

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, JULY 15, 2009 AT THE MONTEBELLO COMMUNITY CENTER. THE MEETING WAS CALLED TO ORDER AT 8:00 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Jeffrey Oppenheim	Mayor
	Lance Millman	Deputy Mayor
	Marc Citrin	Trustee
	Stacy Caridi	Trustee
	Warren Berbit	Village Attorney
Absent:	Steve Sorrillo	Trustee

Recording Secretary, Debra Mastroeni, Village Clerk-Treasurer

The Mayor noted that Trustee Sorrillo is away on vacation.

Mayor's Report:

Mayor Oppenheim announced that the summer newsletter will be going out shortly. There is a lot of relevant information inside about upcoming events. Montebello Day is scheduled to be held on Sunday, September 20th. Deputy Mayor Millman invited anyone willing to help out on Montebello Day to please contact Village Hall. This will be a wonderful event. The Parks Commission has scheduled the first summer concert for August 11<sup>th</sup> with a rain date of August 18<sup>th</sup> at the Village Hall Gazebo. The Camp Out was canceled this year due to heavy rains.

Re: Rio Vista, the Mayor reported that there have been negotiations with United Water to allow the water main installation through a neighboring property to proceed expeditiously so that the property can be properly restored. Negotiations are also proceeding with the builder of the Pines development in an effort to take dedication of the roadways.

There was a recent article printed in the Journal News regarding the Village of Airmont and our Highway and Snowplowing contract with the Town of Ramapo. The Village Attorney and the Mayor met with Mayor Kay and the Village of Airmont's Attorney to discuss coordinating proposals for these services in order to go out to bid seeking alternatives. There is a tremendous amount of work involved with gathering information for the bid specifications, hopefully later this month we will have the specs finished. Mayor Oppenheim noted that he is also reaching out to the Town Supervisor regarding his comment to possibly entertain restructuring the way the highway contract numbers are formulated.

The Mayor noted the three roads recommended for paving this year are Henry Court, Brigadoon Drive and Lake Road, from Marian Drive to Rt. 202. We are discussing using a new method this year called cold, in place, recycling. It is cost effective and better for the environment. The cost will be approximately \$61,000 using that method. The Village Engineer and the Highway Superintendent have been asked to start the process with the company that will be doing the work. We are unable to pave Dunnigan Drive this year due to budget constraints. Mayor Oppenheim also advised that County Highway informed him they will be paving North Airmont Road from Rt. 59 to Dunnigan Drive this year.

Mayor Oppenheim informed the public that the Governor has signed into law legislation that purports to allow consolidation of local government entities by petition of only 10 percent of the voters. Deputy Mayor Millman noted that the law ignores zoning, the rights of Village's and Town's to protect their zoning. Mayor Oppenheim has spoken with Assemblywoman Jaffee about proposing amendments to this law.

A letter was received a few months ago from the County Health Department requesting municipalities to pay for treatment to the storm basins for mosquitoes which had been free of charge in the past. The letter has been rescinded.

The National Arbor Day Foundation has sent a letter recognizing the Village for our commitment to preserving trees and the environment.

Notification from the Town of Ramapo Planning Department was received regarding Highview Hills, a proposed project off Spook Rock Road adjacent to our Village, anyone interested in commenting on this project should attend the meeting at Ramapo Town Hall on July 21st.

Mayor Oppenheim advised that he attended a meeting at RCC about the Tappan Zee Bridge/287 Corridor Project. There was discussion on the scoping document, which consisted of all the written letters and verbal comments from any interested parties. Interestingly enough after reading through the document, two municipalities from Rockland gave written input, Montebello and Airmont. It is unfortunate that other villages and municipalities did not participate in a project of this magnitude that will certainly impact the area. The current plan is to put a commuter rail line with three stations, one in Hillburn/Suffern Area, one in Palisades Mall and the last by Exit 14 in Nanuet. The Montebello/Airmont area will not have a rail station but will have a bus station in Airmont, off Exit 14B at the current site of the recycling plant. The Mayor would like to invite the project heads as well as other municipalities to our Village to discuss this plan and the recommendation to create a new Exit 14X to alleviate some of the traffic congestion.

The Mayor mentioned making changes to our Fee Schedule in the next couple of months. The fees have not been changed in a while. Also, at a meeting with the Chairman of our Planning Board and Zoning Board, there was discussion on having the Building Inspector

visit the property prior to the Board hearing the application to confirm that there are no current code violations. The Village Code would have to be amended if this change takes place.

