

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, JANUARY 18, 2012 AT THE MONTEBELLO COMMUNITY CENTER. THE MEETING WAS CALLED TO ORDER AT 8:09 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Jeffrey Oppenheim	Mayor
	Lance N. Millman	Deputy Mayor
	Steven A. Sorrillo	Trustee
	Marc Citrin	Trustee
	Stacy Caridi	Trustee
Others Present:	Warren Berbit	Village Attorney

Recording Secretary, Debra Mastroeni, Village Clerk - Treasurer

#### Mayor's Report:

Mayor Oppenheim began his report by advising that he, the Village Clerk and the Village Engineer attended a meeting last night at the Suffern Village Hall regarding acquisition of properties through Hazard Mitigation grants through FEMA. The residents of Lake Road were also invited to attend this informational meeting. The Mayor noted that the Village Clerk would also be attending a meeting with FEMA tomorrow at the Fire Training Center in Pomona to obtain additional information regarding this funding. Thirty counties in New York State were affected by Hurricane Irene. A number of homes on Lake Road received substantial damage and have requested consideration for acquisition. If the acquisition is approved, the homes are demolished and the property remains forever green. It is not a simple process, but one the Village is undertaking to try and assist the residents that were severely impacted.

The Mayor gave an update on the Montebello Road Bridge which is under the County's jurisdiction, advising that the County Legislature approved bonding for the engineering and design work last month.

The Mayor announced that the Village Engineer has staked out the area for the expansion of the Community Garden. He encouraged the Board members to take a look.

Mayor Oppenheim briefly reviewed some of the items that are on the agenda this evening; a Resolution to submit application for Community Development Block Grant funds to re-design the parking area around the charging station to accommodate the disabled and make it handicap accessible; a Resolution to turn off some of the Village's streetlights in an effort to save money; and, a couple of new appointments to the Parks Commission and the Historic Preservation Commission.

The Mayor noted that although the prosecution of zoning violations against 547 Haverstraw Road was successful in the rendering of a guilty verdict from the Town of Ramapo Justice Court, it appears the homeowner continues to violate the law by continuing illegal work over the weekend. The Building Inspector has issued another violation against this property owner.

Deputy Mayor Millman stated there have been letters circulating from various agencies regarding the time frame on the work that will be done on the Montebello Road Bridge. He asked residents to be patient and aware that the re-opening may take up to 3 years.

Lastly, the Mayor noted there was a robbery recently in the Village. A couple of undesirables knocked on a resident's door acting like they were contractors and tricked the woman into taking a walk on her property while another person ran-sacked the home. He advised everyone to check identification and be more vigilant. The Mayor also advised Village officials to carry ID.

Chief Brower of the Town of Ramapo Police Department is in attendance, Mayor Oppenheim introduced him and thanked him for the outstanding job the police department is doing.

Chief Brower wished everyone a happy and safe New Year and advised that his detectives are working on the home invasion case. He reinforced what the Mayor said earlier that residents should always check contractor's credentials before opening up any doors and to stay aware. He informed residents that if they feel unsafe about something to give the Police Department a call. The Chief also mentioned that the County of Rockland will be giving the police exam later this year, and encouraged any residents that are interested to please take the test.

Speeding throughout the Village was discussed and the Board members requested more of a police presence to deter these drivers. Mayor Oppenheim expressed his appreciation for the members of the police force and noted that he is an enthusiastic supporter of the department.

Mayor Oppenheim stated he received a letter from a resident on Spook Rock Road who is trying to sell her house, and she is concerned that she will be unable to sell because there is so much speeding on her street.

A question and answer discussion ensued regarding underage drinking at school nighttime football games. Trustee Caridi stated it is scary and the drinking is out of control at these games. Children bring the alcohol to the game in water bottles. Chief Brower said he would make the high school Resource Officer aware of this.

The Mayor and Board thanked the Chief, Capt. Weidel and the Chief's secretary, Renee, for their time.

Parks Commission Business: No one from the Parks Commission was present. Mayor Oppenheim advised that the Village Engineer has been following up with JMK regarding the repair of the dam leak.

The next agenda item was a Public Hearing to submit application for Community Development Block Grant funding.

The Village Clerk-Treasurer, Debra Mastroeni, advised that the legal notice was published by the County. The legal notice was read into the record.

At 8:30 p.m., Trustee Sorrillo made a motion to open the Public Hearing, seconded by Trustee Caridi. Upon vote, the motion carried unanimously.

No one wishing to speak, at 8:31 p.m. Trustee Sorrillo made a motion to close the Public Hearing, seconded by Trustee Caridi. Upon vote, the motion carried unanimously.

