



**COME JOIN THE FUN!**  
**Montebello Day**  
**Sunday, September 23, 2012**  
**Noon until 4:00 pm**

VILLAGE OF MONTEBELLO  
INCORPORATED 1986

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*Montebello, NY 10901*



# Village of montebello review

Jeff Oppenheim, Mayor, Lance Millman, Deputy Mayor, Melanie Golden, Stacy Caridi, Steven A. Sorriolo, Trustees



## Greetings from the Mayor



Montebello finances are in good shape (please see the article inside regarding our auditor's report). However, no village is an island. Rockland County is experiencing financial difficulties as a result of rising expenses and falling sales tax revenue. In order to shift costs, the county legislature has asked the towns to pay for certain expenses that have traditionally been paid for by the county, including the cost of elections, and fees paid for certain community college students. The county has

also hinted at transferring ownership of certain roads and bridges to the towns, raising financial pressures on the towns. Consequently, tension between the county government and town governments has amplified and we face the possibility of higher taxes imposed by both the town and the county.

Eager to transfer costs back to the county, the towns demanded that the county pay the electric bill for streetlights on county roads. Traditionally, local municipalities pay for the cost of electricity for all lights in their territory, regardless of whether those lights are on village, town, county or state roads. Ultimately, this conflict may need to be resolved in the courts.

Relegating taxpayer money to settle this dispute in court seems wasteful. A better choice would be a joint effort to reduce overall expenses. In Montebello we have been working for several years to reduce costs, including the cost of our streetlights.

Electric charges for streetlights are not determined by electric meters. Instead, O&R charges a flat rate per light based on the type of bulb and wattage. The Village pays approximately \$200 per year per light. In a village with nearly 200 streetlights, the final cost approaches \$40,000 per year. Finding a way to reduce this cost has been a priority.

Documenting the location of each of our streetlights was our first goal. The Board of Trustees performed a survey, driving the neighborhood and examining every light. This survey revealed that O&R was charging Montebello for certain lights on private roads, certain lights outside our boundaries, and certain lights that did not even exist. Further, we sought to identify where there were an excess number of lights, unnecessary lights, unwanted lights or unused lights.

It was surprising to discover that the distribution of lights in the Village follows no logical pattern. Some roads, such as Route 202, have many lights in one area, but not in another. For example, there are many lights to the south of Viola road, but almost none to the north on 202. Some county roads also have lots of lights (e.g. Montebello Road) while other county roads have almost none (e.g. Viola Road).

The installation of streetlights has apparently never been based on a clear criteria or strategy but has merely been executed in an ad hoc manner. This is surprising given the very complex and specific rules that govern the placement of road signs. The manual that governs the placement of street signs is thicker than the NY yellow pages. Yet there are no rules, regulations or recommendations pertaining to streetlights. It is likely that there are equally eclectic distributions

of streetlights in other municipalities.

Having performed this survey, the Village embarked on a program to turn off lights where possible while respecting the rights of citizens to keep lights on if they were desired. The Village sent letters to residents of roads where complete light terminations were proposed and invited emails, letters, phone calls and attendance at a Board meeting. This outreach resulted in many lights being left on. Nonetheless, a significant number were discontinued. There have been few complaints since this project was instituted.

It is generally easier for the government to prevent the creation of a taxpayer benefit than it is to discontinue a benefit already in existence. So too, it was harder to turn off lights than it is to simply not turn them on in the first place. Yet, following through with this strategy will allow the Village to save more than \$40,000 in the next decade.

The other aspect of financial savings we are working towards comes from replacing the current light bulbs with the most ecological and least expensive bulbs. Under a program that has been in existence for several years, the Village has been replacing 2% of our bulbs annually. We are switching from mercury bulbs to 70 watt sodium bulbs.

Since 2007, we have replaced more than 10% of our bulbs with less expensive alternatives. Beginning this year, O&R is allowing us to change a larger percentage if other municipalities fail to ask for their 2% allocation. In the past, few municipalities in Rockland, other than Montebello, have taken advantage of this program. We are hopeful that we will be able to change a larger number of our bulbs in the coming year.

Electrical charges might be even lower if we were able to utilize LED fixtures. However, O&R would charge a very large annual fee for the use of LEDs, which would not only cancel the benefit of a lower electrical use, but also cost even more than sodium bulbs. Hence, the use of the sodium bulb is the most cost effective method that we can currently choose.

