

**THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, APRIL 16, 2008 AT THE VILLAGE HALL. THE MEETING WAS CALLED TO ORDER AT 8:05 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.**

Present:	Jeffrey Oppenheim	Mayor
	Lance Millman	Deputy Mayor
	Steven Sorrillo	Trustee
	Warren Berbit	Village Attorney

Recording Secretary, Debra Mastroeni, Village Clerk/ Treasurer

Mayor Oppenheim announced that Trustee Caridi and Trustee Citrin would be late due to personal commitments.

Mayors Report:

Mayor Oppenheim gave an update of upcoming events in the Village: this coming weekend, on Saturday, the Village's annual Clean Up Day from 9-2. Hopefully, the turnout will be as large as last year. Volunteers should meet at Village Hall and will be given gloves, bags, picks and vests. Subsequently on Sunday, May 25th at 9:30 a.m. we will hold our annual Memorial Day ceremony at Village Hall. The Mayor has been in contact with Michelle Cohen, Principal of Montebello Elementary School to designate a fifth grader to read the Gettysburg Address, a tradition we started last year. We will have a guest speaker and Color Guard as well. The Parks Commission is having the annual Montebello Camp Out on the 14th and 15th of June. Mayor Oppenheim noted that a lot of good things are going on in the Village.

The Mayor spoke about ongoing Village matters such as the negotiations with Verizon to secure a franchise agreement for Fiber Optic Service. These negotiations have taken us almost a year and are still subject to debate. Work is proceeding at the Community Center with the siding installation almost complete. We will also be discussing the status of leasing the farmhouse side of the building later this evening.

The Village Engineer has surveyed the Village roads and has provided the Board with his recommendations for paving as well as the recommendation from the Town of Ramapo Highway Department. The Highway Department has already done crack filling on various roads in the Village and additional roads have been looked at by our Village Engineer for patching. The high cost of asphalt will limit the distance the Village will be able to pave under our allotted budget. The Board members will make their decision based upon the Village Engineer's recommendation of which roads are in the severest need.

Last month the Board heard from a gentleman who was interested in utilizing the Village's right-of-way for vehicle parking to accommodate a proposed tenant for one of the warehouses on Dunnigan Drive. Mayor Oppenheim advised that his latest conversation with this gentleman indicates that he is less interested in the property now because of the traffic impact for egress on Airmont Road.

Mayor Oppenheim noted that Robert, our Litter Patrol is back out on the streets and urges everyone to please

not litter; if you see trash try and pick it up. There was an awful amount of litter along Montebello Road by the Goldberg property, Robert has cleaned this area up and is doing a very nice job.

A public hearing was held by the Economic Development Committee a little over a week ago and they are finalizing their report to present to the Board of Trustees. The Fant property cottage was demolished by the developer and is very upsetting to everybody. Mayor Oppenheim states that the details reported are a bit more complicated than presented. The cottage was torn down without a demolition permit, which is mandatory in Montebello, in this sense it was a clear cut violation in the opinion of our Building Inspector, who issued a Stop Work Order on the property. The Historic Preservation Commission was very upset over this and held two to three emergency meetings in which they invited the developer, Marcel Amona, to come in and try to work out a reasonable compromise. The Village Attorney, Warren Berbit, spent a tremendous number of hours working on this as well. A fairly equitable agreement was reached and accepted by all parties involved. Mr. Amona has submitted a cardboard model of the home he is going to build in place of the cottage. It will recreate the appearance of the cottage that stood there, architecturally and structurally. The agreement also will provide for financial compensation to the village for purposes of historic preservation as well as placing a historic monumental marker at the site and putting up an antique road sign. The Mayor has personally spoken with Mr. Amona and emphasized to him that this must never happen again. There are two other historic buildings on this site that must never be taken down.

Mayor Oppenheim gave a status report on the Highview Hills project, a proposal before the Town of Ramapo to put up high density senior housing in the middle of single family homes. The property directly abuts our village, adjacent to the Fant Farm. Our village offered comments to the Town from our Planner, Engineer and Attorney and both the Deputy Mayor and I have spoken at the public hearings in opposition of the density. We received an updated letter from the R.C. Department of Planning opposing this project, not to the use, but to the density. The R.C. Highway Department opposes this project as well, due to the proposed ingress and egress. We will be having a tree law public hearing in the next month.

