

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, JULY 18, 2012 AT THE MONTEBELLO COMMUNITY CENTER. THE MEETING WAS CALLED TO ORDER AT 8:03 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Jeffrey Oppenheim	Mayor
	Lance N. Millman	Deputy Mayor
	Steven A. Sorriolo	Trustee
	Stacy Caridi	Trustee
	Melanie Golden	Trustee

Others Present:	Warren Berbit	Village Attorney
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Recording Secretary, Debra Mastroeni, Village Clerk/Treasurer

Mayor's Report:

Mayor Oppenheim began his report by announcing that the Parks Commission will be holding a summer concert tomorrow evening, July 19th from 7-9 at the pavilion on Village Hall grounds. He stated that everyone is welcome and that we are hoping for good weather.

The Mayor announced that Montebello Day will be held on Sunday, September 23rd, from noon until 4 p.m. Deputy Mayor Millman announced that the Village will be able to use the Town of Ramapo stage.

The Mayor received a complaint from Mrs. Warren on River Road regarding overgrown brush at the intersection of River and Montebello. The Village contacted the Town Highway Department and they took care of it. Mrs. Warren sent a letter back to the Mayor expressing her appreciation on acting so quickly.

The attorney representing the property owners of 250 Lafayette Ave (next to the Tagaste Monastery) responded to the letter sent by the Mayor regarding the environmental issues on the grounds. They advised a study is being conducted and will keep the Village apprised of the findings.

Mayor Oppenheim advised that there was an emergency situation at 5 Par Road, according to the Building Inspector and a Ramapo police officer that the premises were vacated and it appeared kids had broken in and were using the place to party and hang out. The Village had to secure the home and make it safe. There will be further discussion later in the meeting.

Mayor Oppenheim stated Airmont Road was repaved from Route 59 up to the thruway overpass and he was under the impression that it is the responsibility of the Thruway Authority to pave the overpass portion. The Mayor received a letter from the Acting Division Director of the Thruway stating that they have an Agreement with the County of Rockland and that repair work falls under the responsibility of the County. The Mayor would like the entire overpass paved as it is

in disrepair with many potholes. He reached out to the County who indicated they intend to repave the failing overpass in the fall.

Orange and Rockland has sent the Village a letter outlining a new program for replacement of streetlight bulbs from mercury to either sodium or LED. Under the new program only 2% of the total of all municipalities will be replaced and on a first come basis. To participate in the program, Orange and Rockland must receive a letter from the municipality which lights they want replaced; the average is going to be 2 to 3 lights each depending on the responses received. The Mayor explained the difference between LED and Sodium lighting. The sodium lighting is more cost effective.

Mayor Oppenheim noted that he attended the meeting of the Solid Waste Authority of which he is now on the Board. He took a tour of all of the facilities and found it very interesting. The Village is entitled to free mulch every year from their facility.

The Mayor advised that the resurfacing of Orchard Street has been completed. The speed humps are on hold until the Montebello Road Bridge is replaced.

Mayor Oppenheim advised that he was notified today that our Fire Inspector, Frank Wilson, is resigning. During the time that Mr. Wilson has been employed he has made a significant difference in the Village. He will remain on staff until a replacement is found.

Parks Commission Business:

No one from the Parks Commission is in attendance. The Mayor announced that Raymour & Flanigan has generously donated a bench to the Kathryn Gorman Ponds Park.

Public Comment:

Lisa Levin - 19 Par Road and the Chairman of the Historic Preservation Commission, asked questions about the repair/replacement of the Montebello Bridge and its historic significance. Some of the old stones have been taken and she would like to be kept up to date on the County's decision regarding the design of the bridge replacement.

Mayor Oppenheim recommended that she speak with County Legislature Alden Wolfe and ask that he keep her informed.

Attorney Berbit stated the Montebello Bridge is listed in the Village of Montebello Reconnaissance-Level Historic Resource Survey as a historical structure, so he suggested Chairman Levin use that research as back up when speaking to the County about the replacement/repairs of the Montebello Bridge.

The next agenda item was a Public Hearing for 5 Par Road pursuant to Chapter 132 of the Village Code regarding Property Maintenance.

