

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, DECEMBER 16, 2015 AT THE MONTEBELLO COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 8:01 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

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

Recording Secretary, Gloria Scalisi, Village Clerk-Treasurer

#### Mayor's Report:

The Mayor reported that the 2016 taxes bills have gone out in a timely manner.

Mayor Oppenheim was pleased to announce a smooth transition with the new office staff at Village Hall. Debra Mastroeni has stayed in touch with Gloria to assist with this transition. The office has not required the services of the accountant as much as we expected which has saved the Village money.

The Mayor was pleased to announce that the new bridge is up and looks great.

#### New Park Commission Business:

Tony Piazza discussed Phase III Development Plan for Kathryn Gorman Ponds Park proposal of November 30, 2015, submitted to the Village of Montebello. The Mayor requested that Gloria Scalisi forward the proposal from the Parks Commission to Martin Spence for an estimated cost for the board to evaluate. This report would not require many details just a ballpark.

Amy Rapoport of the former Civic's Association made a contribution to the Village for the purchase of a park bench. Mayor Oppenheim mentioned a plaque be placed on the bench in honor of the Civic Association. A suggestion was made of a combination the Parks Commission and HPC to co-exist.

#### Public Comments:

Amy Rapoport expressed her concerns regarding two homes on Westgate. Comment regarding status of Novie. Mrs. Rapoport was advised that Novie is still in litigation. The Mayor explained that contractors will have their license revoked if they violate our laws.

Amy Rapoport expressed her disappointment in the Community Garden and how people have not shown respect to what they have been given. Amy was told that community gardeners were advised if their area was not cleared the plot would be taken away. It was suggested that a meeting be held before the season begins and during the season to maintain compliance.

Amy Rapoport question why West Gate has not been paved. Amy was notified that a portion of West Gate will be paved in the spring.

Student questioned if a tree has to be dead for it to be legal to cut it down. Trustee Caridi explained that a permit is required along with an arborist report to confirm the tree is actually dead.

John Cooper of Atlantic Tomorrows Office suggested the Village switching to the intelligence switch and keeping the old one on premises, remote remediation and other items per their proposal. The board agreed to review and revisit their suggestions.

Resolution: 15-107

Village of Montebello

Title: Approval of Minutes for November 4, 2015

BE IT RESOLVED, the minutes of the Regular Meeting of the Board of Trustees of November 4, 2015 be and are hereby approved.

Motion: Trustee Sorrillo

Second: Trustee Golden

Upon vote, the Resolution carried unanimously.

Resolution: 15-108

Village of Montebello

Title: Montebello Civic Association Donation

WHEREAS, Amy Rapoport, President of the Montebello Civic Association and an organizer and long-term participant in same since its inception in 1984, reports that she is in control of the Association's remaining funds, and that since the Association has become defunct, she in acting for and in furtherance of its goals and objectives, in wishing to donate said funds totaling \$4765.63, for the purposes as set forth in her letter of November 17, 2015, as more particularly set forth therein, to wit: for the purchase of a new picnic table and benches in the Kathy Gorman Ponds Park, together with a dedication plaque, and for the purchase of two Village flags, and the remainder in the discretion of the Parks Commission, for purchases within the Park; and

WHEREAS, Ms. Rapoport submits proof that she is owed a balance of \$64.25 for expense incurred for the Civic Association which she was unable to reimburse to herself because of how the bank closed out the account, requesting that \$64.25 of the aforesaid donation be paid to her, and the balance of \$4701.38 utilized for the purposes as earmarked;and

WHEREAS, utilization of the donation for the purposes intended is beneficial to the Village and its residents, and is most appreciated.

THEREFORE, BE IT RESOLVED that said donation, \$4765.63, less \$64.25 to be reimbursed to Amy Rapoport, or a net of \$4701.38, be and hereby is accepted for the expressed purposes with gratitude to the Montebello Civic Association and to Amy Rapoport for their collective good work in the betterment of the Village.

BE IT FURTHER RESOLVED, that the sum of \$64.25 be reimbursed to Amy Rapoport.

Motion: Trustee Golden

Second: Deputy Mayor Millman

Upon vote, the Resolution carried unanimously.

