

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, FEBRUARY 18, 2026, AT THE DR. JEFFREY OPPENHEIM COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 7:00 PM. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Lance N. Millman	Mayor
	Stacy Caridi	Deputy Mayor
	Bruce Egenhauser	Trustee
	David Rose	Trustee
	Warren E. Berbit	Village Attorney
Absent	Michael Humphrey	Trustee
Recording Secretary:	Joan Will	Village Clerk-Treasurer

Mayor's Report:

Mayor Millman advised everyone that it was an extremely foggy night this evening and wanted everyone to be careful driving. Also, when walking at night, please put on reflectors so cars can see you.

Building Department Report:

The following is the Building Department Report for the month of January 2026:

- (11) building permits were filed. A total of \$13,116.00 in permit fees were collected.
- (10) Certificates of Occupancy were issued.
- No locations were inspected during the month; \$0 in Fire Inspection fees were collected during the month.
- (13) code violations were issued. (5) appearance tickets were issued.

Historic Preservation and Parks Commission (HPPC) Report

There was no report this month.

Public Comment:

Shawn Bloom – 4 Danielle Court wanted to know when the stop signs would be installed that were approved last year. Mayor Millman advised that the Village will follow up with the Town of Ramapo to see when that will be. With no one else from the public wishing to speak, Mayor Millman closed this portion of the meeting.

Public Hearing – Cell Tower

Village Attorney Berbit explains the process of moving forward. He stated that the Public Hearing would be continued and a decision would be made another night. Village Attorney advised the board to re-open the continued Public Hearing. Deputy Mayor Caridi moved to re-open the Public Hearing at 7:15pm, seconded by Trustee Egenhauser, all in favor.

Village Attorney Berbit stated that there have been three documents submitted to the Village since the last hearing date that he would like entered into the record:

1. An email dated February 12th from Homeland Tower attorney, Mr. Robert Gaudio, indicating that he would be out of the country for tonight's Public Hearing and respectfully requesting the Public Hearing continue to March. Village Attorney Berbit stated that there was a change at the end of the meeting on January 21st over the continued date and the Board decided to move to February 18 instead of January 28, making Mr. Gaudio unavailable. Despite that, the Board is continuing this evening.
2. The second document is independent compliance assessment ordered by the Village titled "Independent RF Engineering Opinion – FCC RF Compliance Assessment Site NY161 – Tallman, 350 Haverstraw Road, Montebello, New York". This report was ordered in reaction to some comments made as a prior Public Hearing testimony. Mayor Millman instructed our Village Engineer to find an independent expert on the subject of the RF exposure, to review the entire file, and to render an opinion on whether the proposed tower represents a safe activity or whether there were any problems with it. It is a three-page analysis. Village Attorney Berbit stated that a copy of this document was uploaded to our website and copies are available this evening to whomever wants a copy.
3. The third document Village Attorney Berbit wishes to enter into the record is an attorney submitted 2-part document purporting to represent seven households. The first document is called "Memorandum in Opposition" and the second document is called "Exhibits in Opposition" from Andrew Campanelli of Campanelli & Associates, PC – 1757 Merrick Avenue, Suite 204 – Merrick, NY 11566.

Mayor Millman stated that the documents presented by Campanelli & Associates are date-stamped February 17th and the attorney from Homeland, who is out of the country, has yet to see these documents and has not had an opportunity to review, respond, or react to them. The President of Homeland Towers is in attendance tonight. Since Mr. Gaudio is not present, there will not be any response to questions about these documents, if any.

Mayor Millman stated that after the last day of Public Hearing, the Village Board hired a completely independent engineering firm that had nothing to do with Homeland Towers.

Mayor Millman opened the discussion to the public.

1. Andrew Campanelli of Campanelli & Associates, PC – 1757 Merrick Avenue – Ste 204 – Merrick, NY 11566 presented his two documents called "Memorandum in Opposition" and "Exhibits in Opposition".

- Stated that he has been in practice for 33 years and handles cell tower cases across the country.
- Stated that Homeland is not a wireless carrier, it is a tower service provider that leases space to actual carriers.
- stated that he wants municipalities to enforce their zoning laws.
- Stated he believes this tower would oversaturate the area.
- Stated that no one did a drive test but only provided propagation maps prepared by software.
- Stated that homes may be devalued up to \$167,000.
- Stated that there is a park nearby and the tower can be put there in a less intrusive location and will not have adverse impact on any homes.
- Stated that the Village Board should send the application to ZBA, and states that the Village Board has no training.
- Stated that if the Village Board grants the installation of the tower there is a distinct possible that the residents may pursue litigation and upon winning his fee is \$100,000.
- Stated that the tower belongs within Harriman Park.

