

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
DECEMBER 12, 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 December 12, 2005.

Present

Mayor: Herbert Marshall

Deputy Mayor: Nick Sanderson

Trustees: Ian Banks
Alan Lamer
Alma Roman

Doris Ulman, Village Attorney
Leslie Sanderson, Assistant to the Mayor

Absent

P. J. Corless, Village Engineer
Jay Helfgott, Code Enforcement Officer

Summary of Motions

Deputy Mayor Sanderson moved to adopt the Minutes of September 12, 2005 as amended. Seconded by Trustee Lamar. Motion carried 3-0-2. Trustees Banks and Roman abstained because they had not had time to review the Minutes.

Deputy Mayor Sanderson moved to adopt the Minutes of September 26, 2005 as amended. Seconded by Trustee Lamer. Motion carried 3-0-2. Trustees Banks and Roman abstained because they had not had time to review the Minutes.

Deputy Mayor Sanderson moved to adopt the Minutes of October 11, 2005 as presented. Seconded by Trustee Lamer. Motion carried 3-0-2. Trustees Banks and Roman abstained because they had not had time to review the Minutes.

Deputy Mayor Sanderson moved to adopt the Minutes of October 24, 2005 as presented. Seconded by Trustee Lamer. Motion carried 3-0-2. Trustees Banks and Roman abstained because they had not had time to review the Minutes.

Trustee Roman moved to approve an expenditure of \$675.00 for the December 17, 2005 Musical Revue at the Cultural Center. Seconded by Trustee Lamer. Motion received a vote of 3 – 2. Deputy Mayor Sanderson voted no because he feels the events are not necessarily benefiting Village residents. Trustee Banks voted no because the request was not made in the chart form that was agreed upon showing where the money would come from.

Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$4,678.24 set forth on pages 1 through 2 in the Monthly Abstract Listing dated December 1, 2005 – December 12, 2005 as submitted by the Village

Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Roman. Motion carried 5-0.

Deputy Mayor Sanderson moved to adopt the Town of Ramapo highway maintenance contract for maintenance services in the amount of \$77,780.00 and authorizes the Mayor to sign said contract. Seconded by Trustee Banks. Motion carried 4-0-1. Trustee Lamer abstained because he had not seen the new contract.

Trustee Lamer moved that the salary of the Village Clerk/Treasurer is hereby established at \$32,500.00 per annum for a minimum of 25 hours per week exclusive of lunch and attendance at all meetings of the Board of Trustees. Seconded by Trustee Roman. Motion carried 4-0-1. Deputy Mayor Sanderson abstained.

1. Salute the Flag.

Mayor Marshall began the meeting with a moment of silence in memory of Sue Glantz.

2. Open Period

No one appeared to speak.

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

3. Adoption of Minutes

Mayor Marshall commented that all Minutes had been placed in the Trustees mail boxes on November 29, 2005 for their review.

A. September 12, 2005

Deputy Mayor Sanderson commented on the Building and Parks paragraph regarding the alleged water theft and felt it needed clarification. He recommended the following change: "There was an alleged water theft incident at Fairty Pond. It had been reported that someone had hooked up a hose to the pond and was running the water outside to their house. Upon inspection by the Code Enforcement Officer, the hose was visible but disconnected and the Code Enforcement Officer reported that he would continue observation".

Also, on page three, the correct name is Cheesecote Lane, not Cheesecote Court. On page four, a spelling error was noted; it is the East Ramapo Marching Band, not Bank.

Deputy Mayor Sanderson moved to adopt the Minutes of September 12, 2005 as amended. Seconded by Trustee Lamar. Motion carried 3-0-2. Trustees Banks and Roman abstained because they had not had time to review the Minutes.

B. September 26, 2005

Deputy Mayor Sanderson commented on the misspelling on page 8, paragraph 3, the correct spelling is Phelan.

Deputy Mayor Sanderson moved to adopt the Minutes of September 26, 2005 as amended. Seconded by Trustee Lamer. Motion carried 3-0-2. Trustees Banks and Roman abstained because they had not had time to review the Minutes.

C. October 11, 2005

Deputy Mayor Sanderson moved to adopt the Minutes of October 11, 2005 as presented. Seconded by Trustee Lamer. Motion carried 3-0-2. Trustees Banks and Roman abstained because they had not had time to review the Minutes.

D. October 24, 2005

Deputy Mayor Sanderson moved to adopt the Minutes of October 24, 2005 as presented. Seconded by Trustee Lamer. Motion carried 3-0-2. Trustees Banks and Roman abstained because they had not had time to review the Minutes.

