

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, DECEMBER 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 Stacy Caridi Melanie Golden Evan T. Kuperman David A. Liebergall	Mayor Deputy Mayor Trustee Trustee Trustee
Other:	Warren E. Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

Mayor's Report:

Mayor Millman discussed the impending storm that is approaching and warns everyone of the heavy winds and rains with flooding that will be occurring. He reminds everyone to drive carefully and make sure you are prepared in the event of an electrical outage. Orange and Rockland will be hosting a triage meeting tomorrow to prepare all municipalities for the storm event. Mayor Millman and Deputy Mayor Caridi will be in attendance.

Mayor Millman would like to congratulate the following Planning and Zoning board members for the completion of their certification or re-certification with the Rockland Municipal Planning Federation. They are Ezra Bryan, Anthony Caridi, Elizabeth Dugandzic, Rodney Gittens, Stan Shipley, and Carl Wanderman. Mayor Millman thanks them for their service.

The Mayor wished everyone a Happy Holiday and New Year.

Building Department Report:

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

- (8) building permits were filed. A total of \$4,326.00 in permit fees were collected.
- (7) Certificates of Occupancy were issued.
- (32) locations were inspected; \$4,930.00 in Fire Inspection fees were collected during the month.
- (7) code violations were issued.

Historic Preservation and Parks Commission (HPPC)

Village Attorney Berbit reports that the HPPC had Certificate of Appropriateness applications for two one-family homes. One was approved and the other one requires a site visit which was to take place on December 18th. With no one from the HPPC wishing to speak, Mayor Millman closed this portion of the meeting.

Public Comment:

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

SPEED TABLES

Local Law 2 of 2022 to Amend the Sign Code has been tabled until January 18, 2023, as the language within the local law needs to be updated. This Local Law will be re-noticed and numbered in 2023, and Local Law No. 3 of 2022 becomes Local Law No. 2 of 2022. All members agreed to move this Resolution to January 18, 2023.

Title: Coe Farm Speed Tables

WHEREAS, a Speed Table Petition was received as dated July 24, 2022, seeking the installation of same on Coe Farm Road and, by virtue of Resolution No. 22-119 adopted at the head of the Public Hearing on October 19, 2022, pursuant to the opinion of the Village Attorney the Petition was found deficient by 8 households due to the failure to account for homes on Grist Mill Court and Sousa Lane, and the Petitioners were given the opportunity to gather the additional signatures necessary in a Supplemental Petition, by adjourning the Hearing without date; and

WHEREAS, by virtue of Resolution No. 22-138, adopted November 9, 2022, the filing of a Supplemental Petition was acknowledged which contained the additional signatures, and the Public Hearing scheduled to resume at this meeting, December 21, 2022; and

WHEREAS, the Public Hearing was resumed at 7:11 pm, Trustee Golden having so moved, and Deputy Mayor Caridi seconded, all-in favor; and

WHEREAS, the Village Attorney who previously passed upon due notice of the Public Hearing, requested that the following being included in the record:

1. Petition and Supplemental Petition
2. Opinion letter of Village Engineer dated August 31, 2022
3. Resolution Nos. 06-101, 22-119 and 22-138
4. Legal Notice of Public Hearing and to First Responders.
5. (if anything, else)

WHEREAS, the Village Attorney explained the process, confirmed sufficient signatures and the Village Engineer's positive report, and the following spoke at the meeting:

1. Applicants, by Richard Waldman, who indicated that due to the straight, flat, long nature of Coe Farm Road as connecting between two main roads, Haverstraw Road (Route 202) and Grandview Road, cars tend to exceed the speed limit thereon as also commented upon by the Village Engineer.

2. No one else wishing to speak; and

WHEREAS, the Public Hearing was closed at 7:14 pm, Deputy Mayor Caridi having so moved, Trustee Golden seconded, all-in favor, all and the Board duly deliberated.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That, subject to the final determination of the Village Engineer as to location and number, preferably 3 but not to exceed 4, approval is hereby granted to install speed tables on Coe Farm Road.

2. That the Village Engineer will mark prospective locations for a 20-day comment period, and after considering such as may be received, will finalize such locations.

3. That Coe Farm Road be moved onto the 2023 milling and paving schedule in order to more efficiently and economically facilitate such installation, said road surface already being near the end of its useful life, thus already anticipated as ready for resurfacing in the 2023–2025-time frame.

4. That the cost, estimated at around \$18,000 to \$24,000, be approved, to be expended from funds budgeted for paving as supplemented by any State grants or aid for such purposes.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carried unanimously.

