

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
APRIL 10, 2006

ADOPTED MAY 22, 2006

The Board of Trustees of the Village of Pomona meeting reorganization/workshop was held at the Pomona Village Hall, 100 Ladentown Road, Pomona, New York at 7:30 p.m. on April 10, 2006.

Present

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

Village Attorney: Doris Ulman
Village Clerk: Leslie Sanderson

Summary of Motions

Trustee Roman moved to adopt the 2006/2007 salaries and wages set forth in Schedule 4 of the June 1, 2006 through May 31, 2007 tentative budget as presented are hereby fixed at the amounts shown therein, effective June 1, 2006. Seconded by Trustee Lamer. Motion carried 4-0.

Deputy Mayor Sanderson moved to adopt the 2006/2007 budget as presented and the tax rate is hereby set at \$4.67 per thousand dollars of assessed valuation. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Lamer moved to accept the Mayor's appointment of Carol LaChiana to the office of Deputy Village Clerk for a term expiring April 9, 2007. Seconded by Trustee Roman. Motion carried 5-0.

Deputy Mayor Sanderson moved to accept the Mayor's appointment of Scott Shedler to the office of Village Assessor for a term expiring April 9, 2007. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Lamer moved to accept the Mayor's designation of Nik Winter as Chairperson of the Planning Board and Kenneth Cruikshank Deputy Chairperson for terms ending April 9, 2007. Motion carried 5-0.

Trustee Lamer moved to accept the Mayor's designation of Rhoda Appel as Chairperson of the Zoning Board of Appeals for a term ending April 9, 2007. Seconded by Trustee Roman. Motion carried 5-0.

Deputy Mayor Sanderson moved to accept the Mayor's recommended renewal of the contract with P. J. Corless, P.E. as Village Engineer for a period of one year with the same terms and conditions as the expiring contract. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to accept the Mayor's recommended renewal of the contract with Diamond Fulton Timmes & Frega as Village Auditor for a period of one year with the same terms and conditions as the expiring contract except that the annual fee shall be \$12,650.00. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Lamer moved to accept the Mayor's designation of Eloise Litman as Village Historian for a term expiring April 9, 2007. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Trustee Roman moved to accept the Mayor's designation of the Rockland Journal News as the Official Newspaper for the Village of Pomona. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Lamer moved to accept the Mayor's designations of Provident Bank, Bank of New York, M&T Bank and Chase Manhattan Bank as Official Depositories for the Village of Pomona and the Village Clerk-Treasurer is authorized to deposit Village funds not to exceed \$1.2 million in each of said Depositories. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Trustee Lamer moved to accept the Mayor's recommendation that the annual mileage and local expenses allowance of \$500.00 is hereby authorized for the Mayor, a mileage allowance of \$250.00 for the Clerk-Treasurer and all other officers and employees who are authorized to use their personal vehicles for Village business shall be reimbursed at the prevailing IRS rate per mile. Seconded by Trustee Roman. Motion carried 4-0-1. Deputy Mayor Sanderson abstained.

Trustee Roman moved the resolution that the Village Clerk-Treasurer is hereby required to be bonded in the amount of \$100,000.00. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Roman moved to accept the Schedule of Village Board Meetings as presented. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to accept the Trustee Assignments as presented. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to approve a maximum expenditure of \$7,000.00 for the exterior painting of Village Hall to the lowest bidder. Trustee Banks will quantify the three bids, putting them on the same footing, and then accept the low bid. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to approve an expenditure up to \$1,000.00 to clean up the dead fallen trees in Tamarack Park. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Lamer moved to issue a substitute escrow check payable to Schwartz and Silverstein as the attorneys to hold for Mr. Irving Kigler. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Lamer moved that only exhibits are to be held on the exhibit floor at the Cultural Center. Seconded by Trustee Roman. Motion carried 3-2. Deputy Mayor Sanderson and Trustee Banks voted in opposition.

