Lexow, Berbit & Jason

HEAR YE! HEAR YE! HEAR YE!

LET the word go forth that thanks to the wisdom, sage advice, guidance, dedication and unselfish toil of the above law firm; a dream became a reality and a way of life within a community has been preserved.

WE of the Western Ramapo Civic Association -- and the newly formed village of Montebello (circa 1986) -- extend our heartfelt gratitude and appreciation for all your contributions, without which we would not have accomplished our goal.

Lou Miller
Frances S. Osei
Malcolm T. Wane
Richard Mariani
Michael Fried
Randy McMullen
Kathryn Ellsworth
Connie Gilmore
Anthony R. Pavani
Jane Burke
Bob Jaeger
Amy J. Rapoport
Leamon McCurk
Thomas B. Phelbig
P. James Hickey

FIGURE 1

DEED DESCRIPTION FOR PROPOSED

INCORPORATED VILLAGE OF MONTEBELLO

ALL that certain tract or parcel of land situate, lying and being a part of the Town of Ramapo, County of Rockland, State of New York, being more fully bounded and described as follows:

BEGINNING at a point in the westerly line of Route 202 (also known as Haverstraw Road), where the same is intersected by the Village of Suffern line, and also the southerly line of the lands now or formerly of Tarantino (being and intended to be the southerly line of Tax Lot 13-62) and runs thence;

1. About N 38 degrees W for a distance of about 750 feet along the Village line and the southerly line of the said Tarantino and being and intended to be along the southerly line of Tax Lot 13-62, thence;

2. About N 50 degrees E for a distance of about 1770 feet along the lands now or formerly of Palisades Interstate Park Commission and being and intended to be along the westerly line of Tax Lots 13-62, 61A, 57A1, 55A1, 54, 52, 51, 50, 45, 41A2, 41A1, 40B, 40A, 33, B1B2, 33B1B1, 22B1A1 and 33A1, thence;

3. About S 40 degrees E for a distance of about 180 feet, still along the lands of Palisades Interstate Park Commission and being and intended to be along the northerly line of Tax Lot 13-33A1, thence;

4. About N 77 degrees E for a distance of about 350 feet, still along the lands of Palisades Interstate Park Commission and being and intended to be along the westerly line of Tax Lots 13-28C1 and part of Lot 28C2, thence;

5. About N 52 degrees E for a distance of about 850 feet, still along the lands of Palisades Interstate Park Commission and being and intended to be along the westerly line of tax Lots 13-28C2 (part of), 28C3, 28C4, 28C5 and 28C6, thence;

6. About N 38 degrees W for a distance of about 170 feet, still along the lands of Palisades Interstate Park Commission and being and intended to be along the southerly line of Tax Lot 13-23B1, thence;

FIGURE 2

EXHIBIT A

7. About N 50 degrees E for a distance of about 1600 feet, still along the lands of Palisades Interstate Park Commission and being and intended to be along the westerly line of Tax Lots 13-23B1, 23A3A, 23A2A, 23A1A, 21C1, 21B1, 21A2A and 13-21A1A, thence;

8. About S 40 degrees E for a distance of about 390 feet, still along the lands of Palisades Interstate Park Commission and being and intended to be the northerly line of Tax Lot 13-21A1A, thence;

9. About N 55 degrees E for a distance of about 2350 feet, still along the lands of Palisades Interstate Park Commission and being and intended to be along the westerly line of Tax Lots 13-14A1D, 4A2, 5E1B, 5E2B, 5E3B, 5E4B and part of 5E5B, thence;

10. About N 40 degrees E for a distance of about 1150 feet, still along the lands of Palisades Interstate Park Commission and being and intended to be along the westerly line of Tax Lots 13-5E5B, 5E6B, 5E7B, 5E8B, 5E9B, 5E10B, 1AA1 and 13-1AA2, thence;

11. About N 45 degrees E for a distance of about 2100 feet, still along the lands of Palisades Interstate Park Commission and the County of Rockland and being and intended to be along the westerly line of Tax Lots 13-1AA3, 1AA4, 1AA5, 1AA9, 1AA10, 1AA11, 8-2A2B1, 2A1B1, 33C10, 33C9, and 8-33C8, thence;

12. About S 32 degree E for a distance of about 800 feet, along the lands now or formerly of the County of Rockland and being and intended to be along the northerly line of Tax Lots 8-33C8, 33C7, 33C6, and part of 33C5, thence;

13. About S 40 degrees E for a distance of about 1400 feet, still along the lands now or formerly of the County of Rockland and being and intended to be along the northerly line of Tax Lots 8-33C5 (part of), 33C4, 33C16, 34C3, 34C2 and 34C1 to the westerly line of Route No. 202, thence;

14. About N 47 degrees E for a distance of about 180 feet along the westerly line of Route No. 202, thence;

15. About N 40 degrees W for a distance of about 350 feet along the southerly line of the lands now or formerly of Fisher and being and intended to be along the southerly line of Tax Lot 8-35, thence;

16. About N 47 degrees E for a distance of about 170 feet along the westerly line of the lands of the said Fisher and being and intended to be along the westerly line of Tax Lot 8-35, thence;

17. About S 40 degrees E for a distance of about 350 feet along the northerly line of the lands of the said Fisher and being and intended to be along the northerly line of Tax Lot 8-35 to the westerly line of Route No. 202, thence;

18. About N 47 degrees E for a distance of about 800 feet along the westerly line of Route No. 202, thence;

19. About N 37 degrees W for a distance of about 550 feet along the southerly line of the lands now or formerly of Fisher and of Gould and being and intended to be along the southerly line of Tax Lots 8-22A and 22A1A5 and thence to the center line of the Mahwah River, thence;

20. Northerly for a distance of about 900 feet along the center line of the Mahwah River and being and intended to be along the westerly line of tax lots 8-22A1A5, 22A1A3 and 8-22A1A4, thence;

21. About S 41 degrees E for a distance of about 130 feet along the lands now or formerly of Higgins and being and intended to be along part of the northerly line of 8-22A1A4, thence along the northerly line of the lands now or formerly of Schiffman and being and intended to be along the northerly line of Tax Lot 8-22A1A1 on the three (3) following courses and distances:

22. About N 58 degrees E for a distance of about 170 feet, thence;

23. About S 60 degrees E for a distance of about 150 feet, thence;

24. About S 81 degrees E for a distance of about 140 feet, thence;

Along the lands now or formerly of the County of Rockland and being and intended to be along the westerly and northerly lines of Tax Lot 8-22D on the three (3) following courses and distances:

