

VILLAGE OF POMONA  
BOARD OF TRUSTEES MEETING  
MAY 21, 2001

**CORRECTED MINUTES**

A Board of Trustees meeting of the Village of Pomona was held at the Pomona Village Hall, Old Route 202 and Camp Hill Road, Pomona, New York at 7:30 p.m. on May 21, 2001.

Present

Mayor: Herb Marshall  
Deputy Mayor: Al Appel  
Trustees: Ian Banks  
Alma Roman  
Nick Sanderson  
Village Attorney: Reuben Ortenberg  
Village Clerk: Susan Glantz  
Village Engineer: J. Corless  
Bldg. Inspector: N. Becker

- 1. Salute to the Flag**
- 2. Open Period**

Paul McKearnin of 7 Jackson Drive, Stony Point, a Realtor with Century 21 Grand in Pomona requested the possibility of amending the local law regarding the tent signs that are placed in Village right-of-ways directing people to open houses. The next speaker, Mary Ann Walsh spoke on the same matter. The Mayor responded that the matter had been discussed a number of times and several public meetings were held. He also explained that our current law clearly states that signs in the public right of way are considered litter and subject to confiscation and destruction along with a possible \$500 fine for those responsible for their placement. The Mayor also said, at this time the Village has no intention of changing the current law.

The next speaker was Phyllis Simon of 157 North Camp Hill Road in Pomona who spoke about the violation notice on her property. Ms. Simon has requested her tenants to vacate the house in the rear of her property but the June 15<sup>th</sup> deadline may not be met. She was requesting an extension of the deadline. Ms. Simon has hired an attorney to institute eviction proceedings and hopes it can be finalized by July 15<sup>th</sup>. Once the violation has been removed, Ms. Simon plans to appear before the Planning Board to subdivide her property. If approved, the rear house will then be legal as a single-family house. The Board agreed to a

July 15<sup>th</sup> extension. Mayor Marshall suggested Ms. Simon appear at the July 23<sup>rd</sup> Board meeting to report on the status of the property.

Elaine Bedrosian, 7 Footstep Lane, Pomona requested the Village to consider leaf pick-up for the residents. The Mayor reiterated that the majority of Villagers do not want leaf pick and that property owners can arrange for private pick up through our Carter.

**Trustee Banks moved to close the Open Period, seconded by Trustee Sanderson. Motion carried 5-0.**

**3. Adoption of Minutes**  
**A. 4/23/01**

On page 3, paragraph 7, Trustee Sanderson made a correction regarding a private company that paid for repairs to the post at Burgess Meredith Park. The local private company was contracted for the repair to the post.

**Trustee Sanderson moved to adopt the minutes as amended, seconded by Deputy Mayor Appel. Motion carried 5-0.**

**B. 5/7/01**

The minutes for the May 7, 2001 meeting were tabled to the next Board meeting.

**4. Cultural Center**

The Cultural Center Director's report was received the morning of the Board meeting. Mayor Marshall said that was not acceptable. The Director has been told repeatedly that the deadline for the report is the Friday before the Board meeting. A new exhibit is scheduled for June 16<sup>th</sup> running through July 29<sup>th</sup> of paintings and sculpture from local artists. A puppeteer performance is scheduled for May 26<sup>th</sup> at 8 p.m. At the bottom of the report was a maintenance request. Mayor Marshall asked the liaison to the Cultural Center to inform the Director that there is a maintenance request form that must be used. Trustee Banks reported that there are some problems with the outside lighting at the Center. It is nearly impossible to change bulbs and rainwater enters the fixtures. Trustee Banks will look into the cost for replacing the fixtures and report back to the Board. Trustee Sanderson inquired as to when the time capsule is going to be buried. Since the Director was not at the Board meeting, Deputy Mayor Appel will find out and let the Board know. Trustee Sanderson then inquired about the forthcoming Saturday evening performance at the Center that the Board was not aware of. Mayor Marshall then reminded the Board that all expenditures and programs involving the Village must be submitted to the Board for their information and approval.

## **5. Village Hall Refurbishment**

Trustee Banks reported that Mr. Kim, except for checking the punch list, has finished his work. Also, the hardware for the elevator door needs to be completed. Trustee Banks requested if anyone has an item they feel needs to be looked at on the refurbishment, let him know and he will add it to the punch list.

## **6. Burgess Meredith Park Improvement**

Mr. Corless reported the bridge has been let out to bid. The bids will be opened at the next Board meeting. The bollards have been ordered and the request for grant payment submitted. There has been further vandalism at the Park, the balusters on the bridge were removed. They have been replaced. Shadow Security has started patrolling the Park on a rotating basis from 9 p.m. to 1 a.m. Delivery of the tot lot equipment is imminent and when it's delivered, where to put the Parcourse equipment needs to be finalized.

The pond at Secor Park is down and the pump needs to be checked out. The key for the padlock on the back road entrance is needed before the well company can go in to check the pump. Mr. Corless suggested contacting Tom Babcock who can give them an extra key for the padlock. Trustee Sanderson reported that he has talked with the Recreation Chairperson and June 24<sup>th</sup> has been selected for the fishing contest.

## **7. Grants and Awards**

Deputy Mayor Appel reported that a grant application for \$10,000 is being submitted to the Greenway Conservancy for the Hudson River Valley for the Pomona Trail Project.

**Deputy Mayor Appel moved the resolution to apply for \$10,000.00 from the Greenway Conservancy for the Hudson River Valley for the Pomona Trail Project. Seconded by Trustee Sanderson. Motion carried 5-0.**

Deputy Mayor Appel also reported that the Village is re-filing a grant application with the Clean Water Clean Air Act since no funding was forthcoming last year.