The Village Attorney gave a brief synopsis of the condition of the property noting that 3 windows were broken out, evidence of intruders, land not maintained with overgrown grass and shrubs. Condition of the property appears to violate the Village and State Codes. Mr. Berbit advised that the Building Inspector will give testimony regarding the various violations.

The Village Attorney confirmed with the Village Clerk/Treasurer that as required by law the legal notice was published in the Journal News on July 8, 2012 and posted in the six locations throughout the Village on July 9, 2012, and that the Building Inspector posted the hearing notice on the property on July 2, 2012. The Village Attorney qualified that due notice was given.

At 8:23 p.m. Trustee Caridi made a motion to open the Public Hearing, seconded by Trustee Sorriello. Upon vote, the motion carried unanimously.

Attorney Berbit called upon the Building Inspector, Lawrence Picarello, to testify. Mr. Berbit swore Mr. Picarello in.

Mr. Berbit asked Mr. Picarello if he was employed or serves in the capacity of the Building Inspector for the Village of Montebello?

Mr. Picarello responded: I do.

Mr. Berbit asked him if he was familiar with the property at 5 Par Road?

Mr. Picarello stated that he has become quite familiar with it, yes.

Berbit asked that rather than him asking questions could Mr. Picarello testify in narrative form, starting with the earliest involvement with the property and what has been happening to date.

Mr. Picarello stated that he first went to the property April 24, 2012, following a complaint, and determined it was overgrown and there were signs of past intrusion, boarded up windows and such, property was abandoned.

Mr. Berbit asked what he did as a consequence of that?

Mr. Picarello responded, following that the property was cut at one point, apparently by a maintenance company of the Bank, he returned at some point further along when it had grown 10-12-14 inches high and issued a violation on April 24, 2012 another May 31, 2012, the property was posted on July 2, 2012 and an Appearance ticket was written for an appearance to appear in court on June 12, 2012.

Mr. Berbit asked Mr. Picarello to explain factually what the Appearance ticket is for.

Mr. Picarello stated it is for grass and weeds in excess of 10 inches, which is a violation of the Village Property Maintenance Code and the New York State Property Maintenance Code.

Mr. Berbit asked if he ascertained any other conditions on the property at this time?

Mr. Picarello stated "at this time that was it, however, following that we did get a report complaint and he went with a police officer on June 28th and we saw that a window had been forced open and there were cups and cigarette butts and things like that, it looked like people had been in the house, he has a police report that supports what they saw.

Mr. Berbit asked if there were any other signs of broken windows or entry before that?

Mr. Picarello: the reason he called the policeman was to have another set of eyes, a casement window had been broken open, prior to that a basement window was knocked out and he believed the bank actually came and boarded that up.

Mr. Berbit: if when you made reference to that did you have any discussion with owners or equitable owners of lending institutions?

Mr. Picarello: yes, there was a Real Property Transfer Report and I was given the name of Wells Fargo Bank, also on the front door there was a sticker of a maintenance company of the bank, and I reached out to them.

Mr. Berbit: what was the result of reaching out to the maintenance company?

Mr. Picarello: no satisfaction, the weeds were still growing.

Mr. Berbit: were you able to actually speak to anyone?

Mr. Picarello: I was not able to speak to anyone of any caliber.

Mr. Berbit: Did you speak to anyone at Wells Fargo?

Mr. Picarello: No, I never spoke to anyone at Wells Fargo; this was simply a maintenance company handling the account for them.

Mr. Berbit: was there any sign as a consequence of your call that there was any re-activity as far as maintenance on the property?

Mr. Picarello: the property has been cut from time to time, but it's not properly mowed, sort of hacked down because they let it go for so long, it would be impossible to cut it with a regular commercial mower.

Mr. Berbit: you mentioned that a basement window was broken out, what became of that?

Mr. Picarello: there was one small basement window broken behind the house and that was patched and repaired in a manner similar to the first window that was patched on the ground floor.

Mr. Berbit: do you know who patched those windows?

Mr. Picarello: no, I do not.

Mr. Berbit: did you purport to give a message to the maintenance company or the lending company that windows were broken?

Mr. Picarello: I did at one time regarding the basement window and of course mentioning the upkeep of the lawn.