We are constantly on the look-out for ways to save money. Rather than blame other levels of government, Montebello has been proactive in turning off unnecessary lights and switching to lower costing alternatives. If the county and the towns were to follow suit, perhaps there would be a less serious financial crisis in Rockland.

Every level of government needs to work towards the common goal of providing low cost, efficient, and effective services. Montebello is thinking global and acting local. Please feel free to contact me with your comments, questions, and complaints.

### IMPORTANT WARNING:

Swimming in the ponds in Gorman Ponds Park is both dangerous and prohibited.

Several people have reportedly developed illness after violating this rule.



**TO BB OR NOT TO BB**

*By Lance N. Millman, Deputy Mayor*

In these last days of summer of walking, jogging and bicycle riding, we have all enjoyed the beauty of our surroundings and the serenity of our wonderful village and its parks.

For at last, we thought it was serene. A resident couple of Montebello called me one day out of breath and very upset with

what happened to them that day. They told the story of quietly walking through Kathryn Gorman Pond's Park, enjoying the park and its nature when all of a sudden they heard and felt shots of something fly by their heads. They hesitated for a second and realized that someone was shooting a BB/Air gun in to the park. They did not know whether they were a target of someone or just stray BB bullets flying by. Luckily for them, they were not hit by these pellets. This could of have been a terrible accident if someone was hit in the head, eye or face, regardless of how powerful these pellets were. They continued their story and told me that they think they knew where the shots came from and notified the police. The police went to the surrounding houses and found a resident doing target practice in their yard not knowing that the pellets had left their property and journeyed into our public park. The police spoke to the person and advised them the proper way to do target practice within their own property and also advised them of discharge gun laws.

Well, this incident had me very upset. At the next Village board meeting, I proposed that we consider a new village law that prohibits anyone within one hundred yards of any public park from discharging any type of weapon including BB/Air guns. Our Village Attorney advised that he first must do some research to make sure we were not treading on our right to bear arms.

After a few weeks, a large amount of relative material was sent to me to read and we realized that we do not have to consider a new village law for a law already exists.

Under McKinney's Penal Law Sec 265.35 (Prohibited use of weapons) makes a class A misdemeanor the willful discharging of BB/Air guns "either in a public place, or in any place where there is any person to be endangered thereby."

The only reason I am telling this story is not to stop anyone from their right to discharge BB/Air guns on their property, but to make all aware of the possible dangers that could occur if we do not properly control our use of these guns. If we do target practice in our yards, please set up your targets in order that your pellets do not leave your property. If you are not sure, call the police and ask if they can instruct you on how to properly set them up.

One should know though, that it is unlawful for your pellets to go beyond your property line, whether intentionally or not, and that individuals, both young and old can get hurt from these pellets.

Please use your BB/Air guns properly and do not disturb the rights of others to walk joyfully through our precious public parks.

**MONTEBELLO DAY**

*By Lance N. Millman, Deputy Mayor*

Time is near and once again we will have Montebello Day (rain or shine) on Sunday, September 23, 2012 from Noon until 4:00 p.m. on the Village Hall grounds.

We will have wonderful music performed by two Montebello bands and are working on other music as well.

Our rides and challenges will be as great as in the past; they include riding the surf board, climbing a tall pyramid, bungee runs and many more.

Don't forget great airbrush tattoo artist decorating all who wish to

be decorated.

We are hoping to finalize all the wonderful food establishments that donate a majority of their food for us to try.

So please come visit us that day and help us celebrate and enjoy our wonderful Village event.

P.S. We always welcome anyone who wishes to volunteer and help us that day. Please notify Village Hall if you would like to help.

**VILLAGE FINANCIAL REPORT**

Montebello has completed its 6th annual independent audit and we are pleased to report that the auditor (KRPJ, LLC) has found the finances to be "clean". For the first 20 years of the Village's history no independent audits had been performed. Now they are done annually and shared with the public. Here are some highlights of the auditor's report: Assets exceed liabilities by \$6,128,116.

Expenditures were reduced from 2010 to 2011 by more than \$33,000. The Village has \$1,374,678 in unrestricted net assets. The Village's total debt of \$1,935,000 decreased by \$155,000 during 2011. The Village's current debt will be paid in full in 2022. The full AUDIT REPORT is posted as a pdf on our web page (villageofmontebello.com) for your review.

Additionally, our accountant's midyear Budget comparison report projects a potential \$138,000 surplus for 2012, relative to the budget.