Title: Adoption of Local Law No 2 of 2022 – Amending Chapter 167 re: Increasing Certain Tax Exemption Income Eligibility Limits

WHEREAS, a Public Hearing was opened on December 21, 2022 on proposed Local Law No. 3 of 2022 entitled Amending Chapter 167 of the Village Code, Increasing Certain Tax Exemption Income Eligibility Limits at 7:29 pm Deputy Mayor Caridi moved and Trustee Golden seconded, all in favor, after the Village Attorney concluded that due notice was given after questioning the Village Clerk on the record hereat and ascertaining that the following Legal Notice was published in the Journal News on December 11, 2022 and was posted on December 9, 2022 at several places, and that said Notice and the version of said Local Law before us this evening was provided to the Trustees and made available to the public on December 9, 2022:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a Public Hearing will be held on Wednesday December 21, 2022, beginning at 7:00 p.m. as soon thereafter as the matter can be heard, at Dr. Jeffrey Oppenheim Community Center, 350 Haverstraw Road, Montebello, NY 10901

Local Law No. 3 of 2022

A Local Law amending the percentage of real property taxation exemption permitted income schedules as per the 2022 amendment to NYS Real Property Tax Law §485-b, as pertaining to Homeowners with Disabilities and Limited incomes, Village Code §167-27.4A and Senior Citizens, Village Code §167-30-.D.

All interested parties are invited to attend. The proposed law will be available for inspection and review at the village Office during normal working hours, Monday through Friday, 9:00 a.m. to 4:00 p.m. as well as on the Village of Montebello website villageofmontebello.org.

Joan Will
Village Clerk – Treasurer
Village of Montebello
One Montebello Road
Montebello, NY 10901
(845) 368-2211

Warren E. Berbit
Village Attorney

November 9, 2022

VILLAGE OF MONTEBELLO
LOCAL LAW NO. 2 OF 2022
A LOCAL LAW AMENDING CHAPETER 167 OF THE VILLAGE CODE
AMENDMENT TO CERTAIN REAL PROPERTY TAX EXEMPTIONS

Section 1. Legislative Intent

Amending Chapter 167 of the Village Code, where relevant, amended by Local Law No. 3 of 2018, to accept the higher income eligibility sliding scales as permitted under the 2022 amendment to NYS Real Property Tax Law (RPTL) §458-b, in particular as such relate to senior citizens and disability related real property tax exemptions as consistent with the action of the Town of Ramapo which acts as the Village’s Assessing Unit, and the Receiver of Taxes for its property owners for other than Village real property taxes.

Section 2. Amend the percentage of real property taxation exemption permitted for homeowners with disabilities and limited income as appearing in 167-27.4. A by replacing with the following:

Annual Income	Percentage of Assessed Valuation Exempt from Taxation
Less than \$50,000	50%
\$50,000 but less than \$51,000	45%
\$51,000 but less than \$52,000	40%
\$52,000 but less than \$53,000	35%
\$53,000 but less than \$53,900	30%
\$53,900 but less than \$54,800	25%
\$54,800 but less than \$55,700	20%
\$55,700 but less than \$56,600	15%
\$56,600 but less than \$57,500	10%
\$57,500 but less than \$58,400	5%

Section 3. Amend the percentage of real property taxation exemptions permitted for senior citizens as appearing in Chapter 167-30. D by replacing with the following:

Annual Income	Percentage of Assessed Valuation Exempt from Taxation
Less than \$50,000	50%
\$50,000 but less than \$51,000	45%
\$51,000 but less than \$52,000	40%
\$52,000 but less than \$53,000	35%
\$53,000 but less than \$53,900	30%
\$53,900 but less than \$54,800	25%
\$54,800 but less than \$55,700	20%
\$55,700 but less than \$56,600	15%
\$56,600 but less than \$57,500	10%
\$57,500 but less than \$58,400	5%

Section 4. This Local Law shall become effective immediately upon filing with the Secretary of State.

WHEREAS, no one wishing to speak the Public Hearing portion was closed at 7:30 pm by motion, Trustee Golden moved, and seconded by Deputy Mayor Caridi, all in favor, and the Board duly deliberated thereafter; and

WHEREAS, the Board found that the proposed action is classified as Type II, if SEQR applicable at all, and no further action under SEQR is required.

THEREFORE, BE IT RESOLVED, due to proposed Local Law No. 2 of 2022 being moved to 2023, as Local Law No. 1 of 2023, Local Law No. 3 of 2022 is to be re-designated as Local Law No. 2 of 2022 to avoid a gap in the sequencing of Local Laws; and

BE IT FURTHER RESOLVED, after a Public Hearing and due deliberation, that said Local Law be and hereby is approved by authority of RPTL§458-b and §20(5) of the Municipal Rule Law to become effective upon filing with the Secretary of State.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

The Board was polled:	Mayor Millman	-	Approved
	Deputy Mayor Caridi	-	Approved
	Trustee Golden	-	Approved
	Trustee Kuperman	-	Approved
	Trustee Liebergall	-	Approved

Local Law No. 2 of 2022 approved all in favor.

