

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, OCTOBER 21, 2015 AT THE MONTEBELLO COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NEW YORK. 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
	Stacy Caridi	Trustee
	Melanie Golden	Trustee
	Steven A. Sorrillo	Trustee

Others Present:	Warren Berbit	Village Attorney
	Debra Mastroeni	Village Clerk/Treasurer
	Diana Montgomery	Acting Village Clerk

Recording Secretary,	Gloria Scalisi	Deputy Clerk
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Mayor's Report:

Mayor Oppenheim was pleased to announce that the Montebello Bridge will open by Friday, October 31, 2015, in time for Halloween. Mayor suggested a Ribbon Cutting Ceremony Event.

Mayor Oppenheim made the bittersweet announcement that this would be the last Village Board Meeting for Village Clerk/Treasurer, Debra Mastroeni, as she is retiring. He expressed gratitude that Debra has agreed consult on an hourly basis as needed. Mr. Warren Berbit, Village Attorney, suggested that the Board vote unanimously for a Proclamation, effective October 2015, thanking Debra, and declaring October Debra Mastroeni Month in the Village of Montebello. He will draft a formal Proclamation.

Motion: Deputy Mayor Millman

Second: Trustee Caridi

Upon vote, the motion carried unanimously.

Mayor Oppenheim welcomed Gloria Scalisi as the new Village Clerk/Treasurer and Diana Montgomery as the new Deputy Clerk.

Re: Public Hearing 13 Kings Gate Road

The Village Attorney asked the Village Clerk/Treasurer to read the Public Hearing Notice into record and it was read as follows:

“NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Board of Trustees of the Village of Montebello on Wednesday, October 21, 2015, 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", with respect to the property located at 13 Kings Gate Road, Section 48.07, Block 1, Lot 61 in the name of record owner John Benson II, to determine whether said property thereon be considered a nuisance and hazard to health and safety and an eyesore, such that the Board order that said 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 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 violations are on file and 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.”

The Village Attorney, Warren Berbit confirmed with the Village Clerk/Treasurer that the legal notice had been posted on the property October 5, 2015 by the Building Inspector, Larry Picarello. The Public Hearing was published in the Journal News on October 10, 2015, mailed USPS regular mail and certified mail to the record owner, John Benson II at the 13 Kings Gate Road address and 173 Sharer Avenue, Northvale, NJ 07547 where he presently resides. The Village Clerk/Treasurer also confirmed that the legal notice was posted in 6 places throughout the Village.

The Village Clerk/Treasurer confirmed that John Benson II is the record owner, that he does not reside at the property and that, an effort was made to serve Mr. Benson at the property and at his last known address in Northvale, NJ. Village Clerk/Treasurer was asked to describe any efforts made in contacting Maintenance Company and Mortgage Company. Village Clerk/Treasurer offered the following: Altie Source, the maintenance company, was hired by the bank and the last time the property was serviced by them was in June of 2015. She was advised by them to contact Ocwen Loan Servicing in West Palm Beach Florida and was provided a telephone number. Ocwen Loan Servicing was contacted and she faxed the legal notice to them on October 20, 2015

Based on all attempts at service and actual postings and publications, the Village Attorney concluded that due legal notice was given and the public hearing could proceed.

Deputy Mayor Millman made a motion to open Public Hearing, seconded by Trustee Caridi. Upon vote the motion carried unanimously at 8:12 p.m.

Mayor Oppenheim opened the Public Hearing, and by way of introduction to establish the record to date, read the proposed WHEREAS clauses of Resolution 15-089, 13 Kings Gate

Road – Chapter 132 Property Maintenance Hearing, as set forth in the full Resolution appearing later in the minutes.