Mr. Berbit: and was that window repaired after you gave the message?

Mr. Picarello: that window was repaired after a message was left, yes. That was with the maintenance company, so they are somewhat responsible, but not very responsible.”

Mr. Berbit: you mentioned a third window when you went onto the premises, you said on June 28th with a police officer.

Mr. Picarello: right, that was following a complaint where someone stated they had seen kids around the house or entering the house, and I went over right away, and there was a forced casement window open, it was open this much, and I thought it was important enough to get another set of eyes and a police report and then to take action right away.

Mr. Berbit: and you said there is a police report?

Mr. Picarello: there is yes, there is its right here.

Mr. Berbit: what is the date on that?

Mr. Picarello: the date is June 28, 2012.

Mr. Berbit: is there any, are there any findings on that report?

Mr. Picarello: there is just a brief write up by Officer Alexander, who ah, the house has been secure except for an open rear window, complainant, that's me, states the home has been vacant for some time and it appears nothing has been damaged or taken inside, all water and electric is off. Complainant will secure window and notify appropriate bank that owns the home. Complainant would also like more patrols of the home. We saw a number of red plastic Solo party cups inside all over, and cigarette butts that sort of kind of, like a quick party was going on.

Mr. Berbit: what became of that open window?

Mr. Picarello: that open window is now secure.

Mr. Berbit: how did that happen?

Mr. Picarello: I spoke to the Village Clerk and arrangements were made to secure the window, I did go back and check it and its secure still today.

Mr. Berbit: do you know who actually performed the work securing the window?

Mr. Picarello: I think it was Belleville Landscaping.

Mr. Berbit: so was it the Village who made the arrangements, do you know to secure the window, not the property owner?

Mr. Picarello: not the property owner, no.

Mr. Berbit: is there anything else you would like to add about the condition of the property?

Mr. Picarello: no, it's just been an ongoing..., it really takes a lot of time to check it and follow up on it, and people are upset, people in the neighborhood are upset.

Mr. Berbit: do you have an estimate on how much time involved?

Mr. Picarello: yes, we were trying to get a handle on that today, it's at least 10 hours, but it's always something that is in the back of my mind, I go by and check on it.

Mr. Berbit: concrete amount of time where you actually took an action specifically on this property?

Mr. Picarello: I would say conservatively 10 hours.

Mr. Berbit: do you know what your effective compensation cost to the Village is on an hourly basis?

Mr. Picarello: I actually don't. It's done through an agreement.

Mr. Berbit: we can get that. Is there something the Village Board needs to do tonight to oversee and take care of?

Mr. Picarello: I would suggest a good clean up and a good cutting and then for it to be done on at least a bi-weekly basis. I mean it's been so high there is thatch on the ground, the grass it really needs a good cutting and a good spring like clean up so it can be maintained in a decent fashion.

Mr. Berbit: so is it your recommended testimony that the Village Board find violations of the sections you mentioned of our code.

Mr. Picarello: yes, I wish there was a way to streamline it, but that's the process.

Mr. Berbit asked if anyone on the Board had questions for the Building Inspector?

Trustee Sorrillo: Larry did you actually enter into the house?

Mr. Picarello: no I did not.

Trustee Sorrillo: so you looked through the window and that was how you saw the cups, you said the basement window was also broken?

Mr. Picarello: yes

Trustee Sorrillo: um...could you see into the basement?

Mr. Picarello: no, I could not see, it was dark inside.

Trustee Sorrillo: so you have no idea what the shape of the basement was in?

Mr. Picarello: I do not, it could be flooded, I have no idea.

Trustee Sorrillo: and the broken window to the basement, how big was that?

Mr. Picarello: it was a small casement window, you know typical basement window.

Trustee Sorrillo: window large enough for a person to get in?

Mr. Picarello: yes, you could get in.

Trustee Sorrillo: thank you.

Deputy Mayor Millman: do we need to put any traps in, asked if animals get in? If you remember when we purchased our Community Center we had a broken window that was open and the animals and snakes and other things was tremendous. I don't know if that is a concern of ours.

Mr. Berbit: right now the structure is secure, as far as you can see?

Mr. Picarello: today the structure is secure.