25. About N 5 degrees E for a distance of about 250.00 feet, thence;

26. About N 60 degrees E for a distance of about 430 feet, thence,

27. About S 45 degrees E for a distance of about 480 feet to the westerly line of Route No. 202, thence;

28. Southerly for a distance of about 540 feet along the westerly line of Route No. 202 to the intersection of the southerly line of Grandview Avenue, thence;

29. About S 45 degrees E for a distance of about 90 feet across Route 202 to the southerly line of Grandview Avenue, thence;

30. Easterly for a distance of about 5500 feet along the southerly line of Grandview Avenue, thence;

31. About S 5 degrees W for a distance of about 500 feet along the easterly line of the lands now or formerly of Bruno, being and intended to be along the easterly line of Tax Lot 8-64A1, thence along the lands now or formerly of Toveti Corp. and being and intended to be along the easterly and part of the southerly line of Tax Lot 8-63D3 on the two (2) following courses and distances:

32. About S 3 degrees E for a distance of about 1350 feet, thence;

33. About N 87 degrees W for a distance of about 200 feet, thence;

34. About S 3 degrees W for a distance of about 450 feet through the lands of the Town of Ramapo and being and intended to be along the easterly line of Tax Lot 8-64B, thence;

35. About S 18 degrees E for a distance of about 450 feet, still through the lands of the Town of Ramapo and being intended to be along the easterly line of Tax Lot 8-79B, thence along the lands now or formerly of Darwick and being and intended to be along the northerly and easterly

line of tax Lot 8-22A3B1C5 and the easterly line of 8-22A3B1C4 on the four (4) following courses and distances:

36. About S 85 degrees E for a distance of about 80 feet, thence;

37. About S 5 degrees W for a distance of about 340 feet, thence;

38. About S 65 degrees W for a distance of about 90 feet, thence;

39. About S 21 degrees W for a distance of about 170 feet to the northeasterly corner of the lands now for formerly of Jacobson and Miller, thence along the easterly line of the lands of the said Jacobson and Miller and being and intended to be along the easterly line of Tax Lot 8-22A3B2 on the two (2) following courses and distances:

40. About S 21 degrees W for a distance of about 580 feet, thence;

41. About S 2 degrees W for a distance of about 220 feet, thence along the lands now or formerly of Scala and being and intended to be along part of the northerly line and along the easterly line of Tax Lot 14-4A4 on the two (2) following courses and distances:

42. About N 82 degrees E for a distance of about 50 feet, thence;

43. About S 8 degrees E for a distance of about 970 feet to the northerly line of Viola Road, thence;

44. Westerly for a distance of about 1420 feet along the northerly line of Viola Road to the easterly line of Spook Rock Road, thence;

45. About S 80 degrees W for a distance of about 40 feet across Spook Rock Road to the westerly line of same, thence;

46. Southerly for a distance of about 1150 feet along the westerly line of Spook Rock Road, thence;

47. About S 35 degrees E for a distance of about 50 feet across Spook Rock Road to the easterly line of same, thence;

48. About S 20 degrees E for a distance of about 2600 feet along the westerly line of the lands now or formerly of Rockland County Community College and the lands now or formerly of Aranoff and being intended to be along the easterly line of Tax Lots 14-33A1D, A1C, A1B, 33A1E2, 33A1A1, 33A1A2, 33A2, 33A3, 39A and 14-45A, thence;

49. About S 73 degrees W for a distance of about 80 feet still along the lands of the said Aranoff and being and intended to be along part of the southerly line of Tax Lot 14-45A, thence;

50. About S 20 degrees E for a distance of about 600 feet through the lands of said Aranoff, thence,

51. About S 73 degrees W for a distance of about 700 feet along the southerly line of the lands of said Aranoff and being and intended to be along the northerly line of Tax Lots 14-57A2, 576G6, 57G5, and 14-57G4, thence along the easterly line of the lands now or formerly of David Fant and being and intended to be along the westerly line of tax Lots 14-57G4, 57G3, 57G2 and 14-57G1 on the three (3) following courses and distances:

52. About S 43 degrees E for a distance of about 260 feet, thence;

53. About S 20 degrees E for a distance of about 100 feet, thence;

54. About S 5 degrees E for a distance of about 390 feet to the northerly line of Carlton Road, thence;

55. Westerly and southerly for a distance of about 1300 feet along the westerly line of Carlton Road to the northerly line of Airmont Road, thence;

56. Westerly for a distance of about 2600 feet along the northerly line of Airmont Road, thence;

57. About S 40 degrees E for a distance of about 50 feet across Airmont Road, thence;

58. About S 40 degrees E for a distance of about 2050 feet along the northeasterly line of the lands now or formerly of McKenzie, of Muzzo and of DGS Industrial Park Company, being and intended to be along the northeasterly line of Tax Lots 18-1A, 18-1B and 18-53A3, thence;

59. About S 48 degrees W for a distance of about 850 feet long the southeasterly line of the said DGS Industrial Park Company and of Muzzo being and intended to be along the southeasterly line of Tax Lots 18-53A3 and 18-52A2, thence;

60. Northwesterly for a distance of about 2300 feet along the northerly line of the New York State Thruway to the westerly line of Airmont Road, thence;

61. Southerly for a distance of about 900 feet along the westerly line of Airmont Road, thence;

62. Westerly for a distance of about 2350 feet along the southerly line of Dunnigan Drive, being and intended to be the northerly line of Erie Railroad, thence;

63. About S 5 degrees E for a distance of about 50 feet across said Erie Railroad, thence;

64. About S 35 degrees W for a distance of about 100 feet being and intended to be along the northerly line of tax lot 71-22A, thence;

65. Along the southerly line of the lands now or formerly of Jane Hall Cutler being and intended to be along the northerly line of Tax Lots 71-21A, 20, 44, 43, 41A, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31B and 17-31A1 on the six (6) following courses and distances:

66. About S 20 degrees W for a distance of about 200 feet, thence;

67. About N 89 degrees W for a distance of about 150 feet, thence;

68. About S 3 degrees E for a distance of about 440 feet, thence;

69. About N 84 degrees W for a distance of about 600 feet, thence;

70. About N 53 degrees W for a distance of about 620 feet, thence;

71. About S 55 degrees W for a distance of about 620 feet to the northerly line of Route 59, thence;

72. Westerly for a distance of about 1750 feet along

the northerly line of Route 59, thence;

73. About N 35 degrees E for a distance of about 3250 feet along the Village of Suffern line to the northerly line of the New York State Thruway, thence;