After the Mayor’s summary, and the Village Attorney reported that the Building Inspector, Lawrence Picarello, could not attend due to a meeting conflict, but that he submitted instead a sworn statement dated October 19, 2015, read into the record as follows:

“On October 19, 2015, I Lawrence Picarello, performed a Field Inspection of 13 Kings Gate Road and the property remains in violation of unsecured pool and grass/weeds in excess of 10 inches. The following is a list of violations posted and appearance tickets issued:

1. On April 28, 2014, a Violation notice (Property Maintenance Code of NYS Sec. 303.3) was issued, and the property posted.
2. Prior uncorrected property maintenance violations resulted in an Appearance Ticket (#0478, dated 5/2/2014). Following an acceptable cleanup, a Civil Compromise of \$500 was obtained. This was signed and dated on 10/10/14. Payment was received on 10/14/14.
3. On June 16, 2015, a new Violation was issued, and the property posted. Violation of the Code of the Village of Montebello Sec. 132.13.
4. Then followed an appearance ticket # 0502, (Grass & Weeds over 10 inches, Sec.132-13) dated July 25, 2015 for a Court date of August 12, 2015.
5. On July 21, 2015, a new Violation was issued, and the property posted. Violation of the Property Maintenance Code of the State of New York sec. 303.1
6. Then Followed an appearance ticket # 0505, (Property Maintenance Code of NY State, Sec.303-1) dated July 29, 2015 for a Court date of August 12, 2015.
7. On July 21, 2015, a new Violation was issued, and the property posted. Violation of the Code of the Village of Montebello sec. 132.13.
8. Then followed an appearance ticket # 0506, (Grass & Weeds over 10 inches, sec.132-13) dated July 29, 2015 for a Court date of August 12, 2015.

As an additional note, there was phone contact with Elvin of Altie Source Preservation Co. 770-612-7007 @ ext 293268 on 6.19/2015. This was initiated by me in an effort to stir up some corrective action. Source of this contact (Altie Source) was information posted on the front door of the dwelling. Please see the photographs taken 10/19/2015. Note that the gate to the rear yard & pool was again not secured. The blue pool cover has clearly moved since the Waxenberg (neighbor) photographs and is not an acceptable means of securing the pool. Additionally, grass & weeds remain in excess of 10 inches.

Recommend lawn maintenance on a regular basis as needed.

Recommend a permanent porous mesh type pool cover to be installed permanently with appropriate anchors.

Recommend removing hot tub enclosure & hot tub.

Recommend rear yard fence & gates to be secured and regularly maintained.

Based on a field inspection dated 10/19/2015. (Photographs in file)”

The Mayor then asked if anyone was present representing the homeowner or bank, and no such appearance or objection took place.

At the request of the Village Attorney, in addition to the aforesaid documents the following documents were included in the record:

1. Resolution No. 15-086.
2. Reports of Building Inspector dated October 19, 2015
3. Violation Notices dated 5/2/14, 6/16/15 and 7/21/15 as posted on the property.
4. Appearance Tickets as dated 7/25/15 and 7/29/15.
5. Legal Notice and Affidavits of publication and posting; and
6. Building Inspector’s memo dated September 17, 2015
7. Building Inspector’s photos of property taken 10/19/15

In addition, letters of complaint were received from neighbors as follows, and were included in the record:

Complaint Date July 27, 2015
Al & Ina Rubin
16 Kings Gate Road
Montebello, NY 10901

Complaint Date August 27, 2015
Jack Kaufman, D.D.S.
17 Kings Gate Road
Montebello, NY 10901

Complaint Date September 14, 2015
Jerry & Barbara Waxenberg
11 Kings Gate Road
Montebello, NY 10901

Mayor Oppenheim then explained the process of a Public Hearing to the visiting students of Suffern High School.

Mayor Oppenheim stated that he spoke with Amy Eisenberg at The Department of Health who agrees that a solid pool cover is not acceptable as water collects and it will then

become a mosquito hazard, or will pull into the pool. The only way to use a solid cover is to have a submersible pump so a mesh cover is better.

Trustee Sorrillo questioned the role of Altie Sorce. Mayor Oppenheim replied that Altie Source works on behalf of the bank.

Mayor Oppenheim opened the floor for public comment.

Mr. Al Rubin, 16 Kings Gate Road, Montebello, NY 10901, expressed many concerns mentioning some of the more serious elements that drove the house into disrepair which were noted and dating back to Hurricane Irene when the house ended up under water and eventually abandoned. Mr. Rubin continued to describe the mold and mildew, he believes the house to be full of contaminants, the pool having dead animals and the overall condition of the house causing a health risk.

