

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, JANUARY 19, 2022, 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 and in response to the current COVID-19 virus emergency, Governor Kathy Hochul issued Executive Order S.5001A/A.40001 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, December 15, 2021, at 7:30 pm by joining our ZOOM Meeting. Links to gain access have been posted to our website [www.villageofmontebello.org](http://www.villageofmontebello.org). 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 wait for the Public Comment portion of the 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 once adopted.

**AS A REMINDER TO EVERYONE** that this meeting is being recorded and a version will be 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 advised that there are free COVID tests available to the residents. The application is online at: [www.covidtests.gov](http://www.covidtests.gov) and <http://special.usps.com/testkits>.

Mayor Millman stated that the trash collection bid needed to be rebid as the original one was too costly. He stated that the second bid would be discussed in Executive Session at the end of this meeting.

The Mayor reported that he voted the other day with the County of Rockland for the next Shared Services initiative. He stated that he discussed at that meeting the sharing of a few other things, one including the sharing of Court Attendants.

Mayor Millman advised that in tonight's meeting a discussion of the Stonehedge project will be to adjourn the public hearing until February as, there are important responses from the County of Rockland Sewer Department and Planning Department that the Trustees need to look at as they address major issues with the project, and other items are missing necessary to the application.

### **Building Department Report:**

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

- (8) building permits were filed. A total of \$6,248.00 in permit fees were collected.
- (6) Certificates of Occupancy were issued.
- (6) locations were inspected; \$4,700.00 in Fire Inspection fees were collected during the month.
- (6) code violations were issued.

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

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

### **Public Comment:**

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

### **Resolution No. 22 - 001**

Village of Montebello

Title: Adjourn Continuation of Stonehedge Public Hearing

BE IT RESOLVED, as mutually agreed in discussions held between the Village Attorney and Michael Klein, the Stonehedge Attorney, that the Public Hearing in this matter, which was to

be continued tonight, January 19, 2022, shall instead be continued on February 16, 2022, to facilitate review and comprehension of a large volume of materials submitted since the last day of hearing which was held on December 20, 2021, and to permit the preparation and submission of any additional material which may be necessary to facilitate the completion of the application.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carried unanimously.

**Resolution No. 22 - 002**

Village of Montebello

Title: Building Inspector Retirement

WHEREAS, Lawrence “Larry” Picarello has very ably served the Village of Montebello as Building Inspector since July 6, 2016, and, before that by virtue of shared services since 2010; and

WHEREAS, Larry has tendered his resignation in writing effective January 27, 2022, for personal reasons; and

WHEREAS, Larry has also served as Building Inspector for the Town of Ramapo, and the Villages of Chestnut Ridge, Sloatsburg, Suffern, Piermont, New Hempstead and occasionally covering the Village of Wesley Hills; and

WHEREAS, Larry’s stellar service, unquestionable knowledge, expertise, and absolute integrity is recognized by the Board, and has caused many applicants to remark that he is the “consummate professional”; and

WHEREAS, Larry has a varied and impressive and interesting background, including being a graduate of the University of Miami and NYU Construction Management Graduate Program; is a business owner for refurbishing and selling of mopeds, scooters, and e-bikes; has interests in alternative fuel and heating sources including wood burning stoves; is a former soccer referee and coach; is an avid musician; and has numerous other interests as well.

THEREFORE, BE IT RESOLVED, that Larry Picarello’s resignation as Building Inspector is hereby regrettably accepted effective January 27, 2022, and the Building Inspector position declared as vacant as of that date; and

BE IT FURTHER RESOLVED that Larry Picarello shall continue thereafter upon terms as may be mutually agreed as a consultant to assist the department and his replacement; and

BE IT FURTHER RESOLVED that the gratitude of the Mayor, Trustees, staff and residents of the Village of Montebello be spread across the Minutes for posterity celebrating Larry's outstanding tenure with the Village of Montebello, and, that an original of this Resolution in Proclamation format be presented to him and also be hung in a place of honor, and, that Larry be wished well in this next phase of his life, and in all his future endeavors.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carried unanimously.