74. Easterly and northerly for a distance of about 1200 feet along the northerly line of the New York State thruway to the westerly line of Hemion Road, thence;

75. Northerly for a distance of about 600 feet along the westerly line of Hemion Road to the southerly line of Montebello Road, thence;

76. About N 10 degrees E for a distance of about 50 feet across Montebello Road, thence;

77. Westerly and northerly for a distance of about 1200 feet along the northerly line of Montebello Road, thence along the Village of Suffern line and being and intended to be along the easterly and southerly lines of Tax Lots 13-105D1, 105F3A, 105F2A and 13-105-E1 on the six (6) following courses and distances:

78. About S 15 degrees W for a distance of about 50 feet across Montebello Road, thence;

79. About S 15 degrees W for a distance of about 160 feet, thence;

80. About S 65 degrees W for a distance of about 240 feet, thence;

81. About N 80 degrees W for a distance of about 400 feet, thence;

82. About S 30 degrees W for a distance of about 40 feet, thence;

83. About N 50 degrees W for a distance of about 100 feet, thence;

84. About N 35 degrees W for a distance of about 250 feet to the southerly line of Montebello Road, thence;

85. Westerly for a distance of about 700 feet along the southerly line of Montebello Road, thence;

86. About S 35 degrees W for a distance of about 350 feet along the Village of Suffern line and being and intended to be along the easterly line of Tax Lot 13-44A, thence;

87. About N 40 degrees W for a distance of about 550 feet, still along the Village line and being and intended to be along the southerly line of tax lots 13-44A, 44B3 and 13-44AA313, thence;

88. About N 38 degrees W for a distance of about 1200 feet, still along the said Village line and being and intended to be along the southerly line of Tax Lots 13-100A1, 100A2, 97A, 95, 93, 91, 89, 87, 85, 83, 81, 79, 77, 75, 73, 72, 69 and 13-67A and thence across Route No. 202 to the Place of BEGINNING.

I, Charles W. Cumming, Jr., a Licensed Land Surveyor in the State of New York (License No. 39716) do hereby certify that the description set forth above is a true, complete and correct description of the boundaries of the proposed incorporated Village of Montebello, according to Section 2 of the Village Law; and do hereby certify that said Village consists of about 4 1/2 square miles, based on information taken from Town of Ramapo tax maps.

STATE OF NEW YORK
CHARLES W. CUMMING, JR.
No. 39716
LAND SURVEYOR

12/9/85
2.25 Pm.

----------x

In the Matter of the Incorporation of the Village of Montebello.

PETITION FOR INCORPORATION OF VILLAGE

----------x

We, the undersigned residents of the territory of the proposed Village of Montebello and qualified voters for town officers in the Town of Ramapo, hereby petition for the incorporation of said territory as a village pursuant to Article 2 of the Village Law.

(1) This petition is made and signed by at least 20 percent of the residents qualified to vote for town officers in the town in which such territory proposed to be incorporated is located.

(2) The name of the proposed village is Montebello.

(3) The territory proposed to be incorporated contains a population of at least five hundred regular inhabitants.

(4) The territory proposed to be incorporated does not include therein a part of a city or village; and the limits of said territory do not contain more than five square miles.

(5) Kathryn Ellsworth residing at 29 Mile Road, Suffern, New York 10901 and Warren E. Berbit residing at 46A Mile Road, Suffern, New York 10901 both residing in the territory proposed to be incorporated in the Town of Ramapo, New York, are hereby designated as the persons on whom and at which addresses all papers required to be served in connection with the proceeding for incorporation shall be served.

(6) That annexed hereto, designated as Exhibit "A" and made a part hereof, is a description of the territory proposed to be incorporated.

(7) That annexed hereto, designated as Exhibit "B" and made a part hereof, is a list of the names and addresses of the regular inhabitants of the territory proposed to be incorporated.

FIGURE 3-1

SIGNATURE PAGE
OF
PETITION FOR INCORPORATION OF THE VILLAGE OF MONTEBELLO

We the undersigned petitioners, being at least twenty per cent of the residents in the territory herein described and qualified to vote for town officers in the town in which all or part of such territory is located, each for ourselves declare that we are familiar with the contents and purpose of the annexed petition and the boundaries of the territory sought to be incorporated, and we hereby petition, pursuant to Article 2 of the Village Law of the State of New York, for the incorporation of such territory as a village.

NAME OF PETITIONER	STREET NAME AND NUMBER (if any)	TOWNSHIP
Kathryn Ellsworth	29 MILE ROAD	RAMAPO
Warren E. Berbit	46A Mile Rd.	RAMAPO
[illegible]	24 VIOLA RD	RAMAPO
Malcolm T. Wise	38 Mile Road	RAMAPO
Anthony R. Pavani	7 Vivian Place	RAMAPO
R B McMullen	55 Montebello Rd	RAMAPO
Fern Townfield	Montebello Road	RAMAPO
Ronnie J. Downey	4 Rocklyn Drive	RAMAPO
Patrick C. Downey	4 Rocklyn Drive	RAMAPO
Margery A. Rosenberg	11 East Place	RAMAPO
Mary Susan Ternquist	6 Canterbury Lane	RAMAPO
Thomas A. Ternquist	6 Canterbury Lane	RAMAPO
Lawrence J. Hickey	38 MAYER DR	RAMAPO
Albert J. Sicignano	1 Linda Drive	RAMAPO
Renee A. Sicignano	1 Linda Drive	RAMAPO
[illegible]	200 Spook Rock Road	RAMAPO

STATE OF NEW YORK)
: ss.:
COUNTY OF ROCKLAND)

William W Ellsworth, being duly sworn says:
(name of witness)
I reside at 29 Mile rd in the Town of
(Street and Number)
Ramapo in the State of New York.
I know each of the persons whose names are subscribed to the above sheet having 16 signatures; and each of them subscribed the same in my presence.

William W Ellsworth
(Signature of Witness)

Sworn to before me this
11th day of Dec. 1985.
Warren E. Berbit
Notary Public

WARREN ERIC BERBIT
Notary Public, State of New York
Qualified in Rockland County
Commission Expires March 30, 1986

R. Journal News, 12/21/85:

Montebello petition seeks village status

By LOUIS LAVELLE 12/21/85
Staff Writer

Organizers submitted to Ramapo Supervisor George Conklin on Friday a petition asking for a referendum on village incorporation for Montebello, a western Ramapo community of nearly 3,000 residents.

Conklin said Friday that his successor, Rockland Legislature Chairman Herbert Reisman, will have to decide on the validity of the petition. The Ramapo supervisor has 10 days to schedule a public hearing on the request.