The Mayor suggested that the pool be drained then cleaned out. The Mayor stated he has spoken with the Building Inspector, Larry Picarello, who stated that the presence of mold and mildew inside does not constitute a code violation that he has the ability to cite. The Mayor further explained the Board does not have the right to initiate violations against the property.

Mr. Rubin suggested a Health Inspector come in to evaluate contaminants. Mayor Oppenheim stated that the Health Department has paid visits to the property. The Board of Health does not treat a vacant dwelling the same as an occupied dwelling.

Mr. Rubin complimented the board on the remediation that is taking place now however he has not had any response to his letter of 3 months ago until now and is should not take 4 years in total for remediation.

Mr. Jack Kaufman, 17 Kings Gate Road, Montebello, NY 10901, asked what is the ultimate power the board has over this situation.

Mayor Oppenheim offered that the board has limited power which is good for the homeowner but not so good if you are a neighbor. The Board has the ability to enforce the Village Code Violations determined by the Building Inspector. It's agreed that the property is unsightly however, according to the Building Code it is not a structure deemed hazardous that needs to be taken down. According to the Building Inspector, the roof is not collapsing, there are no holes in the house and he feels it's a secure structure. The Mayor offered what we can do is enforce the property maintenance code.

Mr. Kaufman asked the nature of the realtor signs on property. The Mayor states he is not sure but, according to Mr. Waxenburg, who has reportedly, unsuccessfully, attempted to purchase the property, it is for sale as a "short sale".

Mr. Kaufman asked if the taxes were unpaid could the Village seize the property and demolish it. The Mayor agreed under express statutory conditions it could claim abandonment; but offered that it's not likely to happen here, and as based on previous experience with a house

on Spook Rock Road. What usually happens with unpaid taxes is the county pays the taxes to the Village and assumes the tax foreclosure debt. If taxes remain unpaid the County will then hold a public auction.

Mr. Rubin questioned who would be responsible if someone is injured on the property. The Village Attorney stated the owner and the bank would be the responsible parties.

With no other questions, motion was made by Deputy Mayor Millman and seconded by Trustee Caridi to close the Public Hearing at 8:37 p.m..

Deputy Mayor Millman questioned if we drain the pool and it collapses would we be held responsible. The Village Attorney stated it depends if it was a necessary action and he is having a pool expert look at the pool and report back.

Resolution: 15 - 089

Village of Montebello

Title: 13 Kings Gate Road- Chapter 132 Property Maintenance Hearing

WHEREAS, as more particularly set-forth in Resolution of the Village Board No. 15-086 dated September 21, 2015, referenced as a part hereof, the premises located at 13 Kings Gate Road, Section 48.7, Block 1 and Lot 61, record owner John Benson II, has continued in a non-maintained condition for a number of notices of violation, representing a nuisance and a possible hazard to health and safety, and an eyesore. Notices to Correct and the requisite waiting periods having transpired, said property having been noticed for violation of the NYS Property Maintenance Code, as well as §132 Article II of the Village Code and authorized that a hearing be held pursuant to §132-17 of the Village Code, again, assuming failure to timely correct the violations, to find same in violation and to levy the expense of remedying the unsafe and non-maintained conditions against said property; and

WHEREAS, as a consequence, the Village Clerk reports that the following Notice was published in the Rockland Journal News on October 10, 2015, was posted on the property on October 5, 2015, and was mailed USPS regular mail and certified mail on October 5, 2015 to the record owner, John Benson II at the 13 Kings Gate address and the address where he presently resides 173 Sharer Avenue, Northvale, NJ 07547:

PLEASE TAKE NOTICE, that a Public Hearing will be held by the Board of Trustees of the Village of Montebello on Wednesday, October 21, 2015, 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”, with respect to the property located at 13 Kings Gate Road, Section 48.07, Block 1, Lot 61 in the name of record owner John Benson II, to determine whether said property thereon be considered a nuisance and hazard to health and safety and an eyesore, such that the Board order that the said 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 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 violations are on file and 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, based upon a sticker on the front door, Altie Source Preservation Co was called @ 770-612-7007, and the Legal Notice was sent by the Village Clerk, at their instruction, via facsimile on October 20, 2015, to Ocwen Loan Servicing @ 407-737-6300; and

