

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, MAY 17, 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 WHICH WAS LED BY SUFFERN HIGH SCHOOL GRADUATES ALIA CITTERIO, MAEVE FLANAGAN, AND EMMA POPOWITZ.

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

Mayor's Report:

Mayor Millman reminded everyone that our Memorial Day Remembrance Ceremony will be held at Village Hall on Sunday, May 28 at 9:00 am. All are welcome to attend.

Mayor Millman stated that milling and paving is almost completed for the season and Orange and Rockland is continuing to prune the trees that are close or near the electric wires within the Village.

Mayor Millman advised that the Community Center is available to be rented to the residents of Montebello at a discounted price and if anyone is interested to please contact Village Hall for more information.

Mayor Millman advised the board that Orange and Rockland will be conducting an information session and if they are interested, he will give them the information.

Mayor Millman welcomed the Top 10% of graduates from Suffern High School.

Congratulations to Montebello Graduates in the Top 10% of the Class of 2023 from Suffern High School

Mayor Millman congratulated and recognized the following students for their accomplishment of being in the Top 10% at Suffern High School. He welcomed them and their families. Each student was awarded a certificate of merit. He also invited all the graduates to attend the Memorial Day Remembrance Celebration:

- Antonio Batista
- Alia Citterio

- Maeve Flanagan
- Ryan Kardon
- Emma Popowitz

Building Department Report:

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

- (10) building permits were filed. A total of \$7,164.00 in permit fees were collected.
- (6) Certificates of Occupancy were issued.
- (11) locations were inspected; \$1,537.50 in Fire Inspection fees were collected during the month.
- (18) code violations were issued. (7) violations were cleared.

Historic Preservation and Parks Commission (HPPC)

HPPC submitted a report for the Mayor and the Board. 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.

The Mayor stated that there are openings as Ad-Hoc positions for the Planning, Zoning and HPPC boards.

The Mayor noted that a representative of the Town of Ramapo Police Department was in attendance tonight and thanked them for their continued support.

Presentation: 7-9 Executive Blvd Proposed “Light Printing” Usage

Michael Klein, Attorney
Joshua Goldstein, Principal Owner of the Property
Mathias Kursch, Director of Engineering for the Schreiner Group
Brian Brooker, Project Engineer
James Tully, Vice President of the Brokerage Firm CDRE

Mr. Klein discussed the possibility of developing the 5.6-acre plot of land with a light industrial printing complex, primarily for labels for use in the pharmaceutical industry, but also for other innovative uses. This requires combining the two approved buildings of about 56,000 SF each +/-, to one building of about 100,000 SF and of a lower height (35’ vs 45’), but with an internal

mezzanine of 30,000 SF, and limited truck traffic of about 6 UPS sized box trucks per diem. “Light printing” (vs. heavy printing) would be added as a special permit use in the LO/LO-C zone. If approved, Schreiner Group would move its Blauvelt facility to the subject parcel. After the presentation the Board indicated sufficient interest to entertain the application.

Politics in Government Student, Derek Fischer, asked a question of the board with regards to the dumping of the debris from the Novartis demolition.

Resolution No. 23 – 064

Village of Montebello

Title: Conducting Public Hearing to Amend the Zoning Code, Chapter 195, to clarify standards of the Zoning Board of Appeals:

LOCAL LAW 2 OF 2023: AMENDING CHAPTER 195, ZONING, TO CONFORM THE DECISION CRITERIA GOVERNING ACTIONS BY THE ZONING BOARD OF APPEALS TO STATE LAW AND MODIFY THE DEFINITION OF “ACCESSORY, BUILDING OR STRUCTURE”

WHEREAS, the Village periodically reviews its Zoning Code to ensure that the various provisions continue to effectively implement the purposes set forth in § 195-3 of the Village Code, which directs the zoning law to protect and enhance environmental, human and community resources and maintain the rural and semirural character of the Village, among other things, while complying with New York State Law; and

WHEREAS, in doing so, the Village identified certain provisions of Article XV of Village Zoning Law, “Board of Appeals,” specifically § 195-108, “Powers and duties” that may be inconsistent with NYS Village Law § 7-712-b, “Permitted action by boards of appeal.” While the Montebello Zoning Board of Appeals under advice of counsel has consistently followed New York State Law as it has evolved, it is prudent that Chapter 195 reflect same verbatim; and

WHEREAS, the Village also determined that the definition of “Accessory, building or structure,” was inconsistent with the purposes set forth in § 195-3 in that accessory buildings or structures could approach or be larger than the principal use on the lot; and.