Resolution No. 22 - 154

Village of Montebello

Title: Stonehedge Heights – Withdrawal of Application

WHEREAS, as more particularly set forth in Resolution No. 22-140, the Applicant, by Marsel Amona, appeared to reach agreement with the Village Board on amending the Application, to address the primary but not the only point of disagreement, density, thus making it difficult if not impossible to proceed without first addressing the related objections and recommendations of the Rockland County Department of Planning and the Village Planning Board; and

WHEREAS, as an aid to achieving potential agreement Resolution No. 22-140, contemplated confirming the enumerated findings of the Village Board as set forth therein; and

WHEREAS, in furtherance of the above, written, and oral dialogue continued between the Mayor and Applicant, and despite seeming overall agreement, irreconcilable differences became apparent, especially as regards basement doors and possible egress windows, thus fostering ongoing concern that the basements would be used for habitable space, thereby increasing density; and

WHEREAS, the Mayor reported that the applicant would not yield on the issue of the basements, preferring to withdraw the application instead.

THEREFORE, BE IT RESOLVED, that said application be considered as withdrawn, thus ending the Public Hearing, thus amending, and overriding Resolution No. 22-140 to the extent inconsistent herewith.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carried unanimously.

Resolution No. 22 -155

Village of Montebello

Title: Approval of Minutes for November 9, 2022

BE IT RESOLVED, the minutes of the Board of Trustees of November 9, 2022, be and are hereby approved.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

Resolution No. 22 – 156

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated December 21, 2022, and totaling \$141,159.64 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

Resolution No. 22 – 157

Village of Montebello

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

BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fee dated December 21, 2022, for Professional Fees, and totaling \$31,835.10 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. 22 - 158

Village of Montebello

Title: Approval of Abstract & Schedule of Claims – ARPA Funds

BE IT RESOLVED, the abstract and Schedule of Claims – ARPA Funds dated December 21, 2022, for ARPA Funds, and totaling \$16,253.70 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. 22- 159

Village of Montebello

Title: Lighting Installation on Village Vehicles

WHEREAS, the Village vehicles are utilized by our Building Department and Litter Patrol daily; and

WHEREAS, the safety of the vehicles and the personnel who utilize them is a concern, especially that of our Litter Patrol who is often parked on main roads when picking up trash. The installation of these safety lights will ensure that the Village vehicles are seen clearly when parked within the Village; and

WHEREAS, proposals were sought from Goosetown Communications as recommended by our Building Inspector, to enhance the lights already on the vehicles and add more as recommended. Below are the proposals received from Goosetown Communications for both vehicles:

Vendor		Price Quote
Goosetown Communications	2014 F-150 Lighting Installation – Feniex 4200 Mini lights (1), Feniex QUAD QSM Surface Mount lights (4), Feniex FSM & QSM Single L-Bracket Lights (4) plus labor	\$1,725.00
Goosetown Communications	2019 Ford Ranger – Feniex QUAD QSM Surface Mount lights (4), Feniex 4200 Mini Lights (1) plus labor	\$1,395.00

; and

THEREFORE, BE IT RESOLVED, that the proposal from Goosetown Communications be accepted at a total cost of \$3,120.00, the expenditure of which for these purposes is hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carried unanimously.

Title: Amended Tax Rate and Budget for 2023

BE IT RESOLVED, the Tax Rate and Budget dated November 9, 2022, set at 10.82018% be amended to read 10.90827% due to the Town Assessor’s office reducing the final taxable assessed valuation without prior notice to the Village.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carried unanimously.

STREET LIGHT AGREEMENT

Real Term Street Light Agreement has been updated by the Village Attorney Berbit and sent to Real Term for approval. They responded with an updated Agreement and cover letter; however, there were still a few outstanding items to discuss prior to the light audit beginning. The Mayor, Village Attorney, and Board of Trustees suggested that the language and all questions be cleared up prior to the signing of the agreement. All members agreed to move this Resolution to January 18, 2023.

Old / New Business

- Mayor Millman read a letter from Senator Elijah Reichlin-Melnick regarding grants we have applied for. Mayor Millman thanked him for his service and support during the past few years and wish him the best in his future endeavors.
- The Village has chosen the Village Board Meeting dates for 2023 and they will be placed on the website.
- The Village Holiday schedule for 2023 has been chosen and will be placed on the website.
- The Town of Ramapo has submitted the Tax Exemption List to the Village, and it will be reviewed to see if they need to be billed for trash collection and any necessary response will be submitted to the Town of Ramapo Assessor prior to March 1, 2023.

Public Comment:

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

At 7:47 PM, Deputy Mayor Caridi made a motion to go into Executive Session to discuss contract terms, seconded by Trustee Golden. Vote carried unanimously.

At 8:08 PM, Deputy Mayor Caridi made a motion to exit Executive Session, seconded by Trustee Golden. Vote carried unanimously.

At 8:09 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Golden. Vote carried unanimously.

Respectfully submitted:

Joan Will – Village Clerk-Treasurer