

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, SEPTEMBER 18, 2024, 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
	Bruce Egenhauser	Trustee
	Michael Humphrey	Trustee
	Warren E. Berbit	Village Attorney
Absent:	Stacy Caridi	Deputy Mayor
Recording Secretary:	Joan Will	Village Clerk-Treasurer

Mayor's Report:

Mayor Millman announced that Veolia Water will be doing major water piping upgrades in the Village from now until the end of the year in and around the area of Nottingham Road / Sterling Forest Road and River Road.

Mayor Millman would like to thank the following sponsors of the Jazz Festival:

- Westrock Pools
- Spence Engineering
- Cong. Shaarey Israel
- The Sentinel of Rockland
- The Lynmark Group (Crown Plaza)
- Nicky's Pizza and Deli
- FilBen Group (Braemar)
- Delaney Computers
- Salerno Brokerage
- Brookfield Properties
- Chabad of Suffern

The weather was great, the music was great, and the food was great. Hopefully we have relaunched a signature event which will build year after year.

Building Department Report:

The following summarizes the Building Department Report for the month of August 2024:

- (14) building permits were filed. A total of \$18,408.00 in permit fees was collected.
- (4) Certificates of Occupancy were issued.

- (3) locations were inspected; \$3,750.00 in Fire Inspection fees were collected during the month.
- (24) code violations were issued. (7) violations were cleared up.

Historic Preservation and Parks Commission (HPPC) Report

The commission met on September 4th.

Jazz Festival Update

- All arrangements and setup for the festival remain the same.

Historic Preservation

- There were no applicants for Certificate of Appropriateness this month.

Parks

- Village Hall sent a technician to check the performance of the bubblers in the ponds. They found two of the batteries were either weak or not storing properly. The batteries were replaced and sent out for testing. Ponds 2 and 7 were not affected.
- No other walkthroughs of the park were made.

Time Capsule

- A discussion was conducted about when and where a new capsule should be buried, when the original one was buried and where, and should it be dug up. More questions were asked about the original capsule, such as: if we have any photographs or news articles written about it.

With no one from the HPPC wishing to speak, Mayor Millman briefly discussed the Time Capsule stating that the Village Board is thinking that for the 40th Anniversary of the Village the current time capsule will be opened and reviewed. New items will also be added to the time capsule from this time period. Mayor Millman closed this portion of the meeting.

Public Comment:

- Abraham Kleinman of Miami Beach, FL, who also owns property within the Village, wished to make a statement expressing concern for an alleged conversation he precipitated by approaching someone he perceived as a staff member while that person was walking in the parking lot and on the sidewalk into the Village Hall.
- Eliezer Fried of 19 Golf Course Drive wished to thank the Board of Trustees for maintaining and creating a wonderful place to live. After attending a Comp Plan meeting, he looks forward to working with the Village on future endeavors.
- No one else from the public wishing to speak, Mayor Millman closed this portion of the meeting.

PO Small of the Ramapo Police Department was in attendance tonight. He discussed the recent break in attempt on 14 Kings Gate Road. He informed the residents and Board that it is very important to lock your doors and turn your alarm on. Mayor Millman reiterated that as well as stated that all cars should be locked, and key fobs removed.

Mayor Millman discussed with PO Small complaints the Village has received regarding traveling on Route 202 and Mile Road.

Mr. Fried added that the speed on Oxford and Lety especially at 7 in the morning needs to be addressed as well. PO Small stated that he will report this to the sector car for monitoring.

PRESENTATION – HOMELAND TOWERS

Robert Gaudioso, attorney for Homeland Towers, and Klaus Wimmer, Regional Manager for Homeland Towers were in attendance.

Mr. Gaudioso explained that Homeland Towers is trying to solve communication gaps in the area. He suggested that a “Balloon Test” be conducted on October 6th (with an inclement weather date of October 13) at about 9 am. The test will take approximately 3 hours, and the balloon will be photographed from all angles, which will give a good depiction of what the tower could look like.

