

VILLAGE OF POMONA  
BOARD OF TRUSTEES MEETING  
MAY 22, 2006

**ADOPTED JULY 24, 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 May 22, 2006.

Present

Mayor: Herbert Marshall  
Deputy Mayor: Nick Sanderson  
Trustees: Ian Banks  
Alan Lamer – left meeting at 8:50 p.m.  
Alma Roman  
  
Doris Ulman, Village Attorney  
P. J. Corless, Village Engineer  
Leslie Sanderson. Village Clerk/Treasurer

Summary of Motions

**Deputy Mayor Sanderson moved to adopt the Minutes of January 23, 2006 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

**Trustee Banks moved to adopt the Minutes of February 13, 2006 as presented. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to adopt the Minutes of February 27, 2006 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to adopt the Minutes of March 27, 2006 as presented. Seconded by Trustee Lamer. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to adopt the Minutes of April 10, 2006 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

**Trustee Roman moved to adopt a motion to close the Cultural Center on the Memorial Day Weekend of May 27<sup>th</sup> and 28<sup>th</sup>. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to allow the Yoga Classes to be held at Village Hall following the required guidelines. Seconded by Trustee Roman. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to approve holding Yoga Classes at Village Hall on Friday mornings from June 1<sup>st</sup> to July 31<sup>st</sup> at a cost of \$500.00, from the approved Budget. Seconded by Trustee Lamer. Motion carried 5-0.**

**Trustee Banks moved to approve charging non-residents a fee of \$10.00 per class for the Yoga Classes. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to deny the return of escrow in the amount of \$3000.00 for Lot H-22, Highgate Estates, because vegetation has not been completed. Seconded by Trustee Roman. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to approve the return of escrow in the amount of \$4000.00 for vegetation and \$2705.00 for street trees to Highgate Estates for Lot C-54. Seconded by Trustee Roman. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to deny the return of escrow in the amount of \$2500.00 to Highgate Estates for Lot No. 19.17-1-66 because it is not a valid Lot Number. Request will be returned to Highgate Estates for a correct Lot number. Seconded by Trustee Banks. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to deny the return of escrow in the amount of \$8000.00 for removal of a rock wall in the right-of-way, and \$1750.00 for repair of broken and patched curbing, to Highgate Estates for Lot H-14. Seconded by Trustee Roman. Motion carried 4-0.**

**Trustee Roman moved to deny the return of escrow in the amount of \$1970.00 for broken curbing to Highgate Estates for Lot H-13. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Trustee Roman moved to deny the return of escrow in the amount of \$2330.00 for broken curbing to Highgate Estates for Lot G-13. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to deny the return of escrow in the amount of \$3000.00 for incomplete vegetation to Highgate Estates for Lot G-23. Seconded by Trustee Roman. Motion carried 4-0.**

**Trustee Roman moved to return the escrow amount of \$2120.00 for completed curbing work to Highgate Estates for Lot G-27. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to deny the return of escrow in the amount of \$1000.00 for incomplete vegetation and erosion to Highgate Estates for Lot G-31. Seconded by Trustee Roman. Motion carried 4-0.**

**Trustee Roman moved to return the escrow amount of \$2460.00 for fencing to Highgate Estates for Lot G-31. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Trustee Roman moved to return the escrow amount of \$6000.00 for completed fence and vegetation to Highgate Estates for Lot G-32. Seconded by Trustee Roman. Motion carried 4-0.**

**Trustee Roman moved to return the escrow amount of \$1500.00 for completed vegetation to Highgate Estates for Lot G-33. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Trustee Roman moved to deny the return of escrow in the amount of \$2280.00 for broken and patched curbing to Highgate Estates for Lot G-37. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Trustee Banks moved to deny the return of escrow in the amount of \$35,000.00 for incomplete landscaping and street trees not planted in shade tree easement but in the right-of-way and are not of the correct diameter to Wetzer Jeanot and Cesar Cacho for Lot H-38. Seconded by Trustee Roman. Motion carried 4-0.**

