

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, SEPTEMBER 22, 2021, AT DR. JEFFREY OPPENHEIM COMMUNITY CENTER, 350 HAVERSTRAW 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's Report:**

Mayor Millman reported that the Concert in the Park featuring "Gratefully Yours" was held on Sunday, September 19<sup>th</sup> with a fantastic turnout of over 90 people. He stated that it was a beautiful day and perfect for the event. A special thank you to Manhattan Beer Distributors from Montebello for their donation of the water for the event and the Rockland County Sheriff's Department for lending us their tent to shade the band.

Mayor Millman reports that The Sentinel of Rockland is close to opening and the Village looks forward to their Grand Opening.

### **Building Department Report:**

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

- Twelve (12) building permits were filed. A total of \$4,627.00 in permit fees were collected.
- Twelve (12) Certificates of Occupancy were issued.
- No Fire Inspection fees were collected during the month.
- Eight (8) code violations were issued.

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

Village Attorney Berbit stated that the HPPC has just completed the Public Hearing and issued a Certificate of Appropriateness for an applicant located at 84 Viola Road. The HPPC made several recommendations given that it is designated a Historic and Scenic road to help assure that

the façade of the new building, the footpath, and the walking bridge better blend with the outside façade of the farmhouse and with a more historically accurate look. Also, suggested added plantings to blend more with the natural surroundings. Village Attorney Berbit stated that the applicant can now return to the Planning Board acting as the ARB to move forward with their plans and application.

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

**Public Comment:**

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

**Resolution: 21 - 099**

Village of Montebello

Title: Bidding for Carting Services

WHEREAS, the five-year contract for carting services expires March 31, 2022; and

WHEREAS, to facilitate setting the 2022 Budget, preparation of which has begun, the more accurate approach would be to solicit bids for the follow-up carting contract.

THEREFORE, BE IT RESOLVED, that as modeled after the last set of papers Notice to Bidders, Bid Specifications, and a Model Contract, and any other necessary documents, be prepared and the bid advertised be posted for consideration of such bid in the preparation of the 2022 Budget.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Resolution No. 21 – 100**

Village of Montebello

Title: Appointing Ad – Hoc Member to the Planning Board

WHEREAS, David Levine has been appointed to fill the Planning Board seat vacated by Jane Burke, leaving his Ad-Hoc position vacant; and

WHEREAS, the Mayor recommends the appointment of Joan A. Materna to fill his Ad-Hoc position which term ends at the reorganizational meeting in April 2022.

THEREFORE, BE IT RESOLVED, that Joan Materna has been appointed to fill the seat vacated by David Levine, as Ad-Hoc member of the Planning Board for a term which ends at the reorganizational meeting of April 2022.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution carries.

**Resolution No. 21 - 101**

Village of Montebello

Title: 2020 Year End Budget Modifications

WHEREAS, the Village's financial consultant, Marvin Nyman, has issued a final Budget Comparison Report for 2020; and

WHEREAS, said consultant recommends making final adjustments to the 2020 Village Budget as consistent with said report.

THEREFORE, BE IT RESOLVED, that the 2020 Budget be and hereby is adjusted to reflect all changes by said report, a true copy of which shall be appended to the Minutes hereof as if fully set forth hereinafter.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

**Resolution No. 21 - 102**

Village of Montebello

Title: Approval of Minutes for July 21, 2021

BE IT RESOLVED, the minutes of the Board of Trustees of July 21, 2021, be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Trustee Golden abstained.

Upon vote, motion carries unanimously.

**Resolution No. 21 - 103**

Village of Montebello

Title: Approval of Minutes for August 18, 2021

BE IT RESOLVED, the minutes of the Board of Trustees of August 18, 2021, be and are hereby approved.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Mayor Millman and Trustee Kuperman abstained.

Upon vote, motion carries unanimously.

**Resolution No. 21 – 104**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated September 22, 2021, and totaling \$137,121.39 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 21 - 105**

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 22, 2021, for Professional Fees, and totaling \$15,245.60 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Presentation: Marsel Amona – Stonehedge Development**

Mr. Amona stated that he or his team had a conversation with Jonathan Lockman, Village Planner, and Village Attorney Berbit and has presented the Village Board with a signed copy of the Full Environmental Assessment Form (FEAF) Part 1, as corrected, that was signed by Mr. Amona’s Planner John Lange. The Village Board acknowledged receipt at the meeting.