The Mayor went on to advise that the Village Board will be holding public hearings on the tree law and road opening rules in the next month. Mayor Oppenheim also gave an update on previous litigation. The Village was the defendant in a lawsuit commenced from a citizen of Montebello, Ms. Cotz. The Town was also a defendant in this suit. This lawsuit has been decided and the complaint dismissed. The Village, Village Clerk and the Town of Ramapo prevailed. This matter is completely closed.

The Mayor then gave an update on the conservation easement plan which the Board set into motion in the winter. Approximately 40 letters were sent to homeowners who may have violated the conservation easement on their properties. They have 6 months to explain to us why they are not in violation or correct the problem. We have received a number of letters from these residents explaining their position and have instructed the Building Department to re-inspect the properties to see if indeed the problems were corrected. Last, the Village Clerk brought some matters to my attention and at my recommendation has initiated meetings with the Village professionals, engineer, attorneys and various members of the staff to try and work out certain procedural issues that have become a problem and the need to review certain areas of our Code in an effort to protect the Village

Public Comment: No one wished to speak.

Parks Commission Business:

Mayor Oppenheim already announced the upcoming events in his report. The Mayor has requested a grant from Assemblywoman Annie Rabbitt for a flag pole and lighting at the Memorial Garden and the new Community Center. Her initial response was favorable and we are awaiting confirmation of the grant award.

The Parks Commission is looking for a quick and easy way to hang the event signs. The present wooden frame is difficult to put up and take down.

The next agenda item was a continuation of a Public Hearing on proposed Local Law amending §195-60 of the Code of the Village of Montebello to more closely follow the model Historic Preservation Law for municipalities in New York State favored by the NYS Office of Parks, Recreation and Historic Preservation.

Mayor Oppenheim discussed the proposed changes in the law. Since the last meeting, the GML Review has been received from the Rockland County Department of Planning, dated April 9, 2008. Mayor Oppenheim read their comments into the record: \*recommend the following modifications and offer the following comments on the proposed amendments.

1. In regard to the meeting requirement for the Historic Preservation Commission, we recommend that Section 195-60 B.(3) read, "The Commission shall generally meet on a monthly basis..." so that a meeting does not have to take place if there is no official business to be conducted.
2. Section 195-60 L.(1)(e) does not specify whether the features to be altered as little as possible are exterior or interior. If it is the Village's intent to regulate both exterior and interior features, it should be clearly stated.
3. With respect to Section 195-60 T. (Violations), it is unclear if demolishing, altering, constructing or permitting a designated property to fall into a serious state of disrepair is considered a criminal act. This should be clarified. Does the Village intend to make restoration repairs if the owner does not?
4. Section 195-60 U. should indicate the maximum time frame allowed for a hearing before the Village Board to be scheduled once an applicant files an appeal of a decision by the Historic Preservation Commission. It should also be noted that it could take more than 15 days for a property owner to find a qualified attorney to determine if there is a basis for appeal.

Mayor Oppenheim questioned the Village Attorney regarding accepting and rejecting the comments of the County Planning Department. Mr. Berbit responded that if there were a full Board, four of the members would have to agree to override the comments. (Trustee Caridi arrived at 8:25 p.m.)

The Board members discussed the GML recommendations with the Village Attorney and agreed that most of the suggested changes were not unreasonable; that the HPC should generally meet monthly; that there should be clarification of what the Village intends to regulate interior or exterior features; the Board was willing to adjust the time frame for an appeal; and, the Village Attorney commented that he believes a violation is considered a quasi criminal act, but suggested that the Board consider this matter further. (Trustee Citrin arrived at 8:34 p.m.)

At 8:43 p.m. Trustee Sorrillo makes a motion to reopen the Public Hearing in reaction to the comments from the RC Department of Planning, seconded by Trustee Caridi. Upon vote, the motion carried unanimously.

No one wishing to comment, at 8:44 p.m. Trustee Sorrillo makes a motion to close the Public Hearing, seconded by Trustee Caridi. Upon vote, the motion carried unanimously.

