

THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO WAS HELD ON WEDNESDAY, MAY 21, 2025, AT THE DR. JEFFREY OPPENHEIM COMMUNITY CENTER, 350 HAVERSTRAW ROAD, MONTEBELLO, NEW YORK. THE MEETING WAS CALLED TO ORDER AT 7:00 P.M. FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

Present:	Lance N. Millman	Mayor
	Stacy Caridi	Deputy Mayor
	Bruce Egenhauser	Trustee
	Michael Humphrey	Trustee
	David Rose	Trustee
	Warren E. Berbit	Village Attorney

Absent:

Recording Secretary: Joan Will	Village Clerk-Treasurer
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### **Mayor's Report:**

Mayor Millman stated that the Village is currently undertaking the change over of our website and all emails to dot gov. The new emails will be [MontebelloNY.gov](mailto:MontebelloNY.gov). This is mandated by New York State and we apologize for any inconvenience this may cause during the change.

Mayor Millman reminded everyone of the Memorial Day Remembrance Celebration on Sunday, May 25<sup>th</sup>. The ceremony will be held on the Village lawn starting at 9 AM. This year's speaker is Vietnam Veteran, Barry Fixler. There will be the Color Guard and students from the local elementary school reading the Gettysburg Address, with refreshments to follow.

Mayor Millman announced that he attended the Town of Ramapo Police Awards. Congratulations to all those who were recognized for outstanding Police and Detective work.

Mayor Millman stated that there was also a memorial service for Police Officers in New City this past week.

Mayor Millman stated that the County of Rockland is currently working on its Comprehensive Plan Update 2025-2026 called "Envision Rockland". All county residents are able to attend the meetings. Please check the County website for a location near you.

Mayor Millman stated that the Route 59 project adjacent to the new construction of the Senior Assisted Living Facility to connect the internal road to Route 59 and improving the frontage is moving forward.

Mayor Millman stated that the proposed cell tower by Homeland Towers is currently undergoing test transmissions in the location of the community center to confirm potential benefit.

Mayor Millman reminded everyone of the upcoming Montebello Jazz Festival which will take place on Sunday, September 7<sup>th</sup> from 12 noon to 6 pm on Village grounds. The Mayor stated that they have confirmed three noteworthy groups.

Mayor Millman reminds residents that walk, run, or bike on the roadways to be mindful of the vehicles and not hamper the roadway.

Mayor Millman stated that if you see something that looks unusual, please call the police. There were recently two homes that were burglarized in Montebello. The police state that it does not look like the “normal” ring of thieves. Be mindful and lock your doors when you are not at home and leave lights on.

### **Building Department Report:**

The following is the Building Department Report for the month of April 2025:

- (17) building permits were filed. A total of \$13,220.00 in permit fees were collected.
- (13) Certificates of Occupancy were issued.
- (11) locations were inspected; \$6,450.00 in Fire Inspection fees were collected during the month.
- (14) code violations were issued. (6) Appearance tickets were issued.

### **Historic Preservation and Parks Commission (HPPC) Report**

The committee met on May 7, 2025.

- There were no applications for Certificates of Appropriateness this month.
- The Commission and Keep Rockland Beautiful are ready for Montebello Clean-Up Day on Saturday, May 17<sup>th</sup> running from 9:00 AM until 12:00 PM. Rain date is Sunday, May 18<sup>th</sup>.
- Preparation for the Jazz Festival has begun. Cousins Maine Lobster truck from last year is booked again. Other food trucks have been contacted; the Commission is waiting for their responses.
- Each member has been assigned a role in helping to keep the Commission focused and organized.
- A walkthrough of KGPP took place, during which several questions arose. An email was sent out for clarification.
- In the Park programs were discussed and several activities and class ideas were suggested. Prior to moving forward, the Commission wanted to know the procedure Village Hall has followed in the past before reaching out to potential instructors and program heads.

**Public Comment:**

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

**Suffern High School Montebello Top 10%**

Mayor Millman welcomed the Top 10% Montebello students from Suffern High School and their families. He congratulated and recognized the following students for their accomplishment: Ava Epstein, Dylan Palmiotto, Kaila Quinn, Lindsay Rivera, Ethan Schwartz, Eli Swerdloff, Daniela Trubiano and Lauren Zangrilli. Each student who was present was awarded with a Certificate of Academic Achievement and posed for pictures with the Mayor and the Village Board of Trustees.