WHEREAS, the Village Board directed the staff to prepare code amendments to address these issues; and

WHEREAS, the proposed amendments are needed to assist the Zoning Board of Appeals in its review of variance applications for both principal and accessory buildings and structures. and to assist the Building Inspector in the orderly administration of building permit applications; and

WHEREAS, on July 12, 2022, the General Code Company who codifies the Village’s Laws submitted recommendations that were incorporated into this revised draft, dated March

24, 2023;

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 Zoning Amendments found in Local Law 2 of 2023, 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 1 for the purposes of SEQR; and
 - c) That the Village Board as both project sponsor and Lead Agency accepts the Part 1 Environmental Assessment Form ("EAF") as prepared by Jonathan Lockman, AICP on behalf of Mayor Millman as adequate for distribution and finds that it appropriately describes the proposed action (electronic file date 3/24/23); and

- 2. That a public hearing shall be held on June 21, 2023, beginning at 7 pm local time, on said Local Law 2 of 2023 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 June 13, 2023, 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 up by the Village Attorney.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote motion carries unanimously.

Title: Conducting Public Hearing to Amend Chapter 89, Fire Prevention, to default to the state fire code standards for the regulation of bonfires, open burning, recreational fires, portable outdoor fireplaces, open flame cooking devices and other open flame devices:

“LOCAL LAW 3 OF 2023: AMENDING CHAPTER 89, FIRE PREVENTION, TO DEFAULT TO THE STATE FIRE CODE STANDARDS FOR THE REGULATION OF BONFIRES, OPEN BURNING, RECREATIONAL FIRES, PORTABLE OUTDOOR FIREPLACES, OPEN FLAME COOKING DEVICES AND OTHER OPEN FLAME DEVICES”

WHEREAS, the Village periodically reviews its Codes to ensure that the various provisions continue to be consistent with New York State Law. The Village identified certain provisions of Chapter 89 Fire Prevention, that are inconsistent with §307 and 308 of the 2020 Fire Code of New York State.; and

WHEREAS, the Village Board directed the staff to prepare code amendments to address these issues; and

WHEREAS, the proposed amendments define the terms "Bonfire," "Open Burning," "Portable Outdoor Fireplace," and "Recreational Fire," to be consistent with sections 307 and 308 of the 2020 Fire Code of New York State. Permitting and standards are also set to reference sections 307 and 308 of the State Code.; and

THEREFORE, BE IT RESOLVED as follows:

- 1. That, pursuant to 6 NYCRR 617 (SEQR), the following shall occur:
 - a) That the Village Board classifieds the action as Type II for the purposes of SEQR, as it involves ministerial administration of Fire Codes without an environmental impact; and
- 2. That a Public Hearing shall be held on June 21, 2023, beginning at 7 pm local time, on said Local Law 3 of 2023 amending the Fire Prevention Code as aforementioned; and
- 3. That the Village Clerk is authorized to post and publish any required Legal Notice to be drawn by the Village Attorney.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

Title: Conducting Public Hearing to Amend Chapter 135, Property Owner Registration, by adoption of a Local Law entitled:

“LOCAL LAW NO. 4 OF THE YEAR 2023 - A LOCAL LAW AMENDING CHAPTER 135, PROPERTY OWNERSHIP REGISTRATION, TO INCLUDE THE REGISTRATION OF TENANTS”

WHEREAS, It is the intention of the Village Board of the Village of Montebello, by the adoption of this chapter, to promote the public health, safety and welfare of its people by enforcing its zoning laws and regulations at properties owned by persons residing off premises, as well as in case of an emergency, to establish a more direct means of reaching tenants who may occupy such properties, and

WHEREAS, the Village Board directed the staff to prepare code amendments to address these issues; and