Resolution: 08-040

Village of Montebello

Title: Amending Resolution No. 08-028- Re: Adoption LL No. 2 of 2008

WHEREAS, Local Law No. 2 of 2008, "Amending § 195-60 of the Code of the Village of Montebello to more closely follow the model Historic Preservation Law for municipalities in New York State favored by the NYS office of Parks, Recreation and Historic Preservation" was adopted on March 26, 2008, by virtue of

Resolution No. 08-028, subject to “receipt of a positive response from the County of Rockland Department of Planning, and if such does not occur, until the Board reopens the record and gives the matter future consideration at the April regular meeting of the Board of Trustees”; and

WHEREAS, on April 10, 2008 the Village received the GML § 239 L & M review letter dated April 9, 2008, from the aforesaid Department of Planning which generally supported the intent behind the pending Local Law, but also offered four comments as follows:

1. In regard to the meeting requirement for the Historic Preservation Commission, we recommend that Section 195-60B. (3) read, "The Commission shall generally meet on a monthly basis..." so that a meeting does not have to take place if there is no official business to be conducted. Paying professional staff to attend an unnecessary meeting could be cost-prohibitive for smaller municipalities.

2. Section 195-60 L. (1) (e) does not specify whether the features to be altered as little as possible are exterior or interior. If it is the Village's intent to regulate both exterior and interior features, it should be clearly stated.

3. With respect to Section 195-60 T. (Violations), it is unclear if demolishing, altering, constructing or permitting a designated property to fall into a serious state of disrepair is considered a criminal act. This should be clarified. Does the Village intend to make restoration repairs if the owner does not? If repairs are undertaken by the municipality, will liens be placed on the property?

4. Section 195-60 U. should indicate the maximum timeframe allowed for a hearing before the Village Board to be scheduled once an applicant files an appeal of a decision by the Historic Preservation Commission. It should also be noted that it could take more than 15 days for a property owner to find a qualified attorney to determine if there is a basis for appeal ; and

WHEREAS, as a consequence of receipt of the above, the Village Board continued the Public Hearing at its Regular Meeting held on April 16, 2008, read the above letter into the record, took public comment and further discussed the matter in public.

THEREFORE, BE IT RESOLVED, that Version II of Local Law No. 2 of 2008, be and hereby is adopted with the following changes to become effective upon filing with the Secretary of State, hereby amending Resolution No. 08-028 to the extent inconsistent herewith as based upon the following which are numbered to coincide with the recommendations of the Department of Planning:

1. Accept the recommendation, Section 195-60B(3) changed to read: "The Commission shall generally meet on a monthly basis,"
2. Accept this recommendation, by adding to Section 195-60L.(1)(e) "and their interior features retained to the extent reasonably possible if the HPC also finds same to be historically significant".
3. Reserves on the recommendation for future consideration, re: Section 195-60T, there being insufficient time to fully consider the recommendation in its entirety.
4. Accepts the recommendation re: Section 195-60U, the following to be added: "The Village Board will have up to 62 days to hold a public hearing upon the filing of an appeal, and up to 62 days in which to render a decision after closing the hearing".

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Mayor Oppenheim announced that this meeting is also the Village's re-organizational meeting where appointments and designations are made.

Resolution: 08- 041

Village of Montebello

Title: Master Re-organizational

BE IT RESOLVED, that the re-organizational Resolutions, agenda items 9 through 26 are hereby approved in one master re-organization resolution.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-042

Village of Montebello

Title: Deputy Mayor Appointment

WHEREAS, the Mayor hereby appoints Lance N. Millman as Deputy Mayor.

THEREFORE, BE IT RESOLVED, that Lance N. Millman is hereby appointed Deputy Mayor of the Village of Montebello until the next Annual Meeting of April 2009.

Motion: Trustee Sorrillo

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-043

Village of Montebello

Title: Village Attorney Appointment

WHEREAS, the Mayor hereby reappoints Warren Berbit as Village Attorney.

THEREFORE, BE IT RESOLVED, that Warren Berbit is hereby reappointed Village Attorney for the Village of Montebello until the next Annual Meeting of April 2009.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-044

Village of Montebello

Title: Deputy Village Attorney Appointment

WHEREAS, the Mayor hereby reappoints Ira Emanuel as Deputy Village Attorney.

