

VILLAGE OF POMONA  
BOARD OF TRUSTEES MEETING  
DECEMBER 23, 2002

**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 December 23, 2002.

Present

Mayor: Herb Marshall  
Deputy Mayor: Al Appel  
Trustees: Ian Banks  
Alma Roman  
Nick Sanderson  
Village Engineer: Joe Corless  
Bldg. Inspector: Michael Zrelak, Jr.  
Village Clerk: Susan Glantz

Absent

Village Attorney: Reuben Ortenberg

**Summary of Motions:**

**Trustee Sanderson moved to adopt a Local Law Amending Chapters 118 and 119 of the Pomona Code Clarifying the Application of Phased Construction Requirements. Seconded by Trustee Roman. Motion carried 5-0.**

**Trustee Sanderson moved to adopt the Minutes of November 12, 2002 as presented. Seconded by Deputy Mayor Appel. Motion carried 5-0.**

**Trustee Roman moved to adopt the Minutes of November 25, 2002, as amended. Seconded by Trustee Sanderson. Motion carried 5-0.**

**Trustee Roman moved to adopt the Resolution Pursuant to 15-104 of the Election Law of the State of New York. Seconded by Trustee Banks. Motion carried 5-0.**

**1. Salute the Flag**

Mayor Marshall read a brief statement outlining the format of the meeting.

## **2. Open Period**

Ed Leventhal, 3 Woodfield Road, Pomona. A copy of Mr. Leventhal's letter to the Board is attached to the minutes. Mr. Leventhal was concerned about a sight problem on a curve on Woodfield Road and would like the matter addressed. Mayor Marshall responded that he would discuss the matter with the Haverstraw Police Department. Deputy Mayor Appel will visit the area to check it out. Mr. Corless, Village Engineer will also look at the area.

**Trustee Sanderson moved to close the Open Period. Seconded by Trustee Roman. Motion carried 5-0.**

## **3. Public Hearing – Proposed Group Home at 1 Tulip Lane**

Before opening the meeting to the public for comments, Mayor Marshall advised those present that group homes fall directly under the Fair Housing Act, which was amended by Congress in 1988 and in 1995 the Supreme Court ruled in favor of applicants and against municipalities who tried to prevent group homes from moving into residential neighborhoods. He then told those attending that information on the legal issues surrounding group homes and studies on the effect of group homes on local real estate prices was available at Village Hall. Mayor Marshall then introduced Steven Rubinsky, Deputy Executive Director of Rockland ARC who discussed the role of ARC and the type of individuals who will be placed in the home.

Dr. Rubinsky gave a brief background of ARC and stated that presently 5 adult females are slated to live in the community residence. There will be around the clock staff at the home. The residents will be involved in outside activities during the day, i.e., volunteer work, jobs, etc. The house will not be enlarged but the exterior will be landscaped and improved. Attached is a letter from Loretta Fay of Prudential Rand Realty stating that property values will not decrease because of a group home in an area.

Ed Cooney, 3 Tulip Lane, Pomona: Mr. Cooney expressed concern about the closeness of the proposed group home to another one four houses away. He was concerned about his property values since there are two group homes so close together. He also was concerned about taking a house off the tax rolls.

Regina Cooney, 3 Tulip Lane, Pomona: Expressed agreement with what her husband had stated.

J. B. Keaveney, 77 Pomona Road, Wesley Hills: Wanted to know why residents in Wesley Hills weren't notified of the proposed group home since it is in close proximity to them.

Mary Hesson, 6 Tulip Lane, Pomona: Was concerned that the proposed group home is so close to an existing group home.

James Hesson, 6 Tulip Lane, Pomona: Commented that a family presently lives in the house and is being put out. What about them?

Dr. Rubinsky responded to the questions raised.

Mr. Cooney was concerned about the family that presently live in the house. The present owner gave them 30 days notice to vacate the house. What will happen to them?

Mr. Kelly of 5 Tulip Lane felt the difference between the types of the two group homes was irrelevant. They are both group homes in close proximity to each other and will affect the neighborhood. Mr. Kelly asked if there are zoning regulations concerning these types of homes. Mayor Marshall responded that group home facilities bypasses any local zoning.

Dr. Irving Kaminsky, 29 Haller Crescent, Chestnut Ridge: Dr. Kaminsky is a member of the Board of Directors of ARC and a parent of a resident in a group home in New Hempstead. Dr. Kaminsky gave a brief background of his involvement with ARC. He also spoke about how the group homes are run and the existence of the Padavin Law.