WHEREAS, as a consequence of the above, the Village Attorney concluded that due notice was given for the purposes of opening this Public Hearing; and

WHEREAS, the hearing was opened at 8:12 p.m., and the Village Attorney reported that the Building Inspector, Lawrence Picarello, could not attend due to a meeting conflict, but submitted instead a sworn statement dated October 19, 2015 as follows:

On October 19, 2015, I Lawrence Picarello, performed a Field Inspection of 13 Kings Gate Road and the property remains in violation of unsecured pool and grass/weeds in excess of 10 inches. The following is a list of violations posted and appearance tickets issued:

1. On April 28, 2014, a Violation notice (Property Maintenance Code of NYS Sec. 303.3) was issued, and the property posted.
2. Prior uncorrected property maintenance violations resulted in an Appearance Ticket (#0478, dated 5/2/2014). Following an acceptable cleanup, a Civil Compromise of \$500 was obtained. This was signed and dated on 10/10/14. Payment was received on 10/14/14.
3. On June 16, 2015, a new Violation was issued, and the property posted. Violation of the Code of the Village of Montebello Sec. 132.13.
4. Then followed an appearance ticket # 0502, (Grass & Weeds over 10 inches, Sec.132-13) dated July 25, 2015 for a Court date of August 12, 2015.
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As an additional note, there was phone contact with Elvin of Altie Source Preservation Co. 770-612-7007 @ ext 293268 on 6.19/2015. This was initiated by me in an effort to stir up some corrective action. Source of this contact (Altie Source) was information posted on the front door of the dwelling. Please see the photographs taken 10/19/2015. Note that the gate to the rear yard & pool was again not secured. The blue pool cover has clearly moved since the Waxenberg (neighbor) photographs and is not an acceptable means of securing the pool. Additionally, grass & weeds remain in excess of 10 inches.

Recommend lawn maintenance on a regular basis as needed.

Recommend a permanent porous mesh type pool cover to be installed permanently with appropriate anchors.

Recommend removing hot tub enclosure & hot tub.

Recommend rear yard fence & gates to be secured and regularly maintained.

Based on a field inspection dated 10/19/2015. (Photographs Attached); and

WHEREAS, the Village Attorney indicated that should the Owner or a representative object to the absence of Lawrence Picarello due to a desire to cross examine him, then the hearing should not be closed, but should continue at the next meeting of the Village Board to take Lawrence Picarello's testimony; and

WHEREAS, no such objection took place; and

WHEREAS, in addition to the aforesaid documents the following documents were included in the record:

1. Resolution No. 15-086.
2. Reports of Building Inspector dated October 19, 2015
3. Violation Notices dated 5/2/14, 6/16/15 and 7/21/15 as posted on the property.
4. Appearance Tickets as dated 7/25/15 and 7/29/15.
5. Legal Notice and Affidavits of publication and posting; and
6. Building Inspector's memo dated September 17, 2015
7. Building Inspector's photos of property taken 10/19/15

WHEREAS, letters of complaint were received from neighbors as follows and were included in the record:

Complaint Date July 27, 2015
Al & Ina Rubin
16 Kings Gate Road
Montebello, NY 10901

Complaint Date August 27, 2015
Jack Kaufman, D.D.S.
17 Kings Gate Road
Montebello, NY 10901

Complaint Date September 14, 2015
Jerry & Barbara Waxenberg
11 Kings Gate Road
Montebello, NY 10901

: and

WHEREAS, the following spoke at the public hearing, each being troubled and concerned for health and safety issues:

Al Rubin – 16 Kings Gate Road, Montebello, N.Y.
Jack Kaufman – 17 Kings Gate Road, Montebello, N.Y.; and

WHEREAS, no one else wishing to speak the Public Hearing was closed at 8:37 p.m.;
and

WHEREAS, with no appearances or complaints by or for the owner or mortgage company, the Village Attorney indicated it was acceptable to continue; and

WHEREAS, the Village Board duly deliberated in public, and made findings and resolved as hereinafter stated.

THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board finds that said property appears to be in an unsafe, unsanitary and unsightly condition, and after requisite notice, that the conditions were not fully corrected.
2. That cost of the Building Inspector's time for 10 hours at \$66.62 per hour, or a total of \$666.20, and cost of the Village Attorney's time for 3 hours at \$150.00 per hour, or a total of \$450.00, was expended for a total cost to the Village of \$1,116.20 found to be reasonable and necessary.
3. That as a reasonable estimate, a sum not to exceed \$15,000.00 subject to further Village Board action, be authorized to clear off and trim said property to remove the unsafe and unsightly accumulation of junk and debris, to stabilize and secure or remove the unsafe spa and enclosure, and to cover pool to prevent someone falling in and animal and insect habitation, and such other related work as may be needed.

4. This said sum of up to \$15,000.00 plus other expenses as set forth above a function of actual cost be levied against said property to be collected in the same manner as Village Real Property Taxes, and that any additional sum necessary to be so expended in the future for said purpose shall be likewise so levied without the need for another public hearing, upon the report of the Building Inspector as acted upon by the Village Board from time to time, by Resolution as may be necessary; and

BE IT FURTHER RESOLVED, even though the premises are unoccupied, in an excess of caution as recommended by the Village Attorney given some indication of remedial action and the possibility of a short sale, and despite the Village Code permitting the taking of emergency action in the interest of public safety, that the foregoing actions to come onto the premises and to commence the clean-up, and to perform other related work, will be temporarily held in abeyance subject to the following:

1. Giving the owner and bank fifteen (15) business days' notice of this Action by service of a completed copy of this Resolution with a Clerk's Certification, by Regular Mail, and Registered Mail Returned Receipt, and by delivering same to the premises and the posting of same, and by service of same by facsimile to the mortgage servicing company.
2. Should the Owner or bank within that fifteen (15) day period commence cleaning up and making safe the premises in a meaningful way in the judgment of the Building Inspector, Lawrence Picarello including supplying a written report of expected actions to resolve the issues, that this Action shall continue to be held in abeyance until and unless the Building Inspector reports in his judgment that meaningful progress has not been made, or has ceased having been made, with any violations continuing.
3. After passing of the Fifteen (15) days without progress as aforescribed, or should progress later halt or not proceed with dispatch in the judgment of the Building Inspector, then the work as authorized herein by the Village Board, shall take place and that, if necessary the Prosecuting Assistant Village Attorney, Jay Golland, be and hereby is authorized to commence an action or proceeding by Order to Show Cause in the Supreme Court, Rockland County, permitting the Village to come onto said property to remove the junk and debris, and to cure the safety, health, and unsightly violations as aforescribed, and to levy the cost of same, including court costs, staff costs and reasonable attorney's be added to the amount herein authorized to be liened and levied against said property; and

BE IT FURTHER RESOLVED, that the Building Inspector is authorized to contact the Rockland County Board of Health concerning said violations in the belief that the County Health Code may be impacted, for inspection and possible action and report on same, especially given

said Board of Health's findings as set forth in its reports dated, respectively 7/3/15, 7/17/15, and 8/3/15, which are included in the record hereof.

Motion: Trustee Caridi

Second: Trustee Sorrillo

Discussion:

Upon vote, the Resolution carried unanimously.

Mayor Oppenheim opened the floor for public comment from the visiting Suffern High School Students.

A student questioned the Village Board on repairing the potholes now, would it make them worse in the winter?

The Mayor replied, if they are not fixed properly it will be a bigger problem later however, fixed properly, it should last through the winter.

Student asked about a large pothole on Route 202 near the underpass.

Mayor Oppenheim stated Route 202 is a State Road, and that location is within Suffern not Montebello. The Mayor stated he would make a phone call to repair the problem.

Student questioned if they had permission to attend all Board of Trustee Meetings, and they were given an open invitation by the Mayor.

