

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
AUGUST 15, 2005

ADOPTED OCTOBER 24, 2005

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 August 15, 2005.

Present

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

Doris Ulman, Village Attorney
Michael Zrelak, Jr., Building Inspector
Jay Helfgott, Code Enforcement Officer
Sue Glantz, Village Clerk/Treasurer

Absent

P. J. Corless, Village Engineer

Summary of Motions

Deputy Mayor Sanderson moved to adopt the proposed local law amending the Village Code in Relation to Disturbance to Steep Slopes. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to adopt the Minutes of May 23, 2005 as presented. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Lamer moved to adopt the Minutes of June 13, 2005, as amended. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Deputy Mayor Sanderson moved to adopt the Minutes of June 27, 2005 as presented. Seconded by Trustee Banks. Motion carried 5-0.

Trustee Roman moved to charge up to \$20.00 for non-residents to attend the Flamenco Dance Workshop in September, October and November (6 Workshops) and the Mask Workshop in October. Seconded by Trustee Banks.

After discussion, Trustee Roman amended the motion to read \$10.00 per class for non-residents. Trustee Banks accepted the amendment to the

motion. Motion carried 3-1-1. Deputy Mayor Sanderson voted No and Trustee Lamer abstained because of inadequate information.

Trustee Roman moved to approve the expenditure of \$600.00 for the Flamenco Dance Workshop and \$600.00 for the Mask Workshop. Seconded by Mayor Marshall.

Motion failed 2-2-1. Mayor Marshall and Deputy Mayor Sanderson voted No and Trustee Lamer abstained.

Trustee Roman moved to approve the expenditure of \$600.00 for the Mask Workshop. Seconded by Trustee Lamer. Motion carried 4-1. Deputy Mayor Sanderson voted No.

Trustee Lamer moved to accept the donation of \$300.00 from Alice Halia for purchasing gravel to be placed at the Cultural Center. Seconded by Trustee Banks. Motion carried 4-1. Deputy Mayor Sanderson voted No.

Trustee Roman moved to approve the expenditure up to \$50.00 to complete the platform at the Cultural Center. Seconded by Trustee Lamer. Motion failed 2-3. Mayor Marshall, Deputy Mayor Sanderson and Trustee Lamer voted No.

Deputy Mayor Sanderson moved to approve the expenditure of \$300.00 for gravel for the Cultural Center. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$100,545.24 set forth on pages 1 through 5 in the Monthly Abstract Listing dated July 25, 2005 through August 12, 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 authorize the installation of a “Dead End Street” sign at the entrance of Cheesecote Lane. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Banks moved to approve the hiring of Jeff Rosen to maintain the air conditioning unit at Village Hall subject to review of a contract. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

1. Salute the Flag.

2. Open Period

Robert Himber, 26 Old Pomona Road addressed the Board regarding an ongoing problem at 24 Old Pomona Road with construction material and a diesel truck parked in the backyard. He complained three months ago and nothing has changed. The Code Enforcement Officer commented that photographs have been taken of the backyard and a court case is being prepared. There are a number of issues that need to be addressed regarding the property. Ms. Ulman responded that she is working on obtaining a court date from the Town of Ramapo and hopes to have it by the end of the month. As the matter progresses the Code Enforcement Officer will prepare a report for the Board. This matter will be an agenda item for the next meeting for a follow-up.

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

3. Public Hearing – Steep Slope Amendment

Ms. Ulman distributed and explained a local law amending the Code of the Village of Pomona in Relation to Disturbance of Steep Slopes. A copy of the local law is attached to the minutes.

The Code Enforcement Officer commented that he thinks the amendment is much needed.

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

Deputy Mayor Sanderson moved to adopt the proposed local law amending the Village Code law in Relation to Disturbance to Steep Slopes. Seconded by Trustee Lamer. Motion carried 5-0.

4. Adoption of Minutes

A. May 23, 2005

Deputy Mayor Sanderson moved to adopt the Minutes of May 23, 2005 as presented. Seconded by Trustee Lamer. Motion carried 5-0.

B. June 13, 2005

Deputy Mayor Sanderson suggested that the Mayor's comments which were listed below the Salute to the Flag be moved to New Business. The Board agreed.

Trustee Lamer moved to adopt the Minutes of June 13, 2005, as amended. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

C. June 27, 2005

Deputy Mayor Sanderson moved to adopt the Minutes of June 27, 2005 as presented. Seconded by Trustee Banks. Motion carried 5-0.

D. & E. July 11, 2005 and July 25, 2005

Tabled to the next meeting.

5. Cultural Center

A copy of the Director of the Cultural Center's report is attached to the Minutes. Trustee Roman reported that she has a list of activities planned for the Cultural Center and is working on a spread sheet showing cost. As soon as it is completed she will send copies to the Board in time for the next workshop where it will be discussed. Trustee Roman requested approval of the Flamenco Dance Workshops (\$600.00) and the Mask Workshops (\$600.00) scheduled for October and November in the amount of \$1600.00 (including exhibit and materials). To date, she has not been given a sign-up sheet to show how many people have signed up for the workshops. Trustee Banks commented that at the meeting with Mr. Gde a chart was proposed with related costs. Mr. Gde is over his budget for August and this may cause a shortfall of funds for the coming year. The Cultural Center budget would be 90% spent by the end of December leaving very little for the next six months.

