

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
AND GRIEVANCE DAY
FEBRUARY 27, 2006

ADOPTED MAY 22, 2006

The Board of Trustees of the Village of Pomona Meeting and Grievance Day Hearing was held at the Pomona Village Hall, 100 Ladentown Road, Pomona, New York at 6:00 p.m. on February 27, 2006.

Present

Mayor: Herb Marshall
Deputy Mayor: Nick Sanderson
Trustees: Ian Banks
Alan Lamer

Village Attorney: Doris Ulman
Village Assessor: Scott Shedler
Village Clerk/Treas.: Leslie Sanderson

Absent

Trustee: Alma Roman

Summary of Motions

Deputy Mayor Sanderson moved to accept the recommendation of the Village Tax Assessor to reduce the assessment on Tax Lot No. 25.5-1-9, at 77 Halley Drive to \$119,500. Seconded by Trustee Banks. Motion carried 4-0.

Deputy Mayor Sanderson moved to accept the recommendation of the Village Tax Assessor to reduce the assessment on Tax Lot No. 19.17-1-68, at 16 North Ridge Road to \$195,300. Seconded by Trustee Lamer. Motion carried 4-0.

Trustee Lamer moved to accept the recommendation of the Village Tax Assessor to reinstate the tax assessment on Tax Lot No. 32.20-2-9, at 36 Old Pomona Road to \$62,000. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.

Deputy Mayor Sanderson moved to adopt the Minutes of January 9, 2006 as presented. Seconded by Trustee Lamer. Motion carried 3-0-1. Trustee Banks abstained since he was absent from the meeting.

Trustee Lamer moved to approve the expenditure of \$700.00 for the Spring Opening at the Cultural Center on April 8, 2006. Seconded by Trustee Banks. Motion carried 4-0.

Trustee Lamer moved to approve the expenditure of \$300.00 for the rescheduling of the spring concert from February 12th to May 13th. Seconded by Trustee Banks. Motion carried 4-0.

Trustee Lamer moved to approve the expenditure of \$300.00 for the rescheduling of the February 12th opening to May 13th. Seconded by Trustee Banks. Motion carried 4-0.

Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$126,016.71 set forth of pages 1- 5 in the Monthly Abstract Listing dated January 24, 2006 through February 27, 2006, 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 4-0.

Trustee Banks moved to set a Public Hearing on March 27, 2006 on the proposed "Local Law Prohibiting Illicit Discharges, Activities and Connections into the Village of Pomona Stormwater Sewer System". Seconded by Deputy Mayor Sanderson. Motion carried 4-0.

- 1. Salute the Flag.**
- 2. Tax Grievance**

There were three assessment grievances filed and heard by the Board of Trustees and the Village Tax Assessor, Scott Shedler.

Donald Jeffries
77 Halley Drive
Pomona, NY 10970
Tax Lot No.: 25.5-1-9

The owners filed a request for a reduction from \$165,000 to \$119,500. An addition to the existing house has only the foundation installed, not the entire addition. Mr. Shedler recommended to the Board the reduction to \$119,500.

Deputy Mayor Sanderson moved to accept the recommendation of the Village Tax Assessor to reduce the assessment on Tax Lot No. 25.5-1-9, at 77 Halley Drive to \$119,500. Seconded by Trustee Banks. Motion carried 4-0.

Kook Jin Moon
16 North Ridge Road
Pomona, NY 10970
Tax Lot No.: 19.17-1-68

Due to improvement work done on the house totaling \$80,000, the Village Tax Assessor recommended an assessment of \$195,300.

Deputy Mayor Sanderson moved to accept the recommendation of the Village Tax Assessor to reduce the assessment on Tax Lot No. 19-17.1-68, at 16 North Ridge Road to \$195,300. Seconded by Trustee Lamer. Motion carried 4-0.

Jay and Roth Hubelbank
36 Old Pomona Road
Suffern, NY 10901
Tax Lot No.: 32.20-2-9

The assessment on this property was raised from \$62,000 to \$80,000. After an investigation by the Village Tax Assessor, he found there were no improvements made to the property and he recommended the assessment be moved back to \$62,000.

