

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
JULY 24, 2006

ADOPTED OCTOBER 30, 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 July 24, 2006.

Present

Mayor: Herbert Marshall

Deputy Mayor: Nick Sanderson

Trustees: Ian Banks
Alan Lamer
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 Local Law Amending the Code of the Village of Pomona in Relation to Right-of-Way Grades. Seconded by Trustee Lamer.

Trustee Lamer moved that the Local Law Amending the Code of the Village of Pomona in Relation to Right-of-Way Grades be amended to read such that the Planning Board may recommend that the flat grade of the right-of-way be no less than 6 ½ feet in width and also in the last line of the proposed local law, construct the flat grade to a width of no less than 6 ½ feet instead of 10 feet. Seconded by Deputy Mayor Sanderson. The amendment carried 5-0.

Amended Motion carried 5-0.

Deputy Mayor Sanderson moved to adopt the Minutes of April 24, 2006 as presented. Seconded by Trustee Lamer. Motion carried 4-1. Trustee Banks voted No.

Trustee Banks moved to adopt the Minutes of May 8, 2006 as presented. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to adopt the Minutes of May 22, 2006 as presented. Seconded by Trustee Lamer. Motion carried 3-1-1. Trustee Banks voted No, Trustee Lamer abstained because he had to leave the meeting early.

Deputy Mayor Sanderson moved to adopt the Minutes of June 12, 2006 as presented. Seconded by Trustee Lamer. Motion carried 4-0-1. Trustee Roman abstained because she was absent from the meeting.

Deputy Mayor Sanderson moved to adopt the Minutes of June 26, 2006 as presented. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Roman moved to approve an expenditure of \$700.00 for the Cultural Center for the Fall Exhibition. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to approve an expenditure of \$200.00 a month for September and October to extend the Yoga Classes. Seconded by Trustee Banks. Motion carried 5-0.

Deputy Mayor Sanderson moved to approve an expenditure up to \$1080.00 for the purchase of pedestals for sculpture displays. Seconded by Trustee Banks. Motion carried 5-0.

Deputy Mayor Sanderson moved to return the escrow amount of \$15,000.00 to Carlton LaRomme for Lot D-12. Seconded by Trustee Lamer. Motion failed 1-4. Deputy Mayor Sanderson, Trustees Banks, Lamer and Roman voted No.

Deputy Mayor Sanderson moved to return \$1500.00 to Carlton LaRomme for Lot L-2 curb installation. Seconded by Trustee Lamer. Vote on the motion was 2-3. Motion failed. Trustees Banks, Lamer and Roman voted No.

Trustee Lamer moved to return \$1400.00 to Carlton LaRomme for Lot L-2. Seconded by Trustee Banks. Motion failed 0-5.

Deputy Mayor Sanderson moved to approve a maximum expenditure of \$10,500.00, subject to Trustee Banks' discretion, for the outside painting of Village Hall. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Roman moved the resolution that the payment of General Funds Claims totaling \$61,988.27 set forth of pages 1 – 5 in the Monthly Abstract Listing dated June 26, 2006 through July 24, 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 5-0.

1. Salute the Flag.

2. Open Period

Bert Singer, 10 Chestnut Drive thanked the Board for the prompt response to the berm problem along the front of his property. Mayor Marshall responded that the Town would be repairing the berm in the near future.

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

3. Public Hearing – A Local Law Amending the Code of the Village of Pomona in Relation to Right-of-Way Grades

Ms. Ulman had previously distributed copies of the amended local law.

Bert Singer, 10 Chestnut Drive asked for clarification on the proposed amendment. Mayor Marshall explained the amendment that had been proposed at the July workshop.

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

Trustee Lamer questioned the wording regarding the width to be allowed for the right-of-way. After discussion, it was agreed to change the wording of the proposed local law amendment stating that the flat grade of the right-of-way should be “no less than 6 ½ feet in width instead of 10 feet in width”.

Deputy Mayor Sanderson moved to adopt the Local Law Amending the Code of the Village of Pomona in Relation to Right-of-Way Grades. Seconded by Trustee Lamer.

Trustee Lamer moved that the Local Law Amending the Code of the Village of Pomona in Relation to Right-of-Way Grades be amended to read such that the Planning Board may recommend that the flat grade of the right-of-way be no less than 6 ½ feet in width and also in the last line of the proposed local law, that the flat grade to a width of no less than 6 ½ feet instead of 10 feet. Seconded by Deputy Mayor Sanderson. The amendment carried 5-0.

Amended Motion carried 5-0.

- 4. Adoption of Minutes**
- A. April 24, 2006**

Deputy Mayor Sanderson moved to adopt the Minutes of April 24, 2006 as presented. Seconded by Trustee Lamer. Motion carried 4-1. Trustee Banks voted No.

- B. May 8, 2006**

Trustee Banks moved to adopt the Minutes of May 8, 2006 as presented. Seconded by Trustee Lamer. Motion carried 5-0.

- C. May 22, 2006**

Trustee Banks questioned the motion relating to purchase of a dehumidifier for the Cultural Center.

Deputy Mayor Sanderson moved to adopt the Minutes of May 22, 2006 as presented. Seconded by Trustee Lamer. Motion carried 3-1-1. Trustee Banks voted No, Trustee Lamar abstained because he had to leave the meeting early.

D. June 12, 2006

Deputy Mayor Sanderson moved to adopt the Minutes of June 12, 2006 as presented. Seconded by Trustee Lamer. Motion carried 4-0-1. Trustee Roman abstained because she was absent from the meeting.

E. June 26, 2006

Deputy Mayor Sanderson moved to adopt the Minutes of June 26, 2006 as presented. Seconded by Trustee Lamer. Motion carried 5-0.

