

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
APRIL 22, 2002

CORRECTED MINUTES

A Board of Trustees meeting of the Village of Pomona was held at the Pomona Village Hall, Old Route 202 and Camp Hill Road, Pomona, New York at 7:30 p.m. on April 22, 2002.

Present

Mayor:	Herb Marshall
Deputy Mayor:	Al Appel
Trustees:	Ian Banks
	Alma Roman
	Nick Sanderson
Village Attorney:	Reuben Ortenberg
Village Engineer:	Joe Corless
Bldg. Inspector:	Michael Zrelak
Village Clerk:	Susan Glantz

Summary of Motions:

Adoption of Minutes of March 11, 2002. Motion carried 4-0.

Adoption of Minutes of March 25, 2002. Motion carried 5-0.

Adoption of Minutes of April 1, 2002. Motion carried 5-0.

Return of Escrow to Country and Town Corporation for \$3000.00. Motion carried 5-0.

Resolution establishing parameters for use of Village Hall. Motion carried 5-0.

Resolution to install a computer network in Village Hall. Motion carried 5-0.

- 1. Salute to the Flag**
- 2. Open Period**

No one appeared to speak.

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

3. Adoption of Minutes
A. March 11, 2002

Mayor Marshall commented that the minutes should always be submitted with the agenda affixed to them.

Trustee Sanderson moved to adopt the minutes of March 11, 2002 as submitted. Seconded by Trustee Banks. Motion approved 4-0.

B. March 25, 2002

Corrections by Trustee Sanderson; page 3, item 7B, "committee has not met yet" should be changed to "has not met recently". Also, page 4, item 10, the first paragraph is incorrect. Mr. Ortenberg reported that Michael Miranda has made a motion to dismiss the Schecter lawsuit. Mr. Schecter has opposed the motion and cross-moved for a judgment in his favor.

On page 5, paragraph 14, Ilan Schoenberger's name was spelled incorrectly.

Trustee Banks moved to adopt the minutes of March 25, 2002 as corrected. Seconded by Deputy Mayor Appel. Motion carried 5-0.

C. April 1, 2002

Trustee Banks moved to adopt the minutes of April 1, 2002 as presented. Seconded by Trustee Roman. Motion carried 3-0-2. Deputy Mayor Appel and Trustee Sanderson abstained, they were absent from the meeting.

4. Committee Reports
A. Cultural Center

The Director's report on the Cultural Center is attached. Residents enrolled in the stained glass class may supply their own tools and materials. If they don't, they will incur a fee for materials needed. Trustee Sanderson will publish that information in the Newsletter.

B. Recreation Committee

No report at this time.

C. Other

Nothing at this time.

5. Grants and Awards

The Village will reapply for a Community Development Grant for 2003. Also, an application will be reapplied to the Clean Water Clean Air Act for 2002.

6. Building Department

A. Code Enforcement

The Code Enforcement Officer's report is attached to the minutes. The Code Enforcement Officer will send a letter to Mr. Frenzel asking for specifics on what he plans to do with the burned out structure on his property.

B. Building Inspector

Mr. Zrelak reported that there are twelve new homes, in different phases, under construction. The new home being build on Camp Hill Road was moved about 20 feet to eliminate taking down any more trees. There are about 5 or 6 new homes, up on the mountain, coming in for Certificate of Occupancy in the next three or four months. A statement regarding the local law about removing trees on property where new construction is being built will be added to the site plan checklist on the Village website and to the site plan regulations that are given out with building permits.

C. Engineering

Extensive discussions were held regarding the Highgate Subdivision road dedication. Mr. Corless reported that it is a complicated situation because of the subdivision's size. It was agreed that a compromise should be worked out to protect the rights of new residents moving into the subdivision and the Village and also allow subdivision construction to positively continue. The matter was then scheduled as a special agenda item for the next Workshop meeting. Both Mr. Corless and Mr. Ortenberg will attend the meeting to assist the Board in working out a solution. The Board also invited John Lynn, the builder, to attend the Workshop meeting.

Mr. Corless recommended the return of escrow of \$3000.00 to Country and Town Corporation for the Litman property.

Deputy Mayor Appel moved to return \$3000.00 in escrow funds to Country and Town Corporation. Seconded by Trustee Banks. Motion carried 5-0.

The Applicant of Halley II failed to provide the Town of Haverstraw with a DEIS. The period of comment time has been extended from April 6th to May 20th. The matter is still under discussion.