WHEREAS, the proposed amendments define the terms "Tenant/Occupier," and "Emergency" and set forth a new procedure for registration of tenants.; and

THEREFORE, BE IT RESOLVED as follows:

- 1. That, pursuant to 6 NYCRR 617 (SEQR), the following shall occur:
 - a) That the Village Board classifies the action as Type II for the purposes of SEQR, as it involves ministerial administration of registering absentee owners and tenants without an environmental impact; and
- 2. That a Public Hearing shall be held on June 21, 2023, beginning at 7 pm local time, on said Law 4 of 2023 amending the Property Owner Registration Code as aforementioned: and
- 3. That the Village Clerk is authorized to post and publish and required Legal Notice to be drawn by the Village Attorney.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, motion carries unanimously.

Title: Approval of Minutes for April 19, 2023

BE IT RESOLVED, the minutes of the Board of Trustees of April 19, 2023, be and are hereby approved.

Motion: Trustee Golden

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

Resolution No. 23 – 068

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated May 17, 2023, and totaling \$134,219.55 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Kuperman

Upon vote, the Resolution was carried unanimously.

Resolution No. 23 – 069

Village of Montebello

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

BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fee dated May 17, 2023, for Professional Fees, and totaling \$17,109.51 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, the Resolution was carried unanimously.

Resolution No. 23 - 070

Village of Montebello

Title: Appointment to Hire a Clerk Typist (PT)

WHEREAS, the Village Clerk – Treasurer has a need to create the position of Clerk Typist to assist with Village Hall duties; and

WHEREAS, the Mayor has established this position and added it to the 2023 budget; and

WHEREAS, after advertising to fill the position, reviewing applications and interviewing several candidates, the Mayor has authorized the Village Clerk – Treasurer to hire Angela Spina at \$22.00 / hour as Clerk Typist (PT) with proper vetting from Rockland County Personnel.

THEREFORE, BE IT RESOLVED, that Angela Spina is hereby appointed to the position of a Clerk Typist (PT), a maximum of 17.5 hours per week, and the availability to work Tuesday, Thursday, and Friday for a term to expire at the reorganization meeting in April 2024, or as soon thereafter as a successor can be appointed after the three-month probation period.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote the Resolution was carried unanimously.

Resolution No. 23 - 071

Village of Montebello

Title: Appointment to Hire Part/Time Intern

WHEREAS, the Village Clerk – Treasurer has a need to have work done on Village Hall grounds, in the Community Garden, or within Kathryn Gorman Ponds Park; and

WHEREAS, the Village Clerk – Treasurer would like to hire an intern to handle that job; and

WHEREAS, a High School student has applied for the positions.

THEREFORE, BE IT RESOLVED, the Mayor has authorized the Village Clerk – Treasurer to hire William Rivera at \$14.00 / hour as a summer intern with proper vetting from Rockland County Personnel not to exceed 3 months.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote the Resolution was carried unanimously.

Resolution: 23 - 072

Village of Montebello

Title: Appointing Ad-Hoc Member to the Planning Board

WHEREAS, due to the resignation of Planning Board member David Levine, Ad-Hoc member Ari Aufgang was appointed to Planning Board member effective October 1, 2022; and

WHEREAS, this left the Ad-Hoc position vacant since that time; and

WHEREAS, the Mayor recommends the appointment of Nancy Doon, a Village of Montebello resident to be appointed as Ad-Hoc of the Planning Board to serve until April 2024, or until a successor is duly appointed, and

THEREFORE, BE IT RESOLVED, that Nancy Doon be appointed to fill the Ad-Hoc seat vacated by Ari Aufgang effective June 1, 2023.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, the Resolution carries.