Montebello's high credit rating and strong financial condition are a consequence of careful and frugal budgeting. The benefits of such an approach include the lowest tax rate of any village in Ramapo and some of the highest property values in the region.

**Village of Montebello Historic Preservation Commission (HPC)**

**What's In Your Yard?**

Have you ever stumbled upon an old bottle or old shoe in your yard that hints of earlier generations? As the seasons pass and the ground turns over inevitably something of year's gone-by pops out of the ground. These subtle reminders link us to earlier times and offer a unique, peek into the past.

HPC is interested in learning of such findings that might help us learn more about our local history. Visit the HPC table on Montebello Day, September 23rd and share information about some of your findings.

Village of Montebello Reconnaissance-Level Historic Resource Survey, available online is a terrific resource to learn about the area we call home. Throughout the pages are familiar sites that offer a sense of place and time.



<http://www.villageofmontebello.com/Highlights/HistoricResourceSurvey2010.html>

**MOBILE OFFICE EVENT WITH SENATOR CARLUCCI**

Senator David Carlucci and staff will meet with residents at Village Hall on Sunday, October 7th from Noon until 2 p.m. to answer questions and discuss concerns.

<b>OCTOBER 2012</b>	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2 <i>Planning Board Workshop 7:00 P.M.</i>	3	4 <i>Parks Commission 7:30 P.M.</i>	5	6
	7	8 <i>CLOSED COLUMBUS DAY</i>	9 <i>Planning Board 7:15 P.M.</i>	10	11	12	13
	14	15	16	17 <i>Board of Trustees 8:00 P.M.</i>	18 <i>Zoning Board of Appeals 7:45 P.M.</i>	19	20
	21	22	23	24 <i>Historic Preservation Commission 7:00 P.M.</i>	25	26	27
	28	29	30 <i>CDRC 9:30 A.M.</i>	31			

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	<b>NOVEMBER 2012</b>
				1 <i>Parks Commission 7:30 P.M.</i>	2	3	
4	5	6 <i>ELECTION DAY Planning Board Workshop 7:00 P.M.</i>	7	8	9	10	
11	12 <i>CLOSED VETERAN'S DAY</i>	13 <i>Planning Board 7:15 P.M.</i>	14 <i>Board of Trustees 8:00 P.M.</i>	15 <i>Zoning Board of Appeals 7:45 P.M.</i>	16	17	
18	19	20	21	22 <i>CLOSED THANKSGIVING</i>	23 <i>CLOSED</i>	24	
25	26	27 <i>CDRC 9:30 A.M.</i>	28 <i>Historic Preservation Comm. 7:00 P.M.</i>	29	30		

<b>DECEMBER 2012</b>	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
							1
	2	3	4	5	6 <i>Parks Commission 7:30 P.M.</i>	7	8 <i>CHANUKAH BEGINS</i>
	9	10	11 <i>Planning Board 7:15 P.M.</i>	12	13	14	15
	16	17	18 <i>CDRC 9:30 A.M.</i>	19 <i>Board of Trustees 8:00 P.M.</i>	20 <i>Zoning Board of Appeals 7:45 P.M.</i>	21	22
	23	24 <i>CHRISTMAS EVE</i>	25 <i>CLOSED CHRISTMAS DAY</i>	26 <i>CLOSED</i>	27	28	29
30	31 <i>NEW YEARS EVE</i>						



### A PATRICK FARM UPDATE

By Melanie Golden, Trustee

Many of you are probably familiar with the Town of Ramapo approved development known as the Patrick Farm. This nearby 196-acre property sits at the crossroads of Routes 202 and 306 in the Town of Ramapo. The Town has approved a massive high-density development with 410 multi-family housing units and 87 single-family homes. This article will update you on

the recent appellate court decisions that will allow lawsuits to go forward challenging the development. It will also provide a brief summary of the current status of all of the lawsuits and where you can obtain further information.

The first three lawsuits brought against the Patrick Farm developers and the Town of Ramapo challenged the zone change allowing 8 multi-family housing units per acre (down from a single family house on almost one acre) and the adequacy of the required environmental review in connection with this zone change. These lawsuits were brought by the Village of Pomona and two neighboring property owners (the Petitioners).

