

Village of Montebello

One Montebello Road
Montebello, New York 10901

(845) 368-2211
Fax (845) 368-2044

Mayor
LANCE N. MILLMAN

Deputy Mayor
STACY CARIDI

Trustees
MELANIE GOLDEN
STEVEN H. BELDOCK
EVAN T. KUPERMAN

Clerk-Treasurer
JOAN WILL

Village Attorney
WARREN E. BERBIT

Assistant Village Attorney
ALYSE TERHUNE

Dear New Montebello Resident:

Welcome to the Village of Montebello!

On behalf of myself and the Board of Trustees, I would like to welcome you to our Village. As a homeowner in Montebello, we hope that you will enjoy the beauty of our neighborhood and the benefits of the many services available to you.

Montebello is dedicated to preserving and enhancing the quality of life in our neighborhoods. Our Village government is here to help you. Information about available services, a calendar of events, forms for download, and contact information are available on our website: www.villageofmontebello.org. Montebello's laws and zoning code are also available on the web at <https://ecode360.com/MO1927>.

In this packet you will find important information about our Village, including garbage schedules, recycling schedules, dump information, Do Not Knock registry and important contact phone numbers for easy reference. For your convenience a copy of our Tree Law and our Bee Law have also been included. We are very dedicated to preserving trees in our Village and it is essential that everyone abide by this law when removing trees.

If we can be of any assistance to you, please feel free to call us or drop by Village Hall.

Sincerely,



Lance N. Millman
Mayor



VILLAGE OF MONTEBELLO

(Town of Ramapo, Rockland County, NY)

Incorporated May 7, 1986

Village Hall is located at One Montebello Road on the corner of Montebello Road and North Airmont Road.

VILLAGE BOARD OFFICIALS

(845) 368-2211

Mayor	Lance N. Millman
Deputy Mayor	Stacy Caridi
Village Trustee	Melanie Golden
Village Trustee	Steven H. Beldock
Village Trustee	Evan T. Kuperman
Village Clerk-Treasurer	Joan Will
Village Attorney	Warren Berbit
Deputy Village Clerk	Louise Renud

BUILDING DEPARTMENT

(845) 368-2491

Building Inspector	Lawrence Picarello
Fire Inspector	Adam Gordon
Code Enforcement Officer	Michael Mandikas
Building Clerk	Regina Rivera

Please contact the Building Department with any Zoning or Building Permit questions.

JUSTICE DEPARTMENT

(845) 368-2837

Village Justice	Honorable Arnold Etelson
Associate Justice	Honorable Karen Riley
Court Clerk	Raquel Diaz

VILLAGE OVERVIEW AND HISTORY

The Village of Montebello was incorporated May 7, 1986. Located in Rockland County, New York, the Village is approximately 4.5 square miles. It is located east of Suffern, south of the Palisades Park, north of the Thruway and west of unincorporated Ramapo. The Village is largely rural in character and is one of the prime residential areas in Rockland County.

The rolling hills and fertile soil in the Ramapo Valley provided a pastoral way of life for the early pioneering families. A small collection of farms and mills dotted the countryside and were connected by dirt paths and quiet rugged roadways. With the establishment of the Erie Railroad in Suffern, New Yorkers in search of a cool, quiet retreat to relieve the stress of their urban lifestyles came by train to the surrounding rural areas. Some came as seasonal vacationers, choosing to rent an estate, while others bought property from the abundant amount of underdeveloped land. Picturesque rolling hills and vast wooded lands guarded by the Ramapo Mountains provided a rustic setting for the development of elegant country estates.

One of these estates was that of wealthy New York financier Thomas Fortune Ryan. The former Groesbeck mansion built in the 1860's was purchased by the Ryan Family's in August 1897. Within three years they had the elegant frame dwelling torn down and replaced with a large brick and stone mansion. The estate had a commanding view of the Ramapo Mountains and the mansion consisted of many luxurious amenities including a bowling alley, electric elevator, private chapel, and greenhouse. The Ryan's called their estate "Montebello" meaning "beautiful mountain" in Italian, which inspired the name of the Village. The estate comprised 1,000 acres and included a working farm. The Ryan's built 5 smaller "mansions" for their sons in the area, some of which are still standing today.

Beyond Ryan Mansion (now functioning as a financial firm's headquarters and an office park), additional historic places within Montebello include Bayard Lane, Cobblestone Farm, Indian Rock, Fant Farm and Montebello Village Hall [*See Historical Resource Survey, available at the Village Hall*].

The area now known as Bayard Lane was home to a group of self-sufficient, self-sustaining colonists who in 1936 developed a small "Utopia" homestead project. The brainchild of Ralph Borsodi, his vision was to develop a domestic lifestyle that was productive, independent and economically practical for the New York City commuter. In 1935, Borsodi launched The Borsodi School of Living colony, a small experimental cooperative community, on a rolling unimproved tract of 40 acres at the foot of the Ramapo Mountains bounded by the Ramapo River. The land was divided into 1-to-3 acre lots containing 17 homesteads that were occupied by individual families. The homes were owned individually, the land cooperatively. Initially the community appeared successful, but as the economy shifted and society began to change, the residents began to distance themselves from the self-sufficient principles and cooperative living. In time many of the original families living in the small enclave moved away. Two historical markers were erected along Route 202 to recount the legacy left by the experimental community whose new style of country living received national attention in the 1930s, and gave hope and inspiration to struggling families of the Depression.

Another notable landmark in the Village is Cobblestone Farm. Sitting on an attractive 35 acres of well-groomed land on Viola Road it consisted of an elegant country estate along with a working farm. The farm's centerpiece was a cobblestone barn/carriage house built with the stones cleared from the fields, hence the name Cobblestone Farm. Handsome stone walls outlined the estate's boundaries. Part of this extensive property today houses private custom homes as well as the site of Suffern High School across Viola Road.

Notable residents of historic significance include Army veteran David Smith who saw combat in Vietnam and was a 1994 Buffalo Soldier award recipient; Gia Farrell, singer; United States Senator Royal S. Copeland; Michael Mallardi, former Capital Cities/ABC senior vice president and president of Capital Cities/ABC Broadcast Group; John Phillip Sousa, who rented a summer residence on Haverstraw Road. Also Montebello was home to actor James Daly and his daughter Tyne; actor Pat Hingle; and Gloria Hollister, American explorer, scientist, and conservationist.

Notable events of historic significance include creation of the Historic Preservation Commission in 2004 and the Historic Preservation Code (*article XI; section 195-60*) for the designation of local landmarks or historic districts.

Montebello contains Indian Rock, a large glacial erratic boulder of granite gneiss, formed in the Proterozoic era, 1.2 billion to 800 million years ago. It is estimated to weigh approximately 17,300 tons. The source area for the boulder was nearby in the Ramapo Mountains-Hudson Highlands. Although Indian Rock may appear to be several rocks piled together, it actually originated as a single boulder. This landmark utilized by the Indians as an observation platform and trail marker, can be found in the Indian Rock Shopping Center at the corner of Hemion Road and Route 59. It was preserved in posterity when the shopping center was approved.

Fant Farm, located on Spook Rock Road, contains a house and barns dating back to circa 1850. Across is a 12 acre ribbon of fields and a habitat known as the “Warren E. Berbit Nature Preserve”, honoring one of our founders and the draftsman of our incorporation petition, still serving as Village Attorney, Warren Berbit.

The Stanley and Blanche Morse House was built circa 1920 and is the location of the current Montebello Village Hall. Attributed to the architect George Fowler, it is an interpretation of the Tudor or English Cottage style. The building was designated a Montebello Historic Landmark on December 17, 2008.

The Village of Montebello was the first of the “modern” Villages to successfully incorporate within the Town of Ramapo. Two primary factors fueled the grass roots movement to form the Village. Firstly, due to its rural nature and low population density, the area had no representation on the Town of Ramapo Boards and Commissions. Secondly, the Schwartz Estate, consisting of almost 250 acres of pristine land and seven ponds, was coming to the fore, and the idea to develop same as high density housing was beginning to gain traction. That Estate is now the site of the Montebello Pine subdivision of some 175 elegant homes, and a 24 acre Village Park which incorporates the ponds, known as the “Kathryn Gorman Ponds Park”, so named after the first mayor of the Village.

Montebello is the first village in Rockland County to have a solar photovoltaic system to help power its Village Hall and at it Dr. Jeffrey Oppenheim Community Center, (the latter as a means to honor the second Mayor) located at 350 Haverstraw Road (Route 202). It also was the first to establish an electric vehicle charging station at the Village Hall. It is also the first “Climate Smart Community”, and the first Tree City USA in Rockland County. Montebello is also the first “Certified Local Government” for historic preservation in Rockland County.