Mr. Berbit: I think it is a reasonable suggestion, the Building Inspector is going to maintain observation of the property on a regular basis and if you see any kind of indication, of course you will report it to the Clerk. The resolution authorizes taking the necessary steps to secure the property and keep it safe. You will have to come back to the Board from time to time if there is an expense involved to get the permission to add it as a levy to the property, until someone takes possession of the property.

Is it your impression that when Wells Fargo or the maintenance company gets notice they spring into action?

Mr. Picarello: I have no way of knowing, they are so far away, there are so many layers to get through, it doesn't seem to get any quick response, the thing you have to understand is that pretty much every house in that subdivision is well maintained. You go from one to the next to the next. This one as you enter the subdivision is a real eyesore, it's really.....even if it's done to the bank standard, it doesn't come close to the standard of the rest of the neighborhood.

Mr. Berbit: I understand.

The Mayor stated there are several properties throughout the Village that the Board has had to make decisions on continuously maintaining due to property abandonment.

Next speaker to comment at the hearing:

Norice Ormsby - 8 Birdie Drive, Montebello – expressed her concern with trespassing on the property and the overgrowth of the landscaping. There are 6 homes up for sale on that side of the development.

Lisa Levin - 19 Par Road, Montebello - stated this was the model home when the development was being built, she cannot believe how much of an eyesore this home has become. It is the gateway to the entrance of the Pines. She mentioned that there have been break-ins in the past.

Attorney Berbit suggested a good spring clean-up; pruning a few trees that are overhanging the home, mowing the grass and securing the window, but stated it is definitely not in a municipalities budget to “coif” the entire property to make it look as pristine as the other homes in the neighborhood. The cost of the clean-up will be levied onto the village tax.

Mr. Berbit asked Ms. Ormsby and her neighbors to be very vigilant if they see any activity on the property to call the police.

The Village will try to make contact with the bank that holds the mortgage again.

No one else wishing to comment, at 8:47 p.m. Deputy Mayor Millman made a motion to close the Public Hearing, seconded by Trustee Caridi. Upon vote, the motion carried unanimously.

Attorney Berbit asked the Village Clerk/Treasurer to state for the record the expenses that have been accrued so far, she stated: Legal Notice published in the Journal News \$76.76, Building Inspector's time of 10 hours at \$33.90 per hour equals \$339.00, postal charges for regular and certified mailings \$26.15, the Village Attorney's time of 2 hours at \$150.00 equals \$300.00 and Belleville Contracting for the window boarding \$275.00. Total \$1,016.91.

Resolution: 12-083

Village of Montebello

Title: 5 Par Road - Chapter 132 Property Maintenance Hearing

WHEREAS, by virtue of Resolution No. 12-076 adopted on June 20, 2012, after public discussion and explanation by the Mayor and Building Inspector pursuant to the Property Maintenance Law, Chapter 132 of the Village Code, and Section 302.4 of the New York State Property Maintenance Code, the Village Board ordered that a Public Hearing be held on July 18, 2011 to ascertain whether conditions on the property located at 5 Par Road, Section 48.20, Block 1, Lot 14, warranted that the Village Board determine that the condition of said property violates §132-13, thus warranting ordering that measures be immediately taken to correct same; and

WHEREAS, the Village Attorney reported having questioned the Village Clerk and ascertained that the Notice of Violation was posted on May 31, 2012 that the Notice of Public Hearing, worded as follows, which was summarized in the record, was posted on the property on July 2, 2012, was sent to the record property owner Wells Fargo Bank as believed to be Trustee for holder of First Franklin Mortgage Loan Trust by regular and certified mail on June 29, 2012, and was published in the Journal News on July 8, 2012 and posted in the six location throughout the Village on July 9, 2012, thus causing him to conclude that due notice was given:

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Board of Trustees of the Village of Montebello on Wednesday, July 18, 2012, at 8:00 p.m. local time, or as soon thereafter as the matter can be heard at the Montebello Community Center, 350 Haverstraw Road, Montebello, New York 10901 pursuant to §132-17 of the Village Code, "the Property Maintenance Law", and §304.2 of the New York State Property Maintenance Code, with respect to the property located at 5 Par Road, Section 48.20, Block 1, and Lot 14 in the name of record owner Dennis Sindone, and Wells Fargo Bank, as believed to be Trustee for the holder of the First Franklin Mortgage Loan Trust, to determine whether said property be considered a nuisance and hazard to health and safety and an eyesore, such that the Board is authorized to order that said conditions be corrected at Village expense and direction, after the property was posted and Notice to Correct was ignored, and that said costs may be charged and assessed to constitute a lien and charge on the property on which it is levied until paid or otherwise satisfied and discharged, and to be collected in the same manner and at the same time as other village charges.

