

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
MAY 20, 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 May 20, 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:

Motion to adopt the revision of Local Law 130-12B. Motion carried 5-0.

Motion to adopt the Clean Water/Clean Air Bond Act Resolution. Motion carried 5-0.

Motion to return \$2500.00 of escrow moneys to the Sri Ranganatha Temple. Motion carried 4-1. Trustee Banks voted in opposition.

Motion to return the seven listed escrow moneys. Motion carried 5-0.

Motion to advertise for bids for berms. Motion carried 5-0.

Motion to table the Developer's Agreement until the next Board meeting. 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 Trustee Roman. Motion carried 5-0.

3. Public Hearing – Revision of Local Law 130-12B

No one from the public appeared to speak at the Public Hearing.

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

(Proposed Local Law amending 130-12B is attached.)

Trustee Sanderson moved to adopt the revision of Local Law 130-12B as presented. Seconded by Trustee Roman. Motion carried 5-0.

4. Adoption of Minutes

A. 4/22/02

Action was tabled on the 4/22/02 minutes to the next meeting. Clerk Glantz will forward copies of the minutes to Deputy Mayor Appel and Trustee Sanderson.

5. Committee Reports

A. Cultural Center

A copy of the Director's report is attached. The opening of the summer exhibition scheduled for June 15th is being published on the website.

B. Recreation

Trustee Roman reported the Recreation Committee is awaiting the decision from the Board on whether to hold the Fish-In this year because of the drought.

6. Grants and Awards

A resolution was presented to apply for a grant under the Clean Water/Clean Air Bond Act and/or the Hudson River Valley Greenway Act for a project in Burgess Meredith Park. (Resolution is attached.)

Deputy Mayor Appel moved to adopt the Clean Water/Clean Air Bond Act Resolution. Seconded by Trustee Sanderson. Motion carried 5-0.

Mayor Marshall forwarded grant information on planting trees on public land to Deputy Mayor Appel who will look into the matter.

7. Building Department

A. Code Enforcement

The Code Enforcement Report is attached. Mayor Marshall reported he has spent some time reviewing the Village's animal control laws and the restrictions regarding pit bulls. Mr. Ortenberg will review the law regarding the control of pit bulls.

B. Building Inspector

Mr. Zrelak reported that nine additional Building Permits were given out last month. The Hindu Temple is in the process of installing an elevator. There is a sight distance problem on Overlook and North Ridge of bushes extending to the curb. Deputy Mayor Appel will check it out. Ramsey Estates has installed a stop sign on Litman Lane but still needs to install the stop bar on the road. Mr. Zrelak also reported he has a request for numerous building permits in the Highgate Subdivision but has them on hold until the agreement between Highgate and the Village is executed.

C. Engineering

Mr. Corless reported that he has inspected the Hindu Temple site and it has been cleaned up somewhat but the project is not yet complete. Mr. Corless recommends returning \$2500.00 of the escrow money and retaining \$8000.00 of it.

Trustee Roman moved to return \$2500.00 of escrow moneys to the Sri Ranganatha Temple. Seconded by Mayor Marshall. Motion carried 4 – 1. Trustee Banks voted in opposition citing concern about the lighting and compliance with the site plan.

Clerk Glantz has researched the files and recommended that the following escrow moneys need to be returned:

Wesley Pomona Estates	\$500.00 (clean out of debris)
Zugibe	\$1000.00 (paving)
Jares Development (Meldor)	\$2000.00 (vegetation)
Oliverra	\$1800.00 (drainage)
Briarwood Farms	\$1500.00
Monsey Excavating	\$2500.00
Chaim Avia	\$500.00 (C.O.)

Trustee Sanderson moved to return the above seven listed escrow moneys. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Mr. Corless reported that is no movement on the Halley II Subdivision. Mayor Marshall brought up the matter of cleaning out the Village's storm sewer catch basins. Mr. Corless will speak to the Ramapo and Haverstraw Highway Departments about having it done. Regarding berms, Mr. Corless reported the specs are done and now needs authorization to go out to bid.

Trustee Sanderson moved to advertise for bids for berms. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Mayor Marshall reported that Senator Morahan's office reported that a Multi-Model Grant of \$50,000 for paving of White Birch Drive was approved.

Mayor Marshall reported that a letter was received from Mrs. Szpivik, a resident on Overlook regarding a fence to prevent rocks, stones and drainage from falling onto South Ridge during construction on Overlook. Mr. Corless will respond to the letter and ask her to come to the Planning Board meeting.

Mayor Marshall brought up the letter that was received from Isaac Buchinger regarding lot I-6. Mr. Corless responded that this is a drainage problem and that the builder would be required to follow the same plan prescribed to solve identical problems on lots I-7 and I-8. As a result of a disagreement between Mr. Buchinger and Mr. Lynn, this plan was no longer possible.

8. Legal

Mr. Ortenberg distributed a memo, which reported on pending legal matters. (Copy of the memo is attached.) On the Summit at Pomona lawsuit, he is still waiting for a decision on the motion to dismiss.

A copy of the developer's agreement prepared by Mr. Albrecht and Mr. Ortenberg was submitted to the Board for approval. Trustee Banks commented that he was not in a position to act on the agreement this evening because it was received too late for an adequate review. The other Trustees echoed Trustee Banks concern and after much discussion it was agreed that there were too many unanswered questions for the Board to vote at this time.

Deputy Mayor Appel moved to table the Developer's Agreement until the next Board meeting. Seconded by Trustee Sanderson. Motion carried 5-0.

Trustee Sanderson also questioned why Mr. Albrecht's client didn't respond to Mr. Ortenberg's letter of May 15th. (Letter is attached to the minutes.) Mr. Albrecht responded that although the letter requested a reply he believes his client was not required to respond.

Mr. Ortenberg continued to review his report, which is attached.

9. Old Business

Nothing at this time.

10. New Business

Nothing at this time.

11. Office Period

Nothing at this time.

12. Trustees Period

Nothing at this time.

13. Executive Session

Trustee Sanderson moved to go into Executive Session to discuss legal issues. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Returned to Public Session.

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

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Malverne J. Toll