**Presentation: Stonehedge**

Mr. Marsel Amona discussed the request he had made to the Board. The Mayor and the Board discussed Mr. Amona's request and discussed the site visit of the location. A sense of the Board was taken and a vote pending insertion of formal Resolution as follows:

**Resolution 25-069****Village of Montebello**

Title: Request for Informal Reaction Re: Amending Stonehedge Heights Subdivision Located on Spook Rock Road within both Rural Preservation and Historic and Scenic Overlay Districts

WHEREAS, Marsel Amona, by and for the Stonehedge Heights Subdivision, appeared before the Village Board on April 23, 2025 and again tonight, and in the interim and as suggested, the Village Board visited the site, observed the vistas and woodlands and staked proposed incursion into the 200 ft. preservation area to permit construction of a portion of the required storm water retention basin thus sparing one of the lots virtual elimination of most of a usable backyard, which Mr. Amona claimed would greatly decrease the usability and value of said lot inconsistent with the higher end houses to be built within said subdivision; and

WHEREAS, Mr. Amona, having already informally discussed the matter with the Planning Board, understood that to make such an amendment he would have to formally apply to the Planning Board which would have to hold a Public Hearing declaring itself as lead agency and conduct a coordinated review under SEQRA, and under Section 195-64.1 of the Village Code, the HPPC would have to hold a Public Hearing to decide whether a Certificate of Appropriateness (COA) should be issued, but, also, that only the Village Board has authority to allow incursion into the 200 ft. preservation area in its discretion for purposes accessory to the cluster subdivision provided that the purposes of preserving the rural woodland character of the Rural Preservation Overlay District are met and, therefore, he sought a preliminary polling of the Village Board in order to guide himself as to the feasibility of making such an application; and

WHEREAS, after discussion before the Village Board, a field viewing of the site, and due consideration of the documents, a discussion ensued wherein it was informally and preliminarily agreed that such incursion into the protected area would have a minimal impact on the woodlands rural character due to the topography, location, and present vegetation of the impacted area, subject to fencing of an appropriate in type, and reduced in height to 4 feet, and additional plantings of evergreens or fir trees, added to obscure any view of such incursion, both supplementing existing vegetation plus adding where more sparse; and

WHEREAS, the Board was polled with respect to the above understanding and potential result, and such was not opposed to the change, voting 4 to 1 as indicative of present attitude as follows:

Deputy Mayor Caridi	- Approved to move forward
Trustee Egenhauser	- Approved to move forward
Trustee Humphrey	- Approved to move forward
Trustee Rose	- Not Approved
Mayor Lance N. Millman	- Approved to move forward

**Resolution: 25 - 070**

**Village of Montebello**

Title: Public Hearing on 2025 Comprehensive Plan

WHEREAS, by operation of Resolution 24-080, the Village of Montebello Comprehensive Plan Review Commission was formed and given authority to study the Village's Comprehensive Plan, to hold Public Hearings, and to report on recommended revisions to same; and

WHEREAS, on or about March 26, 2025, the Commission adopted a Recommended Revision to the Comprehensive Plan of the Village of Montebello, or a "Draft Plan", which was received by the Village Clerk, and having heard the Chairperson of the Commission and Planner report on the Recommended Revision; and

THEREFORE, BE IT RESOLVED, that a Public Hearing be held on June 18, 2025 beginning at 7 pm local time, or as soon thereafter as the matter can be heard, to consider adopting the Recommended Revisions of the Comprehensive Plan of the Village of Montebello as the finally Revised Comprehensive Plan, and that due notice be given of same as required by law, including providing this Resolution and the Comprehensive Plan to the Rockland County Planning Department, abutting municipalities (Village of Airmont, Suffern, Wesley Hills and the Town of Ramapo) and, optionally, as a courtesy, to the Planning Board and the Historic Preservation & Parks Commission (HPPC) of the Village of Montebello, which already have given input to the process; and

BE IT FURTHER RESOLVED that the Planner is directed to prepare all necessary forms in his/her judgment to the extent required under SEQRA, for this Board's consideration as Lead Agency at the Public Hearing.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote the Resolution carried unanimously.

**Resolution No. 25 – 071**

**Village of Montebello**

Title: Accept Annual Justice Court Audit

WHEREAS, the Village's Justice Court commenced operation on or about June 1<sup>st</sup>, 2012, and §2019-a of the Uniform Justice Court Act ("the Act") requires that the Village Justices annually provide their court records and dockets to the village auditing board (the Village Board), and that such records thereby be examined or audited and that fact be entered into the Minutes of the Board's proceedings, and thereafter that such be filed with the Director of Internal Audit, NYS Office of Court Administration; and

WHEREAS, the Village's Financial Consultant, Donalee Berard, has under her cover of May 7, 2025 authored her analysis of the records of the Village of Montebello's Justice Court, and the Justice Court Bail records to determine adherence to court procedures and compile relevant operating data and to determine if the Bail account held sufficient assets to cover the associated liability, which analysis is likewise dated May 7, 2025; both documents (hereinafter "The Reports") referenced hereat as if fully set forth hereinafter, true copies of which shall be appended to the minutes hereof; and

WHEREAS, the Village Board has reviewed the Reports and associated records, and confirms the conclusions drawn by the Village's Financial Consultant.