Village Attorney Berbit and Jonathan Lockman, Village Planner, briefly explained the FEAF Part 1 form. Mr. Lockman and Mr. Berbit also emphasized to Mr. Amona what he needs to do next in order to be ready for the Village Board Public Hearing and later to attend the Planning Board.

They stated that a draft of Local Law 4 of 2021 has been submitted and a plan set for Stonehedge Heights Subdivision has been submitted. At this point, the Village Board notifies its intent to serve as Lead Agency and notification should be sent to all involved agencies with a copy of Local Law 4 of 2021, a copy of the FEAF Part 1, and a copy of the plan for Stonehedge Heights dated June 17, 2021 (with still needed corrections)

A Public Hearing will be set for November 10, 2021, beginning at 7:30 pm local time. Copies of Local Law 4 of 2021, a copy of the FEAF Part 1, and a copy of the plan for Stonehedge Heights dated June 17, 2021, as corrected, with respect to same pursuant to GML §239 and Village Law 7-706 be given to the Rockland County Planning Department for its review, and to all abutting municipal entities and other required outside agencies, and to consider any recommendations as well as any by the Planning Board. A copy of Local Law 4 of 2021 be submitted to General Code for their review and comments.

**Resolution No. 21 – 106**

Village of Montebello

Title: Conducting Public Hearing on Local Law 4 of 2021 to Amend the Zoning Code §195-62 Rural Preservation Overlay District, and associated definitions and listings in the Table of General Use Requirements, to allow the conversion of the approved Stonehedge subdivision, approved with 11 new single-family homes, alternately to construct 22 new duplex residences.

WHEREAS, the Stonehedge Subdivision was approved by the Planning Board on March 12, 2019, with 12 lots, one containing the preserved historic Minetto farmstead and 11 lots for new single-family residences; and

WHEREAS, a plan of the aforesaid Stonehedge Subdivision with 12 lots, dated April 16, 2019, was submitted to the Village Planning Board Clerk, and the approved plans were never signed by the Planning Board Chairman or filed with the County of Rockland; and

WHEREAS, the owner of the Stonehedge Subdivision petitioned the Village Board on or about March 17, 2021, requesting that the Village of Montebello Zoning Code be amended to allow the conversion of the approved Stonehedge subdivision, approved with 11 new single-family homes, alternately to construct 22 new duplex residences, while still preserving the Minetto farmstead; and

WHEREAS, the Village Board, wishing to provide an opportunity for this alternative housing type, referred the matter to the CDRC for its review and recommendations, and requested that the Village Planner and Village Attorneys work with the applicant and the applicant's consultant team to prepare a local law to accomplish the goal of allowing the substitution of duplex houses in the Rural Preservation Overlay, while creating a sensitive design within the objectives of the overlay, maintaining the Spook Rock Road historic and scenic road corridor. and preserving the Minetto farmstead; and

WHEREAS, a draft of Local Law 4 of 2021 has been submitted, with a footer dated September 20, 2021, which has been reviewed by the Village Attorneys and Village Planner;

WHEREAS, a plan set for Stonehedge Heights Subdivision has been submitted, as follows: Revised Subdivision of Stonehedge Heights, 3 sheets, stamped by Steven Sparaco, PE, Sparaco & Youngblood, PLLC, dated June 17, 2021, with the following sheets:

- 1, Preliminary Planimetric Plan
- 2, Preliminary Grading & Utilities Plan
- 3, Existing Conditions Plan

THEREFORE, BE IT RESOLVED as follows:

1. That, pursuant to 6 NYCRR 617 (SEQR), the following shall occur:

a.) That the Village Board notifies its intent to serve as Lead Agency in a coordinated review for the adoption of Local Law 4 and review of the Stonehedge Heights Subdivision with 2 lots, with the preserved Minetto Farm on Lot 1, and 11 duplex residences containing 22 dwelling units on Lot 2. Notification shall be provided to all involved and interested agencies with a copy of Local Law 4 of 2021, a copy of the FEAF Part 1 Form, and a copy of the plan for Stonehedge Heights dated June 17, 2021; and

b.) That the Village Board accept the Part I Environmental Assessment Form ("EAF") as prepared by Jonathan Lockman, AICP and the project sponsor Stonehedge Heights Corporation, as adequate for distribution and find that it appropriately describes the proposed action submitted to the Village Board at a meeting held September 22, 2021; and

c.) That the Village Board accept the Part II Environmental Assessment Form ("EAF") as prepared by Jonathan Lockman, AICP on behalf of the Village Board as Lead Agency (electronic file date 9/20/21), and finds that it appropriately describes the potentially significant impacts of proposed action which the sponsor, Stonehedge Heights Corporation shall address in a future Part III submission; and

