

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
AUGUST 14, 2006

ADOPTED NOVEMBER 27, 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 August 14, 2006.

Present

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

Doris Ulman, Village Attorney
Leslie Sanderson, Village Clerk/Treasurer

Absent

Trustee: Alan Lamer
P. J. Corless, Village Engineer

Summary of Motions

Deputy Mayor Sanderson moved to accept the amendment to the proposed local law in relating to placement of street trees, in accordance with the recommendations of the Village of Pomona Planning Board. Seconded by Trustee Banks. Motion carried 4-0.

Deputy Mayor Sanderson moved to adopt the proposed local law, amending the Village of Pomona Code in relation to the Placement of Street Trees as amended. Seconded by Trustee Roman. Motion carried 4-0.

Deputy Mayor Sanderson requested approval of an expenditure of \$600.00 for 4 Mask Making Classes. Seconded by Trustee Roman. Motion carried 4-0.

Deputy Mayor Sanderson moved to accept the low bidder, Scaffidi, in the amount of \$9500.00 for the Camp Hill Road Drainage Project with work to be completed three days after start, weather permitting, subject to the approval of the Village Engineer. Seconded by Trustee Roman. Motion carried 4-0.

Deputy Mayor Sanderson moved to accept the cash bond in the amount of \$112,200.00 as an official bank check from Pomona 306 LLC and release the letter of credit to Ferreira and authorizing the Mayor to sign the escrow agreement. Seconded by Trustee Roman. Motion carried 4-0.

Deputy Mayor Sanderson moved, subject to Trustee Banks and the Village Engineer meeting with the low bidder, Scaffidi, that the bid be awarded to Scaffidi for the Village Hall stone wall, in accordance with the specifications, in the amount

of \$19,800.00 with the work to be completed 5 days after start, weather permitting. Seconded by Trustee Roman. Motion carried 4-0.

Deputy Mayor Sanderson moved to approve an expenditure up to \$2500.00 for Trustee Banks to authorize electrical repairs at the Cultural Center. Seconded by Trustee Roman. Motion carried 4-0.

Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$12,638.24 set forth of pages 1 – 3 in the Monthly Abstract Listing dated July 25, 2006 through August 14, 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 a lease agreement with New York SMSA Limited Partnership, doing business as Verizon Wireless and authorizing the Mayor to sign. Seconded by Trustee Banks. Motion carried 4-0.

Deputy Mayor Sanderson moved to approve an amount not to exceed \$1000.00 the 2006 Stormwater Education Contract with Cornell Cooperative Extension and authorizing the Mayor sign. Seconded by Trustee Roman. Motion carried 4-0.

Trustee Roman moved to approve the road name of Sue Glantz Drive on a cul de sac in the Halley Subdivision. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.

Deputy Mayor Sanderson moved to adopt a resolution consenting to the assignment of the Village's garbage, trash, and recyclable collection contract with Waste Management Services to Interstate Waste Services and authorizing the Mayor to sign the assignment on behalf of the Village. Seconded by Trustee Roman. Motion carried 4-0.

1. **Salute the Flag.**

2. **Open Period**

Eric Singer, 2 White Birch Drive addressed the Board regarding a neighbor behind his house clearing the bushes and trees in a conservation area. Ramapo police were called and a report was filed by Officer Pegley regarding the incident. Mr. Singer provided the Board with photographs of the area showing the cut down bushes and trees in the conservation area. Mr. Singer asked that the homeowner be made to make restitution for the cut down bushes and trees.

Joanne Singer, 2 White Birch Drive reiterated what her husband has stated and included that a dog is tied out and barks constantly.

Alvin Appel, 6 White Birch Drive addressed the Board on the same issue. An injunction could also be issued to ensure the homeowner replants in the conservation easement. Mr. Helfgott, the Code Enforcement Officer, then reported on his observation of the property in question. It was agreed that Ms. Ulman will send a letter to the homeowner,

as soon as possible, to set up a meeting with the Mayor, Mr. Helfgott and herself in order to resolve the situation.

Rhoda Appel, 6 White Birch Drive addressed the Board regarding the neighbor behind her house walking through her property to get to White Birch Drive. She has repeatedly asked them not to cut through her property but they still continue to do so. Ms. Ulman suggested putting up a No Trespassing sign and if they continue to cross her property she may then call the police.

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

3. Public Hearing – Proposed Local Law Relating to Placement of Street Trees

No one from the public appeared to speak on the matter.

Deputy Mayor Sanderson moved to close the Public Hearing. Seconded by Trustee Roman. Motion carried 4-0.

Mayor Marshall read a response from the County Planning Board regarding the proposed amendment. A copy of the response is attached to the Minutes. The Village of Pomona Planning Board also made comment on the proposed amendment. Ms. Ulman read the recommendations to the Board and had previously sent the proposed amended local law to the Planning Board. A copy of the recommendations is attached to the Minutes.

Deputy Mayor Sanderson moved to accept the amendment to the proposed local law in relating to placement of street trees, in accordance with the recommendations of the Village of Pomona Planning Board. Seconded by Trustee Banks. Motion carried 4-0.

