



# Village of Montebello

**Lance N. Millman, Mayor**

**Stacy Caridi, Deputy Mayor**  
**Steven H. Beldock, Trustee**

**Melanie Golden, Trustee**  
**Evan Kuperman, Trustee**

**Fall 2019 Edition**

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](http://www.villageofmontebello.org)

Montebello's laws and zoning code are available at <https://ecode360.com/MO1927>

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## Greetings from the Mayor



As Fall comes upon us, we get to reflect about the summer and all the good things that occurred.

We continue to carefully apply and update our village laws as we strive to balance for the rights of all within our Village to maintain the style of living that they enjoy and have become accustomed to, while accommodating the evolving life style needs of those newly attracted to our Village. Thus, we continue to implement all aspects of our recent comprehensive plan initiative, while keeping a watchful eye on our surrounding borders, towns and villages. We are not a political village; we came into existence to protect our zoning and land rights and every Village Board has stayed this path while respecting the flux of residential cycles as it keeps

evolving.

As the Mayor, it is that time of year that I prepare with the help of our Village Clerk and Village Accountant, the upcoming Mayor's annual budget. We continue to look very closely at our expenses and revenues. I am pleased to once again report that we are a solid financial entity. In a recent article about financial monitoring around the County, the Division of Local Government and School Accountability has reported that our scoring for financial stress has remained consistently good. Once the Mayor's budget is finalized, it will be presented to the Village Board for review and approval for presentation as the Tentative Budget at a Public Hearing (this year on November 13<sup>th</sup>). As in previous years, we will remain within the State cap of 2%. Next year is also looking strong and one of our bonds will be paid off in full in 2020, which will be a benefit in 2021.

We have completed our repaving of roads this season. Each year, our professional engineers review every street in our Village and rate them from best to worst. We have continued to plan for paving the lowest scoring village roads each year by allotting certain budgeted funds thus avoiding having to obtain a bond for funding. This practice has served our Village very well and we will continue to budget to allow us to repave from 3-5 roads every year.

On another note, we sometimes forget that we are living in a beautiful outdoor environment that is home to an abundance of wildlife. We have foxes, turkeys, coyotes, raccoons, woodchucks, beavers, multiple varieties of birds including those hawks we keep seeing circling high above our properties and our newest "right there in our front and backyards", bears. We have spoken to various authorities about the sightings and we cannot take any action unless they are endangering an individual or up in a tree. We should try to minimize the time our trash is outside and unfortunately take down our bird feeders. Our variety of birds our incredible but unfortunately the feeders do attract bears. We should also be very mindful of letting our pets run alone outside in our yards.

We invite all to stop by our village board meetings every third Wednesday night of the month to hear what is going on and to speak during the two "public comment" session that occur in every meeting.

I hope those who attended our recent Music in the Park Concert by the group "Dead on the Tracks" had a great time. The music was fantastic, and the turnout was perfect. We could not have asked for a nicer day.

We plan on holding Montebello Day next year. We have had some amazing times in the past with hundreds of residents coming by to enjoy the music, rides, food and informational booths. If you have any ideas or suggestions, and/or want to help, please let us know as we will begin planning process soon.

Enjoy the fall and the upcoming holiday seasons.

Sincerely,  
Lance Millman, Mayor





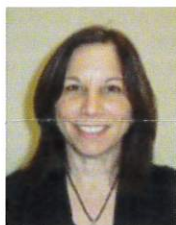
### **Fall Reminders**

**By Stacy Caridi, Deputy Mayor**

Fall is in the air. School has started, leaves are falling and nights are getting shorter. As cooler weather approaches, please keep in mind the following:

