

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, JANUARY 17, 2007 AT VILLAGE HALL, THE MEETING WAS CALLED TO ORDER AT 8:00 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Kathryn Gorman	Mayor
	Winsome Downie-Rainford	Trustee
	Jeff Oppenheim	Trustee
	Marc Citrin	Trustee
	Lance Millman	Trustee
	Warren Berbit	Village Attorney

Recording Secretary, Debra Mastroeni, Village Clerk/Treasurer

The first agenda item was a public hearing on the Citizen Viewpoint for the 2007 Rockland Community Development Block Grant application. Mayor Gorman explained the criteria for obtaining grant funding and noted that Montebello can only receive funds for ADA compliance. The Village presently has \$80,000 on account for Village Hall ADA compliance.

The Village Attorney confirmed with the Village Clerk that the legal notice was posted and published by the Rockland County Office of Community Development.

At 8:05 p.m. Trustee Millman made a motion to open the public hearing, seconded by Trustee Citrin. Upon vote, the motion carried unanimously.

No one wishing to speak, at 8:05 p.m. Trustee Millman made a motion to close the public hearing, seconded by Trustee Citrin. Upon vote, the motion carried unanimously.

Public comment was the next agenda item. No one wished to comment.

The next agenda item was Parks Commission Business. No one was present from the Parks Commission and there was no comment.

Resolution: 07-001

Village of Montebello

Title: Approval of Minutes

BE IT RESOLVED, the minutes of the Regular Meeting of December 20, 2006 be and are hereby approved.

Motion: Trustee Oppenheim

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 07-002

Village of Montebello

Title: Fueling Agreement - Town of Ramapo - 2007

WHEREAS, the Town of Ramapo has offered to renew a Fueling Agreement with the Village of Montebello for one year effective January 1st, 2007 pursuant to Article 5G of the General Municipal Law; and

WHEREAS, as more particularly set forth in said agreement, referenced to as if fully set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, the Village's two vehicles may be fueled at the Town's facility at Pioneer Avenue, Tallman and the Village agrees to pay for such usage at the Town's cost plus a 20% administrative fee to cover the Town's expense, said total cost to the Village being less than obtaining fuel by other means.

THEREFORE, BE IT RESOLVED, that said Agreement be entered into, and the Mayor authorized to execute same on behalf of the Village.

Motion: Trustee Oppenheim

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 07-003

Village of Montebello

Title: Schedule Public Hearing: Proposed Local Law Amending
195-60 of the Village Code to provide for Compensation to the HPC.

BE IT RESOLVED, as consistent with discussions surrounding creating the 2007 Budget, that the Village Attorney, with the cooperation of General Code, draft a local law amending 195-60 of the Village Code to provide for compensation of the members of the Historic Preservation Commission retroactive to January 1, 2007, and that a Public Hearing be held on said Local Law at the Regular Meeting of the Village Board of Trustees scheduled for February 28, 2007, at 8 p.m. local time, or as soon thereafter as the matter can be heard.

Motion: Trustee Oppenheim

Second: Trustee Rainford

Upon vote, the Resolution carried unanimously.

Resolution: 07-004

Village of Montebello

Title: Rescind Resolution: 06-156

WHEREAS, the Indian Rock HOA, by a letter from Tom Lodini dated January 4, 2007, withdrew its request that the Village Board act pursuant to Vehicle and Traffic Law 1640-a to extend traffic and parking regulations to Indian Rock, and such an affirmative request is mandatory for the Village to so act.

THEREFORE, be it resolved, that Resolution No. 06-156 be and hereby is rescinded.

Motion: Trustee Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 07-005

Village of Montebello

Title: Polling Place and Hours for Election

BE IT RESOLVED, that the polling place for the Election of Village Officers, Mayor and two Trustees for four years shall be held on March 20, 2007 at the Village Hall, One Montebello Road, Montebello, New York. The polls shall be open from seven o'clock in the morning until nine o'clock in the evening, local time; and

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer shall notice and post same as required by the Election Law.

Motion: Trustee Oppenheim

Second: Trustee Millman

Upon vote, the Resolution carried unanimously.