**Trustee Banks moved to return the escrow amount of \$10,000 for removal of loose rocks at the rear of the property to Wetzer Jeanot and Cesar Cacho for Lot H-38. Seconded by Trustee Roman. Motion carried 4-0.**

**Trustee Roman moved to deny the return of escrow in the amount of \$3500.00 for the test hole boring behind the rock walls not being done to Wetzer Jeanot and Cesar Cacho for Lot H-38. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Deputy Mayor Sanderson moved the resolution to advertise for bids for the stone wall along the front of Village Hall due by June 21, 2006 at 11:00 a.m. Seconded by Trustee Banks. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to accept the quote from Chris Meredith to clean up the logs from Tamarack Park and Route 306 in front of the Cultural Center in the amount of \$3750.00 instead of the \$1000.00 previously approved. Seconded by Trustee Banks. Motion carried 4-0.**

**Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$48,734.83, set forth of pages 1 – 5 in the Monthly**

**Abstract Listing dated April 24, 2006 through May 22, 2006 as submitted by the Village Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Banks. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to approve participation in the “Intermunicipal Agreement for the Creation of a Regulated Stormwater Consortium” and acceptance of the “By-Laws: Stormwater Consortium of Rockland County”. Seconded by Trustee Banks. Motion carried 4-0.**

**Trustee Roman moved to appoint Joe Corless as the Village’s representative to the Stormwater Consortium with Doris Ulman as an alternate. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to accept the donation of \$100.00 from Pete Stiffel. Seconded by Trustee Banks. Motion carried 4-0.**

**Trustee Roman moved a resolution to have a “Stop Sign” installed at North Circle. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Deputy Mayor Sanderson moved a resolution to have a “Caution Dead End” sign installed on North Circle. Seconded by Trustee Roman. Motion carried 4-0.**

**1. Salute the Flag.**

**2. Open Period**

Gregory Gray, 2 North Circle requested that a “Stop Sign”, “Children at Play” sign and a Dead End” sign be installed on North Circle where it meets Halley Drive. Mr. Gray also handed to the Board letters from 2 other residents on North Circle also requesting the signs be installed.

Martin Jaffee, 14 Tamarack Lane commented on the asphalt work that was done in front of 12, 13 and 14 Tamarack Lane. He felt that the work done was slovenly and they left a lot of debris in the street. Also, damage was done to his lawn by a truck driving on it and over one of his sprinkler heads. He wants the damage repaired and the loose asphalt cleaned up. Mayor Marshall responded that he and the Village Engineer will visit the area the next day to inspect the situation.

Rita Louie addressed the Board on behalf of the developer of H-38, 1 High Mountain Road. She gave pictures of the landscaping and an engineer’s certification for the rock walls to the Board and told them that 90% of the work was completed and requested the return of escrow money, \$48,500 for landscaping, being held by the Village. Mayor Marshall responded that the return

of escrow money would be discussed during the Engineering and Building portion of the meeting and would address her request at that time.

Rupal Dar, 6 East Court (H-20) voiced her concern to the Board about the house being built next to her house and how close it was to her property line. She feels the adjoining house (H-21) is almost in her backyard and encroaches on her privacy. Mr. Corless, Village Engineer, responded that both houses are shown on the approved building plans and are in the proper locations.

Henry Leiser, 18 Underwood Road, Monsey addressed the Board and inquired about the release of a bond for Southern Pomona Homes. Mayor Marshall responded that if the matter was on the agenda it would be discussed during the Building Department portion of the meeting.

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

### **3. Public Information Meeting – MS4 Project**

Mr. Corless reported that the MS4 Project is in its third year of a five year program. He gave a brief overview of what the program is about and that the Village is 75% complete of the program. Ms. Ulman commented that to date the Village has done an excellent job in meeting the State's requirements.