**Resolution No. 22 - 003**

Village of Montebello

Title: Filling Building Inspector Vacancy

WHEREAS, a vacancy has been declared in the position of Building Inspector effective the close of business January 27, 2022; and

WHEREAS, two individuals are presently in the Village's employ performing related duties and qualified for the position, to wit: Adam Gordon, who serves as the Fire Inspector, and Kenneth Loudon, who serves as the Code Enforcer; and

WHEREAS, Adam Gordon has worked for the Village since February 2019, whereas Kenneth Loudon has done so since March 2021, and upon their discussions with Joan Will, the Village Clerk-Treasurer, given the respective duration of their employment by the Village, and outside experience, both agree with her recommendation to the Mayor, that Adam be appointed as Building Inspector and Kenneth as Fire Inspector and Code Enforcer with each to assist the other in their respective new capacities as efficient operation of the Building Department may require.

THEREFORE, BE RESOLVED as follows, effective at the opening of business on January 28, 2022:

1. That Adam Gordon be appointed as Building Inspector, at an hourly rate of \$50 per hour up to 17.5 hours per week, and the Village accepts Adam Gordon's resignation as Fire Inspector and that his present position of Fire Inspector be declared as vacant effective January 19, 2022.

2. That Kenneth Loudon be appointed to continue in the position of Code Enforcer, and to also fill the position of Fire Inspector at the following rates and hours:

\$26.50 per hour, up to 17.5 hours per week effective January 19, 2022.

3. That the former Building Inspector, Lawrence Picarello, be retained as a consultant to assist the Building Department and Adam Gordon and Kenneth Loudon, as, if and when called upon, according to terms to be mutually agreed by the Village and Mr. Picarello.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carried unanimously.

**Resolution No. 22 - 004**

Village of Montebello

Title: Approval of Minutes for December 15, 2021

BE IT RESOLVED, the minutes of the Board of Trustees of December 15, 2021, be and are hereby approved.

Motion: Trustee Golden

Second: Trustee Beldock

Upon vote, motion carries unanimously.

**Resolution No. 22 – 005**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated January 19, 2022, and totaling \$200,441.44 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. 22-006**

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 19, 2022, for Professional Fees, and totaling \$19,401.00 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Beldock

Upon vote, the Resolution carried unanimously.

**Resolution: 22 - 007**

Village of Montebello

Title: Accept Resignation of Court Attendants

BE IT RESOLVED, whereby two of the Village’s Court Attendants Brian Block and Robert Nesi, have tendered their resignations effective January 17, 2022, and February 1, 2022, respectively, that such are hereby accepted, and the positions declared as vacant on those dates.

BE IT FURTHER RESOLVED that the Village Clerk is authorized to advertise and interview and then to present a prioritized list to the Mayor, and upon his approval, to tentatively offer the recommended two candidates the positions at \$22.93 per hour, positions to commence at the next scheduled Justice Court Meeting; and

BE IT FURTHER RESOLVED that Robert Nesi and Brian Block are thanked for their service to the Village.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Resolution No. 22- 008**

Village of Montebello

Title: Approval of Contract for Application of Aquatic Pesticides (Gorman Ponds Park)

WHEREAS, under Phase I of the Kathryn Gorman Ponds Park improvements, the Board resolved in the Summer of 2014, to commence pond management in the form of the application of aquatic pesticides to control algae and nuisance aquatic weeds, the presence of which impeded water flows, diminished pond functioning and created unpleasant odors, amongst other negatives, said services awarded that year and each year since by following the Village’s Procurement Policy, the intent being to continue the services which are viewed as beneficial to the Village and the environment of the ponds; and

WHEREAS, the Village Engineer, in following the Procurement Policy last year and issued a report dated January 6, 2022, copy attached hereto, has recommended renewing that contract given the proposal from the successful contractor last year. The Pond and Lake Connection “PLC”, with no increase in the costs, summarized as follows:

	<b>The Pond and Lake Connection</b>
<b>DEC Application Fees</b>	\$600.00
<b>Treatment Fees</b>	\$3,100.00
	\$2,790.00
	\$2,790.00
NOI Fee	
<b>Totals =</b>	<b>\$9,280.00</b>
<i>Comments</i>	<i>Based on initial treatment and 2 follow-up treatments recommended. All additional treatments add \$2,790</i>

; and

THEREFORE, BE IT RESOLVED, that said renewed contract be entered into with The Pond and Lake Connection, “PLC”, at a cost of \$9,280, terms as per their proposal for the 2022 season, the same as in 2018 remaining consistent with the lower cost of the two competitive proposals last year.