Mayor Millman reminded Mr. Campanelli that this is not a courtroom, and he is not asking questions demanding responses from the Village Board or the Homeland representative. Mayor Millman explained that the Board is in receipt of the document and will review it.

2. Shawn Bloom – 4 Danielle Court – Montebello wanted to read a letter from his spouse and stated that the installation of a cell tower would result in a floodgate of resident's moving out of the village. He stated that he has coverage, and realtors will not wish to show their homes. Stated that he did not move here for a cell tower. He stated that with the closing of the school people don't want to live here. His kids go to private school in New Jersey.

Mayor Millman remarked that this Board has no say in the Education Department or the closing of schools.

3. Michael Rosenblum – Tallman Firehouse – 289 Route 59 – Tallman. He represents the Tallman Fire Department. He stated that there are several locations within the village that do not have service, including Kakiak Park and lower part of Harriman Park. Stated that if there is a brush fire and they are in the park behind this building, there is no way of communicating with anyone. They take their jobs seriously to protect life, property, and people within the community.
4. Debra Leigh of 324 Haverstraw Road – Montebello. She states that she hikes and she has cell service.
5. Dorice Madronero – 4 Regis Court – Montebello. She stated that in year's past when rangers needed to have phone access, they would use her dial up service from her home. She stated that there is a need for service within the park.

6. Dennis Murphy – Tallman Firehouse – 289 Route 59 – Tallman. He stated that there is need for better coverage in the area.
7. Shawn Bloom – 4 Danielle Court – Montebello. He asked if the Village has ever heard of Starlink. He stated it is satellite. He stated that the fire departments could buy Starlink and have the government subsidize it. Stated that if you have a different carrier and pay extra you can get Starlink.
8. Paula Southren – 5 Regis Court – Montebello read a statement into the record regarding the issue that she has a child with severe neurological disability and does not know how the cell tower will affect her already compromised child.
9. Jennifer Giammatteo – 330 Haverstraw Road – Montebello stated that she too has a handicapped child and does not know how a cell tower affects them.
10. Richard Van Inwegen of 353 Haverstraw Road – Montebello asked if the reports presented by Homeland were done given the fact that the area is filled with hills. He stated that maybe small cell technology may be the way to go and that the Board should consider it.
11. Ann Marie Boothe – 43 Bayard Lane – Montebello. Stated that she owned a Metro PCS store and stated that there are other options like mini towers.
12. Vincent Caputo of 333 Haverstraw Road – Montebello wanted to know why people were not notified of the Public Hearing.

Mayor Millman responded that Public Hearings are posted on our website, in the newspaper and in several locations throughout the Village. He also stated that residents do not wish to give their personal email address for notifications. Mayor Millman stated that we even listed the need for email addresses in our newsletter.

13. Debra Leigh of 324 Haverstraw Road – Montebello requested that Public Hearing notices be posted to Facebook.
14. Kathleen Elwell – 12 Copeland Drive stated that she has given the village her email address several times.
15. Harry Leigh of 340 Haverstraw Road – Montebello spoke.
16. Manny Vicente – President of Homeland Towers made a statement. He appreciated all the comments by the public. He stated that Homeland Towers does not determine the need for a tower, the carriers do. Verizon, T-Mobile and AT&T go to Homeland and ask for help. He stated that Verizon and T-Mobile contacted him regarding this location.

Mr. Vicente stated that they did go out and do a drive test for this location which documents are part of the record.

Mr. Vicente stated that they do like to put towers in parkland and have just completed installing several in the parks. This request from the carriers does not show the need in the parkland but in the areas where people live.

Mr. Vicente stated that cell towers are not only needed for cell phones, but for alarms systems and other accesses. During power outages cell towers are essential. He also stated that with AI coming, the infrastructure needs to be put in place first. Since the 90's when GPS technology started, there have been many technological upgrades that need cell towers.

Mr. Vicente stated that during COVID when the children were all at home learning, if we did not have this technology in place, how would they learn. He stated that this is no longer a nice thing to have but a necessity. There are many people working from home. This is a necessity.

Mayor Millman suggested that maybe Homeland can get a representative from Verizon or T-Mobile to appear at a Board meeting.

17. Shawn Bloom – 4 Danielle Court – Montebello stated that as a T-Mobile customer he does not have a problem.
18. Jennifer Giammatteo – 330 Haverstraw Road – Montebello stated that the AT&T signal is very strong.
19. Debra Leigh of 324 Haverstraw Road – Montebello wanted to know when the next meeting would be and if the Board is closing the meeting tonight.
20. Harry Leigh of 340 Haverstraw Road – Montebello commented.
21. Richard Van Inwegen of 353 Haverstraw Road – Montebello commented.
22. Dorice Madronero – 4 Regis Court – Montebello commented.
23. Nick of Haverstraw Road – Montebello read a letter.