For additional infrastructures, the following are available at the Village Hall:

1. *Historical Resource Survey-August 2010*
2. *Early History of the Area by Craig Long, Village Historian*
3. *The Village of Montebello at a Quarter of a Century by Warren E. Berbit, Village Attorney*
4. *Montebello at 30 by Warren E. Berbit, Village Attorney*

(Also peruse the Village’s website at <http://www.villageofmontebello.org/>)

PUBLIC SCHOOLS

Montebello lies wholly within the Suffern Central School District. Suffern Senior High School (named "One of the best High Schools in the nation" by Newsweek Magazine, 2004), Suffern Middle School, Montebello Elementary School and Viola Elementary School are within the Village's boundaries.

Suffern Central School District Administrative Offices

45 Mountain Avenue – Hillburn, NY 10931

(845) 357-7783

Montebello Elementary School – 50 Montebello Road

(845) 357-4466

Viola Elementary School – 557 Route 202

(845) 357-8315

Suffern Middle School - 80 Hemion Road

(845) 357-7400

Suffern High School – 49 Viola Road

(845) 357-3800

RECREATION FACILITIES

Two major recreation facilities owned by the Town of Ramapo are located within our Village; the Spook Rock Golf Course and the Spook Rock Pool. During the spring season, you will receive a packet of information from the Town of Ramapo Parks and Recreation. It offers you information regarding pool facilities, summer camps, Saturday classes for children, evening events (such as music in the park), membership for golfing and tennis. The County's Kakiat Park also is within the Village and is located at 592 Haverstraw Road.

A Village Park, Kathryn Gorman Ponds Park, is a 24 acre passive path with walking trails. The entrance to the park is location on Senator Levy Drive.

Ramapo Parks and Recreation

(845) 357-6100

Palisades Credit Union Park (Boulder Stadium)

3 Palisades Credit Union Park Drive, 2nd Floor

Pomona, NY 10970

HOUSES OF WORSHIP

Montebello Jewish Center, Congregation Shaarey Israel and the Christian Fellowship Church are located within the Village. Nearby are Christ Church of Ramapo (Episcopal), Sacred Heart (Roman Catholic), Christ Evangelical Lutheran Church, Suffern Presbyterian Church and the Suffern United Methodist Church.

IMPORTANT NUMBERS

Ramapo Police Department: Non-Emergency

(845) 357-2400

Emergency

911

Fire Department Emergency

911

Poison Control

1-800-336-6997

Orange & Rockland

1-877-434-4100

****If there is an EMERGENCY of any type, please dial 911 immediately****

GARBAGE PICK-UP SCHEDULE

MONDAY AND THURSDAY

(SIDE YARD PICK UP – MUST BE OUT BY 6 A.M.)

- All Recyclables are picked up on **Wednesday**
- Brown Biodegradable Leaf Bags are Picked up on **Tuesdays** *(from first Tuesday in April to 2nd week in December)*

Airmont Road North (even numbers)

Astri Court

Bogey Place

Brentwood Drive

Brigadoon Drive

Birdie Drive

Caddy Lane

Canterbury Lane

Champion Parkway

Charnwood Drive

Chip Circle

Cobblestone Farm Court

Diamond Court

Divot Place

Druid Court

East Place

East Mayer Drive

Emerald Lane

Evergreen Court

Fant Farm Road

Finnegan Lane

Fortune Way

Golden Road

Golf Course Drive

Graniks Way

Heather Hill Lane

Henry Court

Highgate Court

Karsten Drive

Lackawanna Trail

must bring garbage to dumpster enclosure

must bring bulk to dumpster enclosure

recycling stays at curb IFO unit

Longbow Road

Lety Lane

Mayer Drive

McKenney Court

Mile Road

Montebello Road (Airmont to Hemion)

Nottingham Drive

Oxford Court

Par Road

Plum Hill Drive

Robin Hood Road

Sheilah Court – *Private*

Senator Levy Drive

Spook Rock (Airmont to Viola)

Sterling Forest Lane

Sycamore Lane

Topaz Court

Turf Road

Victory Road

Viola Road

Vivian Place

Wedge Way

Zeck Court

GARBAGE PICK-UP SCHEDULE

TUESDAY AND FRIDAY

(SIDE YARD PICK UP – MUST BE OUT BY 6 A.M.)

- All Recyclables are picked up on **Wednesday**
- Brown Biodegradable Leaf Bags are Picked up on **Tuesdays** *(from first Tuesday in April to 2nd week in December)*

Babbling Brook Lane
Bayard Lane North & South
Belvedere Path
Bruce Court
Birchwood Drive
Brooklands
Carroll Drive
Catherine Court
Coe Farm Road
Colline Drive
Copeland Drive
Danielle Court
East Gate Road
Grandview Avenue
Grist Mill Court
Haverstraw Road
Hemlock Hill Lane
Kakiat Court
Kevin Drive
Kings Gate Road
Lake Road

Linda Drive
Margett Ann Lane
Marion Drive
Mills Road
Montebello Road (Hemion to Lake)
Moriah Lane
Orchard Circle
Orchard Street
Penny Lane
Regis Court
River Road
Rocklyn Drive
Rose Hill Road
Route 202 (Haverstraw Road)
Sousa Lane
Spook Rock Road (Viola to Grandview)
Tanchak Court
West Gate Road
Wilbur Road

GARBAGE, TRASH & RECYCLABLES

GARBAGE: The term "GARBAGE" shall be held to mean *normal and usual kitchen and household waste*, primarily perishable or disposable items such as leftover food matter, food packaging and containers (including cartons); disposable plastic eating utensils, dishes, pots and pans, and crockery. However, notwithstanding any other provision, the term "GARBAGE" **SHALL NOT INCLUDE ANY DESIGNATED RECYCLABLE.**

GARBAGE MUST BE OUT BY 6 A.M. THE MORNING OF PICK-UP

TRASH: The term "TRASH" shall be held to mean *any item of solid waste not encompassed within the definition herein of garbage, that is non-toxic and is placed in a clearly fastened container or bag, which is filled at a maximum weight of sixty (60) pounds and a maximum volume capacity of thirty (30) gallons.* Said items include discardable household items of a durable nature.

The carter **WILL** take the following: (placed curbside by 6 A.M. on your **2nd** garbage day)

BOX SPRINGS/MATTRESSES/BED FRAMES- WASHERS/DRYERS-LAWN MOWERS (free of gasoline & oil) - SNOW BLOWERS (free of gasoline & oil) -POOL HEATERS-HOT WATER HEATERS-BBQ GRILLS-MICROWAVES-WALL OVENS - FURNITURE-CHRISTMAS TREES-SWING SETS (MUST BE BROKEN DOWN) - WINDOW UNIT AIR CONDITIONERS – WATER SOFTENERS

REFRIGERATORS & FREEZERS – doors and Freon must be removed

GYM EQUIPMENT – broken down and manageable

PROPANE TANKS – must be empty and expired

LEAVES & YARD DEBRIS - placed in brown biodegradable bags and placed on curbside on Tuesdays

BRANCHES: no larger than 3 inches in diameter and less than 3 feet in length, tied & bundled, on Tuesdays

CARPET: cut up into 4 feet lengths, bundled and tied

TIRES: car tires will only be picked up if you obtain a disposal sticker from Village Hall at a fee of \$5.00 per tire. When purchasing new tires, you should leave the old ones with the dealer to avoid this expense.

All of the above is to be placed curbside by 6 A.M. on your 2nd garbage day.

Materials left over from home improvements and remodeling projects or refuse from demolished or newly constructed buildings **ARE NOT CONSIDERED TRASH!**

The carter **WILL NOT** take any debris from home remodeling or construction including the following:

BATHTUBS-TOILETS-CABINETS-WINDOWS-LUMBER-SINKS-CONCRETE-SHEET ROCK-DECKING-PANELING-RAILROAD TIES-INSULATION PIPES-BUILT IN APPLIANCES-HEATING UNITS-HOUSEHOLD IMPROVEMENT ITEMS - CAST IRON BOILERS-ROCK-STONE-BRICK-CONSTRUCTION MATERIALS-FURNACES-OIL TANKS – TELEVISIONS – COMPUTERS OR COMPUTER EQUIPMENT (Laptops, Tablets, e-Readers) – DVD PLAYERS – VIDEO GAME CONSOLES-HUMIDIFIERS/DEHUMIDIFIERS

Please make arrangements with your contractor to remove these materials.

Note: Paint Cans are considered Hazardous and must be taken to the Hazardous Waste Facility in Pomona.