Kathryn Ellsworth, president of the Western Ramapo Civic Association, and the organization's attorney, Warren Berbit of Suffern, submitted the petition to Conklin Friday afternoon.

The document's 500 signatures are well in excess of the necessary 330, or 20 percent of the proposed village's estimated 1,600 registered voters, she said.

Mrs. Ellsworth said the civic association simply was keeping a promise made earlier this month to work toward village incorporation to protect the community's rural nature.

"I don't see any movement by anybody to change things as far as development goes," she said. "We had a commitment by the community ... We had a mandate to do so."

The civic association seeks to incorporate a 4.5-square-mile area lying within a triangle formed by the Suffern village line on the south, Route 202 on the west and Airmont and Spook Rock roads on the east. The proposed village would have an estimated population of 2,900 residents.

Please see MONTEBELLO on back of section

If successful, Montebello could become Ramapo's ninth or 10th village. Viola Heights won Conklin's approval to hold a referendum in February, although litigation is expected to delay the vote for more than a year.

Three other proposed villages — Monsey, Kaser and Viola Heights' predecessor, Viola Hills — are seeking to have Conklin's rejection of their petitions overturned in court.

Mrs. Ellsworth said she did not time the filing of the petition to avoid its consideration by Conklin, whose track record on petitions, as far as organizers are concerned, leaves a lot to be desired.

"We gathered our signatures. We had a very good turnout in our community for our petition-signing night," she said. "It could have taken longer ... but it didn't."

She said she is confident that the petition filed Friday succeeds where Conklin has ruled the petitions for Monsey, Kaser and Viola Hills failed — in complying with the technical provisions of the state Village Law, which governs village formations.

"We believe we have done a good job, a responsible job, and we feel we have met the village requirements in the statute," Mrs. Ellsworth said. "We don't think — we know — we worked hard on it."

Conklin, who will be replaced by Reisman next month, agreed, saying "whoever did it knew what they were doing." He predicted that the town's latest village formation movement will meet with little resistance.

"It's not near anything," said the supervisor, explaining his prediction. "Who is going to oppose it?"

For Conklin, the weathering of five petitions for village incorporation in his one-year term as supervisor is an accomplishment — of sorts.

"That's a record," he said. "I don't know if it's one I want to be proud of, but it's a record."

R. Journal News, 1/8/86:

Village movement leader blasts Ramapo

By LOUIS LAVELLE 1/8/86
Staff Writer

A leader of the Montebello village movement blasted Ramapo officials Wednesday for refusing to grant a building moritorium and challenged councilman Maxwell Wortman's assertion that the proposed village would threaten the town's tax base.

Catherine Ellsworth, president of the Western Ramapo Civic Association, said the building ban requested by community leaders was intended "not to delay or harass any particular project, but to allow for careful consideration of land use."

She said that while the incorporation of Montebello would include the town's industrial corridor along the New York State Thruway, it would not cheat residents of unincorporated areas out of a ratables they helped subsidize with 10-year tax abatements, as claimed by Wortman. She noted that residents of Montebello had subsidized the abatements.

The impact of Montebello on the town's tax base will be "minor," she asserted, adding that attacks such the one Wortman unleashed at the Town Board workshop Monday night are counterproductive.

Wortman stood firm Wednesday, calling the Montebello organizers "an ambitious group of people" who are willing to destroy the town's tax base to maintain the rural nature of their community.

"This village is going to take the heart right out of our industrial area," the councilman said. "If we don't start thinking about our town ... we won't have much of a town left."

Montebello is one of a number of Ramapo communities seeking to incorporate on the grounds that the town government has not take precautions to protect their neighborhoods from unwanted development.

FIGURE 4 - 1

R. Journal News, 1/23/86

Village backers 'gained nothing' in Ramapo offer

By LOUIS LAVELLE 1-23-86
Staff Writer

After hearing a request for a scaled-down moratorium on building in the proposed village of Montebello Wednesday, Ramapo officials agreed instead to give organizers advance notice of any area zone change proposals.

Attorney Warren Berbit and Kathryn Ellsworth, president of the Western Ramapo Civic Association and a leader in the Montebello movement, said they gained nothing.

"I think they skirted the main thrust of what was requested," said Berbit, who will be notified of an proposed zone changes. "They did not vote on the moritorium we asked for."

"We already get notification of zone changes," Mrs. Ellsworth added. "I don't know what we gained here."

Montebello organizers sought a moritorium on special permits, subdivisions and zone changes for developments within the proposed village borders to protect the rural nature of the area.

Unofficially, town officials rejected the ban, saying a moritorium would open the town up to legal challenges from builders.

Berbit reduced the request Wednesday to a moritorium on zone changes, which he said would prevent a "rush" of builders from coming into the community. Such a rush would defeat the purpose of forming a village, he said.

Town Board members, however, opted to give Berbit notice of any zone change proposals and — due to an amendment added by Supervisor Herbert Reisman — to "show concern" for the residents' plight.

Some councilmen objected, saying they give notice and show concern now.

"To intimate that we would give anything but the normal treatment shows a lack of respect for the board," councilman Maxwell Wortman said. "We've never hidden anything from the public and never will."

"I don't see what we would accomplish by duplicating giving notice," councilman Emanuel Weldler added. "To show concern is ludicrous, since we're sworn to show concern for the town of Ramapo."

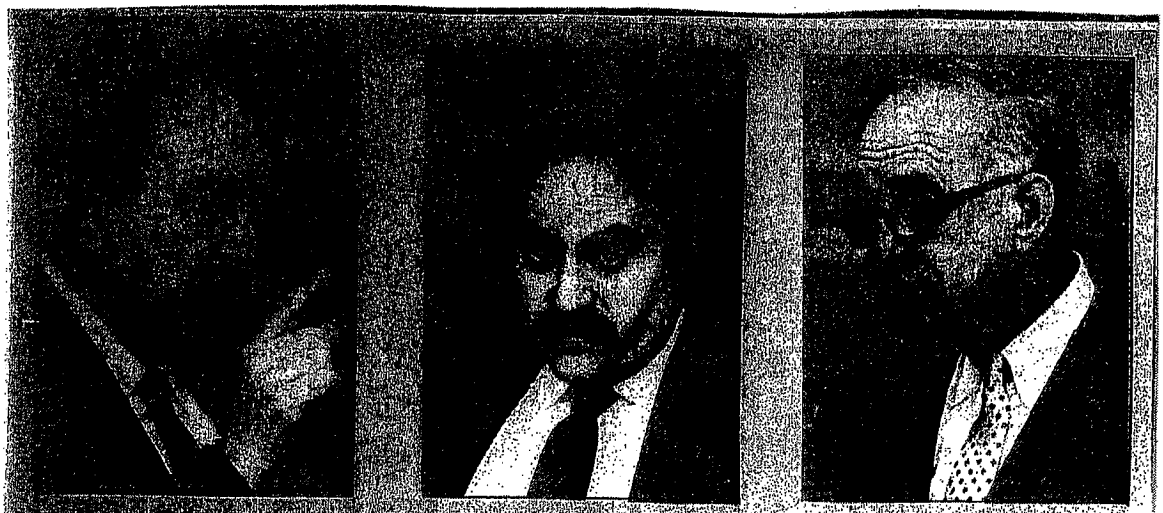
A dispute between organizers and Wortman, who charged the village would rob unincorporated sections of the industrial corridor residents helped subsidize, reared again.