Resolution: 23- 073

Village of Montebello

Title: Gazebo Maintenance at Village Hall

WHEREAS, the gazebo at Village Hall has not been maintained with reference to staining since it's installation; and,

WHEREAS, the Village Engineer has recommended maintenance of the gazebo to include prep work, cleanup, power washing, coat of stain and finishing with a coat of clear sealant on all wood surfaces and,

WHEREAS, proposals were sought from several contractors to perform said work, yielding the following proposals:

Contractor		
Construct-Rite Inc. – Suffern NY	Demolition and removal of debris from rafters, renovation of bird spikes including materials, painting & cleaning of gazebo roof & outer fascia/beam area, apply 1 coat of stain and clear sealant plus labor and materials	\$6,682.00
Elite Work Home Improvement – Clifton, NJ	Remove bird nests and debris, add additional bird spikes where nesting is an issue, power wash all wood surfaces, apply 1 coat of stain and clear sealant to all wood surfaces plus labor and materials	\$3,975.00

(see proposals for more information); and

WHEREAS, based on the proposals as outlined the recommendation from the Village Engineer is to accept the proposal from Elite Work Home Improvement in the amount of \$3,975.00 .

THEREFORE, BE IT RESOLVED, that the proposal of Elite Work Home Improvement at a cost of \$3,975.00 be accepted, the expenditure of which for these purposes is hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, motion carries unanimously.

Resolution No. 23 - 074

Village of Montebello

Title: Mulch for Village Hall Property

WHEREAS, the bed areas at Village Hall need to be mulched in order to control weeds, retain moisture, prevent soil erosion and provide nutrients; and

WHEREAS, the spreading of mulch in these areas makes it look tidy and appealing; and

WHEREAS, a proposal was sought from Belleville to provide mulch and perform said labor to install:

Vendor		Price Quote
Belleville Landscaping Inc.	<ul style="list-style-type: none"> Mulching of Village Hall property with a root mulch throughout all bed areas including gazebo area – includes labor & material. 	\$6,260.00

; and

WHEREAS, based on this proposal from Belleville Landscaping, Inc. it is recommended to move forward with mulching the beds at Village Hall at a total cost of \$6,260.00.

THEREFORE, BE IT RESOLVED that the proposal of Belleville Landscaping, Inc. be accepted at a total cost of \$6,260.00, the expenditure of which for these purposes is hereby approved.

Motion: Trustee Golden

Second: Trustee Kuperman

Upon vote, motion carried unanimously.

Resolution No. 23 – 075

Village of Montebello

Title: Accept Annual Justice Court Audit

WHEREAS, the Village’s Justice Court commenced operation on or about June 1st, 2012, and §2019-a of the Uniform Justice Court Act (“the Act”) requires that the Village Justices annually provide their court records and dockets to the village auditing board (the Village Board), and that such records thereby be examined or audited and that fact be entered into the Minutes of the Board’s proceedings, and thereafter that such be filed with the Director of Internal Audit, NYS Office of Court Administration; and

WHEREAS, the Village’s Financial Consultant, Marvin Nyman has, under his cover of April 30, 2023, authored his analysis of the records of the Village of Montebello’s Justice Court, and the Justice Court bail records to determine adherence to court procedures and compile relevant operating data and to determine if the bail account held sufficient assets to cover the associated liability, which analysis is likewise dated April 30, 2023; both documents (hereinafter “The Reports”) referenced hereat as if fully set forth hereinafter, true copies of which shall be appended to the minutes hereof; and

WHEREAS, the Village Board has reviewed the Reports and associated records, and confirms the conclusions drawn by the Village’s Financial Consultant.

THEREFORE, BE IT RESOLVED, pursuant to the Act, as hereby entered into the Minutes of the Village Board, that said Reports be and hereby are approved after the required examination was conducted, and that the Reports and a Clerk certified completed copy of this Resolution be filed with Joan Casazza, Internal Audit Service Unit, NYS Office of Court Administration, 2500 Pond View-Suite LL01, Castleton On Hudson, NY 12033 – email: jcasazza@nycourts.gov.

Motion: Trustee Golden

Second: Trustee Liebergall

Upon vote, the Resolution was carried unanimously.

Resolution No.23 - 076

Village of Montebello

Title: Arbor Day Tree Planting

WHEREAS, as consistent with the Village’s past practice of honoring Arbor Day, the Village Clerk-Treasurer explored proposals from vendors for one tree, a 2-inch Caliper Dogwood tree to be planted at Village Hall, and the following were received:

Vendor	Tree Proposal	Price Quote
Belleville Landscaping	1 7' Dogwood tree Mulch tree once planted	\$1,460.00

; and

WHEREAS, based on the proposals as outlined, and providing many nurseries do not have the trees in stock, the proposal from Belleville Landscaping, Inc. at a total cost of \$1,460.00 is the best option.