Rockland County Supreme Court Justice Linda Jamieson dismissed each lawsuit in 2010 ruling that the Petitioners lacked standing (i.e., the legal right) to bring their lawsuits. All three decisions by Justice Jamieson were reversed by New York State's Appellate Division (Second Department). Thus, all three cases must be reinstated and the judge is now required to consider the merits of the claims raised.

Specifically, in Village of Pomona v. Town of Ramapo, decided on April 24, 2012, a four-judge appellate panel ruled that the Village of Pomona clearly had standing to bring its claim. Pomona had charged the Town with violating the State Environmental Quality Review Act (SEQRA) by failing "to identify and take a hard look at potential significant adverse impacts resulting from the zone change including community character." The appellate court ruled that, contrary to Judge Jamieson's decision, the Village had "established a demonstrated interest in the potential environmental impacts" of the Town's rezoning law and related resolutions" sufficient to allow the case to proceed. The Court reaffirmed that community character is specifically protected by SEQRA and that "substantial development in an adjoining municipality" can have a "significant detrimental impact" on the affected municipality. Moreover, the appellate court ruled that Pomona could also proceed with its claim that the Town failed to comply with another state provision (the General Municipal Law) when it adopted the zone change: "That the town factually complied with the procedural steps required by the statute is not dispositive of the question as to whether it did so adequately."

On August 22, 2012, another four-judge panel reversed Judge Jamieson's decisions in the actions brought by the neighboring property owners. In Matter of Youngewirth and Matter of Shapiro the Court ruled, that each petitioner lived close enough to the proposed development to establish a legal right to sue and that the alleged injuries "fell within the zone of interests to be protected by SEQRA and the Town's zoning laws."

In addition to these lawsuits challenging the zone change and related SEQRA review, there are multiple lawsuits pending challenging the Town's preliminary subdivision approvals as well as the final site plan approvals. These cases have been assigned to Rockland County Justice Thomas Walsh. The cases relating to the preliminary approvals were dismissed by Judge Walsh prior to the above appellate court decisions and notices of appeal have been filed to seek reinstatement of those cases. Recently, Judge Walsh held oral argument on the lawsuits relating to the final development approvals and the parties are awaiting those decisions.

Two additional petitioners joined the legal challenge to Patrick Farm after the cases relating to the zone change were brought. First, there is ROSA (Ramapo Organized for Sustainability and a Safe Aquifer). ROSA is a not-for profit organization that represents "the interests of existing residents who invested in their homes and community and recognize the threat of overdevelopment on our commu-

nity character and our water supply." Consistent with its mission, it is raising many issues including (i) the threat to Rockland County's water supply—the property is atop a federally designated sole source aquifer that provides much of our drinking water and is adjacent to a groundwater protection zone for two of United Waters groundwater supply well fields; (ii) the failure to identify and protect on-site wetlands which recharge the aquifer and are also critical to prevent downstream flooding (in Montebello, for example); and (iii) the negative impact to community character and view shed. It is also alleged that the town failed to follow its own Aquifer and Well Field Protection Zone Law as well as its Scenic Road District Law.

Second, the Hillcrest Fire Department also joined in the lawsuits challenging the development. As experts in fire safety, it is most concerned with the lack of adequate planning to ensure fire safety within the development as well as to nearby areas. It alleges that the town failed to address the many issues it raised during the planning process and, that as a result, serious fire safety issues arise both from the site plan design and the failure to provide adequate safeguards in connection with the Columbia high pressure gas transmission line that runs through the property.

You can go to [www.rosa4rockland.org](http://www.rosa4rockland.org) to obtain more information about the issues and the lawsuits.

[The Village is not a party to these lawsuits. However, Trustee Golden believes it important that our residents be informed since the results can impact the Village.]

### ROAD REPAVING

Montebello has more than 25 miles of roads. In order to maintain quality the Village budgets an annual amount of money to repave the roads that are in the worst condition. This year approximately \$100,000 was allotted for repaving. Assessments are made annually by the Village engineer and each road is graded based on condition. Many roads are recommended for crack filling or pothole repair. This year Orchard Street and Victory Road will have been repaved. In addition, the Village regularly lobbies for the repavement and repair of county roads within and near our village. For example, we have requested the repair of Spook Rock Road and the repavement of the thruway overpass on Airmont Road to be completed this year. The county has reported that they expect to accomplish both these goals.





**PROPERTY MAINTENANCE**

*By Stacy Caridi, Trustee*

The nation has experienced a large number of homeowner foreclosures and home abandonments. Similarly, has Montebello experienced several homes that have become eyesores as property owners have failed to provide necessary maintenance. The Village of Montebello requires that properties are adequately maintained.

