

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
NOVEMBER 25, 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 November 25, 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, Jr.
Village Clerk: Susan Glantz

Summary of Motions:

Deputy Mayor Appel moved to table the Revision of Local Laws 118 and 119 to the next meeting. Seconded by Trustee Banks. Motion carried 5-0.

Trustee Sanderson moved to adopt the minutes of October 7, 2002 as amended. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Trustee Sanderson moved to adopt the minutes of October 28, 2002 as amended. Seconded by Trustee Banks. Motion carried 5-0.

Trustee Sanderson moved to table the minutes of November 12, 2002 to the next regular meeting. Seconded by Trustee Banks. Motion carried 5-0.

Trustee Sanderson moved to approve the concept of average density for the Southern Homes subdivision. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Sanderson moved a resolution supporting the joint effort of the Villages of Chestnut Ridge, New Hempstead, Wesley Hills with Pomona to protect against inappropriate master plan proposals of the Town of Ramapo. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Trustee Banks moved a resolution requiring the Village Board approval for any change in the depository of Village funds. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Roman moved to adopt the response document to the October 25, 2002 Comptroller's report M-188 as presented. Seconded by Trustee Roman. Motion carried 3-2. Trustees Banks and Sanderson voted No.

1. Salute the Flag

Mayor Marshall read a brief statement regarding the format of the meeting.

2. Open Period

William J. Stein, P.E., 31 Concord Drive, New City, NY, a consulting engineer who spoke on behalf of his client JWL Construction.

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

3. Public Hearing – Revision of Local Laws 118 and 119

Mr. William J. Stein, P.E. 31 Concord Drive, New City, NY, representing his client JWL Construction, addressed the Board regarding phased construction as described in Local Law 119.

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

After much discussion by the Board, the matter was tabled to the next meeting for further review.

Deputy Mayor Appel moved to table the Revision of Local Laws 118 and 119 to the next meeting. Seconded by Trustee Banks. Motion carried 5-0.

4. Adoption of Minutes

A. October 7, 2002

On Page 2, item 6, the minutes should reflect the type of truck to be purchased by the Town of Haverstraw, which is a snow plowing truck. Also, the term of payment is 7 years not 8 years.

Trustee Sanderson moved to adopt the minutes of October 7, 2002 as amended. Seconded by Deputy Mayor Appel. Motion carried 5-0.

B. October 28, 2002

On Page 8, item 11, the motion needs to be clarified as it is in the first page of the minutes.

Trustee Sanderson moved to adopt the minutes of October 28, 2002 as amended. Seconded by Trustee Banks. Motion carried 5-0.

C. November 11, 2002

Trustee Sanderson moved to table the minutes of November 12, 2002 to the next regular meeting. Seconded by Trustee Banks. Motion carried 5-0.

5. Committee Reports

A. Cultural Center

A copy of the Director's report is attached to the minutes. Gde reported that the flagpole and new sign have been installed. The electric work still needs to be done to light the flag and sign and should be installed by Wednesday, November 27th. Also, the large rocks still need to be installed along the front of the property to protect the flagpole and sign.

B. Recreation

Trustee Roman reported the Recreation Committee has met recently and is planning a Valentine Day celebration and looking at a Day of Caring.

C. Finance

Mayor Marshall reported the Investment Report is a new report to be distributed to the Board. A copy of a letter from Jeffrey Frega regarding the investment of Village funds is attached to the minutes.

D. Other

Nothing at this time.

6. Grants and Awards

Deputy Mayor Appel reported that \$15,000 was received for the installation of a clock and \$10,000 for additional work on the outside of Village Hall. The moneys were awarded from Senator Morahan and Assemblyman Gromack.

7. Southern Homes Average Density Request

Mr. Ortenberg recused himself from this matter.

James Cobb, Attorney for the Applicant, Nanuet, New York spoke regarding the application for a density zoning resolution pursuant to Article 10 of the Zoning Code. It is a 3-lot subdivision off Pomona Road. The bulk requirements have been met in the plan.

Trustee Sanderson moved to approve the concept of average density for the Southern Homes subdivision. Seconded by Trustee Roman. Motion carried 5-0.

8. Building Department

A. Code Enforcement

Deputy Mayor Appel reported there is a problem with residents leaving leaves in the roadways. Trustee Sanderson commented that a notice will be placed in the next Newsletter that the Village will not be picking up leaves again this winter.

Deputy Mayor Appel reported to the Board that the property belonging to Mr. Max Frenzel had been posted, in three different areas, as agreed upon at the last Board meeting. Also, a formal notice from the Code Enforcement Officer dated November 4, 2002 was sent to Mr. Frenzel requiring him to make the property safe and secure or to remove the structures. The work was to begin within 10 days of the date of the notice and to complete the work no later than 60 days of the date of the notice. Mr. Frenzel appeared before the Board to ask for an extension to the deadline. The Board was in agreement to keep the deadline as stated in the notice to Mr. Frenzel, which is scheduled to run out on January 4, 2003. Mr. Frenzel responded he will try to comply and notify the Board when the work is started.

B. Engineering

Mayor Marshall inquired about the Halley Drive extension, which was reported to have dangerous holes in it. Mr. Corless reported the holes are for two precast concrete manholes for a future pump station. A letter will be sent to Mr. Schecter and his attorney putting them on notice that the open holes that exist represent an attractive nuisance and requesting that the situation be corrected.

Mr. Corless reported the underground work being done by Cablevision is about finished. They are also finishing up the overhead work.

Mr. Corless reported receiving a plan submittal by United Water abandoning their driveway from Overlook that runs up the hill to the tower. A driveway will be

installed on East Court to go up to the tower. Mayor Marshall directed the Village Clerk to send a letter to the neighboring residents notifying them when the work is completed.

C. Building Inspector

Mr. Zrelak reported that work is still ongoing at the Ferreira development on Pomona Road.

9. Legal

Mr. Ortenberg has been in communication with the Town of Haverstraw's Town Attorney regarding the upcoming snow removal contract.

10. Old Business

Mayor Marshall gave a brief review on the Patrick Farm property and the Town of Ramapo's draft Comprehensive Plan.

Trustee Sanderson moved a resolution supporting the joint effort of the Villages of Chestnut Ridge, New Hempstead, Wesley Hills with Pomona to protect against inappropriate master plan proposals of the Town of Ramapo. Seconded by Deputy Mayor Appel. Motion carried 5-0.

A postcard will be prepared and sent to residents notifying them of a December 12, 2002 meeting at 8 p.m. at the Pomona Middle School regarding the proposed formation of the Village of Ladentown.

An update on the mulch plant situation is that an appeal to the motion to close it was heard in the Appellate Court on November 15th and a decision will be forthcoming.

11. New Business

Mayor Marshall opened discussion on the New York State Comptroller's Officer's Report regarding the Village's investments. A letter from the Village's auditors, Fulton, Timmes, Frega & Straubinger, P.A. is attached to the minutes. Mr. Ortenberg commented that Mr. Frega is not an attorney and the matter is a legal requirement that is statutory and requires legal guidance. Trustee Sanderson reserved comment until the matter is discussed at the workshop.

Trustee Banks moved a resolution requiring the Village Board approval for any change in the depository of Village funds. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Roman moved to adopt the response document to the October 25, 2002 Comptroller's report M-188 as presented. Seconded by Trustee Roman. Motion carried 3-2. Trustees Banks and Sanderson voted No.

12. Office Period

