

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, JUNE 16, 2021, AT VILLAGE HALL, ONE MONTEBELLO ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 7:30 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Lance N. Millman	Mayor
	Stacy Caridi	Deputy Mayor
	Melanie Golden	Trustee
	Steven H. Beldock	Trustee
	Evan T. Kuperman	Trustee
Other:	Warren E. Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

Mayor Millman welcomes everyone to the first in person meeting in over a year. Mayor Millman wishes to introduce and congratulate newly appointed Town of Ramapo Police Chief Martin Reilly.

Police Chief Reilly spoke and stated he was honored to serve the residents of the Town of Ramapo. Chief Reilly spoke about his experience and the officers that serve. He explained their training and dedication to the residents. He explained that any questions can be asked at any time. He looks forward to working with everyone.

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

Mayor Millman spoke about the staff meeting held at Village Hall last week to discuss how to address various complaints and requests received throughout the village. We are looking into how to resolve some of the issues, which sometimes mean a change of a law. He briefly discussed weekend noise complaints.

Mayor Millman explained that tonight's meeting was at Village Hall because the Community Center is currently under construction for a new roof. The funds for the roof were coming from a grant the Village received prior to the pandemic.

Mayor Millman discussed the new marijuana law. He stated that the Village has an option to opt out and it will be discussed further later on in the meeting.

Mayor Millman stated that we have recently been contacted by a couple of politicians stating that there are grants now becoming available and hopefully the Village can take advantage of them. Mayor Millman stated that the village has been lucky to receive grants in the past including the work being done at the community center, a generator, parks, etc.

Mayor Millman explained that in the Attorney-Client/Executive Session this evening we will be discussing possible litigation from properties within the Village.

Mayor Millman wishes to congratulate Chief Brad Weidel on his retirement. He has been working for the Police for the past 40 years. We will discuss further this evening.

Mayor Millman also wishes to congratulate Village Justice Arnold Etelson on his retirement. Judge Etelson was the first judge for the Village. Mayor Millman read the following excerpt from NYS Chief Judge Janet DiFiore's May 31<sup>st</sup> message:

*"Before I close, I want to recognize a lawyer and public servant who recently retired as the longest-serving local court Justice in New York State, Arnold P. Etelson. Until recently, Justice Etelson served as the Village Justice of Montebello, New York, in Rockland County. First elected to the local bench in 1967 as the Police Justice of the Village of Spring Valley, Justice Etelson has spent the last 54 years faithfully delivering justice to literally thousands upon thousands of folks who have appeared before him in all sorts of criminal and civil matters, including vehicle and traffic cases, eviction proceedings and small claims cases.*

*And while Justice Etelson has certainly seen in all over the last half century, and even presided over his share of well-publicized cases, he has never lost sight of the fact that our Town and Village Courts are the courts closest to the people, the courts where, in his words, “the people get a chance to tell their story.” And so today, on behalf of our entire justice system, we salute Justice Arnold Etelson, and thank him for his unmatched dedication to serving the justice needs of “the people.” Thank you, Justice Etelson.”*

### **Building Department Report:**

The following is the Building Department Report for the month of May 2021:

- Seventeen (17) building permits were filed. A total of \$15,584.00 in permit fees were collected.
- Ten (10) Certificates of Occupancy were issued.
- No Fire Inspection fees were collected during the month.
- Fourteen (14) code violations were issued.

### **Public Comment:**

Mayor Millman opened public comment and explained that anyone from the public is welcome to speak at this time.

Michael Rosenblum from 6 Emerald Lane, Montebello wished to speak regarding his neighbors from the Rockland Recovery Home. He stated he does not know the guidelines for the home to exist and questioned what he believes is their lack of supervision and fire safety.

Aden Robin from 10 Golden Road, Montebello wished to speak regarding her rear yard neighbor Rockland Recovery Home. She stated that there was a lot more activity from the house including people in the yard and fire alarms going off. She is worried about relapses from the residents of the home.

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

Mayor Millman stated that he appreciates it when residents come before the Board as that is usually the way the Board finds out things. Mayor Millman explained about Village Zoning Laws and Planning Laws. Mayor Millman stated that the Board was aware of what was going on. He stated that we were in receipt of emails, police and fire reports relating to the Rockland Recovery Home. He stated that our attorneys and professionals are looking into all the aspects of the home. He stated that the home has freely allowed access to our Building Inspector and Fire Inspectors. Mayor Millman stated he has spoken with Mr. Stephen Clement of the Rockland Recovery Home, and we conducted an informational meeting with him and staff. Mayor Millman stated that we have set up an informational open house question and answer meeting between Mr. Clement and the residents of the area around the Rockland Recovery Home on Wednesday, June 30<sup>th</sup> at 7:30 pm at the Dr. Jeffrey Oppenheim Community Center.