The Mayor advised the students if they see something they are not happy with, complain about it.

At 8:47 p.m. Deputy Mayor Millman made a motion to enter Executive Session to discuss a personnel plan of support for the office, seconded by Trustee Caridi. Upon vote, the motion carried unanimously.

At 9:15 p.m. Deputy Mayor Millman made a motion to exit Executive Session, seconded by Trustee Caridi. Upon vote, the motion carried unanimously.

Plans discussed as to how office staff, Village Clerk Treasurer and Deputy Clerk, will proceed and initial training for tax system.

Resolution: 15-090

Village of Montebello

Title: Approval of Minutes for August 19, 2015

BE IT RESOLVED, the minutes of the Regular Meeting of the Board of Trustees of August 19, 2015 be and are hereby approved.

Motion: Trustee Caridi

Second: Trustee Sorrillo

Upon vote, the Resolution carried unanimously.

Resolution: 15-091

Village of Montebello

Title: Approval of Minutes for September 21, 2015

BE IT RESOLVED, the minutes of the Regular Meeting of the Board of Trustees of September 21, 2015 be and are hereby approved.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution 15 - 092

Village of Montebello

Title: Let It Grow, Inc. /AKRF Settlement

WHEREAS, as per a part of the Village Engineer's memo dated August 6, 2015, Let It Grow, Inc. ("LIG") has submitted an invoice for an increase in the amount of \$6,405.87 in the cost of the work it performed on the Gorman Ponds Park - Phase II Improvements; and

WHEREAS, such relates to keeping equipment on-site and operational during a delay engendered by AKRF getting on-site fill materials tested before utilization on the plant shelf; and

WHEREAS, a dispute arose between LIG and AKRF whether such work was necessary or required under the Specifications, and if so, whether such should have been included in LIG's bid price for the overall work; and

WHEREAS, the Village Engineer reports that at a meeting on the subject, neither LIG nor AKRF would yield on the merits of their respective positions, but LIG did reduce its original claim from around \$13,000; and

WHEREAS, without acknowledging right or wrong, as a practical solution so as to avoid involving the parties in litigation, or in any way jeopardizing the ongoing progress (e.g., LIG is to complete the plant shelf, maintain same, and to replace plants as needed over the next year), the Village Engineer embarked upon negotiating a three-sided compromise to resolve the matter, with which approach the Village Attorney agreed, especially given the minimal amount in dispute vs. the total cost of the project; and

WHEREAS, the Village Engineer reports that despite this negotiation, AKRF did not acknowledge any liability regarding this matter and the Parks Chairman, Tony Piazza, feels that this supplemental cost should be paid by the Village from the Parks Account as it falls under the Phase II project and Let It Grow will continue to work with the Village with regard to the shelf planting, etc., with which the Village Engineer agrees, and the project is under budget.

THEREFORE, BE IT RESOLVED, that the Board of Trustees is in agreement with the Parks Chairman and the Village Engineer that change Proposal #2 in the amount of \$6,405.87 be approved and paid from the Parks and Recreation Account.

Motion: Trustee Golden

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 15- 093

Village of Montebello

Title: Authorization to Apply for JCAP Grant

BE IT RESOLVED, by the Board of Trustees of the Village of Montebello at a regular meeting thereof held on October 21, 2015, that authority is hereby granted to apply for a 2016 Justice Court Assistance Program (JCAP) Grant.

Motion: Trustee Caridi

Second: Trustee Sorrillo

Upon vote, the Resolution carried unanimously.

Resolution: 15- 094

Village of Montebello

Title: Appointment of Registrar and Deputy Registrar

BE IT RESOLVED, that Gloria Scalisi be and hereby is appointed as Registrar of Vital Statistics and Diana Montgomery be appointed Deputy Registrar of Vital Statistics effective November 1, 2015, in accordance with New York State Law.

Motion: Trustee Golden

Second: Deputy Mayor Millman

Upon vote, the Resolution carried unanimously.