These requirements are detailed in our Code (Chapter 132) and also in the NY State Property Maintenance Code (Section 302.4). When a property in the Village is not appropriately maintained, the government will intervene. A neglected property has an adverse effect on the quality of life of the neighborhood and generally hurts property values. Therefore, it is a legitimate governmental interest to assure property maintenance.

The method by which the Village enforces its property maintenance law seeks to ensure due process to homeowners. A warning is usually issued prior to any summons so that homeowners have adequate time to respond. If a summons is issued, then the matter is referred to our prosecuting attorney. If a homeowner continues to fail to take adequate action, the Village may refer the matter to the Board of Trustees to consider the problem in a public hearing. If the Board chooses to hold a public hearing, property owners are officially noticed and plans for the hearing are publicly reported on our website, in the newspaper, and at Village Hall. At the public hearing all pertinent documents are reviewed by the trustees and the public is invited to speak. The Board may then vote to take definitive action. Generally, the Board will consider a declaration that the property is in a "dangerous and hazardous condition and represents an eyesore and a nuisance." The Board will then direct corrective action to be performed. The cost for the corrective action becomes a lien against the property, to be collected in the same manner as property taxes. Thus, the cost of such work is not born by the taxpayer.

In the last few years the Village has taken this type of action against approximately six properties in Montebello. For example, last month the Village found 196 Spook Rock Road in violation of the property maintenance law. Last year the Village took action to maintain 96 North Airmont Road and 8 Bruce Court. In several of these cases, the mortgage companies intervened to provide appropriate maintenance. The slow legal process of foreclosure may require a substantial period of time before a property title is transferred and ownership is resolved.

The Village's Tree Law represents another aspect of our Property Maintenance law. These laws seek to maintain a quality of life in the Village that benefits all residents, while assuring due process and fairness to all homeowners. Recently, a Federal court dismissed a lawsuit seeking to challenge our Tree Law. The Village will continue to enforce these laws. Our Code is available for your review on the website [GeneralCode.com](http://GeneralCode.com).

**NEW FIRE INSPECTOR**

Christopher Kear is joining the Village of Montebello as Fire Inspector. Chris is a highly experienced firefighter (in the Towns of Greenwich and Hillcrest) and serves as Fire Inspector to the Villages of Wesley Hills and New Hempstead. His wife is a teacher at the Viola Elementary School. We welcome him to Montebello. Frank Wilson III, who has served as the Village Fire Inspector for several years, recently announced his plans to retire from the Village Staff. We thank him for his excellent work and wish him the best in the future.

**2012 BENCH PROJECT**

Anyone interested in purchasing a bench in the Gorman Ponds Park, please contact Amy Rapoport at [montebelloamy@gmail.com](mailto:montebelloamy@gmail.com)

**PARKS COMMISSION UPDATE**

*By Tony Piazza, Chairman*

It always seems that our summers come and go too quickly, but that means fall is just around the corner. We are fortunate to live in the northeast and have a chance to experience the magnificent change of colors, especially in Montebello where there is an abundance of tree varieties.

The foliage is particularly beautiful in Kathryn Gorman Ponds Park, especially around the ponds. We hope you all get a chance to walk through the park this season to experience it for yourselves.

In regards to the park, we are very pleased that three young men have approached the Parks Commission and requested to complete their Eagle Scout projects with activities within the park.

Dan Piccininni has submitted plans to build two half benches around trees between ponds five and six, and to reconstruct the stone table and benches that existed on the knoll facing pond six.

Mike Sadowski is planning on forging a new trail that will start at the east end of the park, lead up the hill to the parks highest point, and then step down to connect to the main trail near the parking lot.

Kevin Olsen plans on creating markers to identify different plants and trees along both trails within the park.

All three scouts are awaiting approval on their projects from the Eagle Scout board. Once approved, they will begin their projects. Hopefully they will all be completed by next summer. We will keep you updated on these projects and would like to thank these scouts for deciding to earn their badges by improving the Park.

