

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, SEPTEMBER 21, 2022, AT THE DR. JEFFREY OPPENHEIM COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 7:00 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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

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

Mayor Millman stated he was glad to have an in-person meeting since there have been virtual meetings for such a long time.

Mayor Millman mentioned that on Sunday, September 18<sup>th</sup> the Village would be hosting a Grateful Dead band, Gratefully Yours, at Village Hall. Water will be provided by Manhattan Beer for all attendees. He thanked them for their donation.

The Mayor reported that the Village just decreased the size of the organic garden in the process of improving it. He mentioned that the entire garden was weeded and cleaned and rocks were added for paths within the garden. This was done through a Rockland County Resilient Grant through Ed Day's office. The work was done by Belleville Landscaping Inc., who did an excellent job. He hoped this would encourage new and more gardeners for next year.

Mayor Millman said Village Hall was still handling garbage complaints. We're still considering renewable energy but once it comes into play it must make sense for the Village. The goal is not to cost the residents more money. This will all be determined once the bid process is complete.

Mayor Millman expressed his congratulations to the Sentinel for their one-year anniversary. Both the Mayor and Deputy Mayor reached out to congratulate them. They are the first built assisted living facility in Montebello.

The Mayor mentioned we will be having a workshop in the future on Accessory Structures to possibly amend a local law to be certain that they do not overwhelm the residence on the property. He spoke about asking the Legislative about redistricting our area in an attempt to avoid pairing us with a remote area with a larger voting base which has been added to the agenda for tonight.

Mayor Millman stated that the Town of Ramapo has finally provided us with a list of chemicals used at Spook Rock Golf Course. This is required by OSHA. He thanked them for providing us with the information. He also mentioned we had a productive meeting with the Town of Ramapo Police. This meeting was held to discuss issues brought up by Village residents and concerns of the Village. It was agreed to have a more open communication between the Police Department and the Village.

### **Building Department Report:**

The following is the Building Department Report for the month of August 2022:

- (12) building permits were filed. A total of \$18,938.00 in permit fees were collected.
- (9) Certificates of Occupancy were issued.
- (12) locations were inspected; \$2,500.00 in Fire Inspection fees were collected during the month.
- (9) code violations were issued.

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

Chairperson Levin sent a letter to the Village Clerk to find out how the Board felt about the W3R signs. It was suggested and approved by the Board to add the Village of Montebello to the signs. They can then move forward and have the signs put up.

The Mayor also mentioned he has asked HPPC to make sure it has as many meetings as possible. This is due to any grants which they might apply for in which they would be required to have a certain amount of meetings in order to qualify.

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

### **Public Comment:**

Michael Parietti of 6 Spook Rock Road, Wesley Hills spoke about the redistricting of Rockland County. The requirements of redistricting are population parameters. This is currently based on census data and demographic breakdowns. Mr. Parietti is pushing for a district in Western Ramapo which would include Montebello, Suffern, Hillburn, and Sloatsburg. He believes a district in Western Ramapo would give fair representation.

Joshua Hans, of 14 Hidden Valley Drive, Suffern, introduced himself to the Board. He is the Coordinator for Town of Ramapo Office of Emergency Preparedness and Safety (OEP). He oversees all the EMS services for the Town. With the recent changes in the Town services, he wanted to make sure that if anyone has any questions or concerns, they should feel free to reach out to him.

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

## **Presentations**

Presentation by Michael Milillo on his Eagle Scout project. He is proposing to erect four posts with two bat houses on each on properties within the Village. He outlined why he chose this project and how he will go about fund raising and building the bat houses. Discussion ensued in regard to the best locations for these posts. Village will provide a list of its properties abutting water.

A letter from Natalie Sepulveda on her Girl Scout Gold Award project was read to the Board. She is proposing to erect two little lending libraries, one at Village Hall and one within Kathryn Gorman Ponds Park or within her neighborhood. After discussion it was determined the best locations are Village Hall and within her neighborhood. Village Attorney Berbit, who is also an elected Board member and Vice President of Suffern Free Library, will discuss with the Library Director for her advice.