All members of the public and all interested parties are invited to attend and participate. The associated violation is on file and is available for inspection and review at the Village Office during normal business hours, Monday through Friday, 9:00 a.m. to 4:00 p.m.; and

WHEREAS, the Village Clerk reported receipt of the following which were included in the Record:

1. Notice of Violation dated April 24, 2012
2. Notice of Violation dated May 31, 2012
3. Postings of property dated July 2, 2012.
4. Public Hearing Notice sent to the institutional owner with equitable interest on June 29, 2012.
5. Affidavit of Postings, Publication and Mailings, and Mailing Receipts. ;and

WHEREAS, the hearing was opened at 8:23 p.m. and the Building Inspector testified that he posted the violation and hearing notices as aforescribed; that the property is overgrown and represents a danger and eyesore, and has been in this condition, and remained in that condition as of today; that, over time, 3 windows have been broken permitting unlawful entry, and that two windows had been boarded up by outside persons, and one was done by the Village as an emergency due to the report of intruders partying inside the house, but those are not permanent solutions, and that despite his indirect discussion with Wells Fargo's maintenance contractor indicating that the property would be maintained, such has not truly been the case; and, that , generally, the property represents an attractive nuisance, there being sign of entry, partying and destruction and debris inside the home, causing the Village to take emergency action boarding up a window by Belleville Contracting, Inc. as aforescribed; and

WHEREAS, the Village Clerk testified that her office mailed Notice of Public Hearing by regular and certified to the institutional owner of interest, published and posted same, and that the cost to the Village thus far in this matter as follows:

➤ Legal Notice Fee	\$ 76.76
➤ Building Inspector time (10 hrs. @ \$33.90)	\$ 339.00
➤ Postal charges for mailings	\$ 26.15
➤ Village Attorney time (2 hrs. @ \$150)	\$ 300.00
➤ Belleville Contracting (window boarding)	\$ 275.00
TOTAL:	\$ 1,016.91 ;and

WHEREAS, the following also spoke at the hearing:

1. Lawrence Picarello, Building Inspector, Village of Montebello
2. Norice Hornsby, 8 Birdie Drive, Montebello
3. Lisa Levin, 19 Par Road, Montebello

WHEREAS, no one else wishing to be heard, the Hearing was closed at 8:47 p.m.

THEREFORE, BE IT RESOLVED, after due deliberation and giving full consideration to all testimony taken and evidence submitted at the hearing, as follows:

1. That the Village Board determines that, in the interest of public safety and property maintenance, that the property is in a dangerous and hazardous condition and represents an eyesore and a nuisance in violation of Chapter 132 of the Village Code in particular 132.13 thereof, and Section 302.4 of the NY Property Maintenance Code.

2. That, by authority of §132-17.B. of the Village Code and the NY Property Maintenance Code, the Village Board directs that said nuisance and violation of the property maintenance requirement be corrected by contracting with a landscaping service to remove debris, mow and trim the property to meet the requirements of §132.13 and that such be performed again whenever and if necessary in the judgment of the Building Inspector, the

property again becomes in a condition violating §132-13, assuming that the owner does not cause compliance with said requirements.

3. That the sums necessary to cause compliance, and all related expenses caused the Village, be and hereby are charged and assessed to address the property maintenance work to be necessary to cure and prevent ongoing safety and aesthetic issues, upon the actual expenditure of same, should the owner fail to cure the outstanding issues or fail after curing same, to maintain the property in an appropriate fashion in the judgment of the Building Inspector, which said sums, plus any subsequently incurred sums, and any associated expenses caused the Village, including its expense of \$1,016.91 incurred thus far herein, shall constitute a lien and charge on the subject real property against which it is hereby levied until said is otherwise satisfied or discharged, and shall be collected in the same manner and at the same time as other Village charges, said sums to be set and recognized by subsequent Village Board Resolution as and when incurred in furtherance of the determination made herein.

