

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, FEBRUARY 15, 2023, 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
	Melanie Golden	Trustee
	Evan T. Kuperman	Trustee
	David A. Liebergall	Trustee
Absent:	Stacy Caridi	Deputy Mayor
Other:	Warren E. Berbit	Village Attorney
Recording Secretary:	Joan Will	Village Clerk-Treasurer

**Mayor’s Report:**

Mayor Millman reported that tax collection in January went very well with the inclusion of the new online tax collection program. There was favorable support by the residents regarding this.

Mayor Millman reported that the nice weather brings speeding. He reminds everyone to drive carefully and watch out for persons walking and riding bicycles.

Mayor Millman reminds everyone that Village Elections are on March 21, 2023 at the Senior Center at Village Hall from 7am – 9pm. Any registered voter is welcome to vote.

**Building Department Report:**

The following is the Building Department Report for the month of January 2023:

- (10) building permits were filed. A total of \$24,668.00 in permit fees were collected.
- (9) Certificates of Occupancy were issued.
- (42) locations were inspected; \$2,550.00 in Fire Inspection fees were collected during the month (*from 2022 inspections*).
- (14) code violations were issued.

Mayor Millman reports that our Building Department is extremely busy right now with new construction and checking on violations.

**Public Comment:**

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

The Montebello Gateway, LLC PILOT Agreement was scheduled to be discussed. Village Attorney Berbit explained how PILOT agreements work and then explained that the original plans for the project did not match the recently submitted plans. Building Inspector Adam Gordon sent the applicant a Denial Letter on February 9<sup>th</sup>. In addition, reportedly the applicant came before the Planning Board and ask for a time extension to decide whether or not to attempt seek an operational roof, 4<sup>th</sup> floor. Based on this information, Village Attorney Berbit has requested to the Mayor that this Resolution be tabled for a future date.

Motion: Trustee Liebergall

Second: Trustee Golden

Upon vote, the Motion carried unanimously.

**Resolution: 23 - 008**

Village of Montebello

Title: Authorization of IT to update office computers Village Hall

WHEREAS, The Village Clerk-Treasurer sought proposals for IT Services and updating the computers at Village Hall, which is summarized as upgrades for all desktops and servers; and

WHEREAS, these upgrades were part of the RFP process for Infrastructure and Management Services but inadvertently not added to the November resolution; and

WHEREAS, updating vs. purchasing new is more economically prudent.

THEREFORE, BE IT RESOLVED, that the proposal from Delaney Computer Services dated December 30, 2022, in the amount of \$4,577.62 for the upgrades for all desktops and servers in Village Hall, referenced as if set forth hereinafter, be and hereby is accepted and said sum be authorized to be expended for the forgoing purposes. Deputy Mayor Caridi made a motion and Trustee Kuperman seconded.

Roll call:

- Mayor Millman - Abstained
- Deputy Mayor Caridi - Approved
- Trustee Golden - Approved
- Trustee Kuperman - Approved
- Trustee Liebergall - Approved

Upon vote the motion carries by a vote of 4 – 0 and 1 Abstained.

**Resolution No. 23 - 009**

Village of Montebello

Title: Accepting Resignation and Appointment Member to the Planning Board

WHEREAS, Planning Board Member David Levine whose appointment expires April 2024, has tendered his resignation effective January 1, 2023, due to relocating; and

WHEREAS, the Mayor recommends the appointment of Ariel Aufgang, a resident of Montebello, who has been serving as Planning Board Ad-Hoc since July 2022.

THEREFORE, BE IT RESOLVED, that said resignation is accepted effective January 1, 2023, and said seat declared as vacant, and that effective January 1, 2023, Ariel Aufgang is hereby appointed, as Member of the Planning Board to serve until April 2024, or until a successor is duly appointed, and to declare the Planning Board Ad-Hoc seat vacant.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution: 23 – 010**

Village of Montebello

Title: Polling Place and Hours of Election

BE IT RESOLVED that the polling place for the Election of Village Officers, shall be held on Tuesday, March 21, 2023, at the Village Hall, One Montebello Road, Montebello, NY. The polls shall be open from seven o'clock in the morning until nine o'clock in the evening, local time; and

BE IT FURTHER RESOLVED that the Village Clerk-Treasurer shall notice and post same as required by the Election Law.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 23 - 011**

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 18, 2023 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: Trustee Liebergall

Upon questioning by the Mayor, the Village Attorney confirmed this is the same action as taken in previous year.

Upon vote, the motion carries unanimously.

**Resolution No. 23 - 012**

Village of Montebello

Title: Approval of Minutes for January 18, 2023

BE IT RESOLVED, the minutes of the Board of Trustees of January 18, 2023, be and are hereby approved.

Motion: Trustee Golden

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

**Resolution No. 23 – 013**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated February 15, 2023, and totaling \$139,853.48 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution No. 23 – 014**

Village of Montebello

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

BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fee dated February 15, 2023, for Professional Fees, and totaling \$23,221.22 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

**Resolution 23 - 015**

Village of Montebello

Title: Return of Professional Fees – 14 Cobblestone farm Court and 8 Divot Place

BE IT RESOLVED, as per the report of the Village Engineer dated January 20, 2023 that Professional Fees for 14 Cobblestone Farm Court in the amount of \$627.20 be returned to Abdlnaser Shibly, as the project has been completed; and

BE IT FURTHER RESOLVED, as per the report of the Village Engineer, dated December 6, 2022, that Professional Fees for 8 Divot Place in the amount of \$285.90 be returned to Debra Gay, as the project has been completed.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, the Resolution carried unanimously.

Resolution: 23 - 016

Village of Montebello

Title: Appointment of Election Inspectors

BE IT RESOLVED that the Board of Trustees of the Village of Montebello does hereby appoint the following persons to serve as Election Inspectors for the upcoming Village election to be held on March 21, 2023:

<u>Name</u>	<u>Address</u>
Karen May	22 Bayard Lane – Montebello
Susan Spiegelman	17 E. Mayer Dr – Montebello
Laurie Scher	41 Lackawanna Trail – Montebello

BE IT FURTHER RESOLVED that their compensation be set at a rate of \$200.00 per day or required minimum wage for Rockland County if higher.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon Vote motion carries unanimously.

**Continuation of Resolution No. 23 - 001**

Village of Montebello

Title: Adoption of Local Law No. 1 of 2023 to Amend the Sign Code, Chapter 143, to require English language text and characters for public safety and to aid in the dispatch of emergency services.

This Resolution was held open in order to see if Rockland County Department of Planning or any others had any additional comments. Village Clerk Will advised that no additional comments were received at Village Hall regarding this.

At this time, given no additional comments were received, Village Attorney Berbit has requested to the Mayor that the record be closed and authorizing Local Law 1 of 2023 be submitted to the Secretary of State for filing.

Action as aforescribed:

Motion: Trustee Golden

Second: Trustee Liebergall

Upon vote, the Motion 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 advised that the Board is reviewing a Preliminary Draft of Chapter 135 “Property Ownership and Tenancy Registration” with the Village Attorney and Village Planner.

At 7:27 PM, Trustee Golden made a motion to go into Executive Session for Attorney-Client purposes to discuss open legal issues, seconded by Trustee Liebergall. Vote carried unanimously.

At 8:02 PM, Trustee Golden made a motion to exit Executive Session, seconded by Trustee Liebergall. Vote carried unanimously.

At 8:02 PM, Trustee Golden made a motion to close the meeting, seconded by Trustee Kuperman. Vote carried unanimously.

Respectfully submitted:

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Joan Will – Village Clerk-Treasurer