Title: Snow Removal/Landscaping Services 2015/2016

WHEREAS, the Village Clerk/ Treasurer sent out RFP’s for Snow Removal and Landscaping Services at Village Hall and the Montebello Community Center, and for Landscaping Services at the Viola Road Cemetery, around the 7 Village roadside entry signs, and along Ponds Park for the grassy margin between it and Senator Levy Drive, and Landscape and Maintenance around the pond areas, including the pathway and parking area, and meadow, the open space at 8 & 14 Lake Road, and the community garden for the period December 1, 2015 to November 30, 2016, all as set forth in her Request for Proposal dated September 28, 2015 to be considered as part of the contractual Agreement; and

WHEREAS, proposals were received from Belleville Landscaping, Inc., and from no other contractor, referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, the salient details of which is as follows:

	Snowplow and Landscape Village Hall and Community Center, Mow Edge of Ponds Park (Senator Levy Dr.), Landscape Cemetery and Village Signs, Parking Areas and Pathway Ponds and maintain Open Space at 8 & 14 Lake Road	Extra Charge Salt	Snow Falls over 10 Inches in a single event
Belleville Landscaping, Inc.	\$19,800.00	\$375.00	\$150.00 per inch, per day

; and

WHEREAS, Belleville has reliably performed said services over the years and has not increased his contract price in several years but has proposed an increase this year of \$3,240.00 or an additional \$220.00 per month plus an additional charge of \$375.00 per salting parking lots for ice storms and freezing rain plus \$150 per inch for snow falls over 10 inches in a single event; and

WHEREAS, only one proposal was received which seems cost effective in light of proposals in recent years, and time is of the essence given the November 1st starting dates.

THEREFORE, BE IT RESOLVED, that the Village Board upon due deliberation does hereby accept the proposal of Belleville Landscaping, Inc., as the offerer for Snow Removal and Landscaping Services at Village Hall, the Montebello Community Center, and Landscaping Services, alone, at the Viola Road Cemetery, around the 7 entry signs, and along Ponds Park for the grassy margin between it and Senator Levy Drive, maintenance around the pond areas including the pathway and parking area, and the open space at 8 & 14 Lake Road, for the period December 1, 2015 to November 30, 2016 at an all-inclusive package price of \$19,800.00, as more particularly set forth in the proposal and RFP, and authorizing that said sum be expended for said purposes, contract to be in a form as approved by the Village Attorney, and subject to proof of insurance, for the aforesaid reasons.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 15- 096

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated October 21, 2015, and totaling \$147,065.35 are hereby approved and the claims listed thereon shall be paid.

Motion: Trustee Sorrillo

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

Resolution: 15 - 097

Village of Montebello

Title: Appointment of Village Clerk/Treasurer

WHEREAS, the Village Clerk/Treasurer, Debra Mastroeni is retiring effective October 31, 2015, and

WHEREAS, the Mayor wishes to appoint Gloria Scalisi to the position of Village Clerk/Treasurer, effective November 1, 2015 to fill the vacated position.

THEREFORE, BE IT RESOLVED, that Gloria Scalisi is hereby appointed to the position of Village Clerk/Treasurer for the remainder of the term to expire at the reorganizational meeting of April 2017, at a present salary of \$52,585/annum.

Motion: Trustee Golden

Second: Trustee Sorrillo

Upon vote, the Resolution carried unanimously.

Resolution: 15 -098

Village of Montebello

Title: Appointment of P/T Secretary to Planning & Zoning Boards

WHEREAS, the position of Secretary to the Planning Board and Zoning Board of Appeals has been vacant since mid-July with the exception of temporary help filling in; and

WHEREAS, at the present time, the Boards are not busy and do not require a full time secretary and the Village Clerk/Treasurer has recommended that the position become a part time position under the immediate circumstances; and

WHEREAS, interviews were held and a candidate was selected, Regina Rivera of 12 Nottingham Drive, Montebello, NY.