THEREFORE, BE IT RESOLVED, that Ira Emanuel is hereby reappointed Deputy Village Attorney for the Village of Montebello until the next Annual Meeting of April 2009.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-045

Village of Montebello

Title: Appointment of Assistant Village Attorney

WHEREAS, the Mayor recommends that Jonathan Ripps continue in the position of Assistant Village Attorney to work with the Village Attorney on prosecutions.

THEREFORE, BE IT RESOLVED, that Jonathan B. Ripps be reappointed as a part-time Assistant Village Attorney for the purpose of handling prosecution of violations under the direction of the Village Attorney, until the next Annual Meeting, or as soon thereafter as a successor can be appointed, but with the Village Board reserving the right to end the appointment sooner, compensation to be hourly, \$125 per hour for in court time and \$100 per hour for preparation time.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-046

Village of Montebello

Title: Deputy Village Clerk Appointment

WHEREAS, effective June 25, 2007, Shelly Ramos was appointed Deputy Village Clerk to fill an existing vacancy for a term which expires at the annual Re-organizational Meeting.

THEREFORE, BE IT RESOLVED, that Shelly Ramos is hereby appointed Deputy Village Clerk pursuant to the Village Law of the State of New York.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-047

Village of Montebello

Title: Appointment of Clerk to the Planning and Zoning Boards

WHEREAS, the Mayor hereby reappoints Carol Adduce as Clerk to the Planning Board and Zoning Board of Appeals.

THEREFORE, BE IT RESOLVED, that Carol Adduce is hereby reappointed Clerk to the Planning Board and Zoning Board of Appeals for the Village of Montebello until the next Annual Meeting of April 2009.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-048

Village of Montebello

Title: Appointment of Member to the Planning Board

WHEREAS, the appointment of Thomas Campbell as a member of the Planning Board will expire with this meeting.

THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Mayor said appointment be and is hereby extended for a new five year term, or until the Annual Meeting of April 2013.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-049

Village of Montebello

Title: Appointment of Ad-Hoc to the Planning Board

WHEREAS, the Mayor recommends the reappointment of Ralph Alphonso as Ad-Hoc Member to the Planning Board for a two year term to expire at the re-organizational meeting of 2010.

THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Mayor, Ralph Alphonso, be and hereby is appointed as Ad-Hoc to the Planning Board for a two year term to expire April 2010.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-050

Village of Montebello

Title: Appointment of Member to the Zoning Board of Appeals

WHEREAS, the appointment of Ed Bracken to the Zoning Board of Appeals will expire with this meeting.

THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Mayor said appointment be and is hereby extended for a new five year term, or until the Annual Meeting of April 2013.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-051

Village of Montebello

Title: Appointment of Parks Commission Member

WHEREAS, the Mayor has recommended that Tim Carry, be reappointed to the Parks Commission for a term which ends April 2013.

THEREFORE, BE IT RESOLVED, that Tim Carry be reappointed as a member of the Parks Commission for a five year term to expire in April 2013 or as soon thereafter as a successor may be appointed.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-052

Village of Montebello

Title: Appointing Alternate Member to Board of Parks Commissioners

WHEREAS, the Mayor recommends that Peter Weiss, be reappointed as the Alternate Member to the Board of Parks Commissioners.

THEREFORE, BE IT RESOLVED, that Peter Weiss be reappointed as the Alternate Member to the Board of Parks Commissioners to act in the absence of a Regular Member, to serve until the Annual Meeting in April 2009, or until a replacement is appointed and duly sworn.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-053

Village of Montebello

Title: Appointment of Chairperson to Historic Preservation Commission

WHEREAS, Josephine Bracken's appointment as Chairperson to the Historic Preservation Commission expires with the Annual Meeting in April 2008; and

WHEREAS, the Mayor recommends re-appointing her as Chairperson.

THEREFORE, BE IT RESOLVED, that Josephine Bracken is hereby re-appointed as Chairperson of the Historic Preservation Commission until the Annual Meeting in April 2009.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-054

Village of Montebello

Title: Appointment of Member to Historic Preservation Commission

WHEREAS, the Mayor recommends the reappointment of Wayne Leone as a member of the Historic Preservation Commission for a term to expire at the Re-organizational Meeting in April 2013, or as soon thereafter as a successor can be appointed and sworn.

