

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
NOVEMBER 28, 2005

ADOPTED JANUARY 23, 2006

A Board of Trustees meeting of the Village of Pomona was held at the Pomona Village Hall, 100 Ladentown Road, Pomona, New York at 7:30 p.m. on November 28, 2005.

Present

Mayor: Herbert Marshall
Deputy Mayor: Nick Sanderson
Trustees: Ian Banks
Alan Lamer
Alma Roman

Doris Ulman, Village Attorney
P. J. Corless, Village Engineer
Jay Helfgott, Code Enforcement Officer
Leslie Sanderson, Assistant to the Mayor

Absent

Michael Zrelak, Jr., Building Inspector
Sue Glantz, Village Clerk/Treasurer

Summary of Motions

Deputy Mayor Sanderson moved to adopt the following resolution based on the Mayor's recommendation: RESOLVED, that the Village Recreation Committee is hereby reconstituted to be an ad hoc advisory committee to be activated as determined by the Mayor, and be it further

RESOLVED, that the members of the Committee shall be appointed by the Mayor for each specific event for which a Committee is activated. Seconded by Trustee Lamer. Motion carried 4-1. Trustee Roman voted no. Trustee Roman felt there would be no continuity and it would be difficult to obtain people to work on individual events.

Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$49,715.30 as set forth on pages 1 through 6 in the Monthly Abstract Listing dated November 28, 2005 as submitted by the Village Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to adopt participation in the Coats for Kids Program. Seconded by Trustee Lamer. Motion carried 5-0.

1. Salute the Flag.

2. Open Period

John McDowell, 126 Camp Hill Road distributed to the Board a statement along with pictures of the property in question. A copy is attached to the minutes. Mr. McDowell would like to have the original structure at 126 Camp Hill Road, which was built in the 1780's, designated as a historic place and preserved. At one time the owner applied for a subdivision of 6 lots but the subdivision was never filed. Mayor Marshall told Mr. McDowell the Village does not have the funds to purchase the property in whole or to participate with other buyers. He wished Mr. McDowell well in his endeavor and said the Village would be happy to do what it could to join in his effort.

Pat Miele, 102 Overlook Road expressed concern about the snow removal and ice sanding during the coming winter since his road had not been dedicated to the Village. He commented that last winter the builder's cleaning of the road was not sufficient or safe. Mayor Marshall will have the matter looked into and see what the Village can do about it. Mr. Miele then brought up the issue of the builders leaving dumpsters and heavy equipment on the roads in the area where he lives. Since the roads are not dedicated and still are owned by the builders the Village will have the Code Enforcement Officer monitor them and stress the safety issue to the builders. A third matter was that one of the builders has not planted the necessary street trees in the easement of his building lots and the area looks terrible. Mayor Marshall replied that until the roads are dedicated, the builder does not have to plant the street trees. The Village will attempt to encourage the builder to plant the trees to improve the aesthetics of the area.

David Herskowitz, 1 Litman Lane inquired what is happening with the matter of billing of legal fees for the lawsuit by the Town of Ramapo to Village residents. Ms. Ulman, Village Attorney, responded that the President of the Rockland County Conference of Mayors has written to the Supervisor of the Town of Ramapo and informed him that charging Village residents is illegal. Ms. Ulman, Village of Pomona Attorney, will follow up the matter with Michael Klein, Deputy Town Attorney for the Town of Ramapo. Mr. Herskowitz also requested that attachments to the minutes be included on the internet site along with the minutes. Deputy Mayor Sanderson replied he will attempt to do this, but it may be too cumbersome.

Deputy Mayor Sanderson moved to close the Open Period. Seconded by Trustee Lamer. Motion carried 5-0.

3. Adoption of Minutes

A. September 12, 2005

B. September 26, 2005

C. October 11, 2005

D. October 24, 2005

The above listed minutes have not been distributed to the Board yet so the minutes have been tabled to the next meeting.

4. Cultural Center

A copy of the Director's report is attached to the minutes. Mayor Marshall commented that the dehumidifier in the downstairs room was disconnected in order to install the air conditioner. Mr. Helfgott will reinstall the dehumidifier in the other window in the downstairs room. Ms. Sanderson is obtaining costs from different providers regarding installing the internet on the Cultural Center computer. The discussion on internet access for the Cultural Center was tabled to the next meeting. Trustee Banks reported that the gravel has been installed around the shed in the backyard of the Cultural Center.

5. Building Department

A. Engineering and Building

Mr. Corless reported there were no escrow returns at this time. Mayor Marshall inquired as to the status of the road paving in the Village. Mr. Corless responded that Tilcon is not available at this time. He suggested that the list for road paving needs to be submitted earlier to Tilcon, March or April. Ms. Ulman reported on the request from Robert G. Torgersen regarding a revision to the street tree list. The request has been forward to the Village's planner for their recommendation.

The matter of the Roman Sewer Spur installation was brought up for discussion. The matter was tabled to Executive Session.