THEREFORE, BE IT RESOLVED, pursuant to the Act, as hereby entered into the Minutes of the Village Board, that said Reports be and hereby are approved after the required examination was conducted, and that the Reports and a Clerk certified completed copy of this Resolution be filed with Joan Casazza, Internal Audit Service Unit, NYS Office of Court Administration, 2500 Pond View-Suite LL01, Castleton On Hudson, NY 12033 – email: jcasazza@nycourts.gov.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the Resolution carried unanimously.

Title: Colliers Engineering & Design for Route 59 Improvement Project (LOC Draw)

WHEREAS, the Mayor, Village Attorney, Village Clerk, and Village Engineer report working collectively in furtherance of the intent and authority as granted and set forth by the Village Board in Resolution 25-021 approved February 19, 2025, including giving the required notice, calling and drawing the full sum represented by the Montebello Crossing Standby Letter of Credit, depositing same and setting up prudent accounting procedures as guided by the Village's Financial consultant; and

WHEREAS, in further exercise of the above authority and intent, the Village Engineer reviewed in detail the status of the DOT application for the Route 59 frontage work as tentatively approved on or about May 2024, the contract documents and plans, and other related site work covered by the LOC, and has negotiated an agreement with Colliers Engineering & Design, the original design engineer on the project, to complete said design work and application, to obtain said Permit and to oversee said work as Project Engineer, all according to a Proposal for Professional Services, Route 59 Improvements, Village of Montebello, Proposal No. 25005930P, as dated April 16, 2025, referenced as if set forth hereinafter, a true copy to be appended to the Minutes hereof, at a total estimated cost of not to exceed about \$20,000, tasked as follows: Final Plan Compliance Review and Plan Modifications (\$3000); Engineer's Estimate (\$2500); Permit Application and Construction Bid Document Preparation(if any) (\$3800); and, RFI Responses and Construction Phase Support( allowance) (\$7500);and

WHEREAS, the Mayor, Village Attorney and Village Clerk report having met with and regularly communicated with the Village Engineer, and that all details on the design work, construction documents, and logically splitting work into phases starting with the frontage work are close to fruition; and

WHEREAS, time being of the essence given Lot1, the ALF, is preparing to open and the emergency access already granted via the secondary access; and, in attempting to get the benefit of the economics of contracts extended approximately one year ago; finalizing DOT approval versus starting a new approval, each now almost one year old, the owner of Lot1 agreeing informally to assign the benefit of contractual arrangements it may have made, and also extending permission to come on to perform said work under the cross easements between the owners of all impacted lots; and, the new owner of Lots 2 and 3 also agreeing informally that the Village could come onto its lots to complete the frontage work; and the Village Attorney reporting his opinion that although the frontage part of the work should be done under Prevailing Wages, under case law, since the LOC monies are considered private not public funds, the Village has the option of taking over and negotiating the private contracts versus seeking proposals by a formal bidding process; and

WHEREAS, under the broad authority granted by the Village Board in the circumstances, the Mayor after discussion with the Board executed said Proposal when tendered on or about April 25, 2025, but in an abundance of caution did so intending to obtain ratification by the Village Board.

THEREFORE, BE IT RESOLVED, that the above reported activities are found consistent with the intent of the Village Board, in the best interests of the public, and that said Proposal with Colliers Engineering & Design be and hereby is approved retroactive to the date of execution.

Motion: Deputy Mayor Caridi

Second: Trustee Humphrey

Roll Call:

Deputy Mayor Caridi	Approved
Trustee Egenhauser	Approved
Trustee Humphrey	Approved
Trustee Rose	Approved
Mayor Lance N. Millman	Approved

Upon vote, motion carried unanimously.

**Resolution: 25 - 073**

**Village of Montebello**

Title: Emergency Sprinkler Repair at Village Hall

WHEREAS, upon regular seasonal maintenance of the sprinkler system at Village Hall, it was determined that our well was causing sediment to enter the lines of our sprinkler system causing the sprinkler heads to not close properly; and,

WHEREAS, D'Agostino Irrigation stated that a backflow preventer with a sediment filter was needed as follows to prevent this from occurring:

Vendor	Project Breakdown	Price Quote
D'Agostino Irrigation	Will provide all of the necessary labor, material and equipment to perform the following: <ul style="list-style-type: none"><li>• Install new 1" Backflow Preventor with new sand filter to Sprinkler main line</li><li>• Flush entire system and replace 10-16 Sprinkler zone valves</li><li>• Test entire system, any other repairs will be extra charge heads, pipes, etc.</li></ul>	<b>\$3,200.00</b>

; and

WHEREAS, based on the attached proposal as outlined above, and with email approval of the Board of Trustees is to commence with this emergency repair in the amount of \$3,200.00.