## **Public Comment:**

Rick Waldman of 21 Coe Farm Road, Montebello, spoke about safety and excessive speeding on Coe Farm Road. He has submitted a petition with signatures from a majority of residents in favor of speed tables on the road. The road was reviewed by the Village Engineer, Martin Spence, and a letter has been sent in favor of the speed tables. (see resolution #22-106)

## **Resolution 22 - 106**

Village of Montebello

Title: Proposed Coe Farm Road Speed Tables

WHEREAS, speed table petitions for Coe Farm Road, between Route 202 (Haverstraw Road) and Grandview Avenue, were filed on July 25, 2022; and

WHEREAS, the Village Engineer reports that collectively such contains 33 homes-signatures for the 44 homes impacted, which exceeds the 75% minimum requirement as set forth in Resolution No. 06-101; and

WHEREAS, the aforesaid petitions were sent to the Village Engineer pursuant to the procedure established by Resolution No. 06-101, and said Engineer recommended in the affirmative as set forth in his opinion dated August 31, 2022, referenced as if set forth hereinafter, a true copy of which shall be appended to the minutes hereof.

THEREFORE, BE IT RESOLVED, that a Public Hearing be held on said petitions at the next Regular Meeting of the Village Board on October 19, 2022, beginning at 7:00 PM local time

or as soon thereafter as the matter can be heard, and that in furtherance thereof, the Village Clerk shall cause notice of said Public Hearing to be published and posted, and mailed to the potentially impacted properties, including that of the Petitioners, to the Town of Ramapo Police Department, Highway Department and other first responders, such as the Tallman Fire Department and to the Spring Hill and William P. Faist Ambulance Corps. and, to the Rockland County Department of Planning.

Motion: Trustee Golden

Second: Trustee Liebergall

Upon vote, the Resolution carried unanimously.

**Resolution No. 22 - 107**

Village of Montebello

Title: Redistricting

WHEREAS, the redistricting of the Rockland County Legislature is underway, creating the immediate opportunity to cure the ills of the past whereby the Village of Montebello was broken into two parts, each separately aligned with other areas with higher population densities, and with which Montebello had little or no community of interest; and

WHEREAS, Montebello with a population under 7,967 should not be divided into different districts, nor should Montebello be united with a district with which it has little or no community of interest, nor should it ever again, by gerrymandering of lines, be joined into districts in which its voters are rendered voiceless because of the overwhelming population imbalance of said district or districts.

THEREFORE, BE IT RESOLVED that we, the elected Mayor and Trustees of the Village of Montebello, hereby go on record to strongly oppose any redistricting plan which fragments Montebello, or which joins it with other areas with what it doesn't have a community of interest, or in which it's voters are overpowered and rendered voiceless due to the disparity in population density with the other portions of the proposed district or districts; and

BE IT FURTHER RESOLVED, that including the Village of Montebello in a western Ramapo district approximately composed of it, and the Villages of Hillburn, Sloatsburg and Suffern, would represent an acceptable district with a similarly diverse population, a common public educational system, a community of interest, and common desire to preserve and protect the environment, and to avoid excess density and overbuilding, all hallmarks of the Village of Montebello throughout its existence and amongst fundamental reasons for its creation; and

BE IT FURTHER RESOLVED, that this Resolution in final form as signed by the Mayor and Trustees, be sent to Rockland County Legislature for due consideration by its Redistricting Committee.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

**Resolution No. 22 - 108**

Village of Montebello

Title: Rockland County Community Power (RCP) Agreement

BE IT RESOLVED, that the Revised Supply Agreement (ESA) and RFP, referenced as if fully set forth hereinafter, necessary to facilitate the next round of bidding, all as prepared and recommended by Joule and Rockland Community Power (RCP) are approved, as pre-signed by the Village, it being understood that actual acceptance of a bid or bids will require further action of the Village Board upon guidance of RCP, as explained in the communication of Peggy Kurtz dated September 1, 2022.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carried unanimously.

**Resolution No. 22 – 109**

Village of Montebello

Title: Replacement of Village of Montebello Signs

WHEREAS, the Village of Montebello signs are located at (1) Route 202 / Haverstraw Road on the border with Suffern and (2) Corner of Hemion Road and Route 59 near Indian Rock Shopping Center were destroyed due to weather and age; and

WHEREAS, the Village Clerk – Treasurer contacted Hudson Valley Sign Studio for an estimate including installation; and

WHEREAS, Hudson Valley Sign Studio submitted their estimate dated September 19, 2022, in the amount of \$3,080.00.