Resolution: 07-006

Village of Montebello

Title: Hiring Village Engineer

WHEREAS, Brooker Engineering ("Brooker") has supplied services and the Village Engineer except where a conflict might have existed, or on an occasional special project, in which case Martin K. Spence, PE, Consulting and Municipal Engineers ("Spence") was amongst two firms to have supplied such services; and

WHEREAS, in the view of the Village Board, the natural outfall of Brooker's growing substantially in size by absorbing other engineers and their practices, is that in more instances said firm is conflicted in matters before the Planning Board; and

WHEREAS, as a consequence and after successfully performing work for the Village, Spence was also asked to submit a proposal to provide Engineering Consulting Services to the Village for 2007 as the Village Engineer, and in a proposal dated December 27, 2006, referenced as if set forth hereinafter at length, a true copy of which shall be appended to the Minutes hereof ("the Proposal"), said firm agreed to provide fixed fee services at a lump sum of \$20,000 per annum, and time billable professional engineering services at \$100 per hour, all as more particularly set forth in the Proposal, both figures representing a substantial saving; and

WHEREAS, Brooker is presently involved in projects before the Planning Board, which may also be before the ZBA, and in municipal projects for which continuance on an hourly basis appears efficient and logical, and Brooker remaining being available on an hourly basis for other assignments from time to time also appears worthwhile and in the Village's better interest.

THEREFORE, BE IT RESOLVED, as follows:

1. That the Proposal of Martin Spence, PE as afore referenced to provide regular engineer services

to the Village in 2007 be and hereby is accepted effective February 1, 2007 subject to the following conditions:

- a) That the per annum fixed fee be adjusted pro rata to reflect the actual start-up date;
- b) That Spence accepts the Village's professional bill appeal procedure which shall be appended to the agreement as a part thereof; and
- c) That the agreement may be terminated by the Village on ninety (90) days advance written notice without cause at its election.

2. That Brooker be retained to perform engineering work on an hourly basis, which work shall include, at the discretion of the Village Board as may be exercised from time to time, projects before the Planning Board, and possibly the ZBA, with which when Brooker has been involved; municipal construction work, such as: repair to Mile Road due to the water main break, drainage improvements to the Village Hall, and possibly, structural repairs to the Village Hall; applications wherein Spence may be conflicted; and, other assignments in the discretion of the Village Board, subject to the following:

- a) The willingness of Brooker to perform such work hourly and in a timely basis;
- b) A fee schedule consistent with Brooker's present hourly rates; and
- c) Continued acceptance for the Village's professional bills appeals procedure.

Motion: Trustee Oppenheim

Second: Trustee Millman

Roll Call:	Trustee Millman	Aye
	Trustee Rainford	Aye
	Trustee Citrin	Aye
	Trustee Oppenheim	Aye
	Mayor Gorman	Nay

The Resolution carried 4 to 1.

Resolution: 07-007

Village of Montebello

Title: Approval of Abstract and Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated January 17, 2007 and totaling \$87,607.40 are hereby approved and the claims listed thereon shall be paid.

Motion: Trustee Millman

Second: Trustee Rainford

Upon vote, the Resolution carried unanimously.

Resolution: 07-008

Village of Montebello

Title: Acceptance of Asst. Building Inspector's Resignation

WHEREAS, Doug Siebenaler tendered his resignation as Asst. Building Inspector, effective January 18, 2007; and

WHEREAS, the Village Board is hereby placing on the record its gratitude to Doug for his service, and wishes him well in pursuing his career as an architect,

THEREFORE, BE IT RESOLVED, that the resignation of Doug Siebenaler is hereby accepted effective January 18, 2007, and the position declared vacant as of that date.

Motion: Trustee Citrin

Second: Trustee Rainford

Upon vote, the Resolution carried unanimously.

Resolution: 07-009

Village of Montebello

Title: Accept 2005 Independent Audit

BE IT RESOLVED, that the audit report from Korn, Rosenbaum, Philips & Jauntig, Certified Public Accountants, for the calendar year 2005 is hereby accepted.

Motion: Trustee Oppenheim

Second: Trustee Millman

Upon vote, the Resolution carried unanimously.