LEAVES, TWIGS, BRANCHES, GARDEN, YARD & LAWN WASTE must be put in brown bio-degradable bags and placed curbside on **Tuesdays** (*from first Tuesday in April to 2nd week in December*).

Branches and Twigs no more than 3 inches in diameter and no longer than 3 feet in length should be bundled and tied and placed curbside for pick-up.

RECYCLING: Place bins curbside **by 6 a.m.** Bring bins in immediately after collection.

THIS IS A MANDATORY PROGRAM

Please empty and rinse all containers and flatten and break down cardboard boxes.

***Any recyclables in plastic bags WILL NOT be picked up as it is considered garbage.**

BLUEBIN - NEWSPAPER, OFFICE PAPER (all colors), GROCERY STORE BAGS, NOTEBOOK PAPER, CONSTRUCTION PAPER, SOFT COVERED WORKBOOKS, TELEPHONE BOOKS, PAPERBACK BOOKS, MAGAZINES, JUNK MAIL, CEREAL BOXES, PAPER EGG CARTONS, GREETING CARDS, FILE FOLDERS (all colors).

GREENBIN - GLASS BOTTLES, ALUMINUM CANS, TIN CONTAINERS, MILK CARTONS, JUICE BOXES, ALUMINUM FOIL (pie plates, etc.), SHAMPOO BOTTLES, LARGE RIDID PLASTICS (laundry baskets, 5-gallon pails)

⊗ **NOT ACCEPTED:** Recyclable under 2 inches in size, plastic and dry cleaning bags, clothing, metal hangers*, hardcover books, electronics, batteries, SHARPS, medical waste, pots, pans, bowls, utensils or cookware, ceramic plates or cups, hazardous material, plastic utensils, Styrofoam™, appliances, window glass, mirrors, light bulbs, toys, paper soiled with grease or paint, paper cups or plates, tissues, napkins and paper towels and plastic grocery store bags.

**Please return your metal hangers to your dry cleaner*

TIPS FOR GREAT RECYCLING!

- **DO** put your bins out for collection the night before
- **DO** place your bins in designated areas for collection
- **DO** leave caps and labels on...they're acceptable
- **DO** place shredded paper in paper bags only

- **DON'T** place plastic bags in your recycle bin
- **DON'T** put recyclables in plastic bags
- **DON'T** put metal or plastic hangers in Recycle Bins
- **DON'T** place soiled recyclables in your bins

RECYCLING COLLECTION IS EVERY WEDNESDAY

You can pick up recycling bins or lawn bags at Montebello Village Hall.

HOUSEHOLD HAZARDOUS WASTE DROP OFF FACILITY

WHERE: **Drop-off Facility -- Fire Training Center** **(845) 364-2444**
 35 Firemen's Memorial Drive, Pomona

SCHEDULED DROP-OFF DATES (2018) – 8:00 AM TO 1:00 PM

- **Every Monday Through Friday (except holidays)**
- **Saturdays – March 10, May 12, July 7, September 15, November 10**
- **SUNDAYS – April 8, June 3, August 5, October 21, December 9**

A list of what items they will and will not accept is attached for your reference.

NOTE: Please contact the Household Hazardous Waste Hotline at (845) 364-2444 with any questions.

2020 Household Hazardous Waste Drop-off Facility

35 Firemen's Memorial Drive, Pomona, NY 10970

Scheduled Drop-off Dates 8 AM - 1 PM

WEEKDAYS	Every Monday through Friday (except holidays)
SATURDAYS	March 7, May 16, July 18, September 12, November 14
SUNDAYS	April 5, June 14, August 16, October 25, December 13

***** FOR ROCKLAND COUNTY RESIDENTS ONLY *****

Acceptable

Liquids, Solids & Powders

Oil & latex paints
Wood preservatives & thinners
Waxes & polishes
Resins & adhesives
Spot removers
Aerosols
Driveway sealer
Antifreeze, motor oil, oil filters
Gasoline, kerosene & lighter fluid
Chemistry kits
Photography chemicals
Pool chemicals
Pesticides, fungicides & herbicides

Mercury Containing Items

Thermometers & thermostats

Tanks

Fire extinguishers
Up to 20 lb propane tanks

Light Bulbs

All sizes of compact & fluorescent

Batteries

Household, car, boat,
rechargeable & button cell

Electronics

Computers, monitors, laptops,
tablets, printers, scanners,
fax & copy machines,
inkjet and laser printer cartridges,
TVs, VCRs, CD players, radios,
telephones, cell phones & beepers

Small Freon Appliances

Air conditioners, small refrigerators,
water coolers & dehumidifiers

Medications

Non-controlled
over the counter & prescription
medication & pet medications

Unacceptable

Empty containers

Tires
Aerial flares
Asbestos
Explosives
PCBs

Construction material

Radioactive materials
Medical & biological wastes
Controlled substance medication
SHARPS
CD's & VCR tapes

Appliances

Washers, dryers, dishwashers,
large refrigerators or freezers,
microwave ovens

Compressed Gas Tanks

Oxygen, acetylene and
other compressed gasses

Conditionally Exempt Small Quantity Generators

Small businesses, institutions, and non-profits in Rockland County that qualify for CESQG status may also deliver household hazardous waste to the HHW Facility for a fee. This fee is waived for Rockland municipalities and schools.

Call 364-8962 to schedule an appointment.

HHW Hotline (845) 364-2444

Driving Directions

35 Firemen's Memorial Drive, Pomona, NY 10970



Take the Palisades Interstate Parkway to exit 12 and go south on Route 45.
Turn right onto Pomona Road and make first right onto Firemen's Memorial Drive.
The Facility is located at the end of the road on the left.

**For your convenience and safety, please remain in your car at all times.
Your car will be unloaded by trained staff.**

Compact Fluorescent Light Bulbs (CFL's)

All fluorescent bulbs can be brought to the HHW Facility for recycling. **They are banned from disposal in the trash.**



WARNING! All fluorescent bulbs contain mercury, which is highly toxic to people and our environment. Information on the proper handling and clean-up of broken bulbs can be found online at <https://www.epa.gov/cfl/cleaning-broken-cfl>.

Electronic Waste

NYS Law bans the disposal of electronic waste in landfills and bans waste haulers from collecting it. It is the consumer's responsibility to dispose of these materials properly.



Waste electronics can be brought to the HHW Facility or participating retailers for recycling.

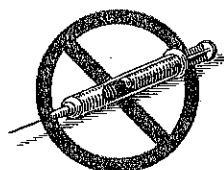


← Have you received this sticker? Bring it to the HHW.

For more information visit
<http://www.dec.ny.gov/chemical/65583.html>
or send an email to ewaste@gw.dec.state.ny.us.

SHARPS ARE NOT ACCEPTED AT THE HHW FACILITY

SHARPS are needles, syringes and lancets used by residents for self medication.



For information on SHARPS disposal visit
http://rocklandgov.com/files/3915/2828/9294/SHARPS_Brochure.pdf or call 364-2175.

Pharmaceutical Disposal

DO NOT FLUSH pharmaceuticals down the toilet or dispose in the garbage. They contaminate our water supply and environment.



Controlled Substance Medication Disposal

These items can be brought to the HHW Facility during the ten weekend drop-off events only (see schedule below).

Saturdays	March 7	May 16	July 18	Sept 12	Nov 14
Sundays	April 5	June 14	Aug 16	Oct 25	Dec 13

Controlled substance medications can be brought to most local police departments and the Rockland County Sheriff's Office. Contact your local law enforcement for more information.

All drop-off sites are free and anonymous for residents.

Police Departments

Clarkstown	(845) 639-5800	20 Maple Ave, New City
Haverstraw	(845) 354-1500	101 W Ramapo Rd, Garnerville
Orangetown	(845) 359-3700	26 W Orangeburg Rd, Orangeburg
Piermont	(845) 359-0240	478 Piermont Ave, Piermont
RC Sheriffs	(845) 638-5400	55 New Hempstead Rd, New City
Stony Point	(845) 786-2422	79 NY-210, Stony Point
South Nyack	(845) 358-0206	282 S Broadway, Nyack
Spring Valley	(845) 356-7400	200 N Main St, Spring Valley
Suffern	(845) 357-2300	61 Washington Ave, Suffern

**Controlled substance medications are any drug or therapeutic agent, commonly understood to include narcotics, with a potential for abuse or addiction, which is held under strict governmental control.*

Visit us on the Web at

U.S. Flag Disposal



Flags can be turned into the HHW Facility and will be properly disposed of by the Veterans Service Agency.

What's the Concern?

Many products we use in our homes, garages, workshops and yards could be hazardous to our health and the environment if used, stored or disposed of improperly.