Village Attorney Berbit discussed the steps that need to be followed in the process including SEQRA.

Resolution No. 24 - 100

Village of Montebello

Title: Preliminary Balloon Test by Homeland Towers, LLC Re. Proposed Wireless Telecommunication Facility (cell tower) at 350 Haverstraw Road

WHEREAS, after ongoing preliminary discussions and negotiations with Homeland Towers, LLC, including marking a proposed location as well as trees for possible removal, shifting same to preserve more trees and to minimize visual impact to any other properties, and the Village now being in receipt of a letter dated September 12, 2024 from Homeland’s attorney requesting setting up a balloon test at the Village’s request as a Visual Resource Evaluation, which letter also enclosed a proposed Lease Agreement, Lease Exhibits, Viewshed Maps with proposed photographic viewshed locations, said test tentatively scheduled for October 6, 2024 at approximately 9:00 am, (inclement weather date October 13th ;and

WHEREAS, Homeland previously at the Village’s request provided other materials, including an RF safety report and analysis etc., and said lease which, while still tentative, already reflects substantial changes as negotiated by the Village Attorney, and, in balance, the possibility of locating the communication facility on site appears to achieve a positive public benefit and at a minimally intrusive visual location, benefits, including to first responders, including generating substantial long term revenues while curing a dead spot in cell communications, and also

providing for a municipal use communications link thus at least, being of sufficient interest to warrant continuing the process preliminary to and in anticipation of to a full Public Hearing.

THEREFORE, BE IT RESOLVED after substantial preliminary due diligence but with more to follow, that a balloon test on said site be and hereby is authorized to be conducted on or about October 6, 2024, (inclement weather date October 13th) with due notice and the public being authorized to attend same upon coordinating with the Village Clerk or her designee, to learn the details as to time, place, etc.

Motion: Trustee Golden

Second: Trustee Egenhauser

Note: dates changed to the above at the suggestion of the Village Attorney so to not conflict with anyone who was a religious observer.

Upon vote, motion carried unanimously.

Mayor Millman introduced the continuation of the Public Hearing and Village Attorney explained that the Public Hearing was continued to allow at least 20 days of comment upon initial placement location and mark out of the proposed speed table.

Resolution No. 24 - 101

Village of Montebello

Title: Continuation of Public Hearing – River Road Speed Table

WHEREAS, the Village Board established a Traffic Calming Program by virtue of the procedure set forth in Village Board Resolution No. 06-101, whereby a neighborhood may petition for the installation of speed tables to calm traffic road segments alleged to be dangerous; and

WHEREAS, on August 21, 2024, at 7:23 pm the Public Hearing for River Road Speed Table was opened and was resolved to be continued at this meeting in order for the Village Engineer to mark the prospective location for a 20-day comment period; and

WHEREAS, the Village Engineer noted that the prospective location of the speed table was marked on August 20, 2024; and

WHEREAS, the Public Hearing was continued at 7:32 pm, Trustee Golden having so moved, and Trustee Egenhauser seconded, all-in favor; and

WHEREAS, no one from the public wished to speak, Trustee Golden moved, and Trustee Egenhauser seconded closing the Public Hearing at 7:34 pm, all in favor.

THEREFORE, BE IT RESOLVED, after duly deliberating in public on August 21, and waiting the 20-day comment period on the marked-out speed tables; and considering the entire record and all testimony that the Village Board determines as follows:

1. That it is prudent in the interest of public safety to find that a good case has been made to install one speed hump at the location outlined in the Village Engineer letter.
2. That the 20-day comment period for the markings has since expired with no new comments.
3. That Veolia Water Company notified the Village Engineer that necessary repairs must be made to the River Road area and road openings will be necessary between October and December 2024.
4. That once the Veolia work is completed and a location is finalized that every effort will be made to install the speed table during the Village's 2025 Annual Road Repaving Program.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, motion carries unanimously.

Resolution No. 24 – 102

Village of Montebello

Title: Approval of Minutes for August 21, 2024

BE IT RESOLVED, the minutes of the Board of Trustees of August 21, 2024, be and are hereby approved.

