

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, MARCH 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
	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 that the Newsletter has been mailed to all residents. Please make note that at the back of the Newsletter there is information on the upcoming Village elections that will take place on March 21<sup>st</sup> at Village Hall Senior Center from 7 am – 9 pm. Mayor Millman encourages everyone to go out and vote.

Mayor Millman stated that he not aware of any outages from this past week's snowstorm.

Mayor Millman reminds everyone to drive carefully as the weather begins to clear and to keep in mind the walkers on the sides of roads and bicycles as well.

Mayor Millman invites everyone to drive by Village Hall and admire the new gutters that have recently been installed using grant money and while keeping the historic integrity of the building. The roof will be repaired and replaced soon as well.

Mayor Millman reminds everyone to be aware that the bears are starting to be active. The family near the community center is active and they have at least three new cubs, so stay clear of them and do not feed them.

### **Building Department Report:**

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

- (8) building permits were filed. A total of \$8,064.00 in permit fees were collected.
- (5) Certificates of Occupancy were issued.

- (19) locations were inspected/reinspected; \$1,200.00 in Fire Inspection fees were collected during the month.
- (8) 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. 23 -017**

Village of Montebello

Title: Approval of Minutes for February 15, 2023

BE IT RESOLVED, the minutes of the Board of Trustees of February 15, 2023, be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

**Resolution No. 23 – 018**

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated March 15, 2023, and totaling \$134,086.72 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. 23 – 019**

Village of Montebello

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

BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fee dated March 15, 2023, for Professional Fees, and totaling \$20,628.03 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. 23 - 020**

Village of Montebello

Title: Polling Place for Federal / State / Local Primary and General Election

BE IT RESOLVED that the polling place for the Federal/State/Local Primary Election to take place of Tuesday, June 27, 2023, and the General Election to take place of Tuesday, November 7, 2023, at the Dr. Jeffrey Oppenheim Community Center (Montebello Community Center), 350 Haverstraw Road, Montebello, NY, located in the Town of Ramapo and authorized by the Rockland County Board of Elections according to New York State Election Law Section 4-104 at a rate of \$480 in total.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

**Resolution No. 23-021**

Village of Montebello

Title: Approving Bid Results for Community Center Skylight

WHEREAS, the Dr. Jeffrey Oppenheim Community Center skylight has been leaking for some time and the Village Clerk-Treasurer contacted our Village Engineer, Martin Spence to explore proposals from vendors to repair or replace, yielding the following:

<b>Vendor</b>	<b>Brief Description</b>	<b>Base</b>
Elite Work Home Improvements Clifton, NJ	Leak repair work including cleanup, prep work, apply sealant and cement flashing	\$1,275
Elite Work Home Improvements Clifton, NJ	Remove existing and replace with new skylight including new flashing and new shingles	\$2,875

; and

WHEREAS, based on the proposals as outlined per the attached bid results, the Village Engineer suggests the proposal from Elite Work Home Improvements for the replacement of the skylight, at a total cost of \$2,875 is the best option.

THEREFORE, BE IT RESOLVED, that authorization is hereby granted to expend the sum of \$2,875.00 to replace the skylight at the Dr. Jeffrey Oppenheim Community Center as outlined per the proposal of Elite Work Home Improvements.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carries unanimously.

**Resolution No. 23-022**

Village of Montebello

Title: Approving Bid Results for Village Hall Garage Door Finishing

WHEREAS, the Village Hall newly installed Garage Door is in need of finishing and the Village Clerk-Treasurer contacted our Village Engineer, Martin Spence to explore proposals from vendors to finish, yielding the following:

<b>Vendor</b>	<b>Brief Description</b>	<b>Base</b>
9 West Construction Congers, NY	Prep work, coat of stain (both sides) and finishing with two coats of polyurethane on both sides	\$3,290

Elite Work Home Improvements Clifton, NJ	Prep work, coat of stain (both sides) and finishing with two coats of polyurethane on both sides	\$1,625
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; and

WHEREAS, based on the proposals as outlined per the attached bid results, the Village Engineer suggests the proposal from Elite Work Home Improvements, at a total cost of \$1,625 is the best option.

THEREFORE, BE IT RESOLVED, that authorization is hereby granted to expend the sum of \$1,625.00 to finish the newly install Garage Door at Village Hall as outlined per the proposal of Elite Work Home Improvements.

Motion: Trustee Golden

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

**Resolution No. 23 - 023**

Village of Montebello

Title: Establishing a Standard Workday for Retirement System Purposes

BE IT RESOLVED, that the Village of Montebello Location Code 40575 hereby confirms establishing 6 hours per day as the standard work day for Elected and Appointed Officials and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body, as based upon said standard work day in accordance with Regulation 315.4 of the New York State & Local Retirement System; and

BE IT FURTHER RESOLVED that all Elected and Appointed Officials that are presently members of the New York State & Local Retirement System, shall have days worked reported on the monthly report, set as per the attached Form RD2417-A, and shall include the term of office and expiration for each elected and appointed official.

BE IT FURTHER RESOLVED, that upon adoption, this Resolution shall be posted on the Village's website for 30 days and the Village Clerk shall submit an affidavit of posting and a copy of the Resolution to the Office of the State Comptroller within 45 days of adoption.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

**Resolution No. 23 – 024**

Village of Montebello

Title: Voter Registration Date

BE IT RESOLVED that the Election Inspectors for the upcoming Village election to be available on March 21, 2023 from 7:00 am until 9:00 pm at Village Hall, One Montebello Road, Montebello, NY in order to register and assist voters.