Wortman took offense at Berbit's claim that the town would, in Wortman's words, "create a panic" among developers wishing to build in the proposed village.

He said "the shoe was on the other foot," adding that organizers "scared" residents into signing a petition for a referendum on village incorporation, which is the subject of a public hearing next month.

Village organizers denied the charge. They said the village formation's overwhelming support among residents made getting a petition signed easy and decried what they described as Wortman's "inflammatory rhetoric."

R. Journal News, 2/4/86



Herbert Reisman
...is surprised

Warren Berbit
...no encroachment

Robert Granik
...objects

Proposed village draws little protest at hearing

Decision on Montebello petitions within 10 days

By LOUIS LAVELLE
Staff Writer

2/4/86

A public hearing on the proposed village of Montebello Monday drew an estimated 200 spectators, but only one came to object to the Ramapo community's petition for village formation.

Robert Granik, an attorney representing six corporate and individual property owners in Montebello, charged that the village is too big, encroaches on two other villages and — since some owners are nonresidents ineligible to vote on village formation — will result in "taxation without representation."

Warren Berbit, an attorney for the village incorporating movement, said Montebello is 4.5 square miles — a half-mile below the limit — and does not encroach on Suffern or Wesley Hills. Kathryn Ellsworth, president of the Western Ramapo Civic Association, said afterwards that the nonresident property owners will be no more underrepresented after incorporation than they are now.

After the meeting, his first on village formation, Supervisor Herbert Reisman said he was surprised by Granik's charges. But he said his decision, which he has 10 days to make, will be based on an analysis by the town attorney.

"I will make a ruling that is based strictly on legal factors that I get from the town attorney," Reisman said. "He has to evaluate those points, not me."

Montebello organizers submitted a petition for a referendum on incorporation to then-Supervisor George

Please see MONTEBELLO on page B2

MONTEBELLO

☐ Continued from B1

2/4/86

Conklin on Dec. 20. The community of nearly 3,000 residents hopes to incorporate the triangular area bordered by the Suffern village line on the south, Route 202 on the west and Airmont and Spook Rock roads on the east.

Granik was the only member of the audience to object to the petition. He submitted three written objections on behalf of Avon Capital Corp., the owner of a 42-acre parcel, and its contract purchaser, Ramapo Corporate Center Associates; Ciba-Geigy Corporation, International Paper Co., Baker Properties and AT&T Technologies Inc.; and Steven Schwartz, executor of the estate of Henry Schwartz, the owner of a 247-acre tract.

In addition to claiming the proposed village exceeds the five-square-mile limit and takes in parts of Suffern and Wesley Hills, Granik said his clients will not be able to vote on incorporation but their property will be subject to "disproportionate taxation" to support the village — a situation he described as "a clear and unequivocal imposition of taxation without representation."

If his clients' land is included in the proposed village and "subjected to zoning which will deprive them of vested rights," Granik said it will constitute taking without due process, a violation of the 14th Amendment to the U.S. Constitution.

Granik also said that his clients, whose property forms part of the industrial corridor on the east side of North Airmont Road, were made part of Montebello "for the sole reason" that town officials already have approved a corporate center and large office building that will constitute a "substantial" tax ratable for the new village.

Berbit objected to Granik's remarks, saying he had no right to speak as a representative of nonresident clients and that his comments went "well beyond" addressing the legal sufficiency of the petition.

The only resident other than the attorneys to speak, Stanley Dworkin of Viola Road — no relation to Ramapo's Democratic legislator — agreed. He said that if Granik can argue for the petition's inadequacies, Berbit should be allowed to defend the document.

After the meeting, Ms. Ellsworth said Granik's comments were "not unexpected," adding that she was encouraged by the strong community turnout.

"I think they're exercising their right to be American and their freedom of speech," she said of the attorney's clients. "I don't think they were saying they don't want to be part of the village. There is a difference of opinion as to the legal sufficiency (of the petition) being presented."

R. Journal News, 2/12/86:

Montebello referendum petition wins approval

By LOUIS LAVELLE 2/12/86
Staff Writer

Ramapo Supervisor Herbert Reisman approved what he described as an imperfect petition for a referendum on the proposed village of Montebello Tuesday, saying objections raised at a public hearing were "untrue."

Robert Granik, an attorney for six village property owners, argued Montebello was too big, encroaches on two other villages and will result in "taxation without representation." He said he probably will take legal action to block the vote.

A village organizer declined to comment on the possibility of legal action, but said Reisman's decision confirmed her claim that the petition was valid.

"I think the attendance at the public hearing (and) the support that the community had that night when no challenge was presented by our neighbors (proves) the community is behind us," said Kathryn Ellsworth, president of the Western Ramapo Civic Association, referring to a Feb. 3 hearing on the petition. "This is good news for our community."

Reisman's action, his first on a proposed village, brings to two the number of village referendums approved by town supervisors in the past two months. Former Supervisor George Conklin approved a vote for Viola Heights on Dec. 5. But organizers for Kaser — part of which Viola Heights seeks to incorporate —have challenged the vote in court.

In approving the Montebello petition, the supervisor said he "applied the law of reason and justice."

Reisman said Granik's claims that the village exceeded the five-square-mile limit and takes in parts of Suffern and Wesley Hills were "untrue." But he said the document was flawed by technical errors, including the use of incorrect post office box numbers by signatories and illegible handwriting.

"The petition was not perfect. It had numerous mistakes," Reisman said. "But I was not going to nitpick. The petition clearly showed where all the borders of the village were supposed to be. They didn't cross all their 'T's and dot all their 'I's, but any normal person would know what they were talking about."

