

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
SEPTEMBER 25, 2006

ADOPTED DECEMBER 18, 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 September 25, 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

Trustee Roman moved to approve an expenditure of \$1425.00 for the December activities at the Center, including the Holiday Art Exhibition and Holiday Concert. Seconded by Trustee Banks. Motion carried 5-0.

Deputy Mayor Sanderson moved to deny return of escrow for the following lots, on the recommendation of the Village Engineer because the work has not been completed: C-2, MCSP Developers, LLC, \$4,646.00; G-13, JWL Construction, \$2,100.00; I-4, Menna Building Corp., \$2,900.00; I-5, Menna Building Corp., \$2,940.00; I-3, Menna Building Corp., \$3,692.00; D-12, C. LaRomme Assoc., \$15,000.00; G-6, Robert Gross, \$1,400.00. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Banks moved to return the escrow money to Robert Gross for Lot G-6 in the amount of \$1,380.00 for completed curbing work. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Trustee Roman moved to approve the return of escrow to Menna Building Corp. for a remaining balance for professional engineering fees for Lot I-4 in the amount of \$1000.55. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson resolved that at the request of JWL/Torsoe the Board of Trustees will accept road dedication of that portion of Overlook Road including Lakeview Court and Carbery Court as shown on a drawing dated September 25, 2006 prepared by Mr. Joe Corless subject to the following: 1) that final wearing course, monuments and street trees be installed in accordance with the Village Code requirements prior to dedication; 2) that no heavy equipment will be permitted on that portion of the road; 3) that in the event the construction of new

houses along any portion of that road creates any damage to curbs or the road it will be repaired by JWL/Torsoe; 4) that the escrow currently held by the Village for that portion of the road will be transferred for the purpose of guaranteeing construction of the remaining roads in the event the Village Engineer determines that the amount is required for that guarantee. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Roman moved the affirmation of Mayor Marshall's appointment of Gerald Inman, Sr. to the Zoning Board of Appeals filling the unexpired term of Linda Simmons until April 2010. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$130,350.42 set forth on pages 1 – 10 in the Monthly Abstract Listing dated July 24, 2006 through September 25, 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 5-0.

1. Salute the Flag.

2. Open Period

Gordon Wren (no address or affiliation given) addressed the Board regarding the fire inspections in the Village. An area he addressed was false alarms in the County and the Village. Mayor Marshall responded that he was aware of false alarms and was working on a way to resolve the problem.

Kim Wepler, Assistant Chief for the Hillcrest Volunteer Fire Company reiterated what Mr. Wren spoke about.

Bill Hanifin, 2 Sunset Terrace, Pomona: addressed the Board regarding the contents of the Village newsletter. He felt the content should be more informative about news items in the Village, i.e., Patrick Farm, Camp Dora, and less of events going on in the Village. Also, he complained about the parking at the Pomona Post Office and asked what could be done about it. Mr. Hanifin was requested to put his complaint about the post office in writing and the Mayor would follow up on it. Mr. Hanifin also commented on a house that had burned down and the house that was rebuilt was too large for the property. Mr. Zrelak, Building Inspector, responded that the house met the setback requirements and was in compliance with the Village Code.

Sandy Townsend, 50 Ladentown Road, Pomona: commented that Pomona was a great place to live and complimented the staff at Village Hall.

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

3. Adoption of Minutes

A. July 10, 2006

B. July 24, 2006

C. August 14, 2006

D. September 11, 2006

Mayor Marshall tabled the above Minutes to the October 30, 2006 meeting because the Board had not reviewed them.

4. Cultural Center

A copy of the Director's report is attached to the Minutes. Mr. Gde requested approval of \$1425.00 for December activities at the Center. Mr. Gde also reported that the computer at the Center is still not working. Deputy Mayor Sanderson will take a look at it.

Trustee Roman moved to approve an expenditure of \$1425.00 for the December activities at the Center, including the Holiday Art Exhibition and Holiday Concert. Seconded by Trustee Banks. Motion carried 5-0.

5. Building Department

A. Engineering and Building

A copy of the Village Engineer's escrow return recommendations is attached to the Minutes. On the following lots, escrow return was not recommended because the work has not been completed:

C-2	MCSP Developers, LLC	\$4,646.00
G-13	JWL Construction	\$2,100.00
I-4	Menna Building Corp.	\$2,900.00
I-5	Menna Building Corp.	\$2,940.00
I-3	Menna Building Corp.	\$3,692.00
D-12	C. LaRomme Assoc.	\$15,000.00
G-6	Robert Gross	\$1,400.00

Deputy Mayor Sanderson moved to deny return of escrow for the following lots, on the recommendation of the Village Engineer because the work has not been completed: C-2, MCSP Developers, LLC, \$4,646.00; G-13, JWL Construction, \$2,100.00; I-4, Menna Building Corp., \$2,900.00; I-5, Menna Building Corp., \$2,940.00; I-3, Menna Building Corp., \$3,692.00; D-12, C. LaRomme Assoc., \$15,000.00; G-6, Robert Gross, \$1,400.00. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Banks moved to return the escrow money to Robert Gross for Lot G-6 in the amount of \$1,380.00 for completed curbing work. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

The Village Clerk had a request for return of escrow to Menna Building Corp. on Lot I-4 for a remaining balance for professional engineering fees in the amount of \$1000.55.