Trustee Lamer moved to accept the recommendation of the Village Tax Assessor to reinstate the tax assessment on Tax Lot No. 32.20-2-9, at 36 Old Pomona Road to \$62,000. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.

3. Open Period

Phyllis Joffe, 14 Tamarack Lane addressed the Board regarding road repairs done in front of her property. She reported there are many loose stones and debris from the road on the front ten feet of her property and wants to know who is responsible for removing it. Also, when will the road be properly repaired? Mayor Marshall responded the road is scheduled for repaving in the spring and he instructed the Village Clerk to contact the Haverstraw Highway Department to have them inspect the property and clean up any loose stones or debris from the road work. Ms. Jaffe also inquired if it was possible to have another cable company serve the Village. Mayor Marshall responded that Verizon is currently looking into the possibility of providing service to the Village.

Deputy Mayor Sanderson moved to close the Open Period. Seconded by Trustee Lamer. Motion carried 4-0.

**4. Adoption of Minutes
A. January 9, 2006**

Deputy Mayor Sanderson moved to adopt the Minutes of January 9, 2006 as presented. Seconded by Trustee Lamer. Motion carried 3-0-1. Trustee Banks abstained since he was absent from the meeting.

5. Cultural Center

A copy of the Director's monthly report is attached to the Minutes. Mr. Gde requested approval of the expenditure of \$700.00 for the Spring Opening on April 8th.

Trustee Lamer moved to approve the expenditure of \$700.00 for the Spring Opening at the Cultural Center on April 8, 2006. Seconded by Trustee Banks. Motion carried 4-0.

Mr. Gde then requested an expenditure of \$300.00 for a Ukraine Easter Egg Workshop on March 25th and 26th.

Trustee Lamer moved to approve the expenditure of \$300.00 for two workshop classes for Ukraine Easter Eggs on March 25 and 26, 2006. Seconded by Trustee Banks. Motion carried 4-0.

Mr. Gde then reported that the last opening concert scheduled for February 12th was cancelled due to a snowstorm. He would like to reschedule the concert for May 13th and requested an expenditure approval for \$300.00.

Trustee Lamer moved to approve the expenditure of \$300.00 for the rescheduling of the spring concert from February 12th to May 13th. Seconded by Trustee Banks. Motion carried 4-0.

Mr. Gde reported on a maintenance problem of missing sheetrock above the electrical panel. Trustee Banks will check it out and have the necessary repairs made.

**6. Building Department
A. Engineering and Building**

The Village Engineer reported there were no requests for return of escrow money. Ms. Ulman, Village Attorney, reported on the Highgate Road dedication matter. She is waiting to hear from Mr. Albrecht. Mr. Corless, the Village

Engineer, commented that he and Trustee Banks are still working on the sign list and procedure for the Village.

Mr. Corless reported on the status of the situation at J-12 at the northeast corner of South Ridge and Woodfield. A stop work order was issued several months ago until a detailed plan for the retaining wall and steps was approved. The site plan was presented and approved. The work started but was not following the site plan and another stop work order was issued. The matter was discussed at the last TAC meeting.

Regarding Lot H-10, a stone wall was installed in the future public right-of-way. This would make the road not acceptable for dedication to the Village. A letter will be sent to the builder to correct the encroachment situation with copies of the letter to the other builders in the area putting them on notice also. No Certificate of Occupancy will be issued on H-10 until the wall is moved off the right-of-way. The Code Enforcement Officer has taken pictures of the encroachment and they are on file in Village Hall.

The drainage problem on Ormian Drive at the end of the former Redwoods is a result of running water being redirected from the driveway to a pipe that was installed and empties onto the road. That area of the road is now undermined and severe cracking has resulted. Mr. Corless suggested a catch basin be installed to collect the water when the road paving is scheduled. Mr. Corless will prepare a specification for the work to be done.

Mayor Marshall and Mr. Corless will meet on Thursday, March 2nd to go over the roads in the Village that require paving. The Village Clerk also has a list of roads that need to be looked at which she will forward to the Mayor.