Mayor Oppenheim apprised the Board members that the Village Clerk made a recommendation of taking a more cost effective approach with the AV System for the Community Center. She suggested having a wall mounted screen with projector that can be hooked up to a camera and computer.

Public Comment: No one wished to speak.

Resolution: 09-072

Village of Montebello

Title: Bond Release: Monsey Jewish Center (Shaarey Israel)

BE IT RESOLVED, pursuant to the recommendation of the Village Engineer, Martin Spence, as set forth in his report dated July 13, 2009, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, and for the reasons set forth therein indicating no reason to continue to hold the Improvement Bond, that approval is hereby granted to return the Monsey Jewish Center Improvement Bond (Letter of Credit) with work having been successfully completed according to the Village Engineer, and an acceptable final “as built” survey having been submitted.

Motion: Trustee Caridi

Second: Deputy Mayor Millman

Upon vote, the Resolution carried unanimously

Resolution: 09-073

Village of Montebello

Title: Appointment of Ad-Hoc Member to the Zoning Board of Appeals

WHEREAS, by virtue of Resolution No. 09-069 upon her appointment to fill the seat of Edward Bracken, Alice DiSanto’s seat as Ad-Hoc member of the Zoning Board of Appeals which was to expire at the Re-organizational Meeting in April, 2010, was declared as vacant; and

WHEREAS, the Mayor has recommended that James Tanner, Architect, be appointed to fill the vacant Ad-Hoc seat.

THEREFORE, BE IT RESOLVED, that James Tanner be appointed to fill the vacant Ad-Hoc Member seat of the Zoning Board of Appeals, to expire at the re-organization Meeting in April, 2010.

Motion: Trustee Caridi

Second: Deputy Mayor Millman

Trustee Citrin suggested Attorney Berbit speak with Mr. Tanner regarding any conflicts of interest he may have with applications before the Zoning Board. Mr. Tanner is an Architect who may need to recuse himself from voting on certain applications.

Upon vote, the Resolution carried unanimously.

Resolution: 09-074

Village of Montebello

Title: Lowering Coe Farm Road Speed Limit; Signage

WHEREAS, the Village took dedication of Coe Farm Road by virtue of Resolution No. 08-147 adopted December 17, 2008, dedication papers filed on June 17, 2009 and residents have been reporting a dangerous condition resulting from a long, straight section which is conducive to speeding, followed by sharp curves and a hill, the two in combination appearing to warrant further speed regulations, and the intersections with Route 202 and Grandview Avenue appear to require Stop signs; and

WHEREAS, after review by the Town Highway Department and discussion with the Police Department, and review of four (4) accident reports from 2008 and 2009, it is recommended that the speed limit be reduced from 30 to 25 miles per hour on a linear section of roadway, Coe Farm Road, from its intersection with State Route 202 to its intersection with Grandview Avenue, and that the appropriate signage be installed, as follows:

1. Install a “No Outlet” sign at Sousa Lane and Coe Farm Road (at a cost of \$162.68)
2. Install six “Village Speed Limit 25 mph” signs along Coe Farm Road (at a cost of \$500.92), placement to be set by the Highway Department in cooperation with the Village Engineer.
3. Install STOP and Intersection signs at State Route 202 and Coe Farm Road, to be approved and installed by the NYS DOT.
4. Install STOP and Intersection signs at Grandview Avenue and Coe Farm Road, to be approved and installed by the County of Rockland; and

WHEREAS, after due deliberation by authority of §1643 of the Vehicle and Traffic Law, the Village Board may lower a speed limit to 25 mph along a linear section of roadway where reasonable and necessary in the interest of public safety, it being implicit that associated signage may also be installed.

BE IT RESOLVED, that the portion of the proposed Coe Farm Road Resolution involving speed limit signs be tabled, said Resolution appearing above in its entirety, but the portion authorizing the installation of STOP, Intersection and No Outlet signs be and hereby is approved, including accepting the proposals for the Town to install the No Outlet sign.

Motion: Trustee Caridi

Second: Mayor Oppenheim

Trustee Citrin and Deputy Mayor Millman were concerned with lowering the speed limit which would normally be 30 mph down to 25 mph. They both felt that it would set a precedent with residents wanting speed limits lowered in their neighborhoods. Mayor Oppenheim recommended revisiting the speed limit issue next month.

Upon vote, the Resolution carried unanimously.