### **Resolution No. 21 - 079**

Village of Montebello

Title: Chief Brad Weidel Proclamation

WHEREAS, Town of Ramapo Police Chief Brad Weidel, a graduate of Spring Valley High School, Rockland Community College, Mercy College and the FBI Academy, has very ably served the public in law enforcement for over 40 years having joined the Ramapo Police Department in 1980 after a brief stint with Rockland County Sheriff’s Office, and rising in rank to Sergeant, then Lieutenant, Detective Lieutenant, Captain and finally having been appointed as Chief in 2016; and

WHEREAS, Chief Weidel tendered his resignation for purposes of retirement which has been accepted by the Town effective June 11, 2021; and

WHEREAS, the Chief resides within the Village of Montebello with his wife, Rosemary, and their three daughters: and

WHEREAS, the Mayor and Village Board, for themselves and all citizens of the Village, wish to thank Chief Weidel for remarkable public service of such long duration, and to spread such gratitude across the minutes of the Village Board for posterity; and

WHEREAS, the Mayor and Village Board also wish the Chief and his family much happiness, health and joy exploring the years ahead.

THEREFORE, BE IT RESOLVED as follows:

1. That June 2021 be proclaimed to be Police Chief Brad Weidel Month in the Village of Montebello in honor of his unparalleled service in law enforcement.

2. That wherever life's adventures may take him and his family, the Mayor and Village Board express their hope and desire that the Chief and his family remain residents of the Village.

3. That the Village Clerk is hereby directed to prepare this Proclamation in ceremonious form to be signed, dated, and presented to the Chief to thank him and to honor his service.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, resolution carries unanimously.

**Resolution No. 21 - 080**

Village of Montebello

Title: Approval of Minutes for May 19, 2021

BE IT RESOLVED, the minutes of the Board of Trustees of May 19, 2021, be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carries unanimously.

**Resolution No. 21 -081**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated June 16, 2021, and totaling \$141,327.16 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. 21 - 082**

Village of Montebello

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

BE IT RESOLVED, the Abstract and Schedule of Claims-Professional Fee dated June 16, 2021, for Professional Fees, and totaling \$21,906.50 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. 21 - 083**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims – Shade Tree Fund

BE IT RESOLVED, the Abstract and Schedule of Claims-Shade Tree Fund dated June 16, 2021, and totaling \$2,270.00 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. 21-084**

Village of Montebello

Title: Replacement of Copier & New Lease

WHEREAS, the Village Clerk-Treasurer reported that current Sharp 3050N copier and has been experiencing issues on and off with the fuser unit which has already been replaced; and

WHEREAS, although the Village Clerk-Treasurer reports satisfaction with the service obtained from Managed Business Solutions (MBS), she met with a representative and sought information on a new copier, and the following was proposed by MBS:

	<b><u>CURRENT</u></b>	<b><u>PROPOSED</u></b>
Copier	Sharp 3050N Digital Copier, Copier, Fax, Scanner includes black & white and color copies, toner & maintenance	Sharp 3071 Digital Copier, Fax, Scanner – 3 paper sources – Inner finisher
Service & Supplies Based off Monthly Average	None	3,000 B&W Copies at .007 = \$21/mo 1,000 color copies at .06 = \$60/mo Lease Payment = \$238/mo
Monthly Lease Payment	60 months @ \$329/month	63 Month Lease at \$319/month
<b>ADDITIONAL MONTHLY FEES</b>	No additional fees	No additional fees

; and

WHEREAS, as based upon the above proposal and the ongoing issue with the current copier, the Village Clerk-Treasurer recommends leasing the Sharp 3071 copier from MBS. MBS will cancel the old lease and return the machine to the leasing company at no charge to the Village. The new lease will cost \$319 per month.

THEREFORE, BE IT RESOLVED, in the circumstances substituting one lease for the other, that the Village Clerk-Treasurer be authorized to enter into the aforesaid leasing arrangement on the Sharp 3071 copier, at a cost of \$319 month for 63 months subject to the Village Attorney approving the final form of the lease agreement.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

**Resolution No. 21 - 085**

Village of Montebello

Title: Authorization for Adding/Changing Signage – Executive Boulevard

WHEREAS, it is reported that a dangerous condition presents itself on Executive Boulevard especially on the south side adjacent to “Building One”, as a consequence of parking or waiting of vehicles on the roadway to drop off or pick-up passengers, thus blocking the roadway and, in addition, that in association with those parked or waiting vehicles children are often

observed standing or wandering on the roadway, thus creating a danger that they might be injured, or cause an accident due to driver avoidance; and

WHEREAS, as a consequence in the interest of public safety and at the request of the Town of Ramapo Police Department such that it may enforce same, it is hereby ordered and affirmed and declared that such roadway is a no parking and no standing zone, and that signage be installed warning of both prohibitions and that said zone be strictly enforced; and

WHEREAS, it appears that installing said signs as aforereferenced is in the best interests of the public, and is urgently needed to maintain public safety; and

WHEREAS, the Highway Department of the Town of Ramapo has agreed to install said signs on the existing posts at a fee not to exceed \$300.