4. Cultural Center

A copy of the Director's report is attached to the Minutes. Mr. Gde requested the approval of an expenditure of \$675.00 for a musical revue planned for December 17, 2005 at the Cultural Center. He also requested funding for a February 12, 2006 exhibition.

Trustee Roman moved to approve an expenditure of \$675.00 for the December 17, 2005 Musical Revue at the Cultural Center. Seconded by Trustee Lamer.

Trustee Banks raised the matter that at the last meeting it was requested that Mr. Gde submit his budget requests in a chart form so they can be entered into the overall budget of the Cultural Center. A lot of time was spent developing a chart in order to follow the expenditures at the Cultural Center and the chart was to be attached to the monthly report.

Mayor Marshall commented that funds for the December 17th event would be considered at this time, but other requests would be handled next month when they could be submitted in the proper format.

Motion received a vote of 3 – 2. Deputy Mayor Sanderson voted no because he feels the events are not necessarily benefiting Village residents. Trustee Banks voted no because the request was not made in the proper format.

Mayor Marshall advised Mr. Gde to prepare a budget in the proper form for the Board prior to the next Workshop, January 9, 2006.

Mr. Gde requested reimbursement of expenditures for the December 3, 2005 reception. He was informed that these expenditures were previously approved and that they were available for reimbursement as soon as his voucher and receipts were presented to the

Village Clerk. Mayor Marshall reiterated that the December 3rd expenditures must also be included in the budget/expenditure chart that he is preparing for the Board.

Ms. Sanderson reported on the internet hook-up for the Cultural Center. Verizon will be preparing a proposal for the Village to consider. She is also researching both dial-up and DSL.

The Board again discussed the "subscription" question for the Cultural Center. After much discussion the matter was again tabled to the next regular Board meeting and Mr. Gde was asked to have further details available.

5. Building Department
A. Engineering and Building

There were no requests for return of escrow deposits. Since Mr. Corless was unavailable there was no report on highway paving.

Discussion then followed regarding the possible Highgate Road dedication. A copy of a letter received from Mr. Miele at 102 Overlook Road is attached to the Minutes. Deputy Mayor Sanderson expressed concern for the residents living on Highgate and not having the roads dedicated. Ms. Ulman expressed concern about the heavy equipment that would still be using the roads to reach undeveloped lots. Once the roads are dedicated the Village owns them and is responsible for them. To date, the final course has not been installed on the roads and that must be done before dedication to the Village can take place. Mayor Marshall suggested that the Village could take dedication if the builders agree to repair the road after the last Certificate of Occupancy is issued. Ms. Ulman will look into the matter with the developers.

6. Committee Reports
A. Recreation

Trustee Roman reported that she has met with the former Recreation Committee and they wish to continue working on recreation events in the Village.

Dr. DeFour-Pierce a volunteer on the former Recreation Committee reported that Linda Simmons has volunteered to Chair the Fish-in at Fairty Pond in the spring. Also, the Committee would like to purchase and plant a tree at Village Hall in honor of Sue Glantz and have a dedication ceremony. The Committee feels that Sue was very helpful to them and gave them meaningful advice when it was needed. Trustee Banks reminded the Board of the planting plan that has been drawn up for Village Hall and would like the dedicated tree to work within the plan. They will work with Trustee Banks on what type of tree to purchase. Dr. DeFour-Pierce will bring details back to the Board for their consideration.

A possible date, June 17th and 18th, for the Fish-in was discussed. Mayor Marshall commented that it had been decided in the past to hold the Halloween Parade and Party on a Saturday and the Fish-in on a Sunday. June 18th is Father's Day and not an available day. The Board approved June 11th as the official date for the 2006 Fish-In.

B. Building and Parks

Trustee Banks reported that Chris Meredith has done a good job taking care of the parks. There are two items that still need to be completed, one is to remove the fence in front of Village Hall when the snow clears, and the road side pick up still needs to be done. Final payment to him should not be made until the two items are completed. Trustee Banks said he would work with Mr. Gde on the re-installation of the humidifier at the Cultural Center.

Deputy Mayor Sanderson commented that an estimate is needed for painting Village Hall, either part of the building or the entire building. Trustee Banks will obtain bids in February. The matter was tabled to the February 2006 meeting.

C. Other

Nothing at this time.

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 \$4,678.24 set forth on pages 1 through 2 in the Monthly Abstract Listing dated December 1, 2005 – December 12, 2005 as submitted by the Village Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Roman. Motion carried 5-0.