Resolution: 07-010

Village of Montebello

Title: 2007 Arbor Watch Program

WHEREAS, the Village has contracted with Ira Wicks/Arborists for its Arbor Watch Plant Health Care Program whereby six applications of insecticide are made to the plants at Village Hall, and said arborist has offered to renew the Program for 2007 at a cost of \$184.30 per application, or a total net of \$1,105.80 for the season, as discounted 5%, all as more particularly set forth in a contract and proposal received by the Village on January 8, 2007, referenced as if set forth hereinafter a true copy of which shall be appended to the Minutes hereof; and

WHEREAS, it appears that the cost is reasonable and incurring the expense prudent to protect the plants at the Village Hall.

THEREFORE, BE IT RESOLVED, that the Village contract with Ira Wickes/Arborists for the Arbor Watch 2007 Plant Health Care Program, and that \$1,105.80 be authorized to be expended therefore paid in installments of \$184.30 each.

Motion: Trustee Oppenheim

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Public Comment:

Steve Sorrillo - 12 Coe Farm Road - asked if the audit opinion was clean?

Trustee Millman responded, "yes".

The next agenda item was a discussion of the application from Valley National Bank requesting an amendment to the Zoning Code, in particular, the VC Zone to allow for a stand alone bank with drive through.

Trustee Citrin was familiar with this application as he attends the Planning Board meetings. Trustee Citrin gave the Board a brief analogy noting that our present code does not allow for a stand alone bank in the VC Zone. Trustee Citrin also noted that making this change would cut the square footage of the building in half and have less of an impact on traffic. Trustee Citrin recommended holding the public hearing to consider this amendment.

The Village Attorney noted that the applicant could have applied to the Zoning Board for a Use Variance instead of to the Village Board for a legislative change.

After further discussion, it was consensus of the Board to schedule a public hearing on this matter.

Resolution: 07-011

Village of Montebello

Title: Public Hearing to Amend Zoning Code

WHEREAS, an application has been made to the Village Board by Valley National Bank, pursuant to a petition dated January 5, 2007, requesting that the Village Board consider amending the Village Zoning Code to the extent that the prohibition against a stand alone single story bank building in the VC zoning district should be lifted such that the applicant can construct such a building, versus the required two-story building, thereby down sizing the square footage involved, and also the parking requirement;'s and

WHEREAS, the Village Board is willing to consider that possibility at a public hearing.

THEREFORE, BE IT RESOLVED, that a public hearing be held to consider said change to the Village Zoning Code, said hearing to be held at the Regular Meeting of the Village Board in April 2007.

BE IT FURTHER RESOLVED, that the Village Attorney is hereby instructed to draft an amendment to the Zoning Code in the form of a local law to reflect the possible change, and that due notice of the possible change be given to the Planning Board for a reaction, as well as to the Village Planner, and to all other entities and agencies as required by law.

Motion: Trustee Oppenheim

Second: Trustee Citrin

Roll call vote: Trustee Rainford Aye
 Trustee Millman Nay
 Trustee Citrin Aye

Trustee Oppenheim Aye
Mayor Gorman Aye

Resolution carried 4 to 1.

The Board members discussed the Building Inspector's request for a laser measurer.

Resolution: 07-012

Village of Montebello

Title: Authorization to Purchase Laser Measurer

BE IT RESOLVED, that the Village Clerk/Treasurer is hereby authorized to purchase a laser measuring device as requested by the Building Inspector, said cost not to exceed the sum of \$550.00.

Motion: Trustee Oppenheim

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

The Board members reviewed the bid specifications for garbage, trash and recycling pick up.

The Village Attorney was advised to send a letter to the attorney for the Indian Rock Homeowners Association notifying them that the inclusion of Indian Rock would change their pick up schedule to the same as the rest of the Village residents.

Old and New Business:

Mayor Gorman thanked Trustee Rainford for all that she has done in maintaining Montebello's role in the Keep Rockland Beautiful annual event. Mayor Gorman also announced that one of the remaining Board members would have to take over this important role.

Mayor Gorman mentioned that a resident has requested that the Village consider recycling Christmas trees.

The Board members acknowledged receipt of an additional proposal for the repairs and renovations to Village Hall from architect Barbara Hess.

The Board members scheduled a special meeting for January 22, 2007 at 7:30 p.m. to meet with Ms. Hess and review her proposal.

Trustee Millman made a motion to adjourn, seconded by Trustee Oppenheim. Upon vote, the motion carried unanimously. The meeting adjourned at 9:23 p.m.