If handled carelessly, products such as paint, wood preservatives, cleaning products, automotive and pool chemicals, pesticides, and electronics can injure you and sanitation workers, as well as pollute our air, water and soil.

Please use and dispose of these items responsibly.

Helpful Hints...

Avoid Toxic Products...

- Use non-toxic alternatives
- Plan for the least toxic product
- Buy only what you need
- Find non-toxic alternatives on the web

Safe Storage...

- Keep in a cool, dry place; away from flame, water sources, children and pets
- Do not remove labels
- Label all secondary containers yourself

Safe Use...

- Follow label directions exactly
- Never mix products unless recommended
- Wear protective gear as directed
- Properly ventilate work area

Safe Disposal...

- Never dump waste on the ground
- Never pour waste down your drains

Safe Transportation...

- Secure containers upright in a box
- Place leaking containers inside another sealed container

Chairman's Message

On behalf of the Authority board members, I would like to thank the over 26,000 residents who utilized the services of the HHW Facility in 2019. Through your participation in this program, Rockland prevented the disposal of millions of pounds of hazardous waste from entering landfills in and around New York State. Your efforts resulted in the diversion of over 103,000 gallons of paint, close to 20,000 pounds of batteries and over 4,000 pounds of unwanted medications.

Hazardous wastes such as these, pose an increased threat to our drinking water and soil if not managed properly. As only 1 of 14 permanent hazardous waste facilities in NYS, it shows our ongoing dedication to minimizing our impact on the environment.

With decreasing landfill capacity in the region and rising disposal costs, the Authority has saved taxpayers millions of dollars with our extensive network of waste processing facilities and long-term contracts. Waste materials processed locally help minimize the cost and the negative environmental impact of transportation and disposal.

As a reminder to residents, the greatest cost savings is achieved when we all adopt waste prevention habits. Coupled with habits of reusing, recycling and composting, we can combat rising disposal costs for local taxpayers.

Recent NYS legislation has helped the Authority maintain its environmental protection leadership by enacting product stewardship initiatives. Newly created legislation now makes paint and pharmaceutical manufacturers responsible for funding collection and disposal programs, which aims to reduce the costly burden to local government. A variety of privately funded programs are being made available to consumers at local retail stores around Rockland County. We look forward to working locally and regionally to support more of these manufacturer-funded management programs.

Join us as we continue to find new ways to ease the burden we place on our environment and our wallets, by adopting new waste prevention behaviors into your daily routine. Stay informed and learn more by visiting our website often and connect with us on social media.

Thanks again for coming together as a community to help keep Rockland Green!

Environmentally yours,

Hon. Howard T. Phillips, Chairman



2020 Board Members

Howard T. Phillips, Jr., Chairman
George Hoehmann, Vice Chairman
Patrick Moroney, Vice Chairman
Philip Soskin, Treasurer
Michael Kohut, Deputy Treasurer
Michael Specht, Secretary
Lon M. Hofstein
Jay Hood, Jr.
Douglas J. Jobson
Teresa M. Kenny
Lawrence Lynn
John McGowan
Jim Monaghan
Aney Paul
Stephen J. Powers
Aron B. Wieder
Itamar J. Yeger

Gerard M. Damiani, Jr., Executive Director

2020 Household Hazardous Waste Drop-off Facility

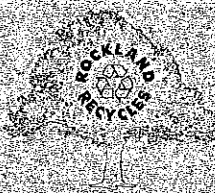
35 Firemen's Memorial Drive, Pomona, NY 10970

Scheduled Drop-off Dates 8 AM - 1 PM

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FOR ROCKLAND COUNTY RESIDENTS ONLY

HHW Hotline (845) 364-2444



Rockland County Solid Waste Management Authority

172 Main Street, Nanuet, NY 10954

The Rockland County Solid Waste Management Authority's Household Hazardous Waste Program is partially financed with a grant from the NYS Department of Environmental Conservation

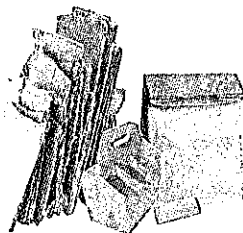
TO: LOCAL RESIDENT

PRSRT STD
US POSTAGE
PAID
MONSEY, NY
PERMIT NO. 9161



ROCKLAND RECYCLES

Sorting your paper, cardboard and other recyclables is quick and easy. Just focus on tossing all mixed paper into one bin and plastic, glass and metal into another. Please **EMPTY** and **RINSE** all containers and **flatten** and **break down** cardboard boxes.



Corrugated Cardboard
(Boxes, paper bags, & drink holders)



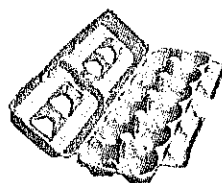
File Folders and Office Paper
(All colors)



Newspaper
(All sections & inserts)



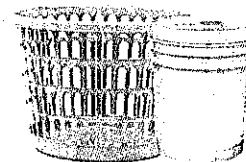
Mail and Greeting Cards
(Junk mail, & envelopes)



Egg Cartons



Plastic Bottles, Jugs, Tubs, and Lids
(Empty kitchen, laundry, & bath containers)



Large Rigid Plastics
(Laundry baskets & 5-gallon pails)



Glass Bottles and Jars
(Empty food & beverage bottles & jars)



Aluminum and Steel Cans
(Foil & empty food & beverage cans)



Cartons
(Milk, juice, & food)

MIXED PAPER

MIXED CONTAINERS

TIPS FOR GREAT RECYCLING!



Place shredded paper in paper bags



Cardboard is flattened & broken down

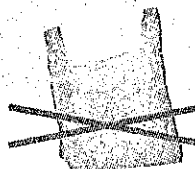


All containers are empty, rinsed, & dry

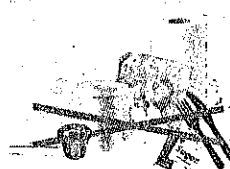


Keep it loose! Don't bag up your recyclables

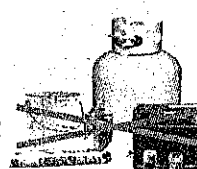
The items listed below **DON'T** belong in your recycling bin



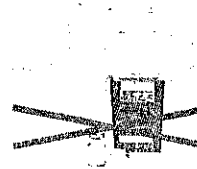
PLASTIC BAGS



DISPOSABLE ITEMS



HAZARDOUS & ELECTRONIC WASTE



SHARPS WASTE



INSTEAD: Recycle your bags at a participating grocery or retail store



INSTEAD: Throw all disposable items in the trash



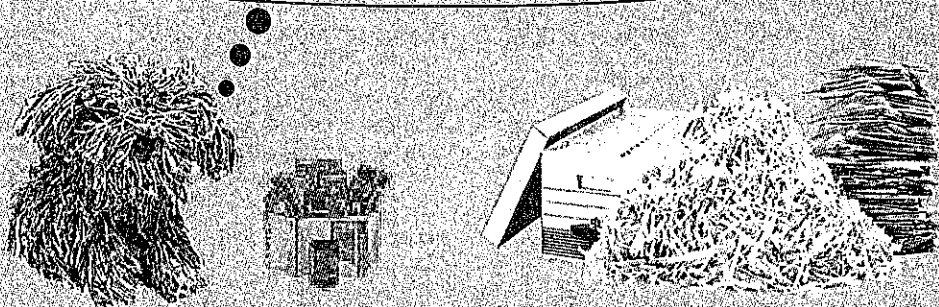
INSTEAD: Bring items to the Household Hazardous Waste Facility in Pomona



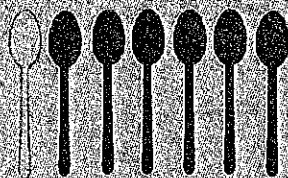
INSTEAD: Find safe & secure disposal information at www.rocklandgov.com

2020 Paper Shredding Events in Rockland

Help someone get ahead while you shred!



- Please bring a non-perishable food item for donation to local food pantries
- Free secure paper shredding
- 3 box limit per car
(banker boxes approx 24 x 15 x 11")
- All events open to all Rockland County residents
(no businesses or non-profits)
- First-come first-served basis until trucks are full
- No plastic bags, binders or other plastics
- Paper clips and staples are acceptable
- For more information call 753-2200
or visit rocklandrecycles.com



Hunger is real for 1 in 7
of your neighbors

Ramapo

Spook Rock Pool
171 Spook Rock Road
Suffern, NY 10901
Sun - March 22
Sat - October 3

Orangetown

Town Hall
26 Orangeburg Road
Orangeburg, NY 10962
Sat - May 2
Sat - Oct 17

Clarkstown

Germonds Park
165 Germonds Road
West Nyack, NY 10994
Sat - April 25
Sat - October 24

Haverstraw

Town Hall
One Rosman Road
Garnerville, NY 10923
Sat - May 9
Sat - September 26

Stony Point

Patriot Hills Lane
Stony Point, NY 10980
Sat - June 6
Sat - October 10

**ALL EVENTS FROM
8 am - 12 noon**



Program Sponsored by
Rockland County Solid Waste Management Authority

TOWN OF RAMAPO DUMP

WHERE: **Transfer Station** **(845) 753-2200**
 Torne Valley Road
 Hillburn, NY

HOURS: **Monday thru Friday 6:30 AM to 4:30 PM** *except Holidays*
 Saturday 6:30 AM to 12:00 PM

Transfer Station (TS) Questions:

What materials are accepted at the Transfer Stations, and what is the cost?