Motion: Deputy Mayor Caridi

Second: Trustee Beldock

Upon vote, motion carries unanimously.

**Resolution No. 22 - 009**

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, 2022, 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: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the motion carries unanimously.

### **Old / New Business**

- Sisters of Life contacted the Board to get a no cost extension to their Building Permit since they could not complete the project fully due to the COVID pandemic. After discussion the board agreed as long as the project is completed by February 28, 2022. If it is not completed, then they will need to pay the extension fee for the Building Permit. All the board members agreed.
- 14 Cobblestone Farm Court project needs to be scheduled for site visits and decision on their request to alter the conservation easement.
- Mayor stated that they have received a Memo from the Town of Ramapo with the Highway Maintenance and Snow Removal information for the towns within Ramapo.
- The Mayor chose himself, Village Accountant Marvin Nyman, and Village Clerk – Treasurer Joan Will to be on the ARPA Panel in order to file necessary reports for Federal Covid Funding. All the board members agreed.

### **Resolution No. 22 - 010**

Village of Montebello

Title: Schedule Public Hearing: Community Choice Aggregation (“CCA”) Program Local Law

WHEREAS, the Community Choice Aggregation (“CCA”) Program is a collaborative, municipal clean energy program which enables transitioning to electricity sourced by renewable energy while protecting consumers from rate increases and hidden fees; and

WHEREAS, CCA programs are regulated by the PSC, and require conducting a Public Hearing on a Local Law, to be entitled the “Community Choice Aggregation Program Law of the Village of Montebello”, and such commences an enabling process that spans about 8 months, including contracting with an Administrator, such as Joule Community Power (“Joule”) which is the administrator for Rockland Community Power and Hudson Community Power, as well as 7 other CCA Programs, which is a privately owned corporation which handles the administrative function at no cost to the consumer or municipality; and

WHEREAS, Trustee Melanie Golden, who has served as the Board's de facto liaison to Joule, reports and urges that the Village of Montebello commence the process of joining the

Program as soon as possible given the time frame involved, necessary steps, and the ultimate benefit of achieving 100% renewable energy at a lower, fixed cost, and explained, as confirmed by the Village Attorney, that the first step is adopting the aforementioned Local Law.

THEREFORE, BE IT RESOLVED, that a Public Hearing be held on adopting the “Community Choice Aggregation Program Law of the Village of Montebello at the next regular meeting of the Village Board on February 16, 2022, beginning at 8 p.m. local time, or as soon as the matter can be heard, and that the Village Attorney and Village Clerk-Treasure shall cooperate with Trustee Golden, such that the Local Law and legal notice be timely prepared, posted, noticed and advertised, and said law made available to the Trustees and other interested parties, Local Law designation number and placement in the Village Code to be determined after consultation with General Code.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

This is a vote to continue the process of things that need to be done over the next 8-month period. This is not a vote to accept this, we are continuing the process so that when and if we want to accept the program, the Village will be prepared to accept the program.

**Presentation: Rockland Community Power**

- Peggy Kurtz, Joule Community Power
- Andrew Goodwillie, Trustee of Village of South Nyack

Information was presented to the Board.

Discussion ensued with board, presenters and Village Attorney.

**Public Comment:**

Melissa Turk from 9 Babbling Brook – Montebello stated that she was in favor of the Rockland Community Power program and thanked the Village for giving this full consideration. With no one else from the public wishing to speak, Mayor Millman closed this portion of the meeting.

At 8:39 PM, Trustee Kuperman made a motion to go into Executive Session to discuss Legal Contracts being post-bid negotiations on carting contract, seconded by Deputy Mayor Caridi. Vote carried unanimously.

At 9: 22 PM, Deputy Mayor Caridi made a motion to exit Executive Session, seconded by Trustee Golden. Vote carried unanimously.

At 9:23 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Kuperman. Vote carried unanimously.

Respectfully submitted:

---

Joan Will – Village Clerk-Treasurer