Trustee Banks moved to adopt the guidelines for the use of the Village Hall meeting room for Village sponsored functions, subject to the approval of the Village Board and meeting the rules and regulations drawn up at this meeting. Seconded by Trustee Roman.

Deputy Mayor Sanderson moved to adopt the Memorandum of Understanding Between the Rockland County Soil & Water Conservation District and Stormwater Consortium of Rockland County and authorized Mayor Marshall to sign said Memorandum. Seconded by Trustee Lamer. Motion carried 5-0.

- 1. Salute the Flag.**
- 2. Public Hearing – 2006 Budget**

Mayor Marshall explained the budget line by line and noted a correction of page 2, Village Hall Services. The item numbered 1325.5 was incorrect and should be item number 1620.4a. No one from the public appeared to speak.

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

Mayor Marshall requested that Schedule 4, Salaries be discussed first. Deputy Mayor Sanderson excused himself from the meeting and left the room. The Board had no comment regarding the salaries.

Trustee Roman moved to adopt the 2006/2007 salaries and wages set forth in Schedule 4 of the June 1, 2006 through May 31, 2007 tentative budget as presented are hereby fixed at the amounts shown therein, effective June 1, 2006. Seconded by Trustee Lamer. Motion carried 4-0.

Deputy Mayor Sanderson returned to the meeting. Mayor Marshall announced the tax rate for the year 2006/2007 would remain the same as last year.

Deputy Mayor Sanderson moved to adopt the 2006/2007 budget as presented and the tax rate is hereby set at \$4.67 per thousand dollars of assessed valuation. Seconded by Trustee Lamer. Motion carried 5-0.

3. Reorganization Appointments and Resolutions

Mayor Marshall appointed Trustee Sanderson as Deputy Mayor for a term expiring April 9, 2007.

Mayor Marshall re-appoints Carol LaChiana to the office of Deputy Village Clerk for a term expiring April 9, 2007.

Trustee Lamer moved to accept the Mayor's appointment of Carol LaChiana to the office of Deputy Village Clerk for a term expiring April 9, 2007. Seconded by Trustee Roman. Motion carried 5-0.

Mayor Marshall re-appoints Scott Shedler to the office of Village Assessor for a term expiring April 9, 2007.

Deputy Mayor Sanderson moved to accept the Mayor's appointment of Scott Shedler to the office of Village Assessor for a term expiring April 9, 2007. Seconded by Trustee Lamer. Motion carried 5-0.

Mayor Marshall designates Nik Winter as Chairperson of the Planning Board and Kenneth Cruikshank Deputy Chairperson for terms ending April 9, 2007.

Trustee Lamer moved to accept the Mayor's designation of Nik Winter as Chairperson of the Planning Board and Kenneth Cruikshank Deputy Chairperson for terms ending April 9, 2007. Motion carried 5-0.

Mayor Marshall designates Rhoda Appel as Chairperson of the Zoning Board of Appeals for a term ending April 9, 2007.

Trustee Lamer moved to accept the Mayor's designation of Rhoda Appel as Chairperson of the Zoning Board of Appeals for a term ending April 9, 2007. Seconded by Trustee Roman. Motion carried 5-0.

Mayor Marshall recommended the renewal of the contract with P. J. Corless, P.E. as Village Engineer with the same terms and conditions as the expiring contract.

Deputy Mayor Sanderson moved to accept the Mayor's recommended renewal of the contract with P. J. Corless, P.E. as Village Engineer for a period of one year with the same terms and conditions as the expiring contract. Seconded by Trustee Lamer. Motion carried 5-0.

Mayor Marshall recommended the renewal of the contract with Diamond Fulton Timmes & Frega as Village Auditor with the same terms and conditions as the expiring contract except that the annual fee shall be increased to \$12,650.00.

Deputy Mayor Sanderson moved to accept the Mayor's recommended renewal of the contract with Diamond Fulton Timmes & Frega as Village Auditor for a period of one year with the same terms and conditions as the expiring contract except that the annual fee shall be \$12,650.00. Seconded by Trustee Roman. Motion carried 5-0.