Rita Louie, 1 Secor Court questioned who is monitoring the catch basins up on the mountains that have not been dedicated to the Village yet. She said the basins are filled with debris, rocks, etc. Mr. Corless responded that since the roads have not been dedicated yet the catch basins are still the responsibility of the builders.

**Trustee Roman moved to close the public portion of the Public Information Meeting on the MS4 Project. Seconded by Trustee Lamer. Motion carried 5-0.**

### **4. Adoption of Minutes**

#### **A. January 23, 2006**

**Deputy Mayor Sanderson moved to adopt the Minutes of January 23, 2006 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

#### **B. February 13, 2006**

**Trustee Banks moved to adopt the Minutes of February 13, 2006 as presented. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

**C. February 27, 2006**

**Deputy Mayor Sanderson moved to adopt the Minutes of February 27, 2006 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

**D. March 27, 2006**

**Deputy Mayor Sanderson moved to adopt the Minutes of March 27, 2006 as presented. Seconded by Trustee Lamer. Motion carried 5-0.**

**E. April 10, 2006**

**Deputy Mayor Sanderson moved to adopt the Minutes of April 10, 2006 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

**F. April 24, 2006**

The adoption of the April 24, 2006 Minutes was tabled to the next meeting.

**5. Cultural Center**

A copy of the Director's report is attached to the Minutes. Mr. Gde requested permission from the Board to close the Cultural Center on the Memorial Day Weekend, May 27<sup>th</sup> and 28<sup>th</sup>.

**Trustee Roman moved to adopt a motion to close the Cultural Center on the Memorial Day Weekend of May 27<sup>th</sup> and 28<sup>th</sup>. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

Mr. Gde then proposed 4 classes a month of the Yoga Classes to be held at Village Hall and needs to increase the budget by \$1800.00. Mayor Marshall responded that there are two issues to be considered. One is the use of Village Hall for the Yoga classes and the second is the request for additional money. Trustee Roman recommended the use of Village Hall for the Yoga Classes because it has met all the required guidelines.

**Deputy Mayor Sanderson moved to allow the Yoga Classes to be held at Village Hall following the required guidelines. Seconded by Trustee Roman. Motion carried 5-0.**

Discussion was then held regarding the request for additional funds for the Yoga Classes. \$7500.00 has been allocated in the Budget for Workshops and Programs for the year. Currently the requested \$1800.00 is not in the Workshop and Program Budget. Mr. Gde was instructed to rearrange the programs he has proposed for the year so that the Yoga Classes can be included in the approved Budget. Discussion also centered on requiring a fee for non-residents to

participate in the Yoga Classes. Trustee Banks suggested approving the Yoga Classes for a 2-month period to determine if they are successful. The Yoga instructor has suggested a Friday morning for the classes to be held at Village Hall.

**Deputy Mayor Sanderson moved to approve holding Yoga Classes at Village Hall on Friday mornings from June 1<sup>st</sup> to July 31<sup>st</sup> at a cost of \$500.00, from the approved Budget. Seconded by Trustee Lamer. Motion carried 5-0.**

**Trustee Banks moved to approve charging non-residents a fee of \$10.00 per class for the Yoga Classes. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

Mr. Gde brought up the matter of purchasing a dehumidifier for the lower level of the Cultural Center. Mayor Marshall responded the purchase was approved at a previous meeting for a Sears dehumidifier not to exceed \$250.00.

## **6. Building Department**

### **A. Engineering and Building**

Mr. Corless presented to the Board a list of requested return of escrow payments from Highgate Estates. He is recommending 6 of the requests be approved for return and 9 of the requests are disapproved for return of escrow.

**Deputy Mayor Sanderson moved to deny the return of escrow in the amount of \$3000.00 for Lot H-22, Highgate Estates, because vegetation has not been completed. Seconded by Trustee Roman. Motion carried 4-0.**

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**Trustee Roman moved to deny the return of escrow in the amount of \$3500.00 for the test hole boring behind the rock walls not being done to**



**Wetzer Jeanot and Cesar Cacho for Lot H-38. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

Ms. Ulman mentioned that a representative from Southern Pomona Homes was in attendance regarding return of escrow Letter of Credit for his subdivision. The matter has to be heard first by the Planning Board and will be heard at the May 25<sup>th</sup> meeting. Mayor Marshall commented that once the Planning Board takes action, the Village Board will act on the matter.