Motion: Trustee Egenhauser

Second: Trustee Humphrey

Upon vote, motion carries unanimously.

Resolution No. 24 – 103

Village of Montebello

Title: Approval of Supplemental Minutes for July 24, 2024

BE IT RESOLVED, the supplemental minutes provided by the Village Attorney of the Board of Trustees meeting of July 24, 2024, be and are hereby approved.

Motion: Trustee Egenhauser

Second: Trustee Humphrey

Upon vote, motion carries unanimously.

Resolution No. 24 - 104

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

THEREFORE, BE IT RESOLVED, the Abstract and Schedule of Claims dated September 18, 2024, and totaling \$223,947.04 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Humphrey

Second: Trustee Golden

Upon vote, the Resolution was carried unanimously.

Resolution No. 24 - 105

Village of Montebello

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

BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fees dated September 18, 2024, for Professional Fees, and totaling \$26,201.18 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Golden

Second: Trustee Humphrey

Upon vote, the Resolution was carried unanimously.

Resolution: 24 - 106

Village of Montebello

Title: Completion of Security System Expansion at Village Hall

WHEREAS, the current security system at Village Hall does not cover all public areas; and,

WHEREAS, the Village Clerk-Treasurer contacted Hi-Tech Security Services, Inc., who installed and monitors our current system and completed phase one of the Village Hall security expansion; and

WHEREAS, based on the recommendation of the security team, the following proposal has been submitted:

Vendor	Project Breakdown	Price Quote
Hi-Tech Security Services, Inc.	Install system as follows – (4) 4TB HDD – (1) Invid IP Cameras-Dome/Turrent Style exterior cameras (2) Invid Varifocal 2.8-12 mm MP	\$5,225.00

; and

WHEREAS, based on the estimate as outlined, the recommendation of the Village Clerk-Treasurer is to complete the award to Hi-Tech Security Services, Inc.in the amount of \$5,225.00.

THEREFORE, BE IT RESOLVED that the proposal of Hi-Tech Security Services, Inc. be accepted at a total cost of \$5,225.00, the expenditure of which for these purposes is hereby approved.

Motion: Trustee Egenhauser

Second: Trustee Golden

Upon vote, motion carries unanimously.

Resolution No. 24 - 107

Village of Montebello

Title: Village Insurance Renewal- September 7, 2024 - September 7, 2025

WHEREAS, it is prudent that the Village maintain insurance coverage for loss to property, general liability, auto, hired car-non owner auto, crime, public officials, boiler/machinery, and umbrella liability, etc., as has been covered in prior years, the coverage for which expires on September 7, 2024; and

WHEREAS, competitive proposals were sought via our broker, Salerno Brokerage; and

WHEREAS, Salerno Brokerage described the proposals it has received in its letter dated and received September 3, 2024, a true copy of which with attachments shall be appended to the Minutes hereof as if a part of the Resolution, as summarized as follows:

	2023 – 2024 Travelers and Cyber	2024 – 2025 Travelers and Cyber	2024 – 2025 National Union & Cyber
Municipal Package	\$57,436	\$73,937	\$67,018.53
Including: Municipal Property including equipment breakdown and inland marine; General Liability including Employee Benefits Liability, Municipal Automotive, Public officials Liability and Employment Practices Liability, and Municipal Umbrella			
Municipal Public Employee Blanket Crime	Included	Included	Included
Property Fee	Included	Included	Included
Motor Vehicle Fee	Included	Included	Included
Cowbell Cyber Insurance	\$2,422	\$2,493	\$2,493
Total	\$59,858	\$76,430	\$69,511.53

; and

WHEREAS, Salerno Brokerage advised that there are certain differences in policies which they have included in the policy descriptions and recommends that said coverage be obtained by National Union (formerly known as Glatfelter Public Practice) and Cowbell Cyber as afore described in the best interest of the Village.