5. Cultural Center

A copy of the Director's report is attached to the Minutes. Mr. Gde asked for the approval of \$700.00 expenditure for the Fall Exhibition.

Trustee Roman moved to approve an expenditure of \$700.00 for the Cultural Center for the Fall Exhibition. Seconded by Trustee Lamer. Motion carried 5-0.

Mr. Gde requested an extension of the Yoga Classes because of their popularity. Trustee Banks suggested using some of the funds from the Recreation budget.

Deputy Mayor Sanderson moved to approve an expenditure of \$200.00 a month for September and October to extend the Yoga Classes. Seconded by Trustee Banks. Motion carried 5-0.

The matter of further extending the Yoga Classes will be discussed at the September Board meeting.

Mr. Gde then requested an expenditure of \$1080.00 to purchase pedestals for sculpture displays. He will obtain at least two written estimates for the pedestals.

Deputy Mayor Sanderson moved to approve an expenditure up to \$1080.00 for the purchase of pedestals for sculpture displays. Seconded by Trustee Banks. Motion carried 5-0.

Mayor Marshall reported that he has ordered a modem for the computer at the Cultural Center. Mr. Gde reported he is still having water leaking problems downstairs at the Cultural Center when it rains. Trustee Banks responded that once the gutters have been repaired it should alleviate the problem. Trustee Roman reminded Mr. Gde that he needs to update his budget report with the additional approved expenditures.

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

Mr. Corless reported on the following escrow requests.

D-12, Carlton LaRomme for \$15,000.00. Some work was completed but the street trees have not been planted on the site. Mr. Corless recommended not returning the escrow money.

Deputy Mayor Sanderson moved to return the escrow amount of \$15,000.00 to Carlton LaRomme for Lot D-12. Seconded by Trustee Lamer. Motion failed 1-4. Deputy Mayor Sanderson, Trustees Banks, Lamer and Roman voted No.

L-2, Carlton LaRomme for \$1,500.00. The curbs have been completed but there are other items open with a separate escrow amount. Mr. Corless recommended returning the \$1500.00 escrow money.

Deputy Mayor Sanderson moved to return \$1500.00 to Carlton LaRomme for Lot L-2 curb installation. Seconded by Trustee Lamer.

Trustee Lamer commented that if all the site work has not been done then no escrow money should be returned. Trustee Banks agreed that all the required work should be completed before escrow money is returned.

Vote on the motion was 2–3. Motion failed. Trustees Banks, Lamer and Roman voted No.

L-2, Carlton LaRomme for \$1400.00. The work on the site has not been completed. The trees are undersized and no guarantee has been provided for the trees planted.

Trustee Lamer moved to return \$1400.00 to Carlton LaRomme for Lot L-2. Seconded by Trustee Banks. Motion failed 0-5.

A discussion on the planting of street trees was tabled to the September workshop.

Mr. Corless reported that the specs for the Camp Hill Road drainage work were being reviewed by Ms. Ulman. An opening of bids on the work was set for August 10, 2006 at 12 noon.

Trustee Banks questioned the list prepared by Mr. Corless and Mr. Zrelak regarding inspections. There was no site plan inspection listed. They will go over the list during a workshop meeting.

7. Committee Reports

A. Recreation

Trustee Roman reported there is nothing to report at this time. Mayor Marshall stressed the need to recruit new volunteers to work on Recreation events.

B. Buildings and Parks

Trustee Banks reported that he has received a bid for painting the outside of Village Hall from Martino's Painting of Stony Point for \$10,500.00 and he does have insurance. He is waiting for one additional bid from another painter.

Deputy Mayor Sanderson moved to approve a maximum expenditure of \$10,500.00, subject to Trustee Banks' discretion, for the outside painting of Village Hall. Seconded by Trustee Lamer. Motion carried 5-0.

The specs for the stone wall at Village Hall are complete and the bids are out. Bids are to be opened on August 10, 2006 at 11:00 a.m. The parks are quiet and Chris Meredith still has to remove the logs from Van de Hende Park.

8. Finance

A. Treasurer's Report

A copy of the Treasurer's Report is attached to the Minutes.

B. Expenditure Abstract Resolution

Trustee Roman moved the resolution that the payment of General Funds Claims totaling \$61,988.27 set forth of pages 1 – 5 in the Monthly Abstract Listing dated June 26, 2006 through July 24, 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 5-0.

C. Grants and Awards

Deputy Mayor Sanderson had nothing to report on grants at this time. Mayor Marshall commented that he would like to have a generator ordered for emergency use in the Village.

9. Code Enforcement

A copy of the Code Enforcement Officer's report is attached to the Minutes. Mr. Helfgott reported that trash cans are needed at the tennis courts. Trustee Banks will check it out.

10. Legal

Matters for discussion required Executive Session.

11. Old Business

A proposed local law regarding Belgium Block Curbs was distributed to the Board. Mr. Corless was in favor of using both kinds of curbing and allowing the Planning Board to decide which type to use. Input is required from Mr. Corless on Section C of the proposed local law. The matter was tabled to the August Board meeting.

Ms. Ulman gave an update on the Verizon Tower lease. She hasn't heard from them. Deputy Mayor Sanderson will contact them tomorrow.

12. New Business

Mayor Marshall reported that Waste Management is looking to assign their refuse removal contract with the Village to Interstate Waste Services, Inc.. Ms. Ulman is working on this matter.

13. Office Period

Nothing at this time.

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 Roman. Motion carried 5-0.

Trustee Roman moved to close the Executive Session and reopen the Public Meeting. 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 p.m.

Respectfully submitted,

Malverne J. Toll