**Trustee Banks moved to close the Public Hearing. Seconded by Deputy Mayor Appel. Motion carried 5-0.**

Mayor Marshall then asked the Board for their comments. Trustee Sanderson questioned possible construction. The driveway, will it be enlarged? Dr. Rubinsky responded the driveway will probably be top coated and widened a little bit. There is a need for four parking spaces, no more than that. A small ramp will be added to the entrance to the house. A lot of work will be done outside the house with trees and vegetation. Inside a handicapped accessible bathroom will be built.

Trustee Banks asked about maintaining the size of the home. Would it be enlarged at a later date? Dr. Rubinsky responded the home can only accommodate 5 people and if any change were anticipated ARC would have to come before the Board for approval. Presently there is no intent to enlarge the home since the trend is for smaller numbers of people living in group homes.

#### **4. Proposed Revision of Local Laws 118 and 119**

A copy of the proposed revision of Local Laws 118 and 119 is attached to the minutes.

**Trustee Sanderson moved to adopt a Local Law Amending Chapters 118 and 119 of the Pomona Code Clarifying the Application of Phased Construction Requirements. Seconded by Trustee Roman. Motion carried 5-0.**

**5. Adoption of Minutes  
A. November 12, 2002**

**Trustee Sanderson moved to adopt the Minutes of November 12, 2002 as presented. Seconded by Deputy Mayor Appel. Motion carried 5-0.**

**B. November 25, 2002**

Corrections made were: Page 1, the fourth motion should read November 12<sup>th</sup> not the 11<sup>th</sup>. Follows though on Page 3, item C, should be 11/12 instead of 11/11.

**Trustee Roman moved to adopt the Minutes of November 25, 2002, as amended. Seconded by Trustee Sanderson. Motion carried 5-0.**

**6. Treasurer's Report**

A copy of the Treasurer's Report is attached to the Minutes.

**7. Committee Reports  
A. Cultural Center**

A copy of the Director's report is attached to the minutes. Trustee Sanderson commented on the flag, flag pole and lighting in front of the Cultural Center and it is magnificent.

**B. Recreation**

Trustee Roman reported the Committee is currently working on two ideas. One is a community care program and the other is the fishing derby.

**C. Other**

Nothing at this time.

**8. Grants and Awards**

Deputy Mayor Appel reported the Village was turned down on their submission for Clean Air/Clean Water funds. Mayor Marshall reported that two checks have been received from the County on Revenue Sharing, one for \$18,723.64 and a second for \$17,879,31.

**9. Building Department**  
**A. Code Enforcement**

Deputy Mayor Appel reported on the current status of the Frenzel property. A report had been given to each Board member previously. Mr. Frenzel has hired an engineer who did a study on the property, which agreed with the report previously done by Mr. Corless and Mr. Zrelak. A firm will be hired by Mr. Frenzel to shore up the buildings and board them up. At this time, Mr. Frenzel does intend to save the buildings. Mr. Corless will recheck the buildings and confirm the date by which the work is to be completed.

**B. Engineering**

Mr. Corless reported there are no escrow returns at this time. Regarding the Cablevision re-installation, some residents have on line services available, others should have them shortly.

Halley II is progressing slowly. There is a hold-up on the drainage off the mountain and the matter is still being discussed.

Clerk Glantz reported that Mr. Herskowitz would like his Klingher Court letter of credit returned. Mr. Corless commented that the letter expired in August and the matter will be revisited at the next regular Board meeting.

**C. Building Inspector**

The Building Inspector reported there were still problems with JWL Construction doing work without proper permits and not following approved site plans.

**10. Legal Period**

Mr. Ortenberg was not present and no legal matters were covered at this time.

**11. Old Business**

The Appellate Court upheld the ruling made by the Haverstraw Zoning Board regarding the mulch plant on Quaker Road.

Regarding Patrick Farm, Mayor Marshall attended a meeting at the Town of Ramapo last week regarding zoning.

**12. New Business**

An election resolution needs to be passed regarding the Mayor and two Trustee seats.

**Trustee Roman moved to adopt the Resolution Pursuant to 15-104 of the Election Law of the State of New York. Seconded by Trustee Banks. Motion carried 5-0.**

**13. Office Period**

Nothing at this time.

**14. Trustees Period**

Trustee Banks commented that some of the material given to the Board sits in his mail box and he does not get it in a timely manner. He would like to have some method devised to receive the material before the meetings.

**Trustee Sanderson moved to adjourn the meeting. Seconded by Trustee Roman. Motion carried 5-0.**

Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Malverne J. Toll