mr. Amona that there was sufficient interest from the Board of Trustees for him to proceed. Mr. Licata advised that he will be in touch with Village Attorney Berbit and Assistant Village Attorney Terhune to discuss the next steps that must be taken. Village Attorney Berbit advised that he will be in touch with Village Planner Jonathan Lockman and will advise Mr. Licata of that as well.

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

**Old and New Business:**

- The Village will be starting its 10-year survey into the Conservation Easements within the Village.
- The next newsletter will go out to the public in February and all articles will be due by Friday.
- Mayor Millman advised that he reached out to Supervisor Specht to see if there is a possible vaccine center in the Town of Ramapo and Rockland Community College can possibly be a site to deal with Northeast Ramapo.
- The Village wrote and sent a letter to the Town of Ramapo regarding them changing their Comprehensive Plan to make quick changes to it. The Village disagrees with their plans.
- Some have asked about adding streetlights. The Village has always believed in not having light pollution and even went through an elaborate open process to eliminate some



streetlights. However, if any resident wishes to put a light post on their property with a light the village would not be opposed.

At 8:42 PM Deputy Mayor Caridi made a motion to enter executive session to discuss legal matters associated with the Village as a landlord (rental matters), seconded by Trustee Kuperman. Vote carried unanimously.

At 9:14 PM Deputy Mayor Caridi made a motion to exit executive session, seconded by Trustee Golden. Vote carried unanimously.

At 9:15 PM, Trustee Kuperman made a motion to close the meeting, seconded by Trustee Golden. Vote carried unanimously.

Respectfully submitted:

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Joan Will – Village Clerk-Treasurer

**NB – ATTACH A COPY OF THE TOR LETTER OF 1.15.21 TO MINUTES IN FILE. TY**