The supervisor said anyone with objections to his decision must seek an injunction in state or federal courts staying the referendum within the next 30 days, after which the town has 40 days to schedule the vote.

Granik, in addition to representing six corporate property owners in the industrial corridor east of North Airmont Road, is the owner of a 247-acre tract, said his clients might direct him to take Reisman up on the offer.

"I think that my clients probably will commence litigation ... to protect their positions," he said. "(But) my clients would much prefer to come to an amicable agreement."

In addition to being too big and encroaching on

Please see MONTEBELLO on page B2

two other villages, Granik at the public hearing claimed the formation of the proposed village will result in "taxation without representation," since some property owners are nonresidents ineligible to vote on village formation.

Reisman did not address the taxation issue in his decision, which — unlike Conklin's typewritten village decisions — were verbal.

Granik said Tuesday that he disagreed with Reisman's claim that his three charges were untrue.

"I assume the town attorney advised the supervisor that the petition met all the requirements of the statute," Granik said. "His opinion is his opinion. My opinion is mine."

If a referendum is held, a simple majority of Montebello's voters would be required for approval, which could make it the first new village in town since Wesley Hills and New Hempstead formed in 1902 and 1963, respectively.

The community of nearly 3,000 residents hopes to incorporate to protect the rural nature of their area. Montebello would be a triangular village bordered by the Suffern village line on the south, Route 202 on the west and Airmont and Spook Rock roads on the east.

In addition to Viola Heights and Kaser, several other communities also are considering village formation, including Monsey, Airmont and Chestnut Ridge. A decision by Reisman on the Chestnut Ridge petition is expected this week.

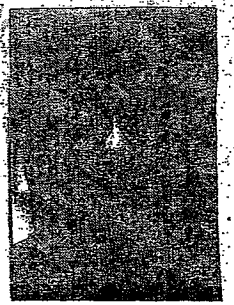
R. Journal News, 2/14/86;

Village organizer says movement is serious business

By LOUIS LAVELLE
Staff Writer

2/14/86

Nine months ago, Kathryn Ellsworth was a Ramapo homemaker elected president of a long-dormant civic association. Now she's on the verge of redrawing the town map to include a new village.



KATHRYN ELLSWORTH

The Mile Road resident said leadership was not sought, but thrust upon her by neighbors in the community of Montebello who feared a change in the area's rural nature that they were powerless to stop.

"Forming a village was not an impulsive action," she said. "It took a great deal of thought and a great deal of soul-searching by the (association's) board. It was not an impetuous decision by any means. I realize the responsibility ... I'm not gleefully clapping my hands."

While she wasn't jumping for joy, Mrs. Ellsworth admits she experienced a tinge of happiness Tuesday when Supervisor Herbert Reisman approved a referendum on the proposed village. It would have nearly 3,000 residents in the triangular area bordered by the Suffern village line, Route 202 and Airmont and Spook Rock roads.

But she realizes that her dream of a new village could be shattered if New City attorney Robert Granik files legal objections on behalf of his clients — six corporate property owners in the industrial corridor east of North Airmont Road and the estate of Henry Schwartz, the owner of a 247-acre tract.

Mrs. Ellsworth, 39, said she became involved with the Western Ramapo Civic Association — the moving force behind the thus-far successful village incorporation movement — as a way of helping her neighbors.

Sparked by plans for a corporate park and an unsuccessful request for a zone change, many Montebello residents feared the rural nature of their community would be changed. They felt electing councilman and planners from their area wasn't enough.

Mrs. Ellsworth was elected president of the civic association in April 1985, after the organization laid dormant for almost six years following its formation in 1978 to oppose the extension of East Mayer Drive to Airmont Road.

She said her background as a nurse at Columbia Presbyterian Hospital from 1968 to 1979 prepared her for the task of helping her neighbors. But she discounted the bored housewife theory as a reason for her involvement.

"I'm not looking for an outside interest because I'm stifled or bored," she said. "Extracurricular activities are nice ... but they're not my prime focus. It's an adjunct to life."

Born in New York City in 1946, Mrs. Ellsworth was raised in Washington Heights. She attended parochial schools and graduated from the Bellvue School of Nursing in 1968. She moved to Rockland in 1975 and lived on a farm off Route 202 before moving to the two-acre Mile Road parcel, where she keeps a horse and cat.

Her husband, William, is a deputy sheriff with the Rockland County Sheriff's Department. They have two children: a 6-year-old daughter, Jennifer, and a 3-year-old son, Matthew.

Mrs. Ellsworth said she does not consider herself a leader, but part of a team of local activists responsible for the birth of the village movement. She has not decided if she will run for mayor of the new village, if formed. "My family comes first," she said.

While Matthew threw a temper tantrum on the living room rug — he wouldn't be appeased by the promise of an Oreo cookie — his mother explained the reason for forming a new village.

"Most of us want to have an environment for our children," she said, referring to the deer, hawks and other wildlife that inhabit the area. "This is about as 'country' as you're going to get this close to New York City."

R. Journal News, 3/18/86;

Montebello vote set for April 14

3-18-86

By LOUIS LAVELLE
Staff Writer

Ramapo Supervisor Herbert Reisman announced Monday that a referendum on the proposed village of Montebello will be held on April 14, paving the way for what could be the town's first new village in three years.

A community vote on the proposed village of Chestnut Ridge is expected to be scheduled today, after Reisman meets with civic association leaders at 2:30 p.m. in Town Hall, he said.

The Montebello referendum, if successful, would result in the first new village in Ramapo since the formation of Wesley Hills and New Hempstead in 1982 and 1983, respectively.

Reisman approved a petition for the referendum in February,

Please see VOTE on page B3

VOTE

❑ Continued from B1

calling "untrue" the claim by an attorney for six property owners that the 4.5-square-mile village was too big and encroaches on two other villages.

The date for the vote was selected by Reisman during an afternoon meeting with Town Attorney Sam Blecher, Town Clerk Joy Gorman and Kathryn Ellsworth, president of the Western Ramapo Civic Association, the organization instrumental in the village formation movement.

Reisman said the voting will be from noon to 9 p.m. at a school to be designated following a meeting between town and Ramapo Central School District officials.

A simple majority of Montebello's voters would be required to incorporate the community of nearly 3,000 residents. The area is bordered by the Suffern village line on the south, Route 202 on the west and Airmont and Spook Rock roads on the east.

Residents of Montebello organized to protect the rural nature of their area. It is one of several communities currently seeking village formation, but one of only two that have had petitions approved for the purpose.