Mayor Marshall reported that he and Deputy Mayor Sanderson have met with the Village auditors for a preliminary financial report. The Board of Trustees should be receiving a copy of the report within the next few weeks.

C. Grants and Awards

Nothing at this time.

8. Code Enforcement

Nothing at this time.

9. Legal

Ms. Ulman reported that the highway contract from the Town of Ramapo has been received for highway maintenance services for 2006 in the amount of \$77,780.00. The contract is the same as last year except for the amount. Last year's contract was in the amount of \$71,000.00.

Deputy Mayor Sanderson moved to adopt the Town of Ramapo highway maintenance contract for maintenance services in the amount of \$77,780.00 and

authorizes the Mayor to sign said contract. Seconded by Trustee Banks. Motion carried 4-0-1. Trustee Lamer abstained because he had not seen the new contract.

Mayor Marshall directed Ms. Sanderson to ensure that copies of the new contract were made for all Board members. Mayor Marshall is still working on a highway agreement with the Town of Haverstraw.

Ms. Ulman reported on the Adult Student Housing lawsuit. The two private citizens involved in the lawsuit have filed a show cause order asking for a reduction of the bond for the preliminary injunction to a nominal amount.

10. Old Business

Ms. Ulman reported on the current status of the Ramapo hydrant situation. A Motion to Dismiss was received from the Town of Ramapo and she is preparing a response.

Ms. Sanderson reported that the fence for the utility boxes on Halley Drive has been postponed to the spring.

Regarding the Roman Sewer Problem, Trustee Roman will submit all the particulars regarding the sewer situation for the Board to discuss. The matter was tabled to the next meeting.

Mayor Marshall brought up the matter of amortization of the retirement payments. Deputy Mayor Sanderson reported that the letter from the New York State Office of the Controller was really a "heads-up" for the Village during their budget discussions for next year. It is a projection of the 2007 payment.

11. New Business

Nothing at this time.

12. Office Period

Mayor Marshall commented that a vacancy exists in the Village Clerk-Treasurer position. Ms. Ulman explained the procedure required to be followed in filling the vacancy. The Village Clerk-Treasurer was serving a two-year term that expires in April 2007. By State law the Mayor appoints a replacement to fill the vacancy and approval is not needed by the Board of Trustees. The salary adjustment does have to be adopted by the Board of Trustees. Mayor Marshall then announced his appointment of Leslie Sanderson to serve as Village Clerk-Treasurer for the remainder of the two-year term expiring in April 2007. Before going into Executive Session to discuss salary, the Mayor opened a second Open Period for comments from the public.

Second Open Period

Susan Mastrocrocio, 12 White Birch spoke about the passing of Sue Glantz and expressed her sorrow over the loss to the Village. Ms. Mastrocrocio stressed what an asset Sue was to all the residents of the Village. She was also pleased to see the Village Newsletter has been reinstated.

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

Ms. Sanderson commented that in conjunction with the Recreation Committee dedicating a tree in Sue's memory, perhaps Trustee Roman's suggestion of a bench to go under the tree would be very nice. Ms. Sanderson will work with Trustee Roman on this. Additionally, Ms. Sanderson has received numerous requests regarding Sue's family and they have requested donations to either Montebello Jewish Center or the American Cancer Society. Ms. Sanderson distributed a list of the names and addresses where donations could be made.

Trustee Lamer moved to adjourn to Executive Session to discuss matter of Personnel. Seconded by Trustee Roman. Motion carried 4-0-1. Deputy Mayor Sanderson abstained because of a personal interest.

Trustee Roman moved to reopen the Public Meeting. Seconded by Trustee Lamer. Motion carried 4-0. Deputy Mayor Sanderson was not present during the Executive Session.

Trustee Lamer moved that the salary of the Village Clerk/Treasurer is hereby established at \$32,500.00 per annum for a minimum of 25 hours per week exclusive of lunch and attendance at all meetings of the Board of Trustees. Seconded by Trustee Roman. Motion carried 4-0-1. Deputy Mayor Sanderson abstained.

13. Trustees Period

Deputy Mayor Sanderson commented that the Fee Schedule for the Village has to be updated to reflect the changes made at the September 12, 2005 meeting. Ms. Ulman will work with Ms. Sanderson on this matter.

Trustee Roman 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 Trustee Roman. Motion carried 5-0.

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

Meeting adjourned at 9:55 p.m.

Respectfully submitted,

Malverne J. Toll