## **8. Building Department**

### **A. Code Enforcement**

The Code Enforcement Officer's report is attached to the minutes. The Mayor reported on a meeting held with the Village's Carter to establish a clear understanding of what will be picked up and what may not be picked up. Trustee

Sanderson will have a listing of items placed in the Newsletter to better inform the residents. It will also be placed on the website.

## **B. Building Inspector**

Mr. Becker reported that the Hindu Temple has seeded all their lawn areas except the front lawn. The dedicating ceremony will take place this coming weekend and approximately 600 people are expected. They will be standing on the front lawn and will destroy any seeding that is done there. The front lawn seeding will be done after the dedication is completed. Mr. Becker also reported that Moses has submitted a building permit application with a bank check for \$1900.00, which was accepted. Mr. Corless had some comments on the plans and the survey, and Mr. Becker also had comments. The plans were rejected and returned to Moses. Regarding the Ramsey subdivision, Mr. Ortenberg has heard nothing from the Title Company for two months.

## **C. Engineering**

Mr. Corless reported that the Secor drainage work is scheduled to start June 4<sup>th</sup>. The drainage work on Chamberlain has been completed. The paving work at the Hindu Temple has been completed and Mr. Corless recommended returning an additional \$17,000.00 in addition to the \$35,000.00 already scheduled to be returned from the \$52,000.00 of escrow money for paving. An additional \$8,000.00 of escrow money for vegetation will still be held until the grass starts growing. An amount of \$2500.00 is still being held for odds and ends. Trustee Banks brought up the matter of the lighting illuminating neighbor's property and the plans call for baffles. Mr. Corless will look into the matter.

**Trustee Roman moved to return an additional \$17,000.00 of escrow money to the Hindu Temple for completed paving. Seconded by Mayor Marshall. Motion was denied 1 – 4. Mayor Marshall voted for the return of escrow funds.**

**Trustee Sanderson moved to authorize Mayor Marshall to sign a check for the escrow return of \$8,000.00 to the Hindu Temple for vegetation. The check will be returned when the Village Engineer is satisfied that the vegetation is growing in all the disturbed areas of the site. Seconded by Deputy Mayor Appel. Motion carried 5-0.**

**Trustee Banks moved to return an additional \$17,000.00 of escrow money to the Hindu Temple upon a letter from the Village Engineer stating that he has checked the paving and drainage and all of the site items and has found they comply with the plan and they meet his satisfaction that they have been done correctly as far as he can tell. Seconded by Trustee Sanderson. Motion carried 5-0.**

Mayor Marshall advised the Board of the Hindu Temple dedication festivities starting on May 23<sup>rd</sup>. A Temple is dedicated only every twelve years and he recommends that all who can attend do so.

Clerk Glantz stated that S&E Construction asked for a return of \$2500.00 of escrow money for vegetation, iron pipe installation and site plan changes. This property is located in the Ramsey development.

**Trustee Sanderson moved to return the escrow amount of \$2500.00 covering vegetation, iron pipe installation and site plan changes to S&E Construction. Seconded by Trustee Banks. Motion was defeated 0-5.**

After much discussion, it was decided that until the road, Litman Lane, is dedicated, escrow money will not be returned.

Mr. Corless then reported on the current status of Highgate. The Planning Board has given the builder permission to sectionalize the subdivision into three sections, 3A, 3B and 6. The utilities in 3A and 3B are done and a base course of paving has been laid down. The utilities in 6 are in. The residents on South Ridge are still expressing concern about the safety issues involved with the building going on and their properties.

Hidden Valley Drive was again checked by Mr. Corless as a follow-up to Mr. Arnold Friedman's complaint. Mayor Marshall will again contact Mayor Frankl of Wesley Hills regarding the restoration repairs recommended.

## **9. Legal Period**

Mr. Ortenberg reported the receipt of a check for \$15,000.00 as part of the settlement of the Summit of Pomona lawsuit. Mr. Ortenberg was not aware if the work involved in the project, the pump station, had been done. Trustee Sanderson inquired of the status of the Sterngass matter. Mr. Ortenberg responded that Mr. Sterngass has an Article 78 pending against the Pomona Planning Board. The papers are now with a judge and Mr. Ortenberg is awaiting his decision.

## **10. Old Business**

Mayor Marshall reported that some of the litter signs are up and he asked Deputy Mayor Appel to check the list and ensure that all the signs are up in the designated areas.

## **11. New Business**

Mayor Marshall reported that Mr. Gletsos, chairman of the Clean-Up Committee is out of town. His group collected trash, put it in garbage bags and left the bags in

the area opposite Barr Laboratories. Mr. Gletsos will be asked, in the future, to bring the trash bags to Village Hall and leave them at the trash can area for pick-up by the Carter. Also, trashcans, privately purchased, are not to be placed at the site opposite Barr Labs. Having trash cans at that site will only attract more trash being left there.

**12. Office Period**

Trustee Sanderson reported that a new copy machine is needed in the Village office. He will investigate the replacement options and report to the Board at it's next meeting.

**13. Trustees Period**

Deputy Mayor Appel reported that Mr. Kim is using his driveway to store his work trucks. Mr. Kim will be notified that this is against the Village Code.

**Trustee Sanderson moved to adjourn the meeting, seconded by Deputy Mayor Appel. Motion carried 5-0.**

Meeting adjourned at 10:20 p.m.

Respectfully submitted,

Malverne J. Toll