Resolution: 12-001

Village of Montebello

Title: Approval to Submit Community Development Block Grant Application

WHEREAS, the Citizen's Advisory Committee has recommended that the Charging Station be made handicapped accessible, including associated plantings; and

WHEREAS, accordingly, the Mayor has had a Community Development Block Grant application prepared for this purpose according to the preliminary design by the Village Engineer, Martin Spence, in his letter and sketch dated January 18th, 2012, referenced as if set forth hereinafter, and requests approval by the Trustees at this public hearing to make application for the purpose described which is a prerequisite to application; and

WHEREAS, it appears that due notice was given of the Public Hearing by the County, and the Village Board by Resolution No 11-142, authorized holding the hearing, and such was opened at 8:30 p.m., and the Mayor explained the Application, and was closed at 8:31 p.m., no one wishing to speak, said Application, Notice and related documents included in the record.

THEREFORE, BE IT RESOLVED, that said Application be and hereby is approved for the aforesated purpose.

Motion: Deputy Mayor Millman

Second: Trustee Sorrillo

Upon vote, the Resolution carried unanimously.

Public Comment: No one wished to speak.

Resolution: 12-002

Village of Montebello

Title: Appointment of Member and Ad-Hoc Member to Historic Preservation Commission

WHEREAS, the Mayor has recommended that Ad-Hoc Rosemary Mocio be appointed to Hannelore Renud's vacated seat for a term to expire at the Re-organizational meeting in April 2012.

WHEREAS, the Mayor has recommended that Rosemary Mocio's vacated Ad-Hoc seat be filled by Donald Wanamaker, residing at 56 Westgate Road for the remainder of the term set to expire at the Re-Organizational meeting of April 2013.

THEREFORE, BE IT RESOLVED, that Rosemary Mocio be and hereby is appointed to the vacated seat of Hannelore Renud as a member of the Historic Preservation Commission for the remaining term to expire April 2012.

THEREFORE, BE IT FURTHER RESOLVED, that Donald Wanamaker be appointed to the vacant Ad-Hoc seat effective immediately, to serve the balance of the 2-year term until the Re-organizational Meeting of April 2013.

Motion: Deputy Mayor Millman

Second: Trustee Caridi

Mr. Donald Wanamaker is in attendance. The Board thanked Mr. Wanamaker for coming aboard and stated his credentials will benefit the Historic Preservation Commission. They spoke briefly about historic structures around the Village.

Upon vote, the Resolution carried unanimously.

Resolution: 12-003

Village of Montebello

Title: Appointment of Alternate Member to the Parks Commission

WHEREAS, the Mayor recommends that Howard Hochberg residing at 3 Senator Levy Drive, be appointed as the Alternate Member to the Parks Commission.

THEREFORE, BE IT RESOLVED, that Howard Hochberg be appointed as the Alternate Member to the Parks Commission to act in the absence of a Regular Member, to serve until the Annual Meeting in April 2013, or until a replacement is appointed thereafter.

Motion: Deputy Mayor Millman

Second: Trustee Sorrillo

Upon vote, the Resolution carried unanimously.

Resolution: 12-004

Village of Montebello

Title: Appointment of Registrar and Deputy Registrar

BE IT RESOLVED, that 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, 2012 until January 1, 2014 as provided by law.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 12-005 Village of Montebello

Title: Approval of Minutes

BE IT RESOLVED, that the minutes of the Regular Meeting of the Board of Trustees of November 16, 2011 be and are hereby approved.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 12-006 Village of Montebello

Title: Approval of Minutes

BE IT RESOLVED, that the minutes of the Regular Meeting of the Board of Trustees of December 21, 2011 be and are hereby approved.

Motion: Deputy Mayor Millman Abstain: Trustee Caridi

Second: Trustee Sorrillo

Upon vote, the Resolution carried.

Resolution: 12-007 Village of Montebello

Title: Hurricane Irene and Tropical Storm Lee Assessment Relief Act

WHEREAS, New York State has adopted the Hurricane Irene and Tropical Storm Lee Assessment Relief Act, Part G, c56 L 2011, by which certain local municipalities may provide tax relief to owners of properties that were “catastrophically impacted” by the above storms, and

WHEREAS, said legislation allows heavily damaged property to be assessed on the 2011 assessment roll based upon its post storm condition; and

WHEREAS, the Town of Ramapo is eligible to exercise the assessment provisions of the Act by adoption of a resolution and advised by facsimile December 30, 2011, that it had done so by virtue of Resolution No. 2011-725; and

WHEREAS, under the Act, once an assessing unit opts to participate in the Act, it is up to each taxing entity which relies upon that Assessing Unit to extend the benefits of the Act to its property owners for the purpose of that taxing entity’s real property taxes, in this case the Village Tax, recognizing that any associated loss of revenue or refund is to be borne by that taxing entity, in this case the Village; and

WHEREAS, the deadline for the taxing entity to opt to participate is January 23, 2012, and the Mayor recommends that the Village participate to provide relief to catastrophically impacted property owners.

NOW, THEREFORE BE IT RESOLVED, by the Village Board of the Village of Montebello that pursuant to the Hurricane Irene and Tropical Storm Lee Assessment Relief Act,

the Village hereby adopts the provisions of the Act extending its benefits to catastrophically impacted properties within the Village in reference to the payment of Village real property taxes.