THEREFORE, BE IT RESOLVED, that Wayne Leone is hereby reappointed as a member of the Historic Preservation Commission for a term to expire at the Re-organizational Meeting in April 2013.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-055

Village of Montebello

Title: Village Historian Appointment

WHEREAS, the Mayor hereby reappoints Craig Long as the Village Historian.

THEREFORE, BE IT RESOLVED, that Craig Long is hereby reappointed Village Historian for the Village of Montebello until the next Annual Meeting of April 2009 with an annual stipend of \$1,000.00

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-056

Village of Montebello

Title: Designation of Official Village Newspaper

BE IT RESOLVED, the Journal News and the Rockland County Times local daily newspapers are hereby designated as the official Village newspapers for publication of all legal notices and information pertaining to the Village of Montebello.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-057

Village of Montebello

Title: Designation of Official Depository

BE IT RESOLVED, that Key Bank, Provident Bank, Commerce Bank and Chase Bank are hereby designated as the official depositories for Village funds.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-058

Village of Montebello

Title: Official Signatories

BE IT RESOLVED, that assuming prior authorization is required by law, any two of the following Village Officers shall be authorized for and on behalf of the Village to make and sign checks, drafts, or other orders with respect to any funds at any time to the credit of the Village with any official depository for Village funds and against any demand savings account or accounts of the Village maintained at any time with any such official depository: Clerk/Treasurer, and with the Mayor or in his absence, the Deputy Mayor.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-059

Village of Montebello

Title: Reimbursement of Expenses

BE IT RESOLVED, the Village Board will reimburse all actual and necessary expenses incurred by elected and appointed officials and employees of the Village for attendance at conferences and seminars that have been approved for attendance at the discretion of the Board of Trustees and that the reimbursement for use of private automobiles shall be at the current rate of 50.5 cents per mile as established by the Internal Revenue Service guidelines.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-060

Village of Montebello

Title: Registrar of Vital Statistics

BE IT RESOLVED, the Village Clerk/ Treasurer, Debra Mastroeni, be and hereby is appointed as Registrar of Vital Statistics, and Deputy Clerk, Shelly Flanagan-Ramos be appointed as the Deputy Registrar of Vital Statistics, each for a 2 year period effective January 1, 2008 until January 1, 2010 as provided by law.

Motion: Deputy Mayor Millman

Second: Trustee Citrin

Upon vote, the Resolution carried unanimously.

Resolution: 08-061

Village of Montebello

Title: MCC Improvements-Amending Awards to Belleville, Inc. and All-Shawn Construction

WHEREAS, by virtue of Resolution No. 08-036, the work encompassing "Miscellaneous Upgrades for the Community Center" was awarded to Belleville, Inc., in the amount of \$18,700 ("Upgrade Work"); and

WHEREAS, replacement of the outside doors and frames which are part of the Upgrade Work, in particular Item No. 6 under Front Entry Hall on Page 17, and Item No.4 under Hall in the Scope of Work, have become time essential for All-Shawn General Construction, LLC, to complete the siding work pursuant to its bid, but Belleville reports being unable to get to that aspect of the Upgrade Work until no sooner than May 19th which is unacceptable; and

WHEREAS, as a consequence of the above, the Village negotiated a change in the respective scopes of work whereby All-Shawn will supply and install the aforesaid casings and doors at an additional cost of \$1500, and Belleville has agreed to reduce its scope of work accordingly, likewise reducing the sum to be paid to it to \$17,200, all as memorialized by the Village Clerk in her letter dated April 9, 2008, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof; and

WHEREAS, subsequent to the above, All-Shawn indicated a preference that the Village purchase the doors directly at Village expense, and deduct the cost from the extra \$1500 to be paid.

THEREFORE, BE IT RESOLVED, that the aforesaid door work be awarded to All-Shawn Construction in the amount of \$1500, less the cost of the doors if directly purchased by the Village, in the form of a Change Order, and that work awarded to Belleville, Inc. be reduced by removing said door work, and lowering the overall cost to \$17,200; and

BE IT FURTHER RESOLVED, in order to cure possible confusion in the Board Minutes, that the award of the Montebello Community Center siding bid and related work to All-Shawn General Construction, Inc. as the lowest responsible bidder in the amount of \$28,500, and approving the subsequent assignment of the obligation and benefits of that bid to All-Shawn General Construction, LLC by entering into an Agreement with Personal

Guarantee, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, both are hereby ratified and approved.