Mr. Corless distributed to the Board, for their information, a list of the current status, as of November 28, 2005, of the lots at Highgate Estates. Mr. Corless reported there are four stop work orders out on lots. Three are along High Mountain, G-6, G-7, and G-8. The builder did not adequately follow the approved site plan from the Planning Board. The fourth stop work order, corner of South Ridge and Woodfield, J-12, concerned a lot where a boulder came loose and rolled down the hill. Mr. Corless also reported on two homeowners who posted money for installing driveways. They have lived in the houses for about a year and still have not installed the driveways. Both homeowners will be sent a letter giving them to the end of the year to have the driveways installed or their posted money will be forfeited. Mayor Marshall brought up a complaint about the drainage on G-40 affecting a neighbor's property. A new driveway was installed with inadequate curbing. Mr. Corless has contacted the contractor and the curb will be extended.

Trustee Lamer reported that at the last Planning Board meeting, the public hearing on the Final Environmental Statement for Halley II was closed, and the

residents from Halley I suggested the Village look into a building moratorium until further controls could be put in place.

6. Committee Reports
A. Recreation Committee

A copy of Ms. Sanderson's report is attached to the minutes. She also reported that thank you notes have been sent to all Committee members and volunteers who worked at the Halloween Parade and Party.

Mayor Marshall suggested that the Committee be restructured in order to streamline the process and improve communication. The Mayor felt that rather than have a committee meet continually, dates and events would be established and ad hoc committees organized for each scheduled event.

Deputy Mayor Sanderson moved to adopt the following resolution based on the Mayor's recommendation: RESOLVED, that the Village Recreation Committee is hereby reconstituted to be an ad hoc advisory committee to be activated as determined by the Mayor, and be it further

RESOLVED, that the members of the Committee shall be appointed by the Mayor for each specific event for which a Committee is activated. Seconded by Trustee Lamer. Motion carried 4-1. Trustee Roman voted no. Trustee Roman felt there would be no continuity and it would be difficult to obtain people to work on individual events.

Mayor Marshall will be sending letters to the Recreation Committee informing them of the new procedure for handling events for the Village. At the next Board meeting, dates for next year's Fish-In will be discussed.

B. Buildings and Parks

Trustee Banks reported that he has been working with Chris Meredith to wrap-up scheduled work in the Village by year end, including removing the fence along the front of Village Hall and the road-side pick up needs to be completed. Village Hall also needs some painting touch-up where it is blistered. The building will be inspected to determine the extent of the repainting needed.

Ms. Sanderson reported on a complaint from a resident about two fallen trees across the creek on Pomona Road. The Code Enforcement Officer will check it out to determine if the creek is in the Village.

7. Finance
A. Treasurer's Report

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

B. Expenditure Abstract Resolution

Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$49,715.30 as set forth on pages 1 through 6 in the Monthly Abstract Listing dated November 28, 2005 as submitted by the Village Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Lamer. Motion carried 5-0.

Mayor Marshall brought up the matter of the Village making "security deposits" when making purchases. Ms. Ulman responded security deposits may only be made when the vendor is setting aside items specifically designated for Village use or purchase.

C. Grants and Awards

Nothing at this time.

8. Code Enforcement

A copy of the Code Enforcement Officer's report is attached to the Minutes. Mr. Helfgott reported he will actively address builders leaving construction equipment on the roads. Ms. Ulman will look into the matter of sending letters to the builders informing them of the safety issues regarding equipment left on roads. At 5 Litman Lane a stop work order has been issued. Building permits were not requested for the work being done on the site, and the entire site will need to be re-excavated in order to allow for the required inspections.

Mayor Marshall raised the issue of homeowners on Tamarack raking leaves into the street. Letters will be sent to the homeowners informing them that they cannot rake leaves into the street and that they must remove any leaves placed there in error.

9. Legal Period

Ms. Ulman commented her items were for the Executive Session.

10. Old Business

Deputy Mayor Sanderson reported he has to obtain new quotes for the utility box fencing on Halley Drive. A new box has been added enlarging the area and the previous quote has expired.

Ms. Ulman reported she has received a motion to dismiss the fire hydrant lawsuit from the Town of Ramapo. The response is due by December 16th.

Mayor Marshall then brought up the Retirement Amortization question. After discussion it was tabled to the next meeting.

11. New Business

The Code Enforcement Officer reported that cars were being parked on Village roads overnight. Mayor Marshall responded that the Police should be called to enforce the Village law. Ms. Sanderson commented that notice of the Village Law regarding overnight parking on Village roads will be placed in the upcoming Newsletter.

Mayor Marshall reported that Ms. Sanderson has requested that the Village join the Coats for Kids program.

Deputy Mayor Sanderson moved to adopt participation in the Coats for Kids Program. Seconded by Trustee Lamer. Motion carried 5-0.

12. Office Period

Trustee Lamer requested that a notice be included in the upcoming Newsletter informing residents that snow may not be shoveled into the roads.

13. Trustees Period

Trustee Banks inquired about the Cultural Center's budget chart which is supposed to be submitted each month with his report. An update should be submitted each month with his report.

Trustee Banks reported that the Temple still has not replaced the dead trees and now there are additional dead trees on the property. The Code Enforcement Officer will work with Mr. Corless to follow-up with the Temple.

Deputy Mayor Sanderson moved to adjourn to Executive Session to discuss matters of litigation. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Lamer moved to reopen the public meeting. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

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

Meeting adjourned at 9:25 p.m.

Respectfully submitted,
Malverne J. Toll