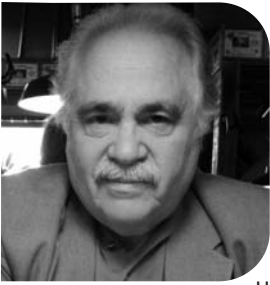
On another note, the Commission has been working hard in trying to determine the best way to fix the algae problem that exists in the Park. We are currently reviewing several options that may eliminate part of the problem. One of the reasons for the problem is a high level of nitrates that are flowing into the ponds from water runoff. The majority of these nitrates come from fertilizers that are being used on the lawns by landscapers.

**To help alleviate the problem, we are asking the residents of the Village and especially residents of Montebello Pines to talk to their landscapers and request they use natural fertilizers when attending to their lawns and gardens.**

Thank you for your help in this regard.

**MONTEBELLO BRIDGE**

The bridge on Montebello Road has been closed by the county since shortly after Hurricane Irene last year. The County has signed a contract for the design of the new bridge and plans are being drafted. County Legislator Alden Wolfe reports that this is proceeding well though it seems unlikely that the work will be completed before the end of 2013. The Village continues to work with county officials to encourage the timely completion of this vital project.



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

As is usual this time of year I experience melancholy as Summer exits the stage. Autumn and Winter approach, even if “Global Warming” creates a semi-perennial Indian Summer. The Calendar controls my perception, not the vagaries of the actual seasonal cycle.

Hoping to forestall the post-Summer blues I decided to highlight some of what the Village has accomplished this Summer by completed tasks or those which are off to a good start. Rather than a random scattering of thoughts – my usual approach – I decided to review the June, July and August agendas. This keying of memory is essential given our pro-active, ideas oriented, administration.

The most significant actions in June related to those necessary to make our Village Justice Court fully functional. Earlier actions approved the creation of the Court, the appointment of former Town Justice Arnold Etelson as Village Justice, former Trustee Marc Citrin as Acting Village Justice, and the creation of Chambers at the Montebello Community Center, thus enabling the meeting room to function as a Court. In June the Village Board approved hiring Robert Yodowitz as Assistant Prosecuting Attorney, added Deputy Justice Court Clerk duties to those of Gloria Scalisi, and hired Brian Downy as Court Attendant. In addition, before the start of our Regular Meeting on June 20th, a very nice gathering was held to commemorate the opening of the Court. This was graciously organized, funded, and overseen by Judge Etelson and his family. The Court became fully operational that month. Thus far it has handled about 52 matters, including e-tickets, criminal cases, violations of the Village Code and Small Claims cases. A glitch in the system diverted e-tickets for almost a month, so I expect that the totals will increase.

A favorite activity according to recent tradition which occurs at the June Board Meeting is honoring those Montebellians graduating Suffern High School in the top 10% of their class. Handsome certificates are given out and photographs taken of the proceedings. There was no such ceremony when my sons graduated in 1996 and 1999, so I vicariously experienced the pride of the attending families. Congratulations to those special young men and women. We shall watch as they realize upon their great promise.

The Village is always looking for a “few good men [and women].” There has been a flux on our boards and commissions due to changes of residence or personal circumstances, June through August. Matthew Moetzing has become a Regular Member of the Historic Preservation Commission, and William Ellsworth, an Ad Hoc Member. Shortly before, Dorice Madronero and William Smith also joined the Commission. Marlene Portnoy has joined our Parks Commission as a Regular Member, and earlier in the Spring Howard Hochberg was appointed as an Alternate Member. I look forward to working with these capable citizens.

In the last three months we have held hearings addressing two more properties which had fallen into disrepair: 5 Par Road and 196 Spook Rock Road. Sad that economic conditions possibly caused families to lose their “castles”. The silver lining is fixing these eyesores, and possibly spurring absentee owners or the lending institutions into positive attention.

Back on the more positive, I am pleased to note that the Village has helped facilitate Raymours Furniture Co. (Raymour & Flannigan) finding a new home in the 800,000 + square foot facility on Dunnigan Drive being vacated by Dress Barn. There will be more warehouse and less office space in the facility which remains in the same footprint. The Planning Board is dealing with the relatively modest changes necessary for the new use (e.g., some auxiliary parking and added loading bays). In August the Village Board approved entering into a PILOT (“Payment In Lieu of Taxes”) Agreement with the Rockland Economic Development Corp. (“REDC”), Suffern CDC, LLC, Raymours Furniture Co., and the various taxing entities (Village,

Town, County, School District). This enabled funding of the venture and stabilizes assessed valuation over an 11-year period. Such transactions require transfer of title to a tax exempt entity. Hence, the Agreement is necessary to arrange, “payment in lieu of taxes”.