Mayor Marshall designates the re-appointment of Eloise Litman as Village Historian for a term expiring April 9, 2007.

Trustee Lamer moved to accept the Mayor's designation of Eloise Litman as Village Historian for a term expiring April 9, 2007. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Mayor Marshall designates the Rockland Journal News as the Official Newspaper for the Village of Pomona.

Trustee Roman moved to accept the Mayor's designation of the Rockland Journal News as the Official Newspaper for the Village of Pomona. Seconded by Trustee Lamer. Motion carried 5-0.

Mayor Marshall designates Provident Bank, Bank of New York, M&T Bank and Chase Manhattan Bank are hereby designated as Official Depositories for the Village of Pomona and the Village Clerk-Treasurer is hereby authorized to deposit Village funds not to exceed \$1.2 million in each of said Depositories.

Trustee Lamer moved to accept the Mayor's designations of Provident Bank, Bank of New York, M&T Bank and Chase Manhattan Bank as Official Depositories for the Village of Pomona and the Village Clerk-Treasurer is authorized to deposit Village funds not to exceed \$1.2 million in each of said Depositories. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Mayor Marshall recommended the annual mileage and local expenses allowance of \$500.00 is hereby authorized for the Mayor, a mileage allowance of \$250.00 for the Clerk-Treasurer and all other officers and employees who are authorized to use their personal vehicles for Village business shall be reimbursed at the prevailing IRS rate per mile.

Trustee Lamer moved to accept the Mayor's recommendation that the annual mileage and local expenses allowance of \$500.00 is hereby authorized for the Mayor, a mileage allowance of \$250.00 for the Clerk-Treasurer and all other officers and employees who are authorized to use their personal vehicles for Village business shall be reimbursed at the prevailing IRS rate per mile. Seconded by Trustee Roman. Motion carried 4-0-1. Deputy Mayor Sanderson abstained.

Trustee Roman moved the resolution that the Village Clerk-Treasurer is hereby required to be bonded in the amount of \$100,000.00. Seconded by Trustee Lamer. Motion carried 5-0.

Mayor Marshall tabled to future meetings the resolutions appointing and/or reappointing Planning Board, Zoning Board of Appeals Members and the Village Planner.

4. Schedule of Village Board Meetings

A copy of the schedule is attached to the Minutes. At meetings where Ms. Ulman, the Village Attorney cannot be present the Deputy Village Attorney will be present.

Trustee Roman moved to accept the Schedule of Village Board Meetings as presented. Seconded by Trustee Lamer. Motion carried 5-0.

5. Trustee Assignments

A copy of the Trustee Assignments is attached to the Minutes.

Deputy Mayor Sanderson moved to accept the Trustee Assignments as presented. Seconded by Trustee Lamer. Motion carried 5-0.

6. Old Business

Deputy Mayor Sanderson reported on his meeting with Verizon regarding a proposed cell tower to be built on the Village property at Quaker Road adjoining the Palisades Parkway. Discussion by the Board Members followed. A proposed lease agreement from Verizon is being reviewed by Ms. Ulman who will forward her comments to the Mayor and Deputy Mayor.

Trustee Lamer will work on obtaining a modem for the computer at the Cultural Center.

Mayor Marshall asked the Board Members to consider recommendations for the openings on the Zoning Board of Appeals.

Trustee Banks submitted a drawing for a proposed fence replacement along the front of Village Hall at a cost of \$11,200, a wood fence with copper caps. Trustee Banks recommended building a stone wall instead of a fence but the cost received two years ago of \$15,000.00 is no longer available and is now \$28,000.00. Trustee Banks will prepare specifications for a replacement fence and submit it for bids.

Trustee Banks reported on the painting of the outside of Village Hall. He has received three bids but they have different specifications. After discussion it was decided to paint Village Hall a shade of grey to be selected by Trustee Banks. The specs will include spot priming and two coats of paint.