Deputy Mayor Sanderson moved to adopt the proposed local law, amending the Village of Pomona Code in relation to the Placement of Street Trees as amended. Seconded by Trustee Roman. Motion carried 4-0.

4. Cultural Center

A copy of the Director of the Cultural Center report is attached to the Minutes. Mr. Gde was not in attendance; therefore, Trustee Roman requested approval of \$600.00 for 4 Mask Making Classes.

Deputy Mayor Sanderson requested approval of an expenditure of \$600.00 for 4 Mask Making Classes. Seconded by Trustee Roman. Motion carried 4-0.

5. Building Department **A. Engineering and Building**

There were no requests for return of escrow money. Ms. Ulman distributed the list of responses with costs received for the Camp Hill Road drainage project. A copy is attached to the Minutes.

Deputy Mayor Sanderson moved to accept the low bidder, Scaffidi in the amount of \$9500.00, for the Camp Hill Road Drainage Project with work to be completed three days after start, weather permitting, subject to the approval of the Village Engineer. Seconded by Trustee Roman. Motion carried 4-0.

Woodside Park Letter of Credit – The property was sold to a new owner who has put up a cash bond in the amount of \$112,200.00 to replace the previous owner’s letter of credit. A copy of the escrow agreement is attached to the Minutes.

Deputy Mayor Sanderson moved to accept the cash bond in the amount of \$112,200.00 as an official bank check from Pomona 306 LLC and release the letter of credit to Ferreira and authorizing the Mayor to sign the escrow agreement. Seconded by Trustee Roman. Motion carried 4-0.

6. Committee Reports
A. Recreation

Nothing at this time.

B. Buildings and Parks

Trustee Banks reported that Village Hall has been successfully painted, and that the painters had done a very good job.

Ms. Ulman distributed the list of responses with bids received for the Stone Wall at Village Hall. A copy is attached to the Minutes.

There was discussion regarding the Village Engineer, Trustee Banks and Mr. Scaffidi, the low bidder, meeting to determine his capability to successfully complete the stone wall project as described in the specifications.

Deputy Mayor Sanderson moved, subject to Trustee Banks and the Village Engineer meeting with the low bidder, Scaffidi, that the bid be awarded to Scaffidi for the Village Hall stone wall, in accordance with the specifications, in the amount of \$19,800.00 with the work to be completed 5 days after start, weather permitting. Seconded by Trustee Roman. Motion carried 4-0.

Trustee Banks reported that there is a need for major electrical repairs at the Cultural Center.

Deputy Mayor Sanderson moved to approve an expenditure up to \$2500.00 for Trustee Banks to authorize electrical repairs at the Cultural Center. Seconded by Trustee Roman. Motion carried 4-0.

Trustee Banks raised the issue of placing large boulders near the Cultural Center where dumping has been taking place. This would help alleviate the problem. Trustee Banks will pursue the matter and obtain costs.

7. 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 \$12,638.24 set forth of pages 1 – 3 in the Monthly Abstract Listing dated July 25, 2006 through August 14, 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.

8. Code Enforcement

A copy of the Code Enforcement Officer's report is attached to the Minutes.

9. Legal

Ms. Ulman distributed to the Board a copy of the lease agreement with New York SMSA Limited Partnership, doing business as Verizon Wireless. A copy is attached to the Minutes.

Deputy Mayor Sanderson moved to approve a lease agreement with New York SMSA Limited Partnership, doing business as Verizon Wireless and authorizing the Mayor to sign. Seconded by Trustee Banks. Motion carried 4-0.

Ms. Ulman distributed a copy of the 2006 Stormwater Education Contract with Cornell Cooperative Extension. A copy of the contract is attached to the Minutes.

Deputy Mayor Sanderson moved to approve an amount not to exceed \$1000.00 the 2006 Stormwater Education Contract with Cornell Cooperative Extension and authorizing the Mayor sign. Seconded by Trustee Roman. Motion carried 4-0.

Mark Bonistall representing Interstate Waste Services (IWS) addressed the Board of Trustees regarding IWS acquiring Waste Management Services, contracts and equipment in Rockland and Orange counties, who presently provide garbage and trash services for the Village of Pomona. The current contract with the Village would remain in effect, as it currently stands, and there would be no changes to the services provided or the personnel currently employed by Waste Management Services.

Deputy Mayor Sanderson moved to adopt a resolution consenting to the assignment of the Village's garbage, trash, and recyclable collection contract with Waste Management Services to Interstate Waste Services and authorizing the Mayor to sign the assignment on behalf of the Village. Seconded by Trustee Roman. Motion carried 4-0.

10. Old Business

Discussion was held regarding the naming of a street in the Halley subdivision in memory of Sue Glantz.

Trustee Roman moved to approve the road name of Sue Glantz Drive on a cul de sac in the Halley Subdivision. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.

11. New Business

Nothing at this time.

12. Office Period

Nothing at this time.

13. Trustees Period

Nothing at this time

14. Executive Session

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

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

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

Meeting adjourned at 9 p.m.

Respectfully submitted,

Malverne J. Toll