Ms. Ulman withdrew the request for the DeLorenzo's fee return. They have decided to reapply to the Planning Board.

Mr. Corless reported on the Ormian drainage problem that the work is now in progress and should be completed tomorrow. The drainage problem at 130 Camp Hill Road has not been addressed yet and he will prepare the specs for the work to be done.

Mayor Marshall introduced a request from Atzl, Scatassa and Ziegler with street names for Halley II. One of the names was Cornell Peak and Deputy Mayor Sanderson suggested as an alternative Glantz Court. The matter was tabled to the workshop meeting.

Mr. Corless gave an update on the road paving in the Village. Eight sections are scheduled to be paved and 5 sections have been completed.

Mr. Corless requested of the Board that he attend the next workshop meeting to discuss the road dedication issue. On the up hill side of Overlook there are 15 lots and 9 of the lots are coming out into the ten foot right-of-way behind the curb. Trees will not be able to be planted into the five foot easement behind the ten foot right-of-way, it's a straight up cliff. Mayor Marshall requested the Village Clerk to make copies of the local law pertaining to street trees for the next workshop meeting.

**B. Zoning and Planning**

Mayor Marshall will complete the interviews for the vacancies on the Zoning Board of Appeals by the next workshop.

**7. Committee Reports**

**A. Recreation**

Trustee Roman reported that everything is ready for the Fish-In on June 11<sup>th</sup>. The Committee felt they could not come up with an agreeable rain date so the Fish-in will be on the 11<sup>th</sup> with no rain date. Lou Cohn and Jeff Rosen have agreed to be there. Trustee Roman will have the preliminary budget at the next workshop.

## **B. Buildings and Parks**

Trustee Banks reported that Kevin Stead of Stead Brothers Painting has been notified that he has the job for the painting of the outside of Village Hall. Ms. Ulman is preparing the contract for the job with Stead Brothers Painting. The work will begin the first of June.

Regarding the stone wall along the front of Village Hall, Trustee Banks is working with the Village Engineer and Village Attorney to develop a package and then advertise for bids. The bid openings will be scheduled for June 21, 2006 at 11:00 a.m. at Village Hall.

**Deputy Mayor Sanderson moved the resolution to advertise for bids for the stone wall along the front of Village Hall due by June 21, 2006 at 11:00 a.m. Seconded by Trustee Banks. Motion carried 4-0.**

Trustee Banks reported that he has received a proposal from Chris Meredith for the log clearing at the top end of Tamarack Park. The Board has already approved \$1000.00. The quote was for \$2100.00. Equipment is needed to haul the logs out of the park and that's the reason for the price of \$2100.00. Also a \$1600.00 quote to clean up the logs at the Cultural Center.

**Deputy Mayor Sanderson moved to accept the quote from Chris Meredith to clean up the logs from Tamarack Park and Route 306 in front of the Cultural Center in the amount of \$3750.00 instead of the \$1000.00 previously approved. Seconded by Trustee Banks. Motion carried 4-0.**

Mayor Marshall commented on a memo the Board has received from the Village Clerk regarding a call she received from Mr. Iselin, a resident on Tamarack regarding when the debris and logs will be removed from the passive park next to his home. This issue was decided earlier in tonight's meeting. Mr. Iselin needs to know that the Tamarack Park is a passive park and fallen trees are not always removed. The second issue was the cutting of grass just short of his property. The third issue was why the repaving was stopped just short of his driveway. The road in front of his house was not as bad as other roads in the Village and was not scheduled for repaving. Trustee Banks will call Mr. Iselin and explain the situation to him.