Deputy Mayor Sanderson moved to approve a maximum expenditure of \$7,000.00 for the exterior painting of Village Hall to the lowest bidder. Trustee Banks will quantify the three bids, putting them on the same footing, and then accept the low bid. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Banks reported that Mr. Islin has requested the Village to remove the cut down trees in the Tamarack passive park adjoining his property.

Deputy Mayor Sanderson moved to approve an expenditure up to \$1,000.00 to clean up the dead fallen trees in Tamarack Park. Seconded by Trustee Roman. Motion carried 5-0.

Ms. Ulman, Village Attorney, brought up the matter of a replacement check for the check previously issued to Irving Kigler. A check had been sent to Mr. Kigler in care of his attorney but they are unable to locate Mr. Kigler. The attorney, Schwartz and Silverstein, has requested a check be reissued in their name as attorney for Mr. Kigler in order to keep the check active until Mr. Kigler can be located.

Trustee Lamer moved to issue a substitute escrow check payable to Schwartz and Silverstein as the attorneys to hold for Mr. Irving Kigler. Seconded by Trustee Roman. Motion carried 5-0.

Discussion was then held regarding the use of Village Hall for non-governmental functions as particularly relates to the Cultural Center Yoga classes. A Yoga class was held at the Cultural Center in the upstairs exhibit room. It was felt that holding activities in the exhibit room could cause damage to the exhibits on

display. Mayor Marshall suggested the meeting room at Village Hall could be used on non-weekday evenings, since week day evenings are reserved for governmental meetings.

Guidelines were then discussed for using the Village Hall meeting room for Village activities on Monday through Thursday during office hours, or Friday, Saturday or Sunday.

1. Restore chairs/seating to the Village Hall meeting room and leaving the room in a clean condition.
2. Activity needs Village Board approval.
3. The activity must be a Village function.
4. Room capacity is 49 people and cannot be exceeded.
5. Security and supervision to be on site during the activity by a Village employee.
6. A Permit would be required for each activity.

Trustee Banks moved to adopt the guidelines for the use of the Village Hall meeting room for Village sponsored functions, subject to the approval of the Village Board and meeting the rules and regulations drawn up at this meeting. Seconded by Trustee Roman.

Trustee Lamer requested that the vote be held until the suggested guidelines can be reviewed by the Board. After further discussion, the motion was tabled until review and approval of the Minutes of this meeting.

Use of the Cultural Center was then discussed.

Trustee Lamer moved that only exhibits are to be held on the exhibit floor at the Cultural Center. Seconded by Trustee Roman. Motion carried 3-2. Deputy Mayor Sanderson and Trustee Banks voted in opposition.

7. New Business

Ms. Ulman distributed a copy of the Memorandum of Understanding between the Rockland County Soil & Water Conservation District and Stormwater Consortium of Rockland County. Ms. Ulman explained the District will be the lead agency for a grant applications and will administer the grant if the money is received.

Deputy Mayor Sanderson moved to adopt the Memorandum of Understanding Between the Rockland County Soil & Water Conservation District and Stormwater Consortium of Rockland County and authorized Mayor Marshall to sign said Memorandum. Seconded by Trustee Lamer. Motion carried 5-0.

8. Office Period

Village Clerk Sanderson reported that Mr. Gde has requested that the Cultural Center be closed on Sunday, April 16th, Easter Sunday. The Board was in agreement for the closure.

Ms. Sanderson reminded everyone that April 22nd is the Clean Up America day and volunteers to pick up litter will meet at Village Hall at 10:00 a.m.

9. Trustees Period

Mayor Marshall brought up the matter of the Village obtaining a generator.

10. Executive Session

Trustee Lamer moved to adjourn to Executive Session to discuss matters of personnel and litigation. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Roman moved to reopen the Public Meeting. Seconded by Trustee Lamer. Motion carried 5-0.

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

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Malverne J. Toll