Resolution No. 26 - 013

Village of Montebello

Title: Continuation of Public Hearing Re: Lease to Homeland Towers, LLC

WHEREAS, the Public Hearing on the above subject has been continued from meeting to meeting to permit the applicant to respond to further questioning and issues raised by members of the public and individual Board members, to permit review of additional documents submitted including improved lease terms, and to consider any further testimony; and

WHEREAS, additional materials were added to the record and with further testimony, including the appearance and full participation by an attorney purporting to represent 7 proximate households and the submission therefrom of “opposition” papers totaling around 100 pages, which

went forward despite the Applicant's attorney being unable to attend this evening having asked in advance for an adjournment which was not granted.

THEREFORE, BE IT RESOLVED as follows:

That, in order to consider additional testimony and the expanded record, and given the absence of the Applicant's attorney, this hearing will be continued and matter to be decided at the next Regular Board Meeting to be held on March 18, 2026, beginning at 7:00 pm, or as soon thereafter as the matter can be heard.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, motion carried unanimously.

Resolution No. 26 - 014

Village of Montebello

Title: Adoption of Local Law No.1 of 2026, Amending the Zoning Code, Chapter 195, to Prohibit Potentially Injurious Fences in Most Zoning Districts

WHEREAS, a Public Hearing was opened on February 18, 2026, on proposed Local Law No. 1 of 2026, and entitled:

VILLAGE OF MONTEBELLO
LOCAL LAW NO. 1 OF THE YEAR 2026
A LOCAL LAW AMENDING CHAPTER 195, ZONING, TO PROHIBIT POTENTIALLY
INJURIOUS FENCES IN MOST ZONING DISTRICTS.

Be it enacted by the Village Board of Trustees of the Village of Montebello by authority of Article 10 of the Municipal Home Rule Law, as follows:

Section 1: Legislative Purpose

The Village of Montebello Board of Trustees finds that certain types of potentially injurious fences have a blighting influence on the Village and negatively impact the health, safety and general welfare of its residents.

Section 2: Add the following as a new section 195-27.1 to Article VI (Supplementary Regulations) of Chapter 195 (Zoning) as indicated below:

§195-27.1 Restrictions on potentially injurious fences

- A. *No fence shall incorporate elements that could inflict bodily harm upon a person attempting to scale, bypass or otherwise defeat the fence including but not limited to barbed wire, razor wire, electrically energized wires, cut steel, sharpened glass, metal spikes or similar, but excluding non-toxic living plants.*
- B. *Exemptions. The following fences shall be presumed exempt from these requirements, but subject to challenge by the Village Board for good cause shown:*
- (1) Any fence erected and maintained by a public utility or governmental entity.*
 - (2) Any electrified fence at least 75 feet from a property boundary maintained solely for the purpose of enclosing livestock or poultry.*

Section 3. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Village of Montebello which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

Section 4. Severability.

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

[Note: Above version of the proposed Local Law reflects changes as made at the following Public Hearing as noted hereinafter]

WHEREAS, the Public Hearing was opened to the floor on February 18, 2026, at 8:35 pm by motion by Deputy Mayor Caridi and seconded by Trustee Egenhauser, all in favor after the Village Attorney ascertained due notice, and the Village Attorney requested first that the following be included in the Record:

1. Resolution No. 26-011 of January 21, 2026, approving holding a Public Hearing (attached).
2. Legal Notice, and Affidavit of Publishing and Posting (attached).
3. Draft Local Law No. 1 of 2026, dated January 21, 2026; and
4. Planning Board reply of February 10, 2026, prepared by Regina Rivera (attached), which recommended elimination of PI exception and Special Permit.

5. Rockland County Planning Department GML review of Local Law 1 of 2026, dated February 9, 2026, not opposing and recommending one numerical correction; and

WHEREAS, upon request the village Attorney explained that a residential property had installed a fence without a building permit which is required because fences are considered structures, but more significantly as regarding the Local Law such was potentially injurious being barbed wire, and the Building Inspector and Code Enforcer asked that such be specifically prohibited by Local Law in our Village Code, even though such is arguably precluded other ways; and

WHEREAS, no member of the public wished to speak; and

WHEREAS, the Public Hearing was closed by motion by Deputy Mayor Caridi and seconded by Trustee Egenhauser at 8:43 p.m.

THEREFORE, BE IT RESOLVED, after a Public Hearing and due deliberation, that said Local Law be and hereby is approved with the amendments made to be consistent with the recommendations of the Planning Board as noted and making the Rockland Planning Department numerical correction subject to any non-substantive change from General Code if any, leaving the record open until March 1, 2026, and withholding filing with the Secretary of State until such incorporated or upon said date, whichever shall first occur.