Resolution: 09-075 Village of Montebello

Title: Approving Change Order - Montebello Community Center Water Damage Repair

WHEREAS, emergency restoration work due to water damage at the Montebello Community Center was approved by Resolution No. 09-063, the cost of which was covered by insurance; and

WHEREAS, in the course of performing the portion of said restoration work pertaining to the replacement of the leader system, the contractor, Belleville Inc., opened the siding to discover rotting wood and missing plywood sheathing, the restoration of which, including replacement of insulation, adds \$240 to the contract price, as per Invoice #21705, dated July 9, 2009, referenced as if set forth hereinafter, a true copy of which shall be appended to the minutes hereof.

THEREFORE, BE IT RESOLVED, that said extra cost of \$240 be treated as a change order, hereby approved in the circumstance, and authorized to be paid.

Motion: Deputy Mayor Millman

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 09-076 Village of Montebello

Title: Violation Search Refund

WHEREAS, a request for a violation search was submitted on January 16, 2009 by Elite Title Agency, Inc. for 20 Canterbury Lane; and

WHEREAS, the homeowner submitted a request for a violation search on February 13, 2009 unaware that the Title Company had requested same; and

WHEREAS, the homeowner has requested a refund for this duplicate fee in a letter dated June 28, 2009; and

THEREFORE, BE IT RESOLVED, that for reasons set forth, the sum of \$175.00 be refunded to the homeowner representing a refund of the duplicate fee already paid by the Title company.

Motion: Trustee Citrin

Second: Deputy Mayor Millman

Upon vote, the Resolution carried unanimously.

Resolution: 09-077

Village of Montebello

Title: Extending Road Opening Permit for Lake Road

WHEREAS, by operation of Resolution No. 09-015, a road opening permit was granted to Metra Industries, for Rockland County Sewer District No. 1 (Contract No. WR03-05), to open Lake Road from the municipal boundary eastward to the existing pump station in order to install a sanitary sewer force main, all as more particularly described in the aforesaid Resolution; and

WHEREAS, said approval was conditioned upon, amongst other things, milling and paving to Marian Drive, \$500 to be placed in escrow with the Village Engineer, the specified Performance Bond being supplied, and final pavement to be completed no later than May 15, 2009; and

WHEREAS, said permit having expired, Metra, by letter dated July 13, 2009, in reaction to notice from the Village Engineer, requested an extension due to unanticipated obstructions that required a redesign, promising to complete the installation of the sewer work and base paving within the next two weeks, and the overlay “prior to the schools being back in session”; and

WHEREAS, the Village Engineer, in his letter dated July 15, 2009 recommends granting the extension with the following conditions:

1. All conditions of the Village Board resolution and specifically the Rider dated February 5, 2009 with the exception that item No. 6, final pavement, instead be completed by August 28, 2009.

2. Applicant shall contact the Village Engineer prior to milling and paving to schedule an inspection and review limits.
3. Applicant to post \$500 engineering escrow and permit fees.

THEREFORE, BE IT RESOLVED, that the extension be and hereby is granted, said permit to expire on its face for all purposes on August 28, 2009, including the milling and overlay, as expressly conditioned upon all prior conditions being met, including milling and paving to Marian Drive, and expressly conditioned on the \$500 security deposit and Performance Bond being filed with the Village no later than Tuesday, July 21, 2009, and upon the above additional conditions recommended by the Village Engineer.

BE IT FURTHER RESOLVED, that the application fee for this extension request is waived.

Motion: Trustee Caridi

Second: Deputy Mayor Millman

Upon vote, the Resolution carried unanimously.

Resolution: 09-078

Village of Montebello

Title: Approval of Minutes

BE IT RESOLVED, the minutes of the Regular Meeting of the Board of Trustees of June 17, 2009 be and are hereby approved.

Motion: Trustee Citrin

Abstain: Deputy Mayor Millman

Second: Trustee Caridi

Upon vote, the Resolution carried.

Resolution: 09-079

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated July 15, 2009 and totaling \$129,549.62 are hereby approved and the claims listed thereon shall be paid.

Motion: Trustee Caridi

Second: Deputy Mayor Millman

Upon vote, the Resolution carried unanimously.

Old and New Business:

The Deputy Mayor requested that the Village Clerk purchase a new refrigerator and microwave for the Community Center.

At 9:05 p.m. Deputy Mayor Millman made a motion to enter Executive Session to discuss ongoing litigation and personnel matters, seconded by Trustee Citrin. Upon vote, the motion carried unanimously.

At 9:43 p.m. Deputy Mayor Millman made a motion to exit Executive Session, seconded by Trustee Caridi. Upon vote, the motion carried unanimously.

Deputy Mayor Millman made a motion to adjourn, seconded by Trustee Citrin. Upon vote, the motion carried unanimously. The meeting adjourned at 9:44 p.m.