THEREFORE, BE IT RESOLVED, that said proposal be accepted and said work authorized at a cost of \$3,080.00.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon Vote, resolution carried unanimously.

**Resolution No. 22 – 110**

Village of Montebello

Title: Conducting Public Hearing to Amend the Sign Code, Chapter 143, to require English language text and characters to aid in the dispatch of emergency services.

LOCAL LAW NO. 2 OF THE YEAR 2022

A LOCAL LAW AMENDING CHAPTER 143 SIGNS, TO REQUIRE ENGLISH LANGUAGE TEXT AND CHARACTERS TO AID IN THE DISPATCH OF EMERGENCY SERVICES

WHEREAS, the Village finds that some establishments may provide signage in other languages which may be spelled out with characters other than the Latin-script alphabet, unfamiliar to those who speak only the English language or European languages; and

WHEREAS, in an emergency occurring at an establishment catering to non-English speakers, passersby and emergency services personnel who speak English as their primary language may not be able to identify the property, if its sign does not contain language spelled in typical Latin-script alphabetic characters; and

WHEREAS, the usage of signage entirely without Latin-script characters may therefore result in confusion or delays in dispatching responses by emergency services; and

WHEREAS, the usage of signage entirely without Latin-script characters may also cause confusion during routine deliveries at such properties including causing traffic stoppage on roadways; and

WHEREAS, the Village Board directed the staff to prepare code amendments to address this issue; and

THEREFORE, BE IT RESOLVED as follows:

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

a.) That the Village Board designates itself as Lead Agency for adoption of proposed Sign Amendments found in Local Law 2 of 2022, and immediately assumes such status, there being no other agencies involved in the Action for which such designation is to be coordinated with; and

b.) That the Village Board as Lead Agency classifies the action as Type II for the purposes of SEQR, requiring no further action under that law; and

2. That a public hearing shall be held on October 19, 2022, beginning at 7 pm local time, on said Local Law 2 of 2022 amending the Zoning Code as aforementioned; and
3. That due notice with respect to same pursuant to GML §239 and Village Law 7-706 be given to the Rockland County Planning Department, all abutting municipal entities, outside agencies, and to consider any recommendations therefrom; and
4. The local law shall be provided to the Planning Board for review at its meeting scheduled for October 11, 2022, and with a request that the Planning Board provide recommendations to the Village Board regarding the matter, if any.
5. 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. 22 - 111**

Village of Montebello

Title: Approval of Minutes for August 17, 2022

BE IT RESOLVED, the minutes of the Board of Trustees of August 17, 2022, be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

**Resolution No. 22 – 112**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims September 21, 2022, and totaling \$182,625.66 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, the Resolution carried unanimously.

**Resolution No. 22 - 113**

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 21, 2022, for Professional Fees, and totaling \$10,990.00 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Liebergall

Upon vote, the Resolution carried unanimously.



**Resolution No. 22 - 114**

Village of Montebello

Title: Appointment of Ad-Hoc to the Planning Board

WHEREAS, Planning Board Ad-Hoc Marlo Dickman has been appointed to Member of the Planning Board effective July 1, 2022, and will serve until the reorganization meeting of April 2027, leaving her Ad-Hoc position vacant; and

WHEREAS, the Mayor recommends the appointment of Ariel Aufgang, a resident of Montebello, who is an architect, to be appointed as Ad-Hoc of the Planning Board to serve until April 2023, or until a successor is duly appointed, and

THEREFORE, BE IT RESOLVED, that Ariel Aufgang be and hereby is appointed as Ad-Hoc of the Planning Board effective October 1, 2022.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, the Resolution carried unanimously.

**Resolution No. 22 – 115**

Village of Montebello

Title: Appointment of Assistant Building Inspector (Marcos Padilla) to Full Time

WHEREAS, Marcos Padilla was hired to the part time position of Assistant Building Inspector in April 2022; and

WHEREAS, as part of the duties of the Assistant Building Inspector, he is also the Fire Inspector and Code Enforcement Officer; and

WHEREAS, there is a need for more hours to satisfactorily complete the demands on this position; and

WHEREAS, the Village Clerk – Treasurer in searching for a qualified full-time replacement has contacted Rockland County Personnel for the qualifying list of candidates; upon which the County stated that there is no active list as it has expired with no upcoming date for the exam.