Trustee Roman moved to approve the return of escrow to Menna Building Corp. for a remaining balance for professional engineering fees for Lot I-4 in the amount of \$1000.55. Seconded by Trustee Lamer. Motion carried 5-0.

Mr. Corless reported that both projects, the stone wall and Camp Hill Road drainage are scheduled to start a week from Monday, October 9th. Mayor Marshall requested that a

conclusion date be obtained from Scaffidi. The cleaning of the easement at 11 Chestnut Drive will be done when Scaffidi is in the Village.

Mr. Corless distributed a report on road dedication in the JWL/Torsoe section of Highgate Estates and portions of Summit at Pomona. A copy is attached to the Minutes. The Board expressed concern about the escrow currently deposited in conjunction with the Developer's Agreement may need to be increased because of the huge increase in the cost of asphalt. There was also concern that if portions of the road were accepted for dedication, construction equipment would have to be limited on that portion and if damaged, the developers would pay for the repairs.

Deputy Mayor Sanderson resolved that at the request of JWL/Torsoe the Board of Trustees will accept road dedication of that portion of Overlook Road including Lakeview Court and Carbery Court as shown on a drawing dated September 25, 2006 prepared by Mr. Joe Corless subject to the following: 1) that final wearing course, monuments and street trees be installed in accordance with the Village Code requirements prior to dedication; 2) that no heavy equipment will be permitted on that portion of the road; 3) that in the event the construction of new houses along any portion of that road creates any damage to curbs or the road it will be repaired by JWL/Torsoe; 4) that the escrow currently held by the Village for that portion of the road will be transferred for the purpose of guaranteeing construction of the remaining roads in the event the Village Engineer determines that the amount is required for that guarantee. Seconded by Trustee Lamer. Motion carried 5-0.

Mayor Marshall inquired who had purchased the 2-lot subdivision on Woodside Drive. Mr. Corless responded he did not know the name of the purchaser. Mayor Marshall requested that the Building Inspector and the Code Enforcement Officer follow the development and ensure the Village Code is followed specifically as they were approved by the Planning Board.

Mr. Corless reported that he attended a meeting of the MS4 storm water consortium, and the Village should be receiving some grant money for code enforcement and mapping.

Mr. Corless reported that Mr. Pat Brady is preparing a report on his inspection of the Roman sewer question.

B. Planning and Zoning

Mayor Marshall appointed Gerald Inman, Sr. of 4 Pine Court to the Zoning Board of Appeals replacing Linda Simmons whose term expires in April 2010. Mr. Inman addressed the Board, gave them a brief summary of his qualifications and committed to do a good job for the Village.

Trustee Roman moved the affirmation of Mayor Marshall's appointment of Gerald Inman, Sr. to the Zoning Board of Appeals filling the unexpired term of Linda Simmons until April 2010. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

6. Committee Reports

A. Recreation

Ms. Sanderson reported that she met with some people regarding the Halloween Parade and Party and worked on plans for the day. Mr. Gde requested that the fire truck and antique cars follow the children in the parade in order to avoid them breathing in the car fumes.

B. Building and Parks

Trustee Banks reported that he will set up a meeting with the electrician for lighting at the Cultural Center. Also, generally the parks are in good shape, Burgess Meredith has a few little things that will be worked on. Work on the stone wall for Village Hall should begin a week from Monday.

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 \$130,350.42 set forth on pages 1 – 10 in the Monthly Abstract Listing dated July 24, 2006 through September 25, 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 5-0.

C. Grants and Awards

Deputy Mayor Sanderson will look into the possibility of receiving grant money from SMSI.

8. Code Enforcement

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

9. Legal

Ms. Ulman reported she is still working on the local law revision for wetlands and will try to have it for the next workshop meeting.

10. Old Business

An update on the Verizon Tower is that the leases have been signed and the next step is for Verizon to apply for a special permit.

11. New Business

Nothing at this time.

12. Office Period

Nothing at this time.

13. Trustees Period

Trustee Roman inquired about the status of a Planner for the Village. Mayor Marshall duly noted her comment and is pursuing the matter.

14. Executive Session

Trustee Lamer moved to adjourn to Executive Session to discuss matter of litigation. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

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

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

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Malverne J. Toll