THEREFORE, BE IT RESOLVED, that authorization is hereby granted to expend the sum of \$1,460.00 from the Shade Tree Fund to acquire and plant one of each tree on the grounds of Village Hall as outlined per the proposal of Belleville Landscaping, Inc.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

Resolution No. 23 - 077

Village of Montebello

Title: Accepting Resignation of HPPC Commissioner

WHEREAS, Anthony Piazza “Tony”, has tendered his resignation as a member of the Historic Preservation and Parks Commission with regrets; and

WHEREAS, reflecting the reluctance with which Tony resigns, he has offered to assist on an ongoing basis when and if requested, which is typical of Tony, and is greatly appreciated; and

WHEREAS, Tony, has continuously and very ably served the Village of Montebello as follows:

- Member of the Parks Commission from December 2006 until February 2019;
- Chairman of the Parks Commission from January 2011 – April 2017;
- Member of the Historic Preservation and Parks Commission from its formation in February 2019 through the present;
- Member of the Comprehensive Development Commission from September 2008 through December 2009, and again from May 2016 through October 2017; and

WHEREAS, Tony's invaluable, consistent, and long-term contributions to the Village will be missed, and the Mayor, Trustees and staff wish to create a lasting record of his long-term, positive, lasting contributions to the Village of Montebello; and

WHEREAS, as a show of appreciation, a bench in honor of all of Tony's years of dedicated service and accomplishments will be placed in Kathryn Gorman Ponds Park, a place Tony helped establish.

THEREFORE, BE IT RESOLVED as follows:

1. That Tony Piazza's resignation is hereby accepted with extreme regret, but with everlasting gratitude expressed for the Village and its residents for all he has done to enhance the quality of life within the Village.
2. That effective immediately, Tony's seat on the Historic Preservation and Parks Commission, term ending April 2025, be and hereby is declared as vacant.
3. That for posterity, and in appreciation May 2023 is hereby declared and proclaimed to be "Tony Piazza Month", and that this Proclamation be prepared in ceremonious form, as originally signed by the Mayor, Trustees, Village Clerk, Village Attorney, and Chairperson of the HPPC framed, and presented to Tony Piazza in gratitude for his service and accomplishments, and that another original be so prepared for hanging in a place of honor in the Village Hall or the Dr. Jeffrey Oppenheim Community Center, in addition to the park bench with a plaque in his honor.
4. That the Mayor, Trustees and staff thank Tony Piazza for themselves and all Village residents and wish him and his family well in their future endeavors.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carried unanimously.

Title: "MENTAL HEALTH AWARENESS MONTH"

WHEREAS, the month of May has been designated as Mental Health Awareness Month throughout the nation since 1949; and

WHEREAS, addressing the complex mental health needs of adults, children, youth and families today is fundamental to the future of Rockland County; and

WHEREAS, one in five Americans live with a mental disorder, and estimates indicate nearly two thirds of all people with a diagnosable mental illness do not seek treatment; and

WHEREAS, with effective treatment those adults, children, youth, and young adults with mental health conditions can recover and lead full productive lives; and

WHEREAS, misunderstanding, stigma, shame and fear of discrimination keep many who would benefit from mental health services from seeking help; and

WHEREAS, many individuals and their families internalize the stigma that exists in our culture, damaging hopes for recovery and not seeking the support and care they need; and

WHEREAS, conditions often worsen, and people take their own lives not realizing that they are not alone, that they can recover, and that there is hope; and

WHEREAS, education, compassion, and awareness about mental illness can change negative attitudes and behaviors toward people with mental illness; and

WHEREAS, each business, school, government agency, law enforcement agency, healthcare provider, organization and citizen share the responsibility to promote mental wellness, combat stigma and support prevention efforts; and

WHEREAS, the National Alliance on Mental Illness of Rockland County (NAMI Rockland) is a grassroots community mental health agency affiliated with NAMI-NYS and NAMI National and dedicated to improving the lives of individuals living with mental illness and their families through education, support and advocacy; and

WHEREAS, the Village of is joining NAMI Rockland to direct our thoughts toward our community members' mental health and well-being; and to raise awareness of mental illness, reduce stigma, promote understanding and encourage treatment during Mental Health Awareness Month in May 2023 and remains committed to these goals throughout the year;

THEREFORE, BE IT RESOLVED that I, Lance N. Millman, Mayor hereby proclaims the month of May 2023, as MENTAL HEALTH AWARENESS MONTH in Rockland County.