This facility accepts municipal solid waste for consolidation and transport to out-of-county solid waste disposal facilities. See following sheet for Rates Chart showing costs and accepted materials.

What is the procedure for disposing of waste at the Transfer Stations?

To dispose of waste at the Transfer Station, please stop first at the Scale house. The Scale house operators will determine the total weight of your vehicle and waste. They will then direct you where to go to dump your waste. You will then return to the Scale house to determine the empty weight of your vehicle, and the total weight of waste dumped. This is the number you will be billed on. Please have a credit card ready for payment as checks or cash are not accepted for payment.

Directions: Take Route 59 west towards Suffern (on your way to Sloatsburg), just past Design Air Heating & Air Conditioning in Hillburn, make a right onto Torne Valley Road, go past the Torne Valley Sports Complex, Weigh Station is ahead on the right.

TOWN OF RAMAPO DUMP
RATES CHART

Description	Price
Garbage / Construction Debris	\$76.00 per ton
Scrap Metal	No Fee
Car Tires (16" or smaller)	\$2.00 per tire
Truck Tires (17" or larger)	\$10.00 per tire
Bulk Tires	\$200.00 per ton
Brush***/ wood chips	\$57.00 per ton
Manure	\$79.00 per ton**
Dewatered Sludge	**
Clean Chipped Wood Waste*	No Fee
Clean Wood Waste*	\$25.00 per ton
Wood Pallets*	\$10.00 per ton
Brush	\$57.00 per ton

*Clean Wood- uncoated, untreated, unpainted, and unstained wood or lumber. Contact Management 845-753-2200 x625

Please be aware of a \$20.00 minimum for garbage.

***Yard Waste brought to the facility by County residents is accepted free of charge in non-commercial plated vehicles only.

All major credit cards accepted. No cash or checks accepted.

Village of Montebello

One Montebello Road
Montebello, New York 10901

(845) 368-2211
Fax (845) 368-2044

Mayor
LANCE N. MILLMAN

Deputy Mayor
STACY CARIDI

Trustees
MELANIE GOLDEN
STEVEN H. BELDOCK
EVAN T. KUPERMAN

Clerk-Treasurer
JOAN WILL

Village Attorney
WARREN E. BERBIT

Assistant Village Attorney
ALYSE TERHUNE

FILL OUT, SIGN, AND RETURN THE ORIGINAL FORM TO VILLAGE HALL

I would like my address added to the Village of Montebello's "Do Not Knock" Registry.

Please note if you wish to be removed from the list you must notify the Village of Montebello in writing.

Date: _____
Name: _____
Address: _____
Phone No: _____
E-Mail: _____

Faxed or Emailed Copies of this document **will not** be accepted

ORIGINAL DOCUMENT ONLY

VILLAGE OF MONTEBELLO

Tree Removal Application Checklist

Definition of a tree:

4" or more in caliper measured at the point of maximum width at 4 feet from the ground.

No tree this size or larger may be removed without first obtaining a permit

The following information is required if you wish to remove any trees as per the **Village of Montebello's Tree Preservation Law, Chapter 176 of the Village Code:**

Complete Application* – The Tree Removal Permit Application will not be accepted unless all the below documents/photos are submitted.

- ✓ **Copy of your property survey** depicting with an "A, B, C.....the approximate location of each tree(s) to be removed. If you do not have a copy of your survey you can visit Village Hall and we can check your property file for one.
- ✓ **Marking of Tree(s)**. Trees requested for removal must be easily identifiable (i.e., ribbon, paint). The Village Engineer **may** do an on-site inspection. If the trees are not easily identifiable then this may delay the application process.
- ✓ **Individual Photo(s)** of tree(s). The photo must show the tree marked, and the tree should not be "clustered" with other trees in the photo. Photos must be attached to the application or photos can be sent to the attention of the Deputy Clerk at www.deputyclerk@villageofmontebello.com
- ✓ **Estimate** from a Village of Montebello licensed Tree Removal Contractor indicating species, location and condition of tree. The information must mirror your application.
- ✓ **Fees** (if applicable) there is a \$10.00 fee per application for any dead, imminently dead trees or those endangering public safety

This process may take up to 10 days from the time a completed application is submitted – Please do not schedule an appointment for removal until "APPROVED" permit is received.

A copy of the approved permit will be emailed, faxed or mailed to both the homeowner and the Tree Contractor.

***Additional Information which may be required:**

*If the Village Engineer cannot determine if a tree is dead or imminently dead, then a **Detailed Arborist Report** may need to be submitted. This report must specify the species, size in diameter and condition of tree, (i.e. disease name). If the tree is **damaged** then the Arborist Report should identify the location(s) of the damage, if the damage is compromising the tree, and, to what extent. Your licensed contractor should be able to assist you with obtaining this report. This report may be a separate document from the estimate/proposal the contractor gives.*

TREE REMOVAL PERMIT APPLICATION

VILLAGE OF MONTEBELLO

One Montebello Road
Montebello, NY 10901
845-368-2211 FAX 845-368-2044

Village Code Chapter 176 – Permit required for the cutting or removal of any "tree" (defined as "a woody plant, the branches of which spring from and are supported upon a main trunk, with a minimum caliper of four or more inches at the point of maximum width measured 4 feet from the ground")

For Office Use Only

PERMIT # _____

Application is hereby made by the undersigned for a permit to remove a tree(s) on the premises owned by:

Property Owner: _____

Address of Property: _____ Lot Sq. Footage*: _____

E-mail: _____

Cell Phone: _____ Alt. Phone: _____ Tax Map: Sec. _____ Block _____ Lot _____

Contractor Name (if applicable): _____ Phone # _____

	Species of Tree (Attach page if more space is needed)	Approx. Height	As of Right (AOR), Endangering, or Dead	Location on Property (Depict trees with "A,B,C,D.....on survey)
A				
B				
C				
D				
E				
F				
G				

Reason(s) for removal:

- ☐ Tree(s) dead, imminently dead or endangering public safety. (\$10.00 fee)
- ☐ Approval of prior emergency removal. ☐ Removal to permit construction.
- ☐ Removal AOR (as-of-right). (One tree per 10,000 sq. ft. of lot size, but not to exceed 8 trees based on lot square footage* in 2 years or 12 trees in 6 years.)

Other Comments: _____

Homeowner and Contractor Agreements and Representations:

- I request and agree to this application for Tree Removal Permit.
- I hereby grant permission to have the Building Inspector, Village Engineer, or designee for the Village, enter the subject property for purposes of inspection of the trees to be removed, or that have been removed, or the work while in progress.
- I hereby accept full responsibility for damage caused by the removal of any tree(s) covered by this permit. I agree to reimburse the Village for any consultant fees incurred as a result of this Application.
- I understand that any person violating any of the terms or provisions of this Chapter or refusing to comply with the rules and regulations of this Chapter shall, upon conviction, be subject to a fine of up to \$1,000 for each tree that is cut or damaged without appropriate approval from a Village agency, up to a maximum penalty of \$20,000 per lot. Such violator shall also be referred to the Planning Board for the purpose of developing a tree remediation plan at the violator's cost.
- I further understand that pursuant to Chapters 65 and 176 of the Code of the Village of Montebello, it is the Homeowners responsibility to pay all professional fees incurred as a result of having to appear before the Village Board, Planning Board, Zoning Board of Appeals, HPPC, or as a result of a Tree Removal Permit Application submittal. Any fees unpaid at the time the Village certifies its annual tax roll shall become a lien upon the premises for which the application was made.
- I understand and agree to the following fee schedule:
 - Tree Removal as of Right: \$0;
 - Tree removal (dead or dangerous tree): \$10 per approved application
 - All other removals/appearance before the Planning Board: \$250;
 - Compensatory Payment - \$100 per inch of caliper;
 - Consultant Fees for Village Planner, Engineer, Attorney or Arborist - Actual billed fee.