CMU is in Chapter 11 for the house at 12 South Ridge. A Motion to Stay was issued to move the matter from Chapter 11 to Chapter 7.

The matter of Local Law Revision Recommendations from Mr. Corless concerning lot width was discussed. Mr. Corless recommended that the law be amended to define lot width at the required set back. If a lot has an existing problems, the matter can go to the ZBA for resolution. Mr. Ortenberg will prepare the revision for the workshop meeting. Mr. Ortenberg commented that the second item for Local Law Revision was impervious surfaces, 130-12H. Mr. Corless responded that it should include driveways, decks and sidewalks. Mr. Ortenberg will prepare an amendment for that Local Law also.

Mr. Corless reported that Camp Dora is at a standstill and that in December the Applicant reported they were hiring a professional land planner.

Trustee Banks asked Mr. Corless to look into the situation at the Temple regarding dead trees, screening, debris, and should clean up the area. Mr. Corless will keep in touch with them regarding the resolution of these matters.

Mark Mankoff, 4 Valley View Court: Addressed the Board regarding a \$5000.00 bond each homeowner had to put up for the pump station. He wanted to know what is happening with the pump station. Mr. Ortenberg responded the matter is in litigation. Mr. Mankoff also asked about the condition of the property around the water tower near his property. There is an abandoned wrecked car just laying there. Deputy Mayor Appel will contact the water company to take care of the property and clean it up.

Trustee Roman moved for the Board to go into Executive Session to discuss matters of litigation. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Trustee Sanderson moved to resume the public session. Seconded by Trustee Banks. Motion carried 5-0.

7. Legal

Discussion was held regarding Monday evenings be reserved for Village Board meetings only. The Resolution that was presented would be amended to add under Item 2, 'Meetings of the Planning Board, the Zoning Board of Appeals, the Architectural Review Board **and all other boards, commissions, and committees of the Village of Pomona**' shall be held at Village Hall on any weekday evening, except for Mondays, unless the Board of Trustees permits such a meeting on a Monday evening due to unusual circumstances.' (Resolution is attached.)

Trustee Sanderson moved to adopt a resolution, as amended, establishing parameters for use of Village Hall. Seconded by Trustee Roman. Motion carried 5-0.

Mr. Ortenberg reported on the current status of the Schecter lawsuit. He is still waiting for a decision on the motion that is still pending before the Honorable George M. Bergerman, Justice of the Supreme Court.

Mayor Marshall asked for comment from Mr. Ortenberg regarding the selection of either an insurance agent or insurance agency. The current insurance agent for the Village is Capacity Coverage Company and New York Municipal Insurance Reciprocal (NYMIR). The independent agent handling the Village's insurance is Rusty Phelan and the Village would like to have him continue to represent us. The resolution passed at the Organization meeting needs to be changed to show Rusty Phelan as the Village's agent. Mr. Phelan will be invited to a Board meeting to answer any questions from the Board. Mr. Ortenberg will research the matter and report back to the Board with a prepared resolution.

8. Old Business

Discussion was held concerning the renumbering of homes when Old Route 202B is renamed Ladentown Road. The numbering has not been firmed up yet. Trustee Banks has been working with Pablo Ramos of 911 to coordinate the numbering. The signs for the road have been ordered.

Mayor Marshall asked the Clerk to send a letter to the residents of Grey Beech Lane informing them that in fact, their road is not a dedicated road, and any services such as snow plowing, maintenance, etc., in the future, they will have to privately pay for them. Or, the residents may elect to have the road upgraded and dedicated and offer for dedication to the Village.

9. New Business

Trustee Sanderson distributed a memo stating that the Village is going out to bid for a computer network for Village Hall.

Trustee Sanderson moved to install a computer network in Village Hall at a cost not to exceed \$5000.00. Seconded by Trustee Roman. Motion carried 5-0.

Mayor Marshall announced several upcoming meetings.

10. Office Period

Mayor Marshall announced the Village will be getting a new flag for the flag pole in front of Village Hall.

Trustee Banks announced that an estimate for a new tree is forthcoming to replace the tree that died in front of Village Hall.

Trustee Sanderson is researching a bulletin board for the wall in the meeting room.

11. Trustees Period

Nothing at this time.

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

Meeting adjourned at 10:00 p.m.

Respectfully submitted,

Malverne J. Toll