THEREFORE, BE IT RESOLVED that the proposal of D'Agostino Irrigation be accepted at a cost of \$3,200.00, the expenditure of which for these purposes is hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser  
Upon vote, motion carries unanimously.

**Resolution No. 25 - 074**

**Village of Montebello**

Title: Approval of Minutes for April 23, 2025

BE IT RESOLVED, the minutes of the Board of Trustees of April 23, 2025, be and are hereby approved.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, motion carries unanimously.

**Resolution No. 25 - 075**

**Village of Montebello**

Title: Approval of Abstract & Schedule of Claims

THEREFORE, BE IT RESOLVED, the Abstract and Schedule of Claims dated May 21, 2025, and totaling \$171,195.58 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the Resolution was carried unanimously.

**Resolution No. 25 – 076**

**Village of Montebello**

Title: Approval of Abstract & Schedule of Claims – Professional Fees



BE IT RESOLVED, the abstract and Schedule of Claims – Professional Fees dated May 21, 2025, for Professional Fees, and totaling \$20,578.39 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the Resolution was carried unanimously.

Trustee Humphrey abstained.

**Resolution No. 25 - 077**

**Village of Montebello**

Title: Approval of Abstract & Schedule of Claims – Shade Tree Fund

THEREFORE, BE IT RESOLVED, the Abstract and Schedule of Claims for the Shade Tree Fund dated May 21, 2025, and totaling \$500.00 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the Resolution was carried unanimously.

**Resolution No. 25 - 078**

**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 May 21, 2025, and totaling \$1,200.60 hereby approved, and the claims listed hereon shall be paid.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the Resolution was carried unanimously.

**Resolution 25 - 079****Village of Montebello**

Title: Supreme Court Judge Request – Tent Removal

Authorizing the 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 12 East Mayer Drive to remove the tent which was illegally constructed in the rear yard and represents a danger to health and safety under and in violation of State and Local Law, remaining in place despite warnings and demands by the Building Inspector and Code Enforcement Officer that such be removed, and for any other related relief which to the Court may appear just and proper.

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, motion carried unanimously.

**Resolution 25-080****Village of Montebello**

Title: Return of Professional Fees on Closed Projects – part III

BE IT RESOLVED that Professional Fees for the following projects in the amount of \$1,228.37 will be returned to the appropriate owners as the projects are deemed completed as per the Village Engineer and the C of O or other closing documents were issued.

176	51 Oxford	\$400.00
180	17 Bayard Lane	\$ 49.12
182	6 Bogey Place	\$ 98.00
183	8 Par Road	\$ 80.00
189	41 Viola Road	\$400.00
201	12 Nottingham	\$ 16.50
208	6 Viola Road	\$184.75
		\$1,228.37 total

Motion: Deputy Mayor Caridi

Second: Trustee Egenhauser

Upon vote, the Resolution carried unanimously.

**Public Comment:**

Elye Mittelman of 5 Robin Hood Road claiming to be attending services thereat 12 East Mayer Drive, wanted more information about the tent removal at 12 East Mayer and why it needs to be removed. Mayor Millman briefly explained that it was in violation of New York State Fire Codes and was potentially a safety hazard.

Moshe Engel of 21 Mayer Drive stated that Tallman Fire has terrible response times if it responds at all. He stated that other fire departments are covering for Tallman due to their lack of response. Mayor Millman thanked him for the information and stated that the Board would continue looking into the problem.

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

**Old / New Business**

- Jazz Fest will be on September 7<sup>th</sup>.
- Rockland County is currently undertaking their Comp Plan
- The Cell Tower at the community center is progressing along. Public Hearing will be held before installation.

At 8:21 PM, Deputy Mayor Caridi made a motion to go into Executive Session to discuss contract negotiations, seconded by Trustee Egenhauser. Vote carried unanimously.

At 8:50 PM, Deputy Mayor Caridi made a motion to exit the Executive Session, seconded by Trustee Egenhauser. Vote carried unanimously.

At 8:51 PM, Deputy Mayor Caridi made a motion to close the meeting, seconded by Trustee Egenhauser. Vote carried unanimously.