Property Owner Signature: _____ Date: _____

Additional Contractor Agreements and Representations:

- I request and agree to this application for Tree Removal Permit and acknowledge the information set forth in the homeowner/contractor section above.
- I further understand that per Chapter 176 of the Village of Montebello, no person shall fell, cut, trim, or remove any tree for hire within the Village, the branches or trunk of which is four inches or thicker at the point of severance, without a license. I represent that I have a "tree removal license" in good standing with the Village of Montebello.
- I further understand that any tree remover, licensed by the Village of Montebello, who violates the provisions of this chapter shall, at the discretion of the Village Engineer or other designee of the Village Board, have his license revoked and shall not have a new license renewed for a period of not less than two years and shall also be subject to a fine of up to \$10,000 for each offense, whether licensed or not.

Company Name: _____ Representative Name: _____

Signature: _____ Date: _____

APPLICATION IS HEREBY:

☐ **APPROVED**

☐ **DENIED**

By: _____ Date: _____

Comments:

Chapter 176: TREE PRESERVATION AND LANDSCAPE MAINTENANCE

§ 176-1 Title.

§ 176-2 Legislative intent.

§ 176-3 Definitions and word usage.

§ 176-4 Shade trees.

**§176-5 Maintenance of landscaping
in accordance with site and
subdivision plans.**

**§ 176-6 Tree removal; permit; Planning
Board review; licensing of
contractors; fees.**

§ 176-7 Penalties for offenses.

§176-8 Supersessions of other laws.

*[HISTORY: Adopted by the Board of Trustees of the Village of Montebello 1-21-1998 by L.L. No. 1-1998.
Amendments noted where applicable.]*

§ 176-1. Title.

This chapter shall be known and may be cited as the “Tree Preservation and Landscape Maintenance Law of the Village of Montebello.”

§ 176-2. Legislative intent.

It is the intention of the Village of Montebello to retain the rural appearance of the community. Said rural appearance is a consequence of its existing wooded character and streetscape. Toward that end, the Village Board has implemented these regulations for the following purposes:

- A. To preserve an important attribute of the Village, by encouraging owners of existing developed lands, and developers of lands, to save or replace as many native and mature tree species as possible when making improvements to real property.
- B. To control and regulate indiscriminate and excessive removal, cutting, and destruction of trees in order to regulate and prevent conditions which cause increased surface runoff, soil erosion, and cause decreased soil fertility;
- C. To maintain the stability and value of real estate by preserving existing woodlands and providing for the appropriate aesthetic of the streetscape; and
- D. To ensure the continued maintenance of landscaping in accordance with site plan or subdivision plan approvals, or in accordance with the regulations contained herein.

§ 176-3. Definitions and word usage.

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context,

words used in the present tense shall include the future, words in the plural number include the singular and words in the singular include the plural. The word "shall" is always mandatory and never discretionary.

COMPENSATORY PAYMENT- The payment into the Tree Fund in lieu of a Compensatory Planting, of a sum determined to be equivalent to the cost of trees to replace those removed as based upon a per inch of caliper or circumference formula. An associated payment schedule is to be established and amended from time to time by Resolution of the Village Board. [Added 6-18-2008 by L.L. No. 3-2008]

COMPENSATORY PLANTINGS- The planting of replacement trees determined to be equivalent to those removed. [Added 6-18-2008 by L.L. No. 3-2008]

DEAD OR IMMINENTLY DEAD TREE- A tree with no sign of life, or which is so late in an irreversible disease process or is so severely damaged that it is highly probable that it will be rendered dead within one year. [Added 6-18-2008 by L.L. No. 3-2008]

PERSON— Any person, firm, partnership, association, corporation, company or organization of any kind.

PLANNING BOARD— Planning Board of the Village of Montebello.

SECURITY— Security as provided in this chapter shall be in cash.

SHADE TREE— A tree located in the right-of-way or shade tree easement, either previously dedicated or to be dedicated to the Village, except where otherwise indicated.

SHADE TREE EASEMENT— A shade tree easement is a five-foot-wide easement parallel to a road right-of-way granted by the property owner to the Village, that has been established beyond the right-of-way line for the purposes of planting shade trees and for future maintenance of these plantings.

SITE PLAN— As defined in Chapter 195, Zoning, of the Village of Montebello and further in Chapter 146, Site Development Plans.

SUBDIVISION PLAT— As defined in Chapter 163, Subdivision of Land, of the Village of Montebello.

TREE— A woody plant, the branches of which spring from and are supported upon a main trunk, with a caliper of four or more inches at the point of maximum width measured four feet from the ground. [Added 6-18-2008 by L.L. No. 3-2008]

TREE FUND- A fund to be established, maintained and utilized as directed by the Village Board, the purpose of which is to plant replacement trees throughout the Village as deemed appropriate with the guidance of the Parks Commission. [Added 6-18-2008 by L.L. No. 3-2008]

TREE REMOVAL CONTRACTOR- An individual, collection of individuals or

business entity for hire who or which is engaged in the business of providing services with respect to trees, such as removing, pruning, trimming, planting, stump grinding, cabling, and brush chipping and removal. [Added 6-18-2008 by L.L. No. 3-2008]

VILLAGE — Village of Montebello.

VILLAGE ROAD — A road and/or right-of-way under the jurisdiction of the Village.

VILLAGE ENGINEER — The Village Engineer of the Village of Montebello.

§ 176-4. Shade trees.

- A. Planting of trees required. Any person who obtains final subdivision or site plan approval from the Planning Board of the Village of Montebello, County of Rockland, State of New York, shall have shade trees planted upon the property on which such construction is located. Such trees are to be planted within five feet of the right-of-way of the public road(s) or roads abutting said property, this being set aside as a shade tree easement as shown on the approved subdivision plat. One tree shall be planted for every 40 feet of existing or new road frontage of said property unless the Planning Board waived this requirement in whole or in part upon final subdivision approval.
- B. Exceptions. The Village Planning Board may grant a shade tree waiver, in whole or in part, only if there are existing trees growing along such right-of-ways or on the abutting property near the street property line which, in the opinion of the Village Planning Board, complies with the intent of this chapter. Waivers may also be granted when a landscaping plan has been approved for the project by the Planning Board.
- C. Approval of trees and planting required.
 - (1) New trees to be provided pursuant to this chapter shall be approved by the Village Engineer, and shall be planted in accordance with specifications, rules and regulations promulgated by the office of the Village Engineer and kept on file at Village Hall.
 - (2) The cost of furnishing and planting all trees that are required to be planted by the Planning Board must be deposited in the form of a separate security with the Village Clerk-Treasurer. The security shall be established whether the person obtaining subdivision approval constructs the public improvements before filing the subdivision, or alternatively, provides such additional security for the public improvements in anticipation of filing the subdivision plat.
 - (3) The amount of the security to be established shall be stipulated in the Village's fee schedule, which schedule is revised and readopted from time to time. The amount is to be calculated by multiplying the linear foot length of the shade tree easement in the subdivision or on the site, by the unit price established in the fee schedule, such price being reflective of the cost of planting shade trees at approximately forty-foot centers.
 - (4) The security shall be established to ensure the shade tree plantings in accordance with the provisions of this section. The security shall also guarantee that the

trees so planted will survive in good condition for two years following their planting. The money so deposited will be held in the same account as money paid in lieu of planting. **Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).**

- D. Permitted planting period. In order to preserve the new shade tree plantings, tree planting work shall not be permitted to commence until all road and utility construction is complete and the road has been recommended for dedication to the Village by the Village Engineer. Further, certain plantings may not be permitted to be planted at that time, where, in the opinion of the Village Engineer, new construction in or near the road frontage may damage the new plantings. Tree plantings may only be performed during the planting seasons described in the horticultural guidelines referenced in the Village's rules and regulations for the shade tree plantings.
- E. Payment in lieu of planting. In lieu of planting shade trees in accordance with this chapter, a person may deposit with the Village Clerk-Treasurer, in cash or by good certified check, the appropriate sum to cover the cost of all plantings, which money shall be held by the Village of Montebello to be used for the sole purpose of planting and maintaining shade trees required by this chapter. After the effective date of this chapter, no roadway shall be accepted for dedication until the Village Engineer shall duly inform the Village that compliance to this chapter, when required, has been fulfilled under the provisions of this chapter either through completion of the planting work, posting of the security, and/or payment in lieu of planting.
- F. Requirements for plantings under approved site plan. Any person or persons obtaining a building permit from the Building Inspector of the Village of Montebello and which construction is based on a site plan approved by the Planning Board for the construction of a commercial office, school, church, fraternal, benevolent, industrial, or similar nonresidential building shall plant trees in accordance with the rules, regulations and specifications of the Village, and shall deposit a separate security as stipulated in the Village's fee schedule to ensure the replacement of any tree plantings found to be dead or dying after two growing seasons as per § 176-6, prior to the issuance of a certificate of occupancy. **Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).**
- G. Return of security. All securities posted with the Village will be returned in the full amount deposited upon application of the persons or their successors who posted such security, upon presentation of certificate of substantial completion and acceptance of the shade trees, as authorized by the Village Engineer. Application for release of said security may be made at the following times.
 - (1) Release of 50% of security deposit - one calendar year following the last planting.
 - (2) Release of 75% of security deposit - two calendar years following the last planting.
 - (3) Release of 100% of security deposit - 30 months following the last planting. If the required shade trees are not furnished and planted within 180 calendar days following the Village's notice to complete the plantings, the Village shall, after

proper notice, utilize said security for the installation of the shade trees.

§ 176-5. Maintenance of landscaping in accordance with site and subdivision plans.

- A. Maintenance required. The owner and each successive owner of any property which has received site plan or subdivision approval, or any tenant or agent of said property, if any, shall be jointly and severally responsible for the maintenance of all landscaping materials which shall be maintained in good condition so as to present a healthy, neat and orderly appearance, and the perimeter area shall be kept free from refuse and debris. This shall include, but not be limited to, pruning, fertilizing, watering, mowing, weeding, and other such activities necessary to the proper maintenance of the landscaping. Said maintenance shall extend to individual lots created by said subdivision of property.
- B. Inspections. The Building Inspector, the Village Engineer, or other Village Board designated representative, shall be authorized to inspect periodically all landscaping and screening as approved by the Planning Board as part of site plan or subdivision plan approval, or investigate complaints made by any official or private citizen concerning the maintenance of any such landscape materials.
- C. Notice upon failure to maintain landscaping. Where any owner of property to which this article applies fails to reasonably maintain the required trees, landscaping, or screening devices, or maintain the property so as to comply with any requirement of this section, the Village Building Inspector may issue a written notice and order to the owner requiring the owners to replace any dead or dying trees or landscape plant materials that were required as part of site plan or subdivision plan approval; or require any other action otherwise necessary to abate or correct any condition to meet the requirements of this section.
- D. Replacement-in-kind. Any plant that dies must be replaced with another living plant that complies with the landscape plan included as part of the site plan or subdivision plan within 90 days after notification by the Village. The plant may be replanted at a later date to be established by the Village Engineer to ensure the landscape material is planted in the appropriate growing season.

§ 176-6. Tree removal; permit; Planning Board review; licensing of contractors; fees.

- A. Prohibited activities. Except as permitted herein, no person shall do or cause to be done by others, either purposely, carelessly, or negligently, any of the following acts upon privately owned property within the Village of Montebello:
 - (1) Cut, destroy, remove, or substantially injure any tree except as may be permitted in Subsection B, permitted activities, below.
 - (2) Place or maintain upon the ground any substance or impervious surface which would impede the free access of air and water to the roots of any tree.

- (3) Apply any substance to any part of a tree, including the roots, with the intent to injure or destroy the tree.

B Permitted activities. Notwithstanding the restrictions above, the following activities shall be permitted:

[Added 6-18-2008 by L.L. No. 3-2008]

- (1) The cutting, pruning, or trimming of trees in a manner that is not harmful to the health of the tree.

- (2) The cutting, destruction or removal of trees which are dead or imminently dead or which endanger public safety and pose imminent peril, such condition confirmed by the Village Engineer, or his or her designee as chosen by the Village Board of Trustees, with the assistance of an arborist if the Village Engineer or designee believes same necessary to facilitate making an informed decision in the circumstances, in the form of a permit issued after application and after payment of a permit fee set by said Board by resolution, and prior to cutting or removal. Application for this permit shall include a map of the property identifying the location of said tree or trees and supporting evidence (e.g. photographs, report of an arborist) indicating the reason for removal. Any person who cuts, destroys or removes trees for said purpose without first obtaining a permit because they believed that public safety was endangered or an imminent peril posed shall submit a written application to the Planning Board made within five days after the cutting, destruction or removal of trees has occurred, except that the period is extended to twenty days if the removal occurs due to an extreme weather condition, such as a hurricane, which is known to have damaged a significant number of trees in the Village. In the case of removal without a permit independent proof (such as a photograph, police report or arborist's certification) is required in accordance with §176-6D, "Exceptions", in order to obtain approval from the Planning Board excepting said person from the regulations contained herein. The Planning Board may also request the Village Engineer, Village Planner or other Village Consultant to assist in evaluating such applications. The fees charged to the Village by all such consultants shall be paid by the applicant. Removal of trees for non-imminent perils shall be governed by §176-6B(4).

- (3) Upon receipt of a permit after application to the Village Engineer or other designee of the Village Board and payment of a permit fee set by said Board by resolution, the cutting or removal of not more than one tree per 10,000 square feet of lot area during any two-year period but, irrespective of lot area in no event removal of more than eight trees per lot in any two-year period, or 12 trees in any six-year period, unless said removal is in accordance with a site or subdivision plan duly approved by the Planning Board [See Subsection B(6) below]. In the latter case trees shall have been identified on said plans, and no additional trees shall be cut without approval of the Planning Board. For the purpose of this provision, "year" shall be construed to be the calendar year.

(4) The cutting, removal or destruction of a tree as necessary to construct any structure for which a building permit has been issued by the Building Inspector and which does not require subdivision or site plan approval, provided said cutting, removal or destruction is reasonably kept to the minimum required to construct said structure. Any application shall indicate the extent of tree removal on the property. The Building Inspector, upon review of a building permit application which requires extensive tree cutting or removal, shall refer said application to the Planning Board for approval in accordance with Subsection D, exceptions, below. "Extensive" for the purposes of this provision shall be defined as the cutting or removal of more trees than permitted as of right for the subject lot pursuant to Subsection B(3). In the case of such a referral, a Compensatory Planting or Compensatory Payment shall be made, as directed by the Planning Board.

(5) The cutting, removal or destruction of any tree pursuant to an order or directive of the Village, the county, or a state agency.

(6) The cutting or removal of trees as shown on an approved site plan or subdivision plan or a plan approved by the Planning Board. [See Subsection B(3), above.]

(7) The necessary cutting, removal or destruction of trees by a utility provider for the purposes of power, cable, telephone, water or sewer service, provided that all utility companies shall notify the Village Clerk of any tree trimming schedule prior to commencing tree trimming operations. Such activities shall not exceed the requirements of serving the needs of the utility as determined by the New York State Public Service Commission (PSC).

- C. Excluded activities. The provisions of this chapter shall not apply to activities involving trees within the public rights-of-way or publicly owned properties. **[Added 6-18-2008 by L.L. No. 3-2008]**
- D. Exceptions. Upon written application to the Planning Board, and after payment of a permit fee set by the Board of Trustees by resolution, the Planning Board may, by resolution, grant an exception from any of the requirements of this Chapter. The decision by the Planning Board shall be made within 30 days of receipt of the request, or at the next regularly scheduled Planning Board meeting if not within 30 days. The Planning Board may grant such exceptions from the requirements of this chapter as may be reasonable and within the purposes and intent of this chapter if the enforcement of one or more of the provisions is impractical or will exact undue hardship because of peculiar conditions pertaining to the property in question but, in so granting may require that a Compensatory Planting or Compensatory Payment be made. The Planning Board may also request the Village Engineer, Village Planner or other Village Consultant to assist in evaluating such applications. The fees charged to the Village by all such consultants shall be paid by the applicant. **[Added 6-18-2008 by L.L. No. 3-2008]**
- E.

Planning Board review standards and fees. Where an application is submitted to the Planning Board to remove tree(s), said permit may be granted only for the following reasons and under the following conditions: **[Added 6-18-2008 by L.L. No. 3-2008]**

- (1) Where the location of an existing tree or trees provides no alternative but to place a proposed structure outside the permitted building setbacks, and only if a said tree or trees to be removed are replaced on the property as a Compensatory Planting, or a Compensatory Payment is made to the Tree Fund, as directed by the Planning Board, to the extent removal exceeds the number of trees which may be removed as of right for the subject lot per Subsection B(3).
- (2) Where no other reasonable alternative exists for the placement of a building, building addition, structure, septic field, driveway, deck, patio, lawn area, or garden area other than in the vicinity of an existing tree or trees, and only if a Compensatory Planting is made elsewhere on the property or a Compensatory Payment is made to the Tree Fund, as directed by the Planning Board, to the extent removal exceeds the number of trees which may be removed as of right for the subject lot per Subsection B(3).
- (3) Where the area proposed for tree removal is to be occupied by a power, drainage, sewer or other utility easement or right-of-way or where the area of tree removal is 20 feet or less from either side or around the perimeter of the foregoing, and only where there is no viable alternative route for such right-of-way, and the owner of the right of way requires such removal and only if a Compensatory Planting is made elsewhere on the property or a Compensatory Payment is made to the Tree Fund, as directed by the Planning Board, to the extent removal exceeds the number of trees which may be removed as of right for the subject lot per Subsection B(3).
- (4) At the discretion of the Planning Board, and upon the express written finding of an arborist having ISA Certification or having other comparable credentials acceptable to the Planning Board or other expert opinion acceptable to the Planning Board, that the proposed removal will alleviate a non-imminent peril to public safety or will likely not result in or cause, increase or aggravate any of the following conditions: (a) impaired growth or development of the remaining trees or shrubs on the property of the applicant or upon adjacent property; (b) soil erosion sediment or dust, drainage or sewerage problems, or any other reasonably foreseeable dangerous or hazardous condition; (c) have a significant adverse impact upon existing biological and ecological systems; (d) significantly affect noise pollution by increasing noise levels to such a degree that a public nuisance may be anticipated or by significantly reducing the noise dampening effect of vegetation near sensitive noise receptors; (e) significantly affect wildlife habitat available for wildlife existence and reproduction by causing emigration of wildlife to adjacent or associated ecosystems; or (f) significantly denude a visible buffer between adjacent properties.

Such certification does not represent relief from the independent requirement that a Compensatory Planting be made elsewhere on the property or a Compensatory Payment be made to the Tree Fund, as directed by the Planning Board, to the extent removal exceeds the number of trees which may be removed as of right for the subject lot per Subsection B (3). The Planning Board may also request the Village Engineer, Village Planner or other Village Consultant to assist in evaluating such applications. The fees charged to the Village by all such consultants shall be paid by the applicant.

(5) The fees for an application to the Planning Board for tree removal shall be \$250 or other such fee as set from time to time by resolution of the Village Board. The Planning Board may also request the Village Engineer, Village Planner or other Village Consultant to assist in evaluating such applications. The fees charged to the Village by all such consultants shall be paid by the applicant.

F. Licensing Of Tree Removal Contractors. [Added 6-18-2008 by L.L. No. 3-2008]

(1) License Required. No person shall fell, cut, trim, or remove any tree for hire within the Village, the branches or trunk of which is two inches or more thick at the point of severance, without a license.

(2) Application. Applications for such license shall be filed with the Village Clerk. The application shall contain the name and address of the applicant; whether the applicant is an individual, partnership or corporation; and the make, style and number of trucks or other vehicles and license plate numbers on same, to be used by the applicant in the business of tree trimming or hauling. The license fee required by this Chapter shall accompany the application and a receipt therefor shall be attached to the application. In addition, a policy of insurance required by this Chapter shall be attached to said application, and a copy of license issued by the County of Rockland. [See Subsection F(4) and (5), respectively, below.

(3) License Fee. The license fee shall be as established by resolution of the Village Board.

(4) Insurance. Each licensee shall file with the Village Clerk an insurance policy issued by an insurance company authorized to do business in the State of New York. Said policy shall insure the licensee in the sum of at least \$250,000 against liability per incident as may be imposed or awarded by law, and \$500,000 in the aggregate, as may be imposed or awarded by law on account of bodily injury or death of any person or persons not covered by Worker's Compensation Law, and in the sum of at least \$250,000, against liability as may be as imposed or awarded by law on account of damage to or destruction of property, in connection with the felling, cutting, trimming or hauling of trees for hire. The policy shall be endorsed to provide that it may not be cancelled by the carrier except upon at least 30 days advance written notice to the Village Clerk. In the event such insurance is so cancelled and the licensee shall fail to replace the insurance with a acceptable substitute policy, the

license shall be automatically suspended until proof of such insurance shall be provided to the Village Clerk.

(5) Granting Of License. Upon the completion and filing of said application, payment of said license fee and providing proof of insurance and possessing a Home Improvement Tree Services (Code 15) License issued by the County of Rockland as determined by the Village Clerk, the Village Clerk shall grant the license. The Village Clerk shall keep a register of each license so issued, the number of licenses issued, the name of the person or firm to whom said license is issued and the date of issuance and the date of expiration. Denial of a license by the Village Clerk may be appealed to the Village Board in writing, which Board shall consider the appeal at the next Regular Meeting of the Village Board, provided same is no less than 10 days from receipt of the appeal. The Village Board shall render a decision within 15 days of hearing the appeal.

(6) License Expiration. Each license shall expire on December 31st of the year of issuance.

§ 176-7. Penalties for offenses. [Added 6-18-2008 by L.L. No. 3-2008]

- A. The Village Engineer or other designee of the Village Board shall determine compliance with this chapter, and any person violating any of the terms or provisions of this chapter or refusing to comply with the rules and regulations of this chapter shall, upon conviction, be subject to a fine not exceeding \$1,000 for each offense. Each tree that is cut or damaged without appropriate approval from a Village agency shall constitute a single offense, up to a maximum penalty of \$10,000 per lot
- B. Persons developing properties which have received site plan or subdivision approval, and who violate the terms and conditions of said approvals, by clear cutting, removing or otherwise damaging trees through construction, grading or other activities, shall be subject to a fine not exceeding \$1,000 for each offense. Each tree that is cut or damaged shall constitute a single offense, up to a maximum penalty of \$20,000 per lot.
- C. In addition to being subject to prosecution and fining, any person having violated this chapter shall also be referred to the Planning Board for the purpose of developing a tree remediation plan, showing the existing and proposed landscaping conditions on the premises in question, and which shall be designed to mitigate the effects of the offense, which shall be known as the Compensatory Planting Plan or, if the Planning Board approves in lieu thereof, the making of a Compensatory Payment to the Tree Fund [See Subsection D below]. The Planning Board may also require such remedial or protective measures to be undertaken as may be necessary to protect the balance of the original landscaping such as, but not limited to, the use of snow fencing, chain link fencing, or other protective measures. The Planning Board may also request the Village Engineer, Village Planner or other Village Consultant to assist in evaluating the violation and recommending a remediation. The fees charged to the Village by such consultants shall be paid by the violator

- D. In addition to any penalty, the violator will be required to effectuate a Compensatory Planting by replacing in kind each and every tree removed, cut down or destroyed in violation of this chapter. If a tree was so large and mature that it cannot be replaced, the Planning Board may require the planting of multiple trees instead, based on the sole determination of the Planning Board of the number, species and size of trees necessary to meet the objectives of this chapter. In the alternative, in appropriate circumstances where the planting of additional trees is impractical in the judgment of the Planning Board it may accept Compensatory Payment to the Tree Fund in lieu of planting as it may direct or as it may approve upon the request of the violator. No certificate of occupancy shall be issued for new construction on the property on which occurred any violation of this chapter unless and until the provisions of this subsection have been complied with.
- E. Where a tree of any size that is removed, cut down or destroyed is in a Conservation Easement or conservation area designated on a plan approved by the Planning Board, fines may be doubled.
- F. Whenever the Village Engineer or designee as determined by the Village Board shall determine that any activity is being conducted in violation of this chapter, then the Village Engineer shall request that the Building Inspector notify the owner of the property, the owner's agent, or the person performing the work to suspend and halt work. Such direction by the Building Inspector (a stop-work order) shall be in writing and delivered to the owner, the owner's agent, or the person performing the work or affixed to the site. Such stop-work order shall state the reasons therefor and the conditions under which the work may be resumed.
- G. Violation by Licensed Tree Removers. Any Tree Remover, licensed by the Village of Montebello, who violates the provisions of this Chapter shall, at the discretion of the Village Engineer or other designee of the Village Board, have his license revoked and shall not have a new license renewed for a period of not less than two years. Said licensee shall have 15 days to challenge said determination by filing a written appeal to the Village Board, which shall hold a hearing on said appeal within 35 days of receipt of said appeal and shall render a determination within 15 days of the close of said hearing. Accused violators may continue working during the pendency of an appeal only if they have posted an acceptable letter of credit or cash deposit in the amount of \$5,000.
- H. Violation by Unlicensed Tree Removers. Violators of 176-6 F (1) shall be subject to a fine not exceeding \$10,000 for each offense.

§ 176-8. Supersession of other laws.

This chapter supersedes and is in derogation of Chapter 40 of the Code of the Town of Ramapo, County of Rockland, State of New York. This chapter is enacted by authority of § 20, Subdivision 5, of the Municipal Home Rule Law and any other law referenced herein as authority therefor. It also supersedes Local Law No. 27 of 1988 and Local Law No. 2 of 1993.