4. That it is not the intent of the Board that this action preclude prosecuting the owner for violating the Code, nor does same preclude the fining of the owner nor the grant of other relief as a consequence hereof.

Motion: Deputy Mayor Millman

Second: Trustee Sorrillo

Discussion:

Trustee Sorrillo would like to know the total cost that the Village has had to pay as a result of abandoned properties not being properly maintained, and the Village having to step in. The Village Clerk will have a total at the next meeting.

Attorney Berbit noted that the fees incurred are levied onto the Village tax bill and when the Village tax is not paid by November 1st, it is sent to the County for relevy and the County reimburses the Village by April of the following year.

Deputy Mayor Millman wanted to know how long the Village will have to continue to clean up abandoned properties, 1, 2, 3 years or on a continual basis. The Deputy Mayor noted that we are in tough economic times and as long as the Village is made whole we need to do what is necessary to maintain our pristine community.

Attorney Berbit responded, that is a decision of the Board. The Board may choose to take ownership of these properties at some point. The Mayor stated that the taxes would have to be delinquent at least 2 years before the Board could contemplate action.

Board members and the Attorney discussed the foreclosure process, delinquent taxes and how the re-levying process works with the County. It was agreed that as long as the Village is made whole, they will continue to take care of these abandoned homes because they are committed to making sure that these properties do not affect the property values of other homes.

Upon vote, the Resolution carried unanimously.

The next agenda item is a request from the Historic Preservation Commission for a budget increase to purchase a historic marker for Village Hall.

Chairman Lisa Levin from the Historic Preservation Commission is present. Ms. Levin noted that prior to becoming Chairman of the Commission; the members were working on getting this done. This would be the first marker. The verbiage of the plaque will be done by the Village Historian and the plaque design should be the same as the one at Indian Rock shopping center. At the time, the cost for that marker was \$1,650.

Mayor Oppenheim asked if the Commission has chosen a location for the placement of the marker. He also noted that Village Hall is approximately 90 years old.

The Board members expressed their support of this project and would like the Commission to submit the actual design, wording and cost for their approval. The Board also wanted to know whether any portion of the 2012 budgeted sum was available to apply towards this expense. The Mayor and Board members also noted their appreciation to the members of the Historic Preservation Commission for all of their efforts.

Resolution: 12-084

Village of Montebello

Title: Approval of Minutes

BE IT RESOLVED, the minutes of the Regular Meeting of the Board of Trustees of June 20, 2012 be and are hereby approved.

Motion: Deputy Mayor Millman

Second: Trustee Sorrillo

Upon vote, the Resolution carried unanimously.

Resolution: 12-085

Village of Montebello

Title: Rescind Resolution No. 12-081

BE IT RESOLVED, upon the recommendation of the Village Clerk after discussing with the Employer's Retirement System, that Resolution 12-081 be and hereby is rescinded.

Motion: Trustee Sorrillo

Second: Deputy Mayor Millman

Upon vote, the Resolution carried unanimously.

Resolution: 12-086

Village of Montebello

Title: Establishing a Standard Work Day for Retirement System Purposes

BE IT RESOLVED, that the Village of Montebello, Location Code 40575, hereby establishes 6 hours per day as the standard work day for Elected and Appointed Officials and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body, as based upon said standard work day in accordance with Regulation 315.4 of the New York State & Local Retirement System; and

BE IT FURTHER RESOLVED, that all Elected and Appointed Officials that are presently members of the New York State & Local Retirement System shall have days worked reported on the monthly report, set as per the attached Form RD2417-A, and shall include the term of office and expiration for each elected and appointed official.

BE IT FURTHER RESOLVED, that upon adoption, this Resolution shall be posted on the Village's website for 30 days and the Village Clerk shall submit an affidavit of posting and a copy of the Resolution to the Office of the State Comptroller within 45 days of adoption.