Motion: Deputy Mayor Millman

Second: Trustee Sorrillo

Upon vote, the Resolution carried unanimously.

The next agenda item was a Resolution to “turn off” streetlights. Mayor Oppenheim noted that 11 streets are recommended for all streetlights to be turned off.

After discussion with the Board members it was requested that the residents on the streets to be completely turned off be notified in writing with an opportunity to comment prior to or at the next meeting of the Board in February. No streetlights will be turned off until after the February Board meeting.

Resolution: 12-008

Village of Montebello

Title: Authorization to “Turn Off” Streetlights

WHEREAS, the Mayor and Trustee Citrin conducted a streetlight audit of the Village, in reaction to Orange & Rockland Utilities (“ORU”) claiming and billing for 182 streetlights; and

WHEREAS, of these 182 lights, 16 were found to clearly not be within the Village or on private roads and, of the remaining 166 lights, in the joint opinion of the Mayor and Trustee Citrin, there is no apparent need for 79, or 48% of these lights, but 87, or 52% should be retained, all as more particularly set forth in a report dated November 12, 2011, and attached spread sheet entitled “Street Light Audit”, referenced as if set forth hereafter, true copies of which shall be attached to the minutes hereof; and

WHEREAS, it is reported that there is no fee to turn back on lights that were turned off, just in case the experience with any of the turned off lights appears to warrant turning same back on, and the Village Board therefor wishes to reverse any turn-off decision in its discretion.

THEREFORE, BE IT RESOLVED, as follows:

1. That the Village Board confirms the actions already taken whereby Orange & Rockland Utilities was instructed that the 16 lights not the responsibility of the Village be removed from its billing for street lighting, and that credit be given for payment for same.
2. That the street lights marked “TURNED-OFF” on the Street Lights Audit be turned-off effective after written notice to the homeowners on streets whereon all lights are to be turned off, and after the next Regular Meeting of the Village Board, permitting the Board to consider any homeowner responses.
3. That notice be given to ORU to turn off the lights designated for turning-off after the next Regular Meeting of the Village Board, as aforescribed and after due consideration of any homeowner responses, with the demand to Orange and Rockland that such be removed from the Village Street Lighting billing.
4. That the Board reserves the right to revisit the issue in the future, should it be of the opinion that in some cases turned off lights should be turned back on, or that others should be turned off.

Motion: Trustee Sorrillo

Second: Trustee Citrin

Trustee Sorrillo asked about the annual savings to expect? Mayor Oppenheim responded approximately \$10-12,000.

Upon vote, the Resolution carried unanimously.

Resolution: 12-009

Village of Montebello

Title: Amending Resolution No. 11-131

BE IT RESOLVED, that Resolution No. 11-131, entitled Approval of Abstract and Schedule of Claims, dated December 21, 2011, be and hereby is amended to reflect a change in the total amount of claims from \$189,252.38 to \$189,279.38.

Motion: Trustee Sorrillo

Second: Deputy Mayor Millman

Upon vote, the Resolution carried unanimously.

Resolution: 12-010

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, that the Abstract and Schedule of Claims dated January 18, 2012, and totaling \$137, 821.52 are hereby approved and the claims listed thereon shall be paid.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

The Village Clerk-Treasurer advised the Board members that the invoice for the Attorney's handling the Justice Court prosecution of the Novie Case have exceeded the limit approved by the Board. The invoice was removed from the abstract and the amount of \$11,237.97 was deducted, subject to further action once the matter is reviewed. The total of the abstract of claims was revised to reflect the deduction.

Review of the Community Garden expansion design was next on the agenda. Mayor Oppenheim asked the Board if they had a chance to take a look at the design expansion.

Discussion ensued on the layout design drawn up by Village Engineer, Martin Spence. Deputy Mayor Millman suggested expanding downward instead of outward so if in the future they decide to expand further the fence will not have to be moved.

The Deputy Mayor asked the Village Clerk to check with the company that supplied the raised garden beds to see if it was less expensive to purchase them now, instead of later. They have not returned a quote yet, but have advised they would give the Village their absolute best price.

The Mayor felt that when the community garden was initially planned last year, residents had to wait too long into the season to start their plantings; he suggested starting the expansion phase in early spring. He would like to have the Village Engineer start the proposal process to get the bids started. He received a request from the students at the Montebello Elementary School to have a plot, but recognized that some might construe that as depriving tax paying residents. He left the option open to make a decision closer to planting season.

The Board members all agreed the Community Garden is a huge success.

Old and New Business:

Deputy Mayor Millman would like to send out a postcard warning residents about the home invasion and reminding them to be aware of not letting people enter their house without showing proper ID. Mayor Oppenheim was thinking more along the lines of placing a notice in the next newsletter and on the Montebello Facebook page.

Deputy Mayor Millman made a motion to adjourn, seconded by Trustee Citrin. Upon vote, the motion carried unanimously. The meeting adjourned at 9:14 p.m.

Respectfully submitted:

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Debra Mastroeni, Village Clerk/Treasurer