Deputy Mayor Sanderson commented that in looking at the Flamenco Dance Workshop, Village residents are not taking advantage of programs at the Center which they are paying for. On a list of ten people attending a workshop, only two were residents. He proposes charging a small fee for non-residents to participate in workshops. A non-resident would be someone who does not live in the Village of Pomona. The non-resident family of a resident would be considered non-residents.

Trustee Roman moved to charge up to \$20.00 for non-residents to attend the Flamenco Dance Workshop in September, October and November (6 Workshops) and the Mask Workshop in October. Seconded by Trustee Banks.

After discussion, Trustee Roman amended the motion to read \$10.00 per class for non-residents. Trustee Banks accepted the amendment to the motion. Motion carried 3-1-1. Deputy Mayor Sanderson voted No and Trustee Lamer abstained because of inadequate information.

Trustee Roman moved to approve the expenditure of \$600.00 for the Flamenco Dance Workshop and \$600.00 for the Mask Workshop. Seconded by Mayor Marshall.

Trustee Banks questioned having two workshops during the same month and causing a budget crisis. He would favor having the workshop chart prepared first and then seeing if two workshops could be held in the same month.

Motion failed 2-2-1. Mayor Marshall and Deputy Mayor Sanderson voted No and Trustee Lamer abstained.

Trustee Roman moved to approve the expenditure of \$600.00 for the Mask Workshop. Seconded by Trustee Lamer. Motion carried 4-1. Deputy Mayor Sanderson voted No.

Deputy Mayor Sanderson commented that his opposition to the above motions of spending additional monies for programs in the Cultural Center will continue until it can be shown that the majority of the people involved in the programs are Village residents.

Trustee Roman then brought up the matter of the telephone at the Center. The phone at the Center now has voice mail for taking messages. The matter will be discussed further at the workshop.

Deputy Mayor Sanderson reported that he attempted to install the computer at the Center but Mr. Gde does not want that particular computer. Mayor Marshall responded that that particular computer is the one targeted for the Cultural Center and should be installed as soon as possible. Deputy Mayor Sanderson responded that he would have it installed.

Mr. Gde reported the donation of \$300.00 from Alice Halia for gravel to be placed around the storage shed at the Cultural Center. He also requested approval of \$50.00 to purchase materials to paint the edge of the platform for safety purposes at the Center.

Trustee Lamer moved to accept the donation of \$300.00 from Alice Halia for purchasing gravel to be placed at the Cultural Center. Seconded by Trustee Banks. Motion carried 4-1. Deputy Mayor Sanderson voted No because he has no idea how much it's going to cost.

Trustee Roman moved to approve the expenditure up to \$50.00 for paint for the platform at the Cultural Center. Seconded by Trustee Lamer.

Trustee Lamer questioned the safety regulations regarding the red color paint Mr. Gde selected. The Code should be researched to ensure it's the correct type of paint and color. Deputy Mayor Sanderson suggested the platform be removed

since it could not be well marked for safety purposes. Trustee Banks commented that all other expenditures should await the completion of the budget before being approved.

Motion failed 2-3. Mayor Marshall, Deputy Mayor Sanderson and Trustee Lamer voted No.

Deputy Mayor Sanderson moved to approve the expenditure of \$300.00 for gravel for the Cultural Center. Seconded by Trustee Lamer. Motion carried 5-0.

At this point Deputy Mayor Sanderson reiterated for Mr. Gde that his negative comments are not about anything to do with the way Mr. Gde is handling programming at the Cultural Center which he feels are excellent, but rather with the management of the Center.

6. Building Department
A. Engineering and Building

Mr. Zrelak reported there are about a dozen homes being built and he is quite busy.

The return of partial escrow to Southern Pomona Homes did not receive a recommendation of approval from the Planning Board. The matter was tabled to the next meeting.

Mayor Marshall reported that the Building Inspector's work hours have changed and he is now available every day from 11 a.m. to 2 p.m. instead of his previous early morning and evening hours.

7. Committee Reports
A. Recreation

Trustee Roman reported that she still has not located a Chair for the Recreation Committee. She will check with Ms. Sanderson who may have a recommendation.

B. Building and Parks

Trustee Banks reported the signs have been completed and are installed. The signs do need to be corrected regarding sunrise and sunset. It will be done as soon as possible. Chris Meredith has finished the clean-up work around Village Hall. The vines growing on the Village Hall building still need to be removed. Deputy Mayor Sanderson reported that the dead tree is still down in Fairy Pond and being used as a playground by children in the area. Trustee Banks will have Chris Meredith take care of the tree.