Former Supervisor George Conklin approved a vote for Viola Heights on Dec. 5. But organizers for Kaser — part of which Viola Heights seeks to incorporate — have challenged the vote in court, a move organizers say will delay that incorporation indefinitely.

R. Journal News, 4/13/86.

Vote on proposed Montebello village set for Monday

By JERRY DeMARCO 4/13/86
Staff Writer

Voters will decide Monday whether Ramapo will reshape itself for the first time in three years, with a referendum on the proposed village of Montebello scheduled from noon to 9 p.m. at Suffern Junior High School.

The Montebello referendum, if successful, would create Ramapo's first new village since the formation of Wesley Hills and New Hempstead in 1982 and 1983, respectively.

A simple majority of Montebello's voters is required to incorporate the community of nearly 3,000 residents, about a fourth of Ramapo's population. The triangular area is bordered by the Suffern village line on the south, Route 202 on the west, and Airmont and Spook Rock roads on the east.

A similar vote is scheduled for April 21 on the creation of Chestnut Ridge. If successful, that referendum would create a village supplanting Wesley Hills as Ramapo's largest in area — with 9,200 residents and five square miles, New York's legal limit for a village.

"The community is behind us," boasted Kathryn Ellsworth, president of the Western Ramapo Civic Association, in calling for area residents to seize control of local land use by seceding from the town.

While avoiding most of the legal complications that have frustrated proponents of the creation of several other new village in Ramapo, Montebello supporters have not completely avoided controversy with their drive for home rule.

Montebello proponents this week said they have resolved an apparent misunderstanding

Please see MONTEBELLO VOTE on page B2

MONTEBELLO VOTE 4-13-86

☐ Continued from B1

over who was eligible to vote on the question — a problem created by literature they produced and circulated.

Contrary to information on a flyer recently circulated within the proposed village boundaries, those eligible to vote Monday simply must reside within the proposed 4.5-square-mile boundaries and be eligible to vote in a Ramapo town election.

"At worst, it was just a partial misunderstanding," claimed Warren Berbit, a lawyer and a director of the Western Ramapo Civic Association, the organization that mounted the village formation movement and produced the erroneous flyer.

"Unfortunately, on that one flyer, the language got a bit garbled," Berbit said. The flyer created the impression that, in order to vote in the referendum, a resident had to be a property owner. Property ownership is not a requirement.

"Looks like they just made a mistake," said Jerome Kornfeld, a former Ramapo town attorney who at first opposed carving out the new village, but since has withdrawn his opposition.

"For the short-term future, the village is the only viable alternative to having land developers come in and destroy the whole area," he said. "The long term is a different story."

Kornfeld and Ramapo Town Councilman Maxwell Wortman, a steadfast village opponent who also said he was relenting to the village movement, first brought the error in the flyer to the public's attention.

Berbit said he expects the village, if created, to contract with the town for police, road and tax services. He also anticipates a "phase-in of village control" lasting about a year to 18 months.

Among several communities currently seeking village formation, Montebello residents organized to protect the rural nature of their area.

In addition to Montebello and South Spring Valley's Chestnut Ridge, a referendum for the proposed village of Viola Heights has been approved by the town.

It is being delayed, however, by a court challenge by the organizers of the proposed village of Kaser, parts of which Viola Heights is seeking to incorporate.

"Villagemania" also has struck in other parts of Ramapo, with residents of the communities of Monsey and Airmont considering incorporation.

4 — 6

RiJournal News, 4/15/86:

It's the village of Montebello!

By KIM FARARO
Staff Writer

4/15

Montebello residents voted overwhelmingly to take control of their governance from Ramapo Monday when they decided 689-105 to incorporate as a village.

Barring any successful challenges to the vote, Montebello is expected to remain under Ramapo's jurisdiction until at least June 1987, although a village board can be elected as early as this June.

"(I feel) joy, elation, a sense of accomplishment," said Kathryn Ellsworth, leader of the civic group that spearheaded the incorporation movement to wrest control over zoning from Ramapo and preserve the community's rural nature.

Ramapo officials said Montebello's decision, in concert with other incorporation movements around Rockland largest town, could signal the start of a drastic reduction in the power of town government.

Montebello would become Ramapo's ninth village and the first carved from the town since the formation of Wesley Hills and New Hempstead in 1982 and 1983, respectively.

Ms. Ellsworth cried with the announcement of the final tally just after 9 p.m. at the Suffern Junior High School polling place, where she and about 20 other members of the Western Ramapo Civic Association had anxiously awaited the news.

Civic group members burst into applause and some planned to celebrate with champagne at the home of a supporter.

Ms. Ellsworth said she was pleased by the overwhelming support and the turnout, which represented 40 percent of the 1,960 eligible voters living within the borders of Montebello.

The 4.5-square-acre triangular area is bordered by Suffern on the south, Route 202 on the west, and Airmont and Spook Rock roads on the east.

It is a composed mainly of single-family homes, situated on one-third of an acre to two acres of land; although there is some light industry and several sprawling farms and estates.

Ramapo Town Clerk Joy Gorman said Montebello will not be incorporated until the necessar papers are filed with the Secretar of State. That cannot happen, she said, until the period of time for vote challenges elapses. She believed challenges had to be filed within 30 days.

While a Montebello Village Board could meet before June 1987, association counsel Warren Berbit said he expected leaders to concentrate first on creating vil-

Please see VILLAGE on back of section

☐ Continued from A1

lage boards and zoning, and other plans during the first year.

By incorporating, a village can form a village board and ordinances, as well as control zoning and development through zoning and planning boards. It also can choose whether to utilize town services, such as police or contract out on its own.

Berbit said he expected the village to rely heavily on the town for services.

Although civic association members heralded the Montebello results, the vote received mixed reactions from Ramapo leaders, who say it could be a critical step toward weakening town government.

Ramapo faces another challenge Monday when residents of what could become the village of Chestnut Ridge vote on incorporating.

Several other Ramapo communities also have taken steps toward incorporation — mainly over zoning issues — but those bids are either being challenged in court or have not reached the voting stages.

Supervisor Herbert Reisman, who attended the polling place Monday, said he remained neutral on Montebello incorporation.

"This is democracy at work," he said. "The people have a right to petition government for a change in government, and they have exercised that right."

Councilmen David J. Stein and Emanuel Weldler agreed, but they both voiced disappointment that residents felt the need to incorporate.

"We (Ramapo) may become known as a home of villages," said Weldler, the Town Board's only Republican member. He added that the changes could reshape the town as an entity that no longer governs, but only provides services such as police protection.