Resolution: 15-109

Village of Montebello

Title: 2016 Contract with Town of Ramapo for Highway Services

WHEREAS, the Village has been contracting with the Town of Ramapo on a calendar year basis for highway services and road maintenance, including snow and ice removal and maintaining the storm basin system and roadway culverts, and related services; and

WHEREAS, said contract, by its own terms, requires that each party notify the other of its intention to renew for the following year by October 15<sup>th</sup>, assuming that the Town notifies of any proposed change of terms by October 1<sup>st</sup> of the current year; and

WHEREAS, the Town sent to the Village a proposed contract for 2016, as received on November 12, 2015, identical in terms to the 2015 contract, at an annual price capped at \$429,542.00, or \$35,795.16 monthly, less any refund should the cost be less on a Time and Material basis, which reflects negotiations by the Village which previously clarified the terms and conditions especially Exhibit D, and confirmed that culverts are included, that the tree removals, except in an emergency, shall require prior estimate of cost and approval by the Village, are included, and more clearly stating the economic terms, and balancing paragraphs TENTH and ELEVENTH, and the Town has accepted the changes, all as more particularly set forth in a true copy of the Contract and Exhibit D which shall be appended to the minutes hereof.

THEREFORE, BE IT RESOLVED, as recommended by the Mayor in the interest of prudence, public safety, and controlling costs, that the Village accept the proposed contract with the Town, which shall be entered into for highway and related services for 2016, the Mayor being authorized to execute same for the Village, with the conditioning Resolution from prior years and this Resolution attached to, and considered part of the contract, for the purpose that such clarify and better reflect the full understanding of what the services are to be supplied by the Town and the economic terms including the clarifying changes to Exhibit D previously made by the Village Board and accepted by the Town.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 15-110

Village of Montebello

Title: 2016 Contract with Financial Consultant

WHEREAS, the Village's Financial Consultant Marvin Nyman has been providing financial consultant services to the Village since its inception; and

WHEREAS, Mr. Nyman's services include budget preparation, assisting the Clerk/Treasurer in maintaining the Village's financial records, preparation and submittal of the New York State AUD and Constitutional Tax Limit Report as well as an annual audit of the Justice Court accounts; and assisting with transitioning to a new Village Clerk and Deputy Clerk as needed.

WHEREAS, the Financial Consultant proposes continuing such services for 2016 pursuant to the terms set forth in a proposal dated November 5, 2015 referenced as if set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, said proposal being according to the same terms as the current year except for an increase from \$21,005 to \$21,500.

THEREFORE, BE IT RESOLVED, that Marvin Nyman continue to provide financial consultant services to the Village for the budgeted amount of \$21,500.00 paid in monthly installments of \$1,754.91 for the period of January 1, 2016 through December 31, 2016.

Motion: Trustee Sorrillo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 15-111

Village of Montebello

Title: 2016 Contract for Village Engineering Services

WHEREAS, Spence Engineering, Consulting and Municipal Engineers (“Spence”) supplied services as the Village Engineer in 2015 and several years before that; and

WHEREAS, Spence proposes to continue to provide services for 2016 in a proposal dated October 20, 2015, referenced as if set forth hereinafter at length, a true copy of which shall be appended to the Minutes hereof (“The Proposal”), for the fixed fee services at a lump sum of \$31,800.00 per annum, and time billable professional engineering and technical services between \$98.00 and \$125.00 per hour, and clerical services at \$48.00 per hour all as more particularly set forth in the Proposal.

THEREFORE, BE IT RESOLVED, as follows:

1. That the Proposal of Spence Engineering as aforerferenced to provide regular engineer services to the Village in 2016 including anticipated costs for Capital Projects and special reports be and hereby is accepted effective January 1, 2016, subject to the following conditions:
  - a. That it be understood that the Village’s professional bill appeal procedure shall be appended to the proposal as a part thereof; and
  - b. That the agreement may be terminated by the Village upon ninety (90) days advance written notice without cause at its election.

Motion: Trustee Golden

Second: Deputy Mayor Millman

Upon vote, the Resolution carried unanimously.