Furthermore, I call upon all of our residents, government agencies, public and private institutions, businesses, and schools to recommit our community to increasing awareness and understanding of mental illnesses, to reducing stigma and discrimination, and to promote accessible treatment for all.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carries unanimously.

Resolution: 23 - 079

Village of Montebello

Title: Accept MS4 Annual Report

WHEREAS, under his cover dated May 5, 2023, the Village Engineer, Martin Spence, has supplied the proposed Municipal Compliance Certification Form Annual Report which provides a summary of activities that the Village performed with respect to Municipal Separate Storm Sewer System Program (MS4), required by NYSDEC SPDES ID: NYR20A267, for the period March 10, 2022, to March 9, 2023; and

WHEREAS, as reported by the Village Engineer, said Report must be reviewed by the Village Board and the public given the opportunity to review and comment, before same is finalized by the Engineer and submitted to the NYSDEC for compliance; and

WHEREAS, the Report was reviewed in public, and the public was given an opportunity to comment at 8:32 p.m., and with no one commenting, and the Village Board indicated satisfaction with the contents thereof.

THEREFORE, BE IT RESOLVED, the Report is accepted as written and that a completed copy of this Resolution be appended to the submission to the NYSDEC, and to act as instructions to complete and file this Report.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, the Resolution was carried unanimously.

Title: Montebello Gateway, LLC PILOT Agreement

WHEREAS, in order to foster economic growth and job opportunities, the County of Rockland Industrial Development Agency (“IDA”) is empowered to undertake the acquisition and financing of projects pursuant to Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws (“the Enabling Act”), and Chapter 564 of the Laws of 1980, all as amended from time to time; and

WHEREAS, by exercise of this authority the IDA proposes to so act with respect to the facilities to be built as a 46,500 square foot 3.5 story office building, Montebello Gateway, LLC, located at 34 N. Airmont Road Village of Montebello, being section 55.07, Block 1 Lot 3 on the Tax Map of the Town of Ramapo, for the construction of such facility as an office building; and

WHEREAS, as a consequence of the “straight lease transaction” it is necessary for the IDA to take title and control, and by a “head Lease”, said property is leased by the IDA to the Lessee, said property becoming tax exempt, thereby necessitating entering into a Payment in Lieu of Tax Agreement, (“PILOT Agreement”) whereby the Lessee agrees to pay taxes to the impacted taxing entities for the life of the PILOT Agreement, including to the Village of Montebello, Suffern Central School District, and the Town of Ramapo; and

WHEREAS, by virtue of the terms of said anticipated PILOT Agreement, in a typical form to be approved by respective participants and their attorneys, reflecting the draft Agreement referenced hereat to be included with the minutes hereof, PILOT payments shall be based upon a final Assessed Value (AV) of \$1,030,000 based upon the land sale price and estimated construction cost, but abated over a five (5) year term for Village Taxes for said period and purpose at 90% in the first year, and successively, at 80%, 70%, 40% and 20% in the fifth and final year and then following the abatement term as preceded by the present AV for a period not to exceed 2 years during construction when the full AV is reached, said PILOT payments determined by multiplying the various tax rates for then current tax levy by that assessed value set forth above; and

WHEREAS, PILOT Payments will be made to the Director of Finance of the Town of Ramapo who shall act as the Escrow Agent for the taxing entities or as otherwise may be subsequently determined by the participants as set forth in the Agreement; and

WHEREAS, as more particularly will be set forth in the PILOT Agreement, PILOT payments will be secured by a Letter of Credit and the IDA will have authority to accelerate the terms of the agreement, and end the arrangement whereby the property will be placed back upon the taxable assessment roll without benefit of the fixed AV, amongst other remedies, should there be a breach by the Lessee; and

WHEREAS, entering into the anticipated PILOT Agreement appears to be in the best interest of the Village and its citizens, and helps foster economic growth and job opportunities,

and fosters the upgrading of the subject property to accommodate higher end offices while stabilizing the taxable assessment base.