THEREFORE, BE IT RESOLVED, that insurance coverage as afore described for the Village be renewed with National Union and Cowbell Cyber as brokered by Salerno Brokerage for the period of September 7, 2024, to September 7, 2025, at the cost of \$69,511.53, such expense found to be reasonable and prudent, all factors considered; and

BE IT FURTHER RESOLVED that the terms and conditions of such insurances and undertaking shall be as set forth on the face of same, which policies and undertaking shall be considered appended to the minutes hereof as if fully set forth hereinafter.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, resolution carried unanimously.

Note: Village Attorney confirmed coverage during expiration of policy and board meeting and noted that agreements were made before September 7.

Resolution No. 24 – 108

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 September 4, 2024, 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 September 4, 2024; 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 Humphrey

Upon vote, the Resolution carried unanimously.

Resolution No. 24 - 109

Village of Montebello

Title: Appointment of Deputy Justice Court Clerk

WHEREAS, in an ongoing effort to be available to the public, the Mayor wishes to appoint Angela Spina, who presently serves the Village as Clerk Office of Boards and Commissions, as Deputy Justice Court Clerk in limited role of collecting fines and bail monies in the Court Clerk’s absence, and for no other reason

THEREFORE, BE IT RESOLVED, that Angela Spina is hereby appointed to the position of Deputy Justice Court Clerk to accept fine and bail money in the Court Clerk’s absence, and for no other purpose.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote the motion carries unanimously.

Resolution No. 24 - 110

Village of Montebello

Title: Authorizing the Adoption of the 2024 Rockland County, NY Hazard Mitigation Plan Update

WHEREAS, all jurisdictions within Rockland County have exposure to natural hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Rockland County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Rockland County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy.

NOW, THEREFORE, BE IT RESOLVED that the Village of Montebello:

- 1) Adopts in its entirety, the 2024 Rockland County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Natural Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Planning Partnership as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

Motion: Trustee Golden

Second: Trustee Egenhauser

Upon vote, motion carried unanimously.

Resolution: 24 - 111

Village of Montebello

Title: Maintenance Repair of Solar Batteries at Kathryn Gorman Ponds Park (KGPP)

WHEREAS, the batteries at the solar aerator in Pond 6 were installed in 2016 and consists of four (4) batteries that provide aeration with three (3) bubblers in the pond; and,

WHEREAS, the Village Engineer has checked the batteries, and they are not holding charge under operating conditions, therefore they need to be replaced and,

WHEREAS, the Village Engineer sought a proposal from the service contractor for the ponds which he has deemed as reasonable:

Contractor		
The Pond and Lake Connection	Solar battery, 12V, Deep cycle AAGM 115AH (4) Labor and installation of new batteries/service call	\$4,369.95

(see attached proposal for more information); and

WHEREAS, based on the proposal as outlined and the recommendation from the Village Engineer is to accept this proposal from The Pond and Lake Connection in the amount of \$4,369.95.

THEREFORE, BE IT RESOLVED, that the proposal for The Pond and Lake Connection at a cost of \$4,369.95 be accepted, the expenditure of which for these purposes is hereby approved.

Motion: Trustee Egenhauser

Second: Trustee Humphrey

Upon vote, motion carries unanimously.

Public Comment:

Eliezer Fried of 19 Golf Course Drive wished to congratulate Angela Spina on her additional appointment and wished to request that the Village begin to accept credit card payments. Village Clerk Will advised Mr. Fried that the Village now is able to accept credit cards as payment for fees.

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

Old / New Business

- Village Attorney Berbit is currently in discussions with Orange and Rockland Utilities about the purchasing of the Village streetlights.

At 7:55 PM, Trustee Golden made a motion to go into Executive Session to discuss contract negotiations, seconded by Trustee Egenhauser. Vote carried unanimously.

At 9:20 PM, Trustee Golden made a motion to exit the Executive Session, seconded by Trustee Humphrey. Vote carried unanimously.

At 9:21 PM, Trustee Egenhauser made a motion to close the meeting, seconded by Trustee Humphrey. Vote carried unanimously.