Motion: Deputy Mayor Millman

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 12-087

Village of Montebello

Title: Schedule Public Hearing Pursuant to §132-17 of the Village Code with Respect to Property located at 196 Spook Rock Road

WHEREAS, the Building Inspector reports by virtue of Informations dated June 8, 2012 (#0410) and July 3, 2012 (#0415), and an appearance ticket dated July 3, 2012, that the premises located at 196 Spook Rock Road Section 49.9 Block 1 and Lot 12, record owners Ralph and Betty Iorio, whom he believes to be deceased, was and remains in a non-maintained condition, representing a nuisance and a possible hazard to health and safety, and an eyesore; and

WHEREAS, it is reported that said conditions have persisted since a violation was issued and posted on May 18, 2012, in that it appears that no one has maintained this property which appears to be vacant, the grass being unmowed, and the property having become overgrown, and debris and plant matter spilling over, and the fencing being in disrepair, and such cannot continue to be tolerated; and

WHEREAS, the Building Inspector reports that at one time the son of the apparently now deceased owners was attempting to take care of the premises, but is no longer doing so; and

WHEREAS, such condition appears to violate §132-17 of the Village Code and §302.4 of the New York State Property Maintenance Code; and

WHEREAS, the Mayor and Building Inspector recommend that a hearing be held pursuant to §132-17 of the Village Code, to determine whether the Village Board shall order that the conditions be corrected at Village expense and direction, the cost of same to be charged and assessed, to constitute a lien and charge on the property on which it is levied until paid or otherwise satisfied and discharged, and shall be collected in the same manner and at the same time as other Village charges.

THEREFORE, BE IT RESOLVED, that a hearing be held pursuant to §132-17 of the Village Code for the above purposes on August 15, 2012, beginning at 8:00 pm, local time, or as soon thereafter as the matter can be heard, and that due notice thereof be given to the record owner and to the public as required by the Village Code.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 12-088

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated July 18, 2012, and totaling \$145,391.09 are hereby approved and the claims listed thereon shall be paid.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Discussion on Orange & Rockland, Stan's Reliable Cleaning Service and NYS Deferred Compensation vouchers.

Upon vote, the Resolution carried unanimously.

Resolution: 12-089

Village of Montebello

Title: Appointment of Alternate Member to Historic Preservation Commission

WHEREAS, there is a vacancy on the Historic Preservation Commission and the Mayor has received a letter of interest and resume from William Ellsworth, residing at 29 Mile Road, to serve on the Commission, and recommends his appointment.

THEREFORE, BE IT RESOLVED, at the recommendation of the Mayor, that William Ellsworth be appointed as an Alternate Member of the Historic Preservation Commission for the remainder of a term to expire in April 2013.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Public Comment: No one wished to speak.

New Business:

Amy Rapaport, Parks Commissioner, submitted a proposal for “removal/chipping” of the trees that were taken down in the Gorman Ponds Park. The Deputy Mayor stated he was not aware the Village was going to chip up these trees; he thought the logs/stumps were not going to be removed. The Mayor and Trustee Sorrillo both agreed that the logs do not look terribly good leaving them laying around. The Village Attorney thought it may be a possibility to get estimates from other tree companies. Mr. Millman requested calling a few places and asking if they want to take the logs away for no charge. They can chip up the trees and sell it for mulch.

Deputy Mayor Millman asked the Village Attorney about research on a potential gun law for parks as a follow up to the BB gun incident into Gorman Ponds Park. He would like to know if the Village has any recourse legally.

Village Attorney Berbit responded that he would research the matter and let him know.

Mr. Berbit noted that under the Municipal Home Rule law the Village may have authority to set up this type of law.

Mayor Oppenheim and Deputy Mayor Millman attended a Town of Ramapo public hearing on July 9th regarding a proposed local law to override the Tax Levy Limit. The local law was adopted.

At 9:38 p.m. Deputy Mayor Millman made a motion to enter Executive Session to discuss personnel matters, seconded by Trustee Caridi. Upon vote, the motion carried unanimously.

At 10:06 p.m. Deputy Mayor Millman made a motion to exit Executive Session, seconded by Trustee Golden. Upon vote, the motion carried unanimously.

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