THEREFORE, BE IT RESOLVED, that approval is hereby given to enter into the aforesaid PILOT Agreement subject to the acceptance of same in a form approved by the Village Attorney and by all other participants, but as expressly conditioned upon and understanding that the Building Plans, and as built, shall be consistent with the Planning Board approval and the Plans last dated March 6, 2023, as consistent with the Building Inspectors letter dated February 9, 2023.

Motion: Deputy Mayor Caridi

Second: Trustee Liebergall

Upon vote, the Resolution was carried unanimously.

Resolution No. 23 - 081

Village of Montebello

Title: Perennial Plantings at Village Hall

WHEREAS, the bed areas at Village Hall need additional plants in order to fill in areas where plants have died; and

WHEREAS, a proposal was sought from Belleville to provide perennial plants and said labor to install:

Vendor		Price Quote
Belleville Landscaping Inc.	<ul style="list-style-type: none">Plant additional daylilies and Echinacea by garage doorPlant additional periwinkle by rain garden area	\$1,230.00

; and

WHEREAS, based on this proposal from Belleville Landscaping, Inc. it is recommended to move forward with planting additional perennials at Village Hall at a total cost of \$1,230.00.

THEREFORE, BE IT RESOLVED, that the proposal of Belleville Landscaping, Inc. be accepted at a total cost of \$1,230.00, the expenditure of which for these purposes is hereby approved using RC Grant money.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

Upon vote, motion carried unanimously.

Public Comment:

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

Old / New Business

- Trustee Kuperman wished to discuss the use of gas-powered leaf blowers.
- Mayor Millman discussed the Real Term Energy lights not listed on Village listing.
- Mayor Millman discussed the loss of the renters at the Community Center.
- Mayor Millman discussed the past speed hump discussion. After the last meeting, it was discovered that the past application did not move forward due to insufficient signatures to pass the request. Martin Spence, Village Engineer, also sent a letter stating that the only location that a speed table could be located is just north of 16 River Road which would be very near the property line. Residents will be notified.

At 8:45 PM, Deputy Mayor Caridi made a motion to go into Executive Session to discuss potential contractual issues, seconded by Trustee Kuperman. Vote carried unanimously.

At 9:12 PM, Deputy Mayor Caridi made a motion to exit the Executive Session, seconded by Trustee Liebergall. Vote carried unanimously.

Resolution No. 23 - 082

Village of Montebello

Title: Amending Retainer Agreement with Zarin and Steinmetz

WHEREAS, the Retainer Agreement with Zarin & Steinmetz, as Special Counsel, Jody Cross primarily assigned to the Village work, is at an hourly rate of \$400, less a 10% municipal discount, or net \$360, and the firm reports that Jody Cross' regular hourly rate is presently \$500, but requests that such be raised to \$450, less the municipal discount, or net \$405; and

WHEREAS when subject to pass-thru to an applicant, the Village had been passing thru \$200 and covering the difference; and

WHEREAS, the Village Attorney reports negotiations with Zarin & Steinmetz by Jody Cross, and that the requested increased rate has been reduced to \$425, less the municipal discount, or net \$382.50; and

WHEREAS, given all factors, and said firm's proven expertise, and considering the increasing rates in other sectors, such increase as negotiated seems acceptable.

THEREFORE, BE IT RESOLVED, prospectively, effective June 1, 2023, as follows:

1. That said hourly rate be increased to \$425, less the 10% discount, or net \$382.50.

2. That the pass-thru rate for Zarin & Steinmetz as special counsel be amended to \$250.

Motion: Deputy Mayor Caridi

Second: Trustee Golden

Upon vote, motion carried unanimously.

At 9:18 PM, Trustee Kuperman made a motion to close the meeting, seconded by Trustee Golden. Vote carried unanimously.