Motion: Deputy Mayor Millman

Second: Trustee Sorrillo

Upon vote, the Resolution carried unanimously.

Resolution: 08-062 Village of Montebello

Title: Approval of Minutes

BE IT RESOLVED, the minutes of the Regular Meeting of the Board of Trustees of March 26, 2008 be and are hereby approved.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 08-063 Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated April 16, 2008 and totaling \$ 102,561.09 are hereby approved and the claims listed thereon shall be paid.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Public Comment:

Rich Windham – public affairs liaison for Verizon, requested that the Board hold the public hearing for the Verizon Cable Franchise at their May meeting, noting that the public hearing could continue for a couple months.

Mayor Oppenheim responded that the Board would discuss scheduling the hearing after they review the updated proposed agreement, adding that it is not their intention to delay the hearing.

The Board members discussed the process with Mr. Windham and voiced some of their concerns regarding the disturbance of resident's properties.

The next agenda item was a discussion on the road improvement program for 2008.

Mayor Oppenheim advised that \$80,000 has been allotted for road paving. In reviewing the Engineers report, Montebello Road, Lake Road and Heatherhill are the worst. The east side of Montebello Road is County owned and they will be paving their portion and Orange and Rockland utilities will be paving their trench

opening.

Trustee Citrin noted that the worst part of Lake is at the intersection with Montebello Road, 20 to 25 feet down going towards Mills Road.

Deputy Mayor Millman advised that some of the ratings differ between the Village Engineer and the Town Highway reports. The Board will review this further with the Village Engineer.

Mayor Oppenheim gave a status report on the Conservation Easement letters. Some of the homeowners have responded and the Mayor has asked the Building Inspector to re-inspect these properties, taking new pictures and documenting whether the violations have been corrected.

Old and New Business:

Deputy Mayor Millman asked if the streetlight bulbs have been changed to the energy efficient bulbs.

Mayor Oppenheim responded that we are entitled to change three bulbs without cost per year and that he requested three for last year.

Deputy Mayor Millman asked about the solar panels productivity?

Mayor Oppenheim responded as of this afternoon 2,400 kilo watts over the winter months.

Trustee Sorrillo would like the Board members to move forward with the Adopt-a-Road program, noting that Spook Rock Road is being adopted through the County program. The Board members want to workshop this matter, possibly in May.

At 9:32 p.m. Trustee Sorrillo made a motion to enter Executive Session to discuss a contractual matter, seconded by Deputy Mayor Millman. Upon vote, the motion carried unanimously.

At 10:03 p.m. Deputy Mayor Millman made a motion to exit Executive Session, seconded by Trustee Sorrillo. Upon vote, the motion carried unanimously.

Resolution: 08-064

Village of Montebello

Title: Schedule Verizon Franchise Agreement Hearing

WHEREAS, the Mayor and Village Attorney have been negotiating the terms of a proposed Cable Franchise Agreement with Verizon New York, Inc. since July, 2007. and report that the parties are close enough to warrant the holding of a public hearing on same pursuant to Title VI of the Communications Act, 47 U.S.C. §522 (10). and Article II of the N.Y. Public Service Law, and 16 N.Y.C.R.R. §§ through 890.60 through 899; and

WHEREAS, Verizon has filed or is about to file an associated notice which opens a two-month window with which a public hearing must be held.

THEREFORE, BE IT RESOLVED, subject to receipt of the aforementioned Notice, that a Public Hearing be scheduled to be held at the May 21, 2008, Regular Meeting of the Village Board for the aforesaid purpose, and that the Village Clerk with the cooperation of the Village Attorney be authorized to post, publish and mail Notice of said public hearing as may be required by law and regulation.

Motion: Deputy Mayor Millman

Second: Trustee Sorrillo

Upon vote, the Resolution carried unanimously.

Trustee Citrin made a motion to adjourn, seconded by Deputy Mayor Millman. Upon vote, the motion carried unanimously. The meeting adjourned at 10:07 p.m.