Stein said the Montebello vote could make overall land usage in the town less flexible because there would be less town-controlled space for such things as industry.

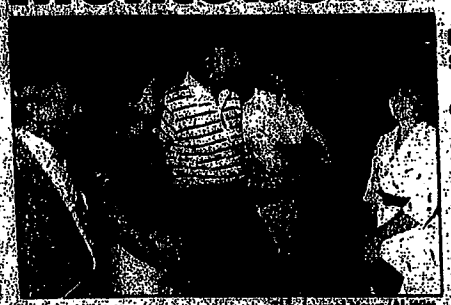
"Each incorporation is detrimental to the town of Ramapo as a whole," the Democrat said.

The Journal-News/ Al Witt

Kathryn Ellsworth, leader of the civic group that spearheaded the incorporation movement, said she felt 'a sense of accomplishment. At left is association counsel Warren Berbit.

4 - 7

Montebello residents elect new village officials



Al Wm

Montebello officials Bob Jaeger, Connie Gilmore, Anthony Pavoni, Lou Miller and Kathryn Ellsworth.

By FRANK LEONARD 7-1-86
Staff Writer

Montebello today is a village with an elected mayor and four trustees.

Residents put the finishing touches Monday to a referendum they approved April 14, when they voted to formed a government to gain control over zoning in the community near Suffern.

Elected Monday were Kathryn Ellsworth, 38, to a two-year term as mayor; Robert Jaeger, 59, and Louis Miller, 49, two year terms as trustees; and Anthony Pavoni, 44, and Connie Gilmore, 41, one year terms as trustees. All five ran unopposed and without a party affiliation.

"I'm pleased. I think I'm probably more relaxed with this particular vote than I was for the referendum," Mrs. Ellsworth said Monday night.

The mayor-elect said that an unofficial total of 208 votes were cast during polling hours — noon to 9 p.m. — at Suffern Junior High School.

Pavoni estimated the elected received a 15 percent turnout of the village's registration of 1,753 voters. He said the showing was "not bad considering that (we're) in the middle of a Fourth of July week."

The election was the second by a new Ramapo village in the last week. On Thursday, residents of Chestnut Ridge elected four trustees and a mayor. They also ran unopposed.

Mrs. Ellsworth said she probably will take the oath of office in about two weeks at the Masonic Temple on Route 202. There is no village hall and the village government is being run from a village office at 29 N. Airmont Road.

She and her fellow Village Board members belong to the Western Ramapo Civic Association, which pushed for incorporation. She is the association's president.

Under state election laws, two trustees sought terms for two years and two ran for one-year terms.

Jaeger called the Village Board a "sensational" group, one "ready to listen and to learn."

The victors celebrated at a post election party attended by about 45 family and friends at Pavoni's home.

"They elected my place" for the party, said Pavoni, joking about the board's first decision.

FIGURE 5

ROCKLAND JOURNAL-NEWS, THURSDAY, OCTOBER 17, 1991

Montebello board, residents discuss effects of proposed affordable housing

By Alan Rittner
Staff Writer

Montebello needs to consider how a proposed 120-unit affordable housing development might affect local schools, traffic and finances, speakers told the village Board of Trustees last night.

About 50 people attended a public hearing at Suffern High School on the proposed Indian Rock development, 120 town houses that would sell for about $125,000 apiece. Yesterday's meeting was an informational session, although developer Eric Bergstol hopes to receive a zoning change from commercial to residential.

The development would be built on 27 acres at the northeast corner of Hemion Road and Route 59. Housing would cover 16 acres, and retail shops would cover the rest.

Charles Grottenthaler, superintendent of the Ramapo Central School District, said the development might add another 97 to 100 students to the school system, according to district studies.

He said the busing system could handle the extra burden, but classrooms might become overloaded, especially if state budget cuts force teacher layoffs.

"If we are reduced in state aid, we are going to have to reduce staff," Grottenthaler said. "There's not much left that's non-staff that we can cut."

School districts throughout the county suffered massive state aid cuts this year because of the recession. The cuts could be even more drastic next year, Grottenthaler said.

Ramapo Central school Trustee Stanley Weiner of Suffern agreed that the last thing parents want is larger classes.

The cost of educating one child is about $13,000, Weiner said. Based on the student increase projected by Grottenthaler, the Bergstol development would force the school district to increase taxes by 4 percent, he said.

Robbyn Fritz, vice president of the Montebello Civic Association, noted that the school district also would face a population increase from the proposed 175-home Schwartz Estate development in Montebello.

A number of speakers said the project might tie up traffic around Route 59, Hemion Road and Airmont Road.

"Right now, Airmont Road is almost impossible to pass at certain times of the day," said Ed Bracken of 3 East Place, Montebello. "If you put that project at Hemion Road, Airmont will be completely impossible."

Speakers also were concerned about how tenants would be selected.

Village Trustee Lewis Miller said the village needed to create a priority list, to allow valuable village residents such as volunteer firefighters and ambulance corps members first shot at affordable housing.

Miller, also a Planning Board member, said the Planning Board unanimously opposed the project as much too large. He also insisted on owner-occupied housing.

One speaker offered a strong defense of Bergstol. "You have as a developer a very responsible and responsive person," said Warren Levin, president of the Homeowners Association at Bergstol's Fairgrounds I development in West Haverstraw.

Bergstol, who was at the meeting, said he's been pleased with the village's response to the proposal.

"The village has been very open-minded," he said. "We want to provide all the information the village requires in order to make a sound judgment."

Mayor Kathryn Ellsworth said the village would hold another public meeting on Nov. 20 to try to answer the residents' questions.

FIGURE 7

The Village of Montebello Inaugural Ceremony
Montebello Village Hall
11 AM Sunday, April 15, 2007

Welcome
The Honorable Lance Millman
Deputy Mayor of Montebello

Pledge of Allegiance
Led by
Samuel, Gabrielle and Jules Oppenheim
Nicole and Alexa Caridi
Steven, Scott and Nicholas Sorrillo

Reflections on Montebello's History
Warren Berbit, Esq., Village Attorney

Administration of the Oath of Office to Trustees
Steven A. Sorrillo and Stacy Caridi
The Honorable Judge Robert Berliner
Rockland County Surrogate

Administration of the Oath of Office to Mayor Jeffrey S. Oppenheim
The Honorable Judge Robert Berliner
Rockland County Surrogate

Inaugural Comments
Mayor Jeffrey S. Oppenheim

Reception

Sponsored by Preserve Montebello

FIGURE 8