THEREFORE, BE IT RESOLVED, that Regina Rivera be hired to fill the Part Time Secretary to the Planning Board and Zoning Board of Appeals position, hours to be 9 a.m. to 1p.m. Monday thru Friday at an hourly rate of \$16.00 per hour, evening hours for meetings to be paid at same rate effective October 19, 2015, subject to the approval by Rockland County Civil Service Department, if needed.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 15- 099

Village of Montebello

Title: Public Hearing on Tentative Budget for 2016

BE IT RESOLVED, that a Public Hearing is to be held on the Tentative Proposed Budget for fiscal year 2016 on November 4, 2015 at 8:00 p.m. local time or as soon thereafter as the matter can be heard, such that a Budget for said year can be adopted.

BE IT FURTHER RESOLVED, that the Village Clerk-Treasurer is hereby directed to notice and post same including that the meeting will be held at Village Hall.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 15- 100

Village of Montebello

Title: Debra Mastroeni Consulting Services

WHEREAS, as more particularly set forth in the companion Resolution re: CMB Consulting Services, and for the same reasons, the Mayor recommends retaining the retired Village Clerk/Treasurer, Debra Mastroeni, as an independent consultant, on a needs basis at the Village's discretion at an hourly rate of \$59.00; and

WHEREAS, Debra Mastroeni is willing to serve the Village as consultant for the purpose of continuing to assist the new Village Clerk/Treasurer, Gloria Scalisi, in learning and performing her duties, such assistance to be by telephone, facsimile e-mail and correspondences, rather than in person; and

WHEREAS, given Debra Mastroeni's 17 years of service to the Village of Montebello, and that Gloria Scalisi, is learning the position while serving in same, such retaining of Debra Mastroeni as an independent consultant seems reasonable and prudent, and in the Village's best interest.

THEREFORE, BE IT RESOLVED, as recommended by the Mayor for the reasons described, that Debra Mastroeni be retained as an independent consultant for the purposes mentioned, to be utilized at the discretion of the Village, by the Mayor or in his absence the Deputy Mayor, at an hourly rate of \$59.00, total cost capped at \$4,000 in 2015 and \$15,500 in 2016 without further action of the Village Board, the preference being that the Village Clerk/Treasurer first reach out for guidance to Debra Mastroeni before, and unless necessary, reaching out to Maryann Baietti of CMB.

Motion: Trustee Sorrillo

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

Resolution No. 15-101

Village of Montebello

Title: CMB Consulting & Tax Services, Inc.

WHEREAS, given the retirement of the Village Clerk/Treasurer after 17 years, effective October 31, 2015, and, given the need to continue the training of the newly appointed Village Clerk/Treasurer to assist her in her role, the retiring Village Clerk/Treasurer and Mayor

recommend retaining the services of a consultant with strong exposure in municipal accounting services and as a Municipal Treasurer; and

WHEREAS, Maryann Baietti was recommended by the Village's Financial Consultant for this role, her services being available through CMB Consulting & Tax Services, Inc., at a fee of \$80.00 per hour, as per its proposal dated October 9, 2015, referenced as if set forth hereinafter; and

WHEREAS, a review of Ms. Baietti's resume reveals extensive experience in municipal accounting and in acting as a Municipal Treasurer.

THEREFORE, BE IT RESOLVED, effective November 1, 2015, that Maryann Baietti's services be retained through CMB Consultants & Tax Services, Inc., for the above purposes, and those as more particularly set forth in the proposal, at a fee of \$80.00 per hour, for a total not to exceed 112 hours, at a cost not to exceed \$9,000.00, it being understood that any time extension and increase in the capped amount shall only be upon further action of the Village Board, the day-to-day schedule of services subject to approval of the Mayor, or in his absence the Deputy Mayor, taking into consideration the opinion of the Consultant and the Village Clerk/Treasurer.

Motion: Deputy Mayor Millman

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

Village Clerk/Treasurer advised Iron Mountain was contacted to purge old records.

Village Clerk/Treasurer advised No Parking Signs are up on Dunnigan Drive however per Fire Inspector, we are in need of about 8 No Parking in Fire Zone Signs on right side of street.

Deputy Mayor Millman made a motion to adjourn, seconded by Trustee Golden. Upon vote, the motion carried unanimously. The meeting adjourned at 9:35 p.m.