B. Planning and Zoning

Mayor Marshall reported on notification he received from Barr Laboratories regarding their installation of an underground tank for neutralization of their waste water that goes into the sewer. There is no impact on the Village; they are merely notifying the Village.

7. Committee Reports

A. Recreation

Nothing at this time.

B. Buildings and Parks

Trustee Banks reported on the painting of Village Hall. Bob Sheridan, who previously painted Village Hall has inspected the building and checked with Benjamin Moore about the problem of the paint peeling and cracking on one

side. He has submitted an estimate of \$6800.00. Trustee Banks will consider that while he works on the maintenance budget for the coming year. The work would not be done until the spring. Trustee Banks is still working on a quote for replacing the fence in front of Village Hall and will have prices for the next workshop. The small piece of fencing along Camp Hill Road still needs to be removed. He will check with Chris Meredith to ensure it is removed.

C. Other

Ms. Ulman reported that an Ethics Committee meeting has been scheduled for Thursday, March 2, 2006.

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 \$126,016.71 set forth of pages 1- 5 in the Monthly Abstract Listing dated January 24, 2006 through February 27, 2006, 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 4-0.

C. Grants and Awards

Mayor Marshall reported on a letter he received from Senator Schumer's office regarding the 2006 Save America Treasures Grant Program. The letter was turned over to Deputy Mayor Sanderson to pursue.

D. 2006 Budget

The Mayor reminded the Trustees that their 2006 Budget requests are due by the end of February. The Mayor requested that the Village Clerk obtain the most current General Ledger for him to work with when he prepares the 2006 Budget.

9. Code Enforcement

A copy of the Code Enforcement Officer's report is attached to the Minutes. In addition, he reported that the valve box cover located off Tara and Camp Hill has been destroyed again. The Village Clerk will contact the Town of Haverstraw Highway Department to repair it again. Also, whenever open road work is done in the Village a road opening permit is required and the road pavement must be restored.

10. Legal Period

Ms. Ulman reported on the status of the proposed Schecter Road Agreement. Mr. Corless has suggested some additions to the agreement including the cost of snow plowing for a two-year period. Ms. Ulman will obtain estimates for the cost and include it in the agreement.

Ms. Ulman announced that the Richard Lawsuit has been withdrawn.

Ms. Ulman distributed to the Board copies of a proposed "Local Law Prohibiting Illicit Discharges, Activities and Connections into the Village of Pomona Stormwater Sewer System".

Trustee Banks moved to set a Public Hearing for March 27, 2006 on the proposed "Local Law Prohibiting Illicit Discharges, Activities and Connections into the Village of Pomona Stormwater Sewer System". Seconded by Deputy Mayor Sanderson. Motion carried 4-0.

The Army Corps of Engineers recent announcement of possibly reducing the size of protected wetlands to 1 acre will be researched by Ms. Ulman and Trustee Lamer.

11. Old Business

Mayor Marshall gave an update on Verizon's activities regarding cell towers and turned the matter over to Deputy Mayor Sanderson for follow up.

12. New Business

Ms. Ulman reported on the Village of Pomona not having a sewer contract with the County. She was approached by Ted Dezurinko of the Town of Ramapo to set up a meeting to discuss the issue. Mayor Marshall remarked that when first discussed the Town of Ramapo said they would extend the same terms to the Village as to the County. Ms. Ulman will pursue setting up a meeting on the sewer contract and will try to have the County present.

13. Office Period

Ms. Sanderson reported on a request she received from a Trustee of the Village of Montebello regarding a meeting on Adult Student Housing litigation. Mayor Marshall responded his availability of either a Monday or Thursday and requested they contact him directly.

14. Trustees Period

Nothing at this time.

15. Executive Session

Deputy Mayor Sanderson moved to adjourn to Executive Session to discuss matters of litigation. Seconded by Trustee Lamer. Motion carried 4-0.

Trustee Lamer moved to reopen the Public Meeting. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.

Deputy Mayor Sanderson moved to adjourn the meeting. Seconded by Trustee Banks. Motion carried 4-0.

Meeting adjourned at 10:12 p.m.

Respectfully submitted,

Malverne J. Toll