The Board was polled:	Mayor Millman	-	approve
	Deputy Mayor Caridi	-	approve
	Trustee Egenhauser	-	approve
	Trustee Rose	-	approve

Trustee Humphrey absent.

Local Law No. 1 of 2026 dated January 21, 2026, approved, all in favor.

Resolution No.26 – 015

Village of Montebello

Title: Approval of Minutes for January 21, 2026

BE IT RESOLVED, the minutes of the Board of Trustees of January 21, 2026, be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Trustee Humphrey absent.

Upon vote, motion carries unanimously.

Resolution No. 26 - 016

Village of Montebello

Title: Approval of Abstract & Schedule of Claims

THEREFORE, BE IT RESOLVED, the Abstract and Schedule of Claims dated February 18, 2026, and totaling \$147,643.83 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Trustee Humphrey - absent

Upon vote, the Resolution carried.

Resolution No. 26 - 017

Village of Montebello

Title: Approval of Abstract & Schedule of Claims – PROFESSIONAL FEES

THEREFORE, BE IT RESOLVED, the Abstract and Schedule of Claims for the Professional Fees dated February 18, 2026, and totaling \$14,192.17 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Rose

Trustee Humphrey - absent

Upon vote, the Resolution carried.

Resolution No. 26 – 018

Village of Montebello

Title: Approval of Abstract & Schedule of Claims – LOC Draw Fund

THEREFORE, BE IT RESOLVED, the Abstract and Schedule of Claims for the LOC Draw Fund dated February 18, 2026, and totaling \$86,236.98 hereby approved, and the claims listed hereon shall be paid.

Motion: Trustee Rose

Second: Deputy Mayor Caridi

Trustee Humphrey - Absent

Upon vote, the Resolution carried.

Resolution: 26 - 019

Village of Montebello

Title: 2026 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 1, 2026, and ending December 31, 2026, 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, actual use of the Town's fueling facility to be discretionary, subject to the spillage insured issue.

Motion: Trustee Rose

Second: Deputy Mayor Caridi

Trustee Humphrey - absent

Upon vote, motion carries unanimously.

Resolution No. 26 – 020

Village of Montebello

Title: Certain Justice Court Prosecutions

BE IT RESOLVED, in furtherance and acceptance of the letter of the District Attorney of Rockland County, Thomas E. Walsh II, (“DA”) dated December 31, 2025, following up on an earlier e-mail, both commonly known as “Van-Sickle Letters”, referenced as if fully set forth hereinafter, a copy of which shall be appended to the minutes hereof, pursuant to the DA’s consenting to the prosecution of the matters listed therein, including but not limited to Vehicle and Traffic Law Section 512 and 511, and as newly added, unclassified VTL related misdemeanors that such shall be prosecuted by the Village Attorney or Assistant Village Attorneys in the Justice

Court of the Village of Montebello, as recommended by the Mayor in furtherance of the recommendation of the Village Attorney and Prosecuting Assistant Village Attorney; and

BE IT FURTHER RESOLVED, that a signed copy of this Resolution be supplied to the District Attorney and to the Village's Prosecuting Assistant Village Attorney.

Motion: Trustee Egenhauser

Second: Trustee Rose

Trustee Humphrey - absent

Upon vote, the motion carries unanimously.

Resolution 26 – 021

Village of Montebello

Title: Supreme Court Judge Request – Illegal Multi-Family Residence

BE IT RESOLVED, authorizing the Village Attorney, and/or by or for him an Assistant Village Attorney, to file a Summons and Complaint and Order to Show Cause in an action in Supreme Court in the State of New York, County of Rockland, requesting that a Supreme Court Judge order the owners of the premises located at 36 Memorial Drive, Village of Montebello, Abraham Spitz, et als, in an illegally constructed multi-family residence in a single-family residence, representing a danger to health and safety under and in violation of State and Local Law, such remaining in place despite warning and demands by the Building Inspector and Code Enforcement Officer, that such be removed, as more particularly set forth in an attached Complaint Action Summary #C403-25, and for any other related relief which to the Court may appear just and proper, and which property, upon information and belief, which under the same ownership, has been historically adjudicated as and is believed to have been adjudicated as, in the same or similar unlawful usage.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Trustee Humphrey - absent

Upon vote, motion carried unanimously.

Public Comment:

With no one from the public wishing to speak, Mayor Millman closed this portion of the meeting.

At 9:37 PM, Deputy Mayor Caridi made a motion to go into Executive Session to discuss possible legislative changes and legal impacts with Village Attorney, seconded by Trustee Rose. Vote carried unanimously.

At 10:04 PM, Deputy Mayor Caridi made a motion to exit the Executive Session, seconded by Trustee Rose. Vote carried unanimously.

At 10:05 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Egenhauser. Vote carried unanimously.

Respectfully submitted:

Joan Will, Village Clerk - Treasurer