Have you taken a stroll in Kathryn Gorman Ponds Park? In the Summer the vistas are fabulous, and should be spectacular in the Autumn. (I guess there is some compensation in the changing of the seasons.) Speaking of the Park, our Parks Commission is working diligently with our engineering consultants, as overseen by the Village Board, to find a relatively economic solution to algae blooms in the ponds (A by-product of excess nitrogen primarily caused by fertilizer run-off. You can help avoid the problem. Please speak with your landscapers about using “green” products). This is not easy to solve, but I am sure that our team will achieve a good result. Also, please consider dedicating a park bench inscribed with your personalized message. Seventeen choice locations have been selected in the first phase. Please contact the Village or Parks Commissioner Amy Rapoport (montebelloamy@gmail.com) for more information.

Sometimes it helps to talk things out. Thank you, I feel less stressed now. Hmmm! Isn't Autumn the time of crisp air, pumpkins and hay rides? All the best of the changing seasons.



**From the Desk of the Fire Inspector,**  
*Christopher Kear*

**Residential Clothes Dryer Fires**

The Federal Emergency Management Agency's U.S. Fire Administration has just released a special report regarding the characteristics of clothes dryer fires in residential buildings. The information is based on data that was collected from the National Fire Incident Reporting System from 2008 thru 2010. According to the report:

- An estimated 2,900 clothes dryer fires are reported to fire departments each year.
- 5 deaths, 100 civilian injuries and \$35 million in property loss resulted.
- Clothes dryer fires were higher in the fall and winter months; peaking in January.
- Failure to clean the dryer was the leading factor contributing to the ignition of clothes dryer fires.
- Dust/fiber/lint was the leading item first ignited in clothes dryer fires; not the clothes itself.
- 54% of clothes dryer fires were confined to the dryer itself.

**Clothes Dryer Safety Tips**

- Have your clothes dryer installed by qualified personnel.
- Clean the lint filter before and after each cycle. Do not forget to clean the back of the dryer where lint can build up.
- Inspect the venting system behind the dryer to ensure it is not crushed, damaged or restricted.
- Make sure the outside vent covering opens when the dryer is running.
- The outside exhaust wall damper should have a covering that will keep out rain, snow and dirt. Do not use wire screen or cloth as these can collect the lint and clog areas of the dryer vent.
- Keep the area under and around the clothes dryer free of items that may ignite and burn.
- Do not operate the dryer without a lint filter or with a lint filter that is loose, damaged or clogged.
- Do not dry materials that have come into contact with any flammable (e.g., alcohol, gasoline, oils etc.) These should be dried outdoors in a well-ventilated room, away from heat.
- Do not leave a clothes dryer running if you leave home or go to bed.

*Do you have a smoke detector in your laundry room or just outside of it?*

Make cleaning your dryer part of your Spring and Fall cleaning ritual! Hoping you had a wonderful summer.



## RESIDENTIAL BUILDING PERMIT INFORMATION

By Lawrence Picarello, Building Inspector

### Why do I need a Building Permit?

Building Permits are required by the Village of Montebello, (per Section 195-95), and all residential construction in the Village must comply with the latest version of the Residential Code of New York State. The building department reviews submitted construction plans prior to permit issuance to determine if the plans comply with the building code requirements. After a building permit is issued, periodic on-site inspections of the construction are performed in order to verify compliance with the approved plans, applicable building codes and municipal ordinances.

### When do I need a Residential Building Permit?

A building permit is required for all new construction and additions. Building permits are also required for the following projects:

- Interior remodeling/alterations that involve structural or non-structural changes or changes to the means of egress (the exit path from any point in the residence including stairways, ramps, exterior exit balconies, hallways and doors).
- Exterior decks and patios.
- Swimming pools, spas and hot tubs that hold at least 24 inches of water.
- Accessory structures (such as detached garages, carports, greenhouses, and storage sheds) over 144 sq. feet in area. **NOTE: If the accessory structure is less than 144 sq. ft., no building permit is required but zoning compliance must still be met.**
- Building permits are also required for electrical, plumbing and HVAC system installation, replacement or alteration (ordinary repairs do not require a permit).
- Finished Basements.

### What work does not require a permit?

- Interior refinishing, normal maintenance, normal repairs.
- Replacement of roof shingles only (any replacement of plywood requires a permit), installation of aluminum or vinyl siding, and replacement of windows (if no structural framing changes are made).