Mr. Helfgott reported he will repair the lights in front of the Cultural Center and one that lights the sign, also the light for the flag pole at Village Hall.

**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 \$48,734.83, set forth of pages 1 – 5 in the Monthly Abstract Listing dated April 24, 2006 through May 22, 2006 as submitted by the Village Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Banks. Motion carried 4-0.**

**C. Grants and Awards**

Deputy Mayor Sanderson reported there is nothing new at this time.

**9. Code Enforcement**

A copy of the Code Enforcement Officer's report is attached to the Minutes. Mr. Helfgott reported on two items not included in the monthly reports. One, a call regarding the over cutting of trees at 5 White Birch. One of the trees was a threat to the house as it was hanging onto the house. The trees taken down were within the four trees a year limit. A copy of the complaint is attached to the Minutes. The current homeowner plans to replace trees in the front of the property next fall.

Ms. Ulman reported that the main reason the Planning Board did not approve the return of escrow to Southern Pomona Homes last January was because of the public comments and concern about drainage until at least one season had passed to ensure the drainage was correct.

Mr. Helfgott reported on a call he received from Ms. Sanderson regarding contractor sub's workers relieving themselves in the woods and also in Cheesecote Park. Ms. Ulman will research the Code as to the requirements of the Village regarding porta-potties on construction sites.

**9. Legal**

Ms. Ulman distributed a copy of the Stormwater Consortium Inter Municipal Agreement and she asked the Board to approve participation in the Consortium and the By-Laws. A copy of both documents are attached to the Minutes.

**Deputy Mayor Sanderson moved to approve participation in the "Intermunicipal Agreement for the Creation of a Regulated Stormwater**

**Consortium” and acceptance of the “By-Laws: Stormwater Consortium of Rockland County”. Seconded by Trustee Banks. Motion carried 4-0.**

The Agreement asks for the Board to appoint a representative to attend the meetings of the Consortium. The designee is usually the Engineer or the Attorney of the Village or Town. Ms. Ulman recommended that Joe Corless, Village Engineer be designated the Village’s representative with Ms. Ulman as a back-up.

**Trustee Roman moved to appoint Joe Corless as the Village’s representative to the Stormwater Consortium with Doris Ulman as an alternate. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

Ms. Ulman will inform Mr. Corless of the Board’s appointment. Ms. Ulman reported on her attending a seminar sponsored by the State Public Service Commission to inform municipalities relating to the competition requirements of the cable franchise and what can and cannot be done.

## **11. Old Business**

Ms. Ulman reported that she has received from Snyder & Snyder, attorneys for Verizon Wireless, an amended contract for the cell tower in the Village. They have accepted most of the changes Ms. Ulman requested and she is in the process of reviewing the changes. Ms. Ulman will report back to the Board at the next workshop.

## **12. New Business**

Mayor Marshall reported on a letter he received from Pete Stiffel along with a donation of \$100.00. A copy of the letter is attached to the Minutes.

**Deputy Mayor Sanderson moved to accept the donation of \$100.00 from Pete Stiffel. Seconded by Trustee Banks. Motion carried 4-0.**

Mayor Marshall announced a seminar on Stormwater Regulations being held on June 14<sup>th</sup> and the Board is invited to attend.

Mayor Marshall commented on the placement of a “Stop Sign” on North Circle which was requested during the Open Period.

**Trustee Roman moved a resolution to have a “Stop Sign” installed at North Circle. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

The resident also requested a “Dead End” sign be placed on North Circle.

**Deputy Mayor Sanderson moved a resolution to have a “Caution Dead End” sign installed on North Circle. Seconded by Trustee Roman. Motion carried 4-0.**

**13. Office Period**

The Clerk reported on receiving another call regarding damaged berms in the Haverstraw section of the Village.

**14. Trustees Period**

Trustee Roman has contacted the Girl Scout’s Office regarding participating in Village activities.

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

Meeting adjourned at 10:20 p.m.

Respectfully submitted,

Malverne J. Toll