THEREFORE BE IT RESOLVED, in the interest of public safety and according to the standards associated with the installation of traffic control signs in the Sign Handbook, and pursuant to Section 180 of the Vehicle and Traffic Law, that said Executive Boulevard no-parking, no-standing zone is hereby formed and reaffirmed, and that such shall be strictly enforced, and that authority be and hereby is granted to install the signs set forth and as per the recommendation of the Village Engineer dated June 14, 2021, referenced as if set forth hereinafter, at a cost not to exceed \$300.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Resolution: 21 - 086**

Village of Montebello

Title: Guard Rail Installation – 229 Haverstraw Road

WHEREAS, a request has been made for a Guard Rail to be installed or reinstalled on the corner of Lake Road and Haverstraw Road, specifically at 229 Haverstraw Road by the Partridge Family as they believe the guard rail was removed and not replaced; and

WHEREAS, the Village Engineer states in his letter dated June 16, 2021, referenced set forth hereinafter, that the location is unique as it has steep slopes and minimal adequate turning radius where vehicles attempting the turn encroach on their property and during inclement weather makes this location a driving hazard and he recommends installation of the guardrail; and

WHEREAS, the Village Engineer contacted NYS DOT to replace the guard rail and they stated it is local jurisdiction responsibility; and

WHEREAS, the Village Engineer contacted Town of Ramapo Highway Department to coordinate installation as a cost savings measure, which would cost \$4,869.50 based on single installation rates per the proposal of Evolution Edges dated August 12, 2020, referenced as if set forth hereinafter, but \$3,800 at coordinated rates with other Town of Ramapo projects; and

WHEREAS, the Village Engineer reviewed the request and the competitive pricing available and has recommended a guard rail be installed as it is an unsafe area under the aforesaid agreement with the Town of Ramapo.

THEREFORE, BE IT RESOLVED, that the Village Clerk-Treasurer is hereby authorized to contact the Town of Ramapo Highway Department and arrange such installation, at a coordinated cost of about \$3,800 which is authorized to be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Public Comment:**

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

**Old / New Business**

- Mayor Millman stated that while at a meeting of Mayors and Supervisors held by Assemblyman Mike Lawler, he learned that the Town of Ramapo wishes to purchase Old Mill Road which runs parallel to the New York State Thruway in front of the current Novartis building for an access to the Town of Ramapo quarry, which is for sale.
- Mayor Millman wished to discuss the New York State Marijuana Regulation and Taxation Act. Board members discussed the requirements of the Village regarding opting in, opting out, tax incentives, and public referendums with the deadline of December 31, 2021.
- Mayor Millman wished to remind the Board of the moving up ceremony of the Montebello Elementary School on Friday at Village Hall. He reminded everyone it was a closed event and that the Board was welcome to attend and congratulate the 5<sup>th</sup> Graders.
- Mayor Millman wished to discuss the presentation from last meeting of Rockland Community Power. The Board stated that they were still interested and would contact the other municipalities that currently use the program. Mayor Millman requested the Village Clerk add it to the next agenda for further discussion.
- Mayor Millman discussed the staff meeting he had where resident complaints were discussed. In particular, he discussed the lack of guidance in the law regarding the removal of real estate signs after the home was sold. It was agreed that 7 days after the home was sold should be a fair cut-off. The noise complaints were discussed regarding landscaping at 8am on weekends. After a discussion by the Board, it was agreed that the Village Attorney will look into the legality of changing the noise ordinance.
- Mayor Millman discussed Retroactive Tree Permits. After a discussion by the Board, it was agreed that the Village Attorney will look into the fees and fines associated with Retroactive Tree Permits.

At 9:02 PM Deputy Mayor Caridi made a motion to enter an attorney-client executive session to discuss litigation and threatened litigation and legal matters, seconded by Trustee Kuperman. Vote carried unanimously.

At 9:39 PM Trustee Kuperman made a motion to exit executive session, seconded by Deputy Mayor Caridi. Vote carried unanimously.

At 9:40 PM Deputy Mayor Caridi 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