THEREFORE, BE IT RESOLVED, upon the recommendation of the Mayor, that Marcos Padilla, as a qualified candidate be appointed, effective October 1, 2022 to the position of Assistant Building Inspector (F/T) for a term to expire at the reorganization meeting in April 2023, or as soon thereafter as a successor can be appointed, as a provisional hire understanding that he must successfully take (“be eligible for appointment”) the Rockland County Personnel Building Inspector exam when it becomes available. Compensation for this position will be \$75,000 per year.

Motion: Trustee Golden

Second: Trustee Liebergall

Upon vote, the Resolution carried unanimously.

**Resolution: 22 - 116**

Village of Montebello

Title: Shade Tree Replacements

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

WHEREAS, the Deputy Village Clerk sent requests (RFP’s) to several nurseries for quotes on tree purchase with installation, including D&D Tree, Perfect Cut, and Belleville with Belleville being the lowest price and included installation, based upon the prior award to it on a unit cost basis as needed to fulfill ongoing demand.

THEREFORE, BE IT RESOLVED, hereby confirming the Village Engineer’s findings in his memo of August 25, 2022, referenced as if set forth hereinafter, as 40 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 40 trees with a total not to exceed \$20,000, said monies to be expensed from the Shade Tree Fund.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carries unanimously.

Title: Village Hall Garage Door and Senior Meeting Room Man Door Replacements

WHEREAS, as per the letter of the Village Engineer, Martin Spence, dated August 12, 2022, referenced as if set forth hereinafter, he recommends, after reviewing all the bids from other contractors, to award a contract to 9 West Construction Corp. as per its proposal of July 28, 2022, also referenced as set forth hereinafter, for the following work to be done on Village Hall:

1. Replace garage doors, including surrounding framing and all trim work and painting, at a cost of \$9,450.
2. Replace man door on Senior Room, including surrounding framing work, at a cost of \$3,600; and

WHEREAS, as the Village Engineer reports, the garage door work aligns with a grant award and is compliant given the historical significance of the “Morse Cottage”, including the Historic Preservation and Parks Commission issuing a Certificate of Appropriateness and New York State Historic Preservation Office determination of “no cultural resource concerns” approval; and

WHEREAS, the Village Clerk-Treasurer worked with the Craig Long, Village Historian to ensure that the work be historically correct, the Village Engineer finds the proposal to be acceptable.

THEREFORE, BE IT RESOLVED that such award in the amount of \$9,450 for the garage door and \$3,600 for the Senior Meeting Room Door, in total of \$13,050, is approved, it being understood that a significant portion of the expenditure authorized cost thereof is covered by a grant.

Motion: Trustee Golden

Second: Trustee Liebergall

Upon vote, the motion carried unanimously.

Title: Parades and Processions

WHEREAS, for its entire existence the Village has not been the recipient of applications to utilize its roadways, or roadways within the Village, for a procession or parade, until, within the

past month two applications; the first for East Mayer Drive, and the second one for September 18<sup>th</sup>, Golden Road to 84 Viola Road, in each case a Torah Procession; and

WHEREAS, given the Village's general authority to regulate, police and protect health and safety on its roads or roads within the Village, and to regulate signage, to regulate noise, and to regulate peace and good order, for such applicants with the assistance of the Village Attorney, the Village prepared questionnaires, including review by the Town of Ramapo Police Department, and oversaw the application process; and

WHEREAS, in anticipation that further regulating parades and processions will be a need, the Village will continue to explore same and decide whether to adopt a Local Law.

THEREFORE, BE IT RESOLVED, that

- 1) The aforementioned processes and questionnaire, approved, of necessity, retroactively
- 2) That the second more evolved questionnaire and surrounding procedures be utilized for any procession or parade applications until and unless modified for by further action of this Board, or as may be replaced altogether by a Local Law or more formal regulations.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, motion carried unanimously.

**Public Comment:**

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

**Old / New Business**

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At 7:45 PM, Deputy Mayor Caridi made a motion to go into Executive Session to discuss ongoing negotiations, seconded by Trustee Golden. Vote carried unanimously.

At 9:10 PM, Deputy Mayor Caridi made a motion to exit Executive Session, seconded by Trustee Liebergall. Vote carried unanimously.

At 9:11 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Liebergall. Vote carried unanimously.

Respectfully submitted:

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Joan Will – Village Clerk-Treasurer