Resolution: 15-112

Village of Montebello

Title: 2016 Contract for Village Planning Consultant Services

WHEREAS, Robert Geneslaw Co., the Planning Consultant for the Village of Montebello, who, by the services of Robert Geneslaw, individually, has served the Village in that capacity for over 25 years, for the purpose of working with the Planning Board and Zoning Board of Appeals and generally to provide planning services, proposes to do so on a per diem fee basis not to exceed \$10,000 per annum, which includes services for the implementation to the Comprehensive Plan under the terms of a proposal dated December 9, 2014, referenced as if set forth hereinafter a true copy of which shall be appended to the Minutes hereof, submitted by said firm which terms are (identical to last year); and

WHEREAS, said firm has not increased its hourly rate for all personnel for review of applications before CDRC, Planning Board and Zoning Board of Appeals per the attached fee schedule; and

WHEREAS, said firm wishes to continue in such capacity and the Mayor recommends the continuance of same in the best interest of the Village, recognizing the Firm's 25 plus years of service to the Village; and

THEREFORE, BE IT RESOLVED, that said proposal, be and hereby is accepted for the 2016 calendar year and the Mayor is hereby authorized to execute same on behalf of the Village.

Motion: Trustee Golden

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 15-113

Village of Montebello

Title: 2016 Fueling Agreement with Town of Ramapo

WHEREAS, the Town of Ramapo has offered to renew a Fueling Agreement with the Village of Montebello for one year effective January 1st, 2016 pursuant to Article 5G of the General Municipal Law; and

WHEREAS, as more particularly set forth in said Agreement, referenced as if fully set forth hereinafter, a true copy of which shall be appended to the Minutes hereof, the Village's two vehicles may be fueled at the Town's facility on Pioneer Avenue, Tallman and the Village agrees to pay for such usage at the Town's cost plus 20% administrative fee to cover the Town's expense, said total cost to the Village being less than obtaining fuel by other means.

THEREFORE, BE IT RESOLVED, that said Agreement be entered into, and the Mayor authorized to execute same on behalf of the Village.

Motion: Trustee Sorriolo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 15-114

Village of Montebello

Title: 2016 Agreement for Building Inspection and Code Enforcement

WHEREAS, over the past six years the Village annually entered into a 5G Agreement with the Town of Ramapo for a qualified individual to be supplied to the Village, on a less than full time basis of 20 hours per week, to perform the services of Building Inspector for the Village, overseeing the Village's Building Department including all plan review, building inspection services, issuance of permits and Certificate of Occupancies, and prosecutions as necessary; and

WHEREAS, the Village wishes to continue using the services of Lawrence Picarello to perform said duties in the capacity of Building Inspector for the Village pursuant to the above Agreement; and

THEREFORE, BE IT RESOLVED, that the Agreement, referenced as if set forth hereinafter, a true copy to be appended to the Minutes hereof, be entered into with the Town of Ramapo pursuant to Article 5G of the General Municipal Law, effective January 1, 2016, to retain the services of Lawrence Picarello for 20 hours per week at a cost of \$1332.45 per week, or \$66.62 per hour as hours may be adjusted according to personal time, as more particularly set forth in said agreement which is consistent with the prior year; and

BE IT FURTHER RESOLVED, that although the Agreement is for the calendar year, it is especially noted in the circumstances that it may be terminated at any time by either party, upon 30 days written notice.

Motion: Trustee Golden

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Resolution: 15-115

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

BE IT RESOLVED, the Abstract and Schedule of Claims dated December 16, 2015, and totaling \$198,671.40 are hereby approved and the claims listed thereon shall be paid.

Motion: Trustee Sorriolo

Second: Trustee Caridi

Upon vote, the Resolution carried unanimously.

Mayor Oppenheim asked Gloria to check with our Insurance Company to confirm if there are issues of liable when retaining a towing company.

At 9:20 p.m. Deputy Mayor Millman made a motion to enter into Executive Session to discuss personnel matters, seconded by Melanie Golden.

Upon vote, the motion carried unanimously.

At 9:52 p.m. Trustee Golden made a motion to exit Executive Session, seconded by Trustee Sorrillo.

Upon vote, the motion carried unanimously.

At 9:52 p.m. Trustee Caridi made a motion to adjourn, seconded by Trustee Golden.

Upon vote, the motion carried unanimously.

The meeting adjourned at 9:52 p.m.