2. That a Public Hearing shall be held on November 10, 2021, beginning at 7:30 pm local time, or as soon thereafter as the matter can be heard, via ZOOM, on said Local Law amending the Zoning Code as aforementioned, and per the referenced attachments; and

3. That due notice with a copy of Local Law 4 of 2021, a copy of the FEAF Part 1 Form, and a copy of the plan for Stonehedge Heights dated June 17, 2021, with respect to same pursuant to GML §239 and Village Law 7-706 be given to the Rockland County Planning Department for its review, and to all abutting municipal entities and other required outside agencies, and to consider any recommendations therefrom; and

4. That a copy of Local Law 4 of 2021, a copy of the FEAF Part 1 Form, and a copy of the plan for Stonehedge Heights dated June 17, 2021, be submitted to the Planning Board for their review and report, pursuant to §195-118; and

5. That a copy of Local Law 4 of 2021 be submitted to General Code, the Village's code codification firm, for their review and comments; and

6. That the Village Clerk is authorized to post and publish any required Legal Notice to be drawn by the Village Attorney.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote motion carries unanimously.

**Resolution No. 21 - 107**

Village of Montebello

Title: ARPA – Removal of Dead and Dying Trees - Kathryn Gorman Ponds Park

WHEREAS, certain dead, dying or downed trees within the Kathryn Gorman Ponds Park (“KGPP”) create some concern for the safe and recreational use of same, especially now when the use of the Park has increased to help meet the need for outdoor recreational activities during the COVID pandemic; and

WHEREAS, pursuant to the advice of the Village Engineer, as set forth in his memo dated September 15, 2021, referenced as a part hereof, proposals were sought to address the above concerns, leading to receipt of the attached proposal, from Perfect Cut dated September 3, 2021, in the amount of \$8,000 which the Engineer recommends be awarded said memo and proposal to be considered a part hereof; and

WHEREAS, it appears that under the American Rescue Plan Act (ARPA) and the United States Department of the Treasury application of same, use of ARPA funds are on hand to fund said proposal and is an appropriate use of same.

THEREFORE, BE IT RESOLVED, that said proposal be and hereby is accepted, and that the use of \$8,000 of ARPA funds is authorized and found to be an appropriate use of same.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carries unanimously.

**Resolution: 21 - 108**

Village of Montebello

Title: Shade Tree Replacements

WHEREAS, as recognized and in furtherance of Resolution 19-100 the Village receives requests from residents from time to time in regard to replacing shade trees, the Village Engineer

reviews said list and inspects and outlines the species of tree varieties required, and then has authority to order replacement trees.

THEREFORE, BE IT RESOLVED, hereby confirming the Village Engineer' findings in his memo of September 20, 2021, referenced as if set forth hereinafter, 20 trees need to be replaced, that such be awarded in the mix set forth in the memo to Belleville Landscaping Inc., which will be notified of the number of trees, species, and locations of replacements within the Village and moving forward with replacement of 20 trees total not to exceed \$12,000, said monies to be expensed from the Shade Tree Fund.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

#### **Public Comment:**

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

#### **Old / New Business**

- The Mayor briefly discussed the Office of the State Comptrollers Fiscal Stress Monitoring System Report. He requested more information from the Village Clerk for the October meeting.
- The Mayor stated that the next Village Newsletter will be going out before Thanksgiving and that everyone's articles are due to the Clerk by October 31.
- The Mayor stated that the Village is still looking into the information on Rockland Power.
- The retired Village Justice, Arnold Etelson, submitted a Thank You letter to the Village.
- The Mayor stated that the Village has received several requests for streetlighting and that a letter response will be drafted.

At 8:18 PM Trustee Kuperman made a motion to enter executive session to discuss negotiating terms for a PILOT agreement, seconded by Trustee Golden. Vote carried unanimously.

At 8:41 PM Trustee Golden made a motion to exit executive session, seconded by Trustee Beldock. Vote carried unanimously.

At 8:41 PM Trustee Golden made a motion to close the meeting, seconded by Trustee Beldock. Vote carried unanimously.

Respectfully submitted:

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Joan Will – Village Clerk-Treasurer