### What are the benefits of a Building Permit?

The building permit review and inspection process will ensure that your project meets minimum standards of safety as specified in the Residential Code of New York State. Building permits are also reviewed for compliance with the Village of Montebello Zoning regulations.

Once a permitted project is completed, the Building Department will maintain a record of the plan review and all inspections for the life of the building. When properties are sold, potential buyers often contact the Building Department to see if permits had been issued for construction or alterations. Property insurers may not cover work done without permits and inspections. A building permit will protect the value of your investment.

It is illegal to do construction without a building permit, and it is illegal to use an area that is not covered with a Certificate of Occupancy. In the event of a fire, or even a "slip and fall" accident, your homeowners insurance may not cover you if work has been done illegally or if a Certificate of Occupancy is not in place.

### How do I get a Building Permit?

Please contact the Village of Montebello Building Department at 845-368-2491. We will be happy to assist you and answer any questions you may have. Property files are kept on site, are in good order, and are available to view following a Freedom of Information request.

### FALL LEAF BAG PICK-UP

The Village carter will pick up leaves that are in the brown bio-degradable bags only on Wednesdays. They will not pick up leaves in plastic bags.

## CAREER OPPORTUNITIES WITH THE RAMAPO POLICE

The Ramapo Police Department is holding a qualifying examination for the position of Police Officer on November 17, 2012. The last filing date for interested candidates is September 26, 2012. Appointments will not be made until at least next June. The department will give priority to hiring applicants who live in the Town of Ramapo. Qualifications, requirements and credentials are detailed on our website (villageofmontebello.com) and additional information can also be obtained from the police department.

## PLANNING BOARD

### Montebello Commons Apartments, LLC—Public Hearing Amended Site Plan

Application for Amended Site Plan to add a generator to the site at 11-111 Montebello Commons Drive, which was submitted to the Village of Montebello Planning Board for owner Montebello Commons Apartments, LLC, 11-111 Montebello Commons Drive, Montebello, New York. Total acreage is 10.49 +/-, Section 55.08, Block 1, Lot 7 in a RSH Zone.

The application was approved by the Planning Board at the June 12, 2012 meeting.

### Suffern CDC, LL—Public Hearing Amended Site Plan

Application for Amended Site Plan from Suffern CDC, LLC (Raymour & Flanigan), 7248 Morgan Road, Liverpool, New York to add 23 new loading berths (12' X 70' each) to the east side of the building and 14 new loading berths (12' X 70') to the north side of the building at 22 Hemion Road (30 Dunnigan Drive), and the removal of 183 parking spaces from the north side of said building after the office space currently being used by Dress Barn is vacated and construction of the north side loading berths is commenced, which was submitted to the Village of Montebello Planning Board for owner Suffern CDC, LLC (Raymour & Flanigan), 22 Hemion Road, Montebello, New York. Total acreage is 49.1 +/-, Section 55.06, Block 1, Lot 3.1 in a PI Zone.

The application was approved by the Planning Board at the July 10, 2012 meeting.

### Town of Ramapo—Public Hearing Coe Farm Road Sewer Extension Wetlands Permit

Application of the Town of Ramapo, 237 Route 59, Suffern, New York 10901, for Approval of a Stream and Wetlands Permit entitled "Coe Farm Road Sewer Extension" to allow disturbance and construction within 75 feet of a freshwater wetland. The proposed construction is for the extension of sanitary sewer service from Coe Farm Road to provide gravity sewer service to an existing dwelling at 585 Haverstraw Road, which will cross 75 feet of wetland. The subject property is located on the west side of Coe Farm Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Sections 40.20, Block 1, Lots 21 and 52 in a RR-50 Zone.

The application is currently adjourned to the September Planning Board meeting.

### SMK-Rose Hill Subdivision—Public Hearing Final Plat

Application of SMK Home Builders, 24 Waters Edge, Congers, New York, 10920 for a Final Subdivision Plat and a map entitled "SMK-Rose Hill" dated March 31, 2011, Latest Revision July 20, 2012, for a three lot subdivision which was submitted to the Village of Montebello. The total acreage for the parcel is 3.415 acres. The property is located on the south side of Rose Hill Road, approximately 600 feet west of the intersection of Spook Rock Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 41.17, Block 1, Lot 60 in an RR-50 Zone. The Applicant received Preliminary Approval on November 8, 2011. The application is currently before the September Planning Board.