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 Liebergall

Upon vote, the motion carries unanimously.

**Resolution: 23 - 025**

Village of Montebello

Title: Appointment of Election Inspectors - AMENDED

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 (845) 304-7564
Carol Vissaris	92 Lackawanna Trail - Montebello (845) 608-4074
Laurie Scher	41 Lackawanna Trail – Montebello (845) 642-1492

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: Deputy Mayor Caridi

Upon Vote motion carries unanimously.

**Resolution No. 23 - 026**

Village of Montebello

Title: To Accept Multi Modal Capital Project DO40848

Authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid eligible costs, of a capital project, and appropriating funds therefor.

WHEREAS a Project for the Milling and resurfacing of roads throughout the Village of Montebello to improve road conditions, P.I.N. A585 (the Project") is eligible for funding under New York State's Multi-Modal Program administered by the NYS Department of Transportation (NYSDOT); and

WHEREAS the Village of Montebello desires to advance the Project by making a commitment of 100% of the costs of work for the Project or portions thereof; and

NOW, THEREFORE, the Village Board, duly convened does hereby

RESOLVE, that the Village Board hereby approves the above-subject project; and

BE IT FURTHER RESOLVED that the Village Board hereby authorizes the Village Clerk/Treasurer of the Village of Montebello to pay in the first instance 100% of the cost of the design and construction phase(s) of work for the Project or portions thereof; and

BE IT FURTHER RESOLVED that the sum of \$17,000, of the \$656,563 locally approved is hereby appropriated from unappropriated surplus and made available to cover the cost of participation in the above phase(s) of the Project; and

BE IT FURTHER RESOLVED that in the event the costs of the phase(s) exceed the amount appropriated above, the Village of Montebello shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Mayor; and

BE IT FURTHER RESOLVED that the Mayor or at his direction, in his absence, the Deputy Mayor be and is hereby authorized to execute all necessary Agreements, certifications or

reimbursement requests for Multi-Modal Program Funding on behalf of the Village of Montebello with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and all Project costs that are not so eligible; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carried unanimously.

**Resolution: 23 - 027**

Village of Montebello

Title: Resurfacing of Village Roads

BE IT RESOLVED, in furtherance of restoring and resurfacing Village roads on a rotating basis, and upon the prioritized listing by condition of the Village roads as prepared by the Village Engineer, Martin Spence, in his report dated March 8, 2023, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, that authorization is hereby granted to resurface the following Village roads all at failed condition or are in a failing condition, to be funded as a line expense as budgeted, including utilizing CHIP's, EWR, POP and Pave New York Funding according to specifications proposed by the Village Engineer, by Multi Modal 1 DOT Grant, and any remaining balance to be funded from unallocated surplus, as needed, such cost estimates as follows for paving and milling:

1. Coe Farm Road (\$238,197.92 mill / pave)
2. Kakiat Court (\$20,550.41 mill / pave)
3. Kevin Drive (\$57,214.21 mill / pave)
4. Finnegan Lane (\$11,769.78 mill / pave); and

BE IT FURTHER, RESOLVED, that per the Village Engineer's strong recommendation to avoid further deterioration and risk, it is best that all such work be performed this year, even if the gross cost, plus the other above sources exceed the budgetary line item in the interest of safety and avoiding further deterioration and a worse future expense; and



BE IT FURTHER, RESOLVED, that a contract be entered into with Tilcon and for milling with Cavaliere Industries in an amount not exceeding approximately \$381,907.03 (noting that the uncertainty of gas prices may raise the final Asphalt Price Adjustment (APA) cost) including, adding to the above, the cost of traffic control and trucking, price adjustment and engineering to accomplish the above if that is the most cost-effective methodology under the Town's Master Contract upon which bids are due at the end of June per the Spence Engineering budget estimate dated March 14, 2023 referenced as if set forth herein; and

BE IT FURTHER, RESOLVED, as consistent with the above, that the sum expended hereby be paid out of the following, in numerical order: CHIPS, EWR, POP, and Pave NY funds at +/- \$80,684.31, Multi Modal 1 DOT Grant funds at +/- \$17,000.00, and Current budgetary funds of \$250,000.00; and

BE IT FURTHER RESOLVED, that this Resolution is expressly conditioned upon the results of the Town Master Contract bidding yielding a cost within the above approximate limit, but if such is not the case, then the Village Engineer, in his discretion, with the assistance from the Village Attorney, is hereby authorized to prepare bid documents and specifications and the Village is to proceed to bid for an alternate source of asphalt and alternate methodology, without further action from the Board except to award the bid or to further consider the matter if those bids, likewise, yield a cost above the expected limit.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, the Resolution carried unanimously.

**Public Comment:**

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

**Old / New Business**

- RealTerm Energy audit has been completed. There are several questions still being investigated and further meetings will be held within the next few weeks.

At 7:59 PM, Trustee Kuperman made a motion to go into Executive Session to discuss changes in government legislation and results of litigation, seconded by Deputy Mayor Caridi. Vote carried unanimously.

At 8:47 PM, Trustee Kuperman made a motion to exit Executive Session, seconded by Trustee Liebergall. Vote carried unanimously.

At 8:48 PM, Trustee Kuperman 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