The accident, whereby a vehicle hit the fence on the corner of Camp Hill Road and Route 202 was discussed. Trustee Banks recommended removing the entire chain link fence around Village Hall including the side of the parking lot. He has received a quote of \$2800.00 from Chris Meredith for the removal of the fence. Clerk Glantz reported she has talked with the police who told her the car was unregistered and whether or not they have insurance is questionable. The Village can either sue the driver of the car, or go through NYMIR which requires two estimates for repairing the fence. The Village has a \$1000.00 deductible. Deputy Mayor Sanderson recommended obtaining multiple quotations from fence companies on replacing the fence. Mayor Marshall tabled the matter to the workshop meeting and requested Ms. Glantz to obtain estimates on what NYMIR requires as soon as possible and at the workshop a decision will be made. Trustee Banks will work with Clerk Glantz on the matter.

8. 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 \$100,545.24 set forth on pages 1 through 5 in the Monthly Abstract Listing dated July 25, 2005 through August 12, 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.

C. Grants and Awards

Trustee Banks questioned if anyone was working with Mr. Gde on obtaining grants for the Cultural Center? Deputy Mayor Sanderson explained that every month he goes through the State and Federal lists of grants for which the Village may be eligible, and in general is very proactive in seeking grant money for the Village.

9. Code Enforcement

A copy of the Code Enforcement Officer's report is attached to the Minutes. Mayor Marshall asked for an update on the fence in the right of way at 117 Overlook. The Code Enforcement Officer is working with the Deputy Village Attorney on this matter. The fence has to be set back to the property line and off the Village right of way. The homeowner is avoiding the Code Enforcement Officer and the notice sent to them by certified mail has not been picked up. An appearance ticket will be issued.

Mr. Helfgott reported on a tractor trailer that has been parked on Halley. He tracked down the truck's owner who tried to contact the driver. The driver was finally located and told to remove the truck.

10. Legal Period

Mayor Marshall inquired about a Peddler's Law in the Village and asked Ms. Ulman to prepare something for the next workshop for discussion.

Ms. Ulman reported on the status of the Haverstraw Highway Agreement. Bill Stein has not returned her calls and she will pursue the matter.

The Town of Ramapo will be asked to prepare a Dog Control Contract for the Village regarding the Dog Warden services. The Village has been paying the Town for dog control services and the Town Attorney will follow up on the matter.

11. Old Business

Deputy Mayor Sanderson reported there is nothing new on the utility box fence on Halley Drive.

Ms. Ulman reported on the Ramapo Hydrants, she was not able to find the original resolution but will move forward without it.

Mayor Marshall has reviewed the wording for the overnight parking signs and has sent approval to Ms. Sanderson for ordering the signs.

12. New Business

Attached is a copy of a letter from the NYS Office of Parks, Recreation and Historic Preservation regarding the Ladentown United Methodist Church.

Ms. Toscano who lives on Cheesecote Lane has requested a "No Outlet" or "No Through Street" sign be posted on Cheesecote Lane. Cars turn into the cul-de-sac which is a dead end and then turn around in her driveway.

Deputy Mayor Sanderson moved to authorize the installation of a "Dead End Street" sign at the entrance of Cheesecote Lane. Seconded by Trustee Roman. Motion carried 5-0.

Mayor Marshall inquired about a bill the Village received from Jeff Rosen for the air conditioning system in Village Hall. Trustee Banks responded it is not a bill but a maintenance contract for the air conditioning unit. Trustee Banks will meet with Mr. Rosen to discuss the cost of the maintenance. The contract starts April

2006 and Trustee Banks wants the service covered between now and then. He should be on call in case of a problem with the air conditioning unit.

Trustee Banks moved to approve the hiring of Jeff Rosen to maintain the air conditioning unit at Village Hall subject to review of a contract. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Mayor Marshall passed around a magazine that contained a picture taken in the Village. It was a picture of a tumbled down shed which was turned into a charming cottage garden. He suggested an award for people who contribute over and above to the beautification of the Village. An article will be placed in the Newsletter. The awarding of a plaque will be discussed at the next workshop.

Trustee Roman brought up the idea of an area in the Village where awards and recognition can be posted for the public to see. The matter will be discussed at the next workshop.

13. Office Period

Clerk Glantz suggested that information for the residents such as new local laws, etc. be placed in the Newsletter. Mayor Marshall commented that the Newsletter content and format will be revisited next month.

14. Trustees Period

Trustee Roman brought up the matter of Pomona Road paving. Since it is not in the Village of Pomona, the Board has no control over any road paving.

Trustee Roman also raised the question of a Planner for the Village. The Board will look into the matter.

Deputy Mayor Sanderson had a question about violation searches. Is it appropriate when someone requests a violation search, does the Village representative enter the property as well as inside the home. Ms. Ulman will check with the Building Inspector to see what he does when performing a violation search. She will also research the Code for any policy regarding violation searches in the Village. Deputy Mayor Sanderson felt the Village should have a written directive to ensure the Code is met. Deputy Mayor Sanderson also questioned what is the policy with a house that has two kitchens? The matter will be discussed in Executive Session.

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 session. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

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

Meeting adjourned at 9:50 p.m.

Respectfully submitted,

Malverne J. Toll