- ◆ Daylight Savings Time—on Sunday, November 3rd at 2:00 AM clocks are turned back (fall back) one hour. This is also a good time to change the batteries in your smoke detectors and carbon monoxide detectors.
- ◆ It's not too late to complete the form for the Village's **Do Not Knock** registry. Paperwork is located on the Village website (*under Departments, Forms and Applications*). When you drop the paperwork off at Village Hall you can obtain a sticker for your door or a lawn sign.
- ◆ The Town of Ramapo will be offering free paper shredding on Sunday, November 3 from 8:00 AM to 12:00 PM at the Town Hall Parking lot. This event is open to all town residents; no businesses. There is a 3 box (24x15x11) limit. No plastic bags, binders or other plastics. Along with your shredding requirements, please bring a non-perishable food donation for our local food pantries. For more information call The Town of Ramapo at 357-5100 ext. 201 or 234.
- ◆ Fall clean up bags are available at Village Hall. These biodegradable bags can be used for lawn debris, leaves, and small branches. Each household is limited to 10 bags. Additional bags can be purchased at any home improvement store. Bags are picked up by our carter every Tuesday at curbside until the second week in December.
- ◆ Come join us at a Village Board meeting to learn what is going on within our Village.

Have a Happy Fall everyone!



### **Development Around the County**

**By Melanie Golden, Trustee**

My last newsletter articles have focused on what the Village is doing within our borders to protect our critical environmental assets and make Montebello a greener and more sustainable community. It is important to note that our Village also watches development closely in and around our borders, which can also have a negative environmental impact on our Village.

While the Village cannot literally control zoning and land use decisions outside of our borders, there are procedures in place under New York State law and within our Village that enable us to participate in land use proceedings in other municipalities.

For example, our Village receives and reviews planning and zoning agendas for the Town of Ramapo and often sends our Village Planning or Zoning Clerk to Town CDRC (Community Design Review Committee) meetings to stay informed of local projects that can impact our Village residents and services. Our Village also submits comments from our Mayor or Village Planner to municipal boards when there are concerns that proposals that may negatively impact our Village.

Under the New York State Environmental Quality Review Act (SEQRA), municipalities are required to give notice to other municipalities if certain projects are within 500 feet of that municipal border. Once again, our Village reviews these notices and projects and participates in the environmental review process if the Village believes a project may negatively impact our Village.

Recent examples of our monitoring and review include a proposal to build two warehouses in the Village of Airmont, and the Town of Ramapo's current proposal to, it appears, effectively change the policy of the Town from allowing the creation of Multi-Family Housing Districts in limited areas that by rational, pre-defined criteria have been found appropriate for higher density development to a policy of arguably allowing the same at almost any location within the Town by legislative fiat. (The latter broadly prompted by a proposed project known as Pascack Ridge).

Sometimes our involvement has more of a positive impact than others. Hopefully our voice will have an impact, but sometimes it is less than we had hoped for. An example is the Town's approval of a planned adult community known as Highview Hills on Carlton Road. While we were instrumental in lowering the number of housing units, the site was virtually clear cut--a mixed result. Despite sometimes disappointing results, we have also successfully opposed projects or aspects of projects, including the Patrick Farm, and we will continue to monitor and participate in other municipal land use reviews when appropriate.



## **Motor Vehicle Accident Rules**

**By Steven H. Beldock, Trustee**



As you may know, in addition to being a Montebello Village Trustee, I am an attorney and I specialize in the field of Medical Malpractice and Personal Injury Law. As I have over 30 years of experience in this area of law, I thought it might be worthwhile to provide some guidance for our residents as to things they should do in the event they are involved in a motor vehicle accident.

First thing is to ensure that the accident location is safe and to get immediate medical care for anyone who was involved in the accident who requires such care. Obviously, getting out of a vehicle at the scene of an accident can be extremely hazardous. Many people throughout our country are severely injured and/or killed when they are involved in an accident or when their car breaks down and they get out of their vehicle at the location without recognizing the danger of being on the roadway. The most prudent course of action is to call for help from inside your vehicle and stay there.

When an accident occurs, you should always call the Police and have a Police Officer respond to the scene of an accident and create a written Police Accident Report. Individuals' recollection of the circumstances surrounding an accident may change as time passes, for many reasons. They may truly remember things differently or third parties such as attorneys or others may suggest to them that the way they remembered things is not how they should describe them in the future. If a Police Accident Report is created at the scene of the accident by a Police Officer, there will be a record existing as to what people said immediately after the accident occurred. Obviously, that is the time to get the most accurate statement from each driver as to the circumstances surrounding the accident.

If it is possible to do safely, take photographs of each of the vehicles involved in the accident and of the accident location. With regard to the accident location, if there are skid marks or debris from the vehicles you should try your best to take photographs. If there were other factors that may have contributed to the accident such as vegetation, puddles or anything else, take photographs of those areas.

Although many (and I hope most) of us were brought up to be polite, it will not help you later if you apologize for causing the accident. By all means, be polite, get help for anyone who requires help, but do not say anything to the other driver or drivers about the causes of the accident. Be a good listener but say little or nothing on that subject. Immediately after the accident, you should report the accident to your Insurance Company, regardless of the nature or extent of damage to vehicles or injuries. If you do not provide timely notice to your Insurance Company, you may find yourself without insurance coverage either for your vehicle damage or in the event you are sued by the owner and/or operator of other vehicles.

If anyone was significantly injured in a motor vehicle accident, it is likely there will be a lawsuit down the road. The above rules will help put you in the best possible position with respect to such a lawsuit.

## **Parking and Traffic in Montebello**

**By Evan T. Kuperman, Trustee**

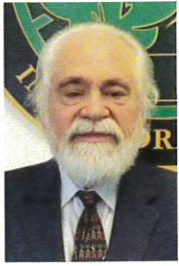


Can you believe it is that time of year again?! School has started and Autumn is in the air. We are all so busy with Back to School that September and October always seem to fly by. Traffic patterns change around this time of year and everyone gets used to the Thruway backing up. There are also school buses everywhere. Keep in mind that stopping for a school bus is the law!! This law is important to follow for everyone's safety and is vigorously enforced by local police.

With so many new young drivers on the road now, please make sure everyone in the community understands the law and adheres to the no parking signs in the designated areas. Many have brought up and suggested that the High School drivers who drive their vehicle to school and park on the Village roadways stick to one side of the road so that traffic, buses and emergency vehicles can get through. While this tends to become a larger subject of inquiry during events and holidays, I am sure we always note many students parking along the sides of the roads. In addition, there are many residents stuck throughout local roads during these events when the roadways are overly congested from parking on both sides of the road.

With that being said, it is great to see so many people out and about on their walks, runs, bicycles, skateboards and rollerblades. It's nice to see everyone exercising and getting healthy. There is room for everyone on the road if we respect each other and make room for the continued enjoyment of all that our village has to offer.





***From the Desk of...***  
***Warren E. Berbit, Village Attorney***

I am writing fresh from a lengthy trip to California where my 5 grandchildren met for the first time (the Californian having just turned 2 months of age!) You know, despite the majesty of the Pacific breaking against the beaches and cliffs, and many other wondrous natural and other features, to me nothing matches the lush, green rolling hills, and beauty of our Village (and we don't have to irrigate a desert environment to make it bloom!).

Shifting from "California Dreamin'", as I've mentioned before, our next phase of legislation to effectuate the 2017 Comprehensive Plan will begin soon. We will address the following, tentatively designated as pending 2019 Local Laws, but some of this effort will likely extend into 2020:

- No. 3: Title: Laboratory Office and Laboratory Office Campus Districts Uses and Standards;
- No. 4: Title: Planned Industry and Planned Industry Campus Districts Uses and Standards;
- No. 5: Title: Estate Preservation District Uses and Standards;
- No. 6: Title: Home Office and Home Business Standards;
- No. 7: Title: Commercial Site Design Standards;
- No. 8: Title: Designation of State Critical Environmental Areas for Timber Rattlesnake Habitat and Historic and Scenic Roads;
- No. 9: Title: Procedural and Regulatory Streamlining to Promote Economic Development;
- No. 10: Open Space Recreation District Uses;
- No. 11: Personal Horticulture Standards;
- No. 12: Repeal and Replace Zoning Districts Map; and
- No. 13: Rural Design Guidelines.

As you may read about in part elsewhere herein, the land use applications worthy of mention include 84 Viola Road, involving a proposed two-story place of worship and gathering place, presently totaling about 28,000 square feet on about 10 acres, but effectively about half of that acreage given water features and slopes. This project is in the earlier stages of environmental and planning review. Another, Montebello Crossing, on Route 59 west of Hemion Road, consists of a proposed Assisted Living Residential facility, a medical arts building and a retail operation with a drive-by window. It was approved almost 2 years ago but is in the courts upon the challenge by its neighbor, Tagaste Monastery (Augustinian Recollects). Also, of note is a 200 bed Assisted Living Facility, the Sentinel, on Rella Boulevard which is approved and awaits map signing. Also noteworthy, the Indian Rock Shopping Center seeks to convert the former Outback restaurant into more traditional store front spaces as it shifts same from other parts of the shopping center to accommodate expansion of the Columbia Doctors/Hudson Heart use.

As always, your team (Law, Planning, Building Department and Engineering) actively monitors and shares our voice when called for regarding nearby land use and zoning code activities with potential for impact in our Village. Right now, the two most significant on our radar screen are the Town's "Northeast Ramapo Strategic Plan", the targeted area being the expansive northeast corridor of the Town, including, most notably, the former Minisceongo Golf Club and the town owned Striker property off Route 45 by Skyview Acres. Another is the Pascack Ridge Development Project on about 27 acres zoned for single family but seeking to build nearly 300 housing units of about "2,3 and 6 bedrooms" each. We are watchful for concern that such changes may represent excessive negative environmental impacts from which we must attempt to protect our citizens.

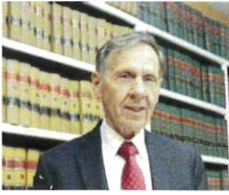
Recently, as based upon ample precedent, the Town settled a suit in Federal Court by Aptive Environmental, LLC ("Aptive"), a nationwide pest control company that sells services via door-to-door solicitation. The Town relaxed certain aspects of its peddlers and solicitors' law, especially given the company's alleged 1<sup>st</sup> amendment right to commercial free speech. The Village was indirectly forced to act similarly because the Town's Chief of Police or his designee plays a role under our law, and, also, because our law is arguably similar to the Town's law. As a result, several of Aptive's solicitors were approved and permits await them in Montebello. Let this be a reminder of the Village's "no-knock registry" if you prefer to be spared attempted sales or solicitations at your door (including, e.g., by real estate brokers, etc.).

Well, all good things must end, but as the Summer exits, I applaud the arrival of the Fall (a stirring experience unmatched on the West Coast).



## Justice Court News

By Judge Arnold Etelson



Civil and criminal cases in the court remain, thankfully, relatively small in number. We still have our share of vehicle and traffic cases because in addition to vehicle traffic on our local streets, a portion of Route 202, Route 59 and the New York State Thruway lie within the village. We continue to have minor marijuana cases, many occurring at a popular parking spots.

I personally am against the legalization of marijuana unless it involves a legitimate medical marijuana situation. I don't hesitate to warn defendants who are usually, but not exclusively young, about the possible deleterious effects of marijuana consumption, and remark to them about some studies that claim that the brain can be adversely affected up to the age of 25. Rather than ordering the defendant to perform community service I prefer choosing the requirement that he or she research the issue and submit their findings in a report which I then read and place in the file. I strongly suggest that parents and grandparents sit down with their children and grandchildren and seriously discuss the issue with them. Several days ago the United States Surgeon General publicly stated that marijuana is harmful. The rise in vaping cases is also alarming. The distribution of education on this subject would certainly be helpful.

The Justice Court was able to purchase a metal detector to be utilized when court is in session. With this purchase we can better protect the individuals coming into court along with the court staff. In addition, we would like to welcome two new court officers, Howard Cohen and Jose Pena. They will be assisting in Justice Court starting in September.

## BEARS IN MONTEBELLO

We are blessed to be living in an area which transitions between relatively low-density residences and abutting forests and mountainous areas. Along with the natural beauty and tranquility comes inevitable contact with other creatures who call this area their home, such as deer, fox, coyote, wild turkeys and black BEARS. Given that bear-human contact seems to be on the rise, and how formidable a black bear can be in the wrong context, they are the focus of this brief article.

Bears are very intelligent, have excellent memories, and are food driven. Thus, once they have found food by the exercise of their profound sense of smell, they will return to the same location over and over with the same expectation. It is in that context that most interactions occur, and, obviously, it is unwise to get between a bear and its intended food source. Bears by nature, usually are wary and shy of humans, and tend to avoid them. IN OTHER WORDS, ELIMINATE THE IMPRESSION OR PRESENCE OF A FOOD SOURCE, AND YOU WILL IN ALL LIKELIHOOD ELIMINATE THE CHANCE OF A BEAR ENCOUNTER.

Accordingly, eliminate all the following outdoor activities during the spring and summer to greatly reduce the chance of a bear encounter:

1. Take down the bird feeder.
2. Do not feed your pets outdoors and do not leave bowls of food for them to graze.
3. Do not leave or spread food for other critters outdoors.
4. Clean your grill and surrounding areas of grease and fat drippings.



Do not leave garbage out except, when you must, shortly before the pickup, and use bear proof containers if you can. (You can place ammonia-soaked rags in the garbage to cut down on the attractive food odor likely to draw bears.)

In the event of an encounter, disengage as best you can. The Town of Ramapo Police Department advises that it will not react unless 1) a bear is cornered in a tree, or 2) a bear is trapped and is a potential concern for harmful human contact. **When in doubt, call the Town of Ramapo Police at (845) 357-2400 or the Department of Environmental Conservation at (518) 402-9149.** The DEC indicates that most situations will resolve themselves, but to keep in mind that if intervention is needed the nearest DEC office is in New Paltz.



After another successful garden season, all Community Gardeners are reminded to clean out their plots by the end of October. The faucets will be turned off October 21st. Leaf bags for garden debris are located in the shed and should be placed next to the dumpster for pick up by our carter.



## **Historic Preservation and Park Commission News**

**By Lisa Levin and Amy Rapoport, Co-Chairpersons**

This year, the Historic Preservation Commission (HPC) and the Parks Commission (PC) joined forces to form the Historic Preservation and Parks Commission (HPPC). Lisa Levin, Chair of the HPC, and Amy Rapoport, Chair of the PC are now co-chairing this commission. Our dedicated members are now working together as one. HPPC meetings are held on the 4th Wednesday of the month at 7:30 PM at the Robert Jaeger Senior Citizen Center.

The HPPC is currently investigating the installation of historic markers along the Montebello portion of the Washington-Rochambeau Revolutionary Route (W3R). The markers would commemorate the route taken by French and Continental armies during the Revolutionary War in 1781-1782, which ran from Newport, RI to Yorktown, VA. The portion of the W3R trail in Montebello runs along Viola Road between Route 202 (Haverstraw Road) and Spook Rock, from Viola onto Spook Rock Road until it reaches the Village boundary, and Lake Road to Memorial Drive.

We are working with a Boy Scout, Thomas Fantry Jr., who is working towards achieving Eagle Scout status. We have worked with many Scouts in the past and many great projects have been completed within our Village. This is no easy task as Scouts attempting this must present their project concept, how they will accomplish their project, funding, how long it will take to complete the project, and the materials needed. Thomas' project includes trail enhancement and installation of permanent trail marker signs (at the start and end of each trail), in addition to installing a main trail map sign in Kathryn Gorman Ponds Park. Thomas needed approval by the Village Board, HPPC Commission, and his Scout Masters. Thomas raised the funds for supplies and the signs. The Village gave historic names to our trails to be placed on the trail marker signs. Thomas will also be repairing the Daniel Beard Trail, another project done by a Scout many years ago.

While the calendar may still say summer and the weather feels like it, it's not too early to check your trees for any dead wood to be pruned for winter safety. It's also not too late to consider planting new trees that can be watered in well before winter and mulched properly. Mulch on new and old trees should NOT be piled up against the trunk which is not a good practice. The mulch should form a donut like shape around the tree about 8 to 10 inches away from the trunk and several inches high and wide. Water can be placed in the ring and watered deeply for best success and health of the trees. Your foundation plants and trees need water before the dryness of the winter, so consider deep watering before you shut your hoses off for the winter.



### **Montebello High School Seniors Achieve Top 10%**

Congratulations to the Montebello graduates on their accomplishment in being named in the Top 10% of the Class of 2019 from Suffern High School! Mayor Millman and the Board of Trustees presented certificates for achieving Academic Excellence to the following students: Kyle Anderman, Alexander Assad, Kolby Brenner, Saahil Dutta, Isabella Glassman, Ethan Holand, Samantha Kaner, Anya Lukavsky, Madelyn Nicpon, Adam Paroff, Audrey Risko, Rebecca Rubinstein, Allyson Schnell and Samantha Weinberg.

### **Memorial Day Observation**

The Village celebrated Memorial Day on Sunday, May 26th with a ceremony on the front lawn of Village Hall. Suffern Middle Schooler, Fiona O'Brien sang God Bless America. 5th Grade students, Sequoia Jozokos-Bookman, Micah Fox and Jacob Santiago, from Viola Elementary School provided a stirring reading of the Gettysburg Address. Mayor Millman addressed the crowd thanking the Veteran's in attendance for their service. The Marine Corps League Rockland County Detachment presented the flags, fired a rifle salute, and played taps in memory of those who made the greatest sacrifice for our nation.



### **From the Village Clerk's Office:**



Fall Clean up is soon upon us. Please note that all leaves, twigs, branches, garden, yard and lawn waste must be put in brown bio-degradable bags and placed curbside on **Tuesdays** (through 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.





### ***Building Department News*** ***Larry Picarello, Building Inspector***

There has been a fair amount of housing turnover in the Village recently. Considering this, please be advised that a Building Permit is required for modifications such as: adding sinks, adding cookstoves, and changing gas lines. Also, finishing of unfinished areas such as basements & "bonus rooms" are subject to a Building Permit. New residents should also be aware of Village regulations regarding tree removal, which the Village vigorously enforces. Visit the Village of Montebello website for more information.

As the weather gets cooler, take some time to look over your heating system, service if necessary, and check for combustible materials in close proximity to boilers, furnaces, and hot water heaters.

Please feel free to contact me at (845) 368-2491 or by email at [buildinginspector@villageofmontebello.com](mailto:buildinginspector@villageofmontebello.com) with any questions.



### ***From the Desk of the Fire Inspector*** ***Adam Gordon, Village Fire Inspector***

Hello to all residents, I hope you had a great summer. The fall is upon us and its the time of the year where fireplace and wood stove use isn't far away. Please take this opportunity to make sure your chimneys & fluepipes are thoroughly cleaned before using them. Old creosote buildup can easily be ignited and cause a chimney fire. I suggest using a reputable licensed chimney sweep, you can easily find that information on The Rockland County Consumer Protection website.

This is also the time of the year where we see increased incidents of bonfires (large ceremonial fires) and open burning (the burning of materials such as leaves/brush/rubbish for disposal). Our village code prohibits either of those two activities unless a permit is issued by our office. Recreational fires, defined by the NYS fire code are small outside fires (campfires, fire pits etc) which are not larger than 3 feet wide by 2 feet high and for pleasure, religious, ceremonial, cooking, warmth, etc. are allowed provided you follow these few safety rules:

- They must be a minimum of 25' away from any structure or combustible material
- They must be attended at all times by an adult until extinguished
- A method of extinguishment (fire extinguisher, water hose) must be available for immediate extinguishment.

Just please also understand that even if you are following fire safety but are still creating offensive odors or to otherwise be prejudicial to good health, you may be required to cease the activity pursuant to our village code.

Please cooperate with any Fire Department personnel and our Code Enforcement personnel should they be dispatched to your property. Thanks for reading and have a safe and happy fall holiday season.

### ***Concert in the Park: Dead on the Tracks***

On Sunday, September 15th the Village of Montebello hosted a free concert in the park featuring the Grateful Dead cover band Dead on the Tracks. The concert was well attended and featured several food trucks on site for residents to purchase refreshments from. A good time was had by all.



### ***Dr. Jeffrey Oppenheim Community Center***

The Dr. Jeffrey Oppenheim Community Center is located at 350 Haverstraw Road. This spacious event room along with partial kitchen (refrigerator, warming oven) is available to rent for parties or other celebratory needs. Interested? Give us a call at (845) 368-2211.

# Holiday Reminders



*Village Hall will be closed on the following days:*

- *Monday, November 11th—Veteran's Day*
- *Thursday, November 28th and Friday, November 29th—Thanksgiving*
- *Wednesday, December 25th and Thursday, December 26th—Christmas*

*There will be regular Garbage pick up on Thanksgiving and Christmas  
(no recycling or bulk)*

Check out **[www.VillageofMontebello.org](http://www.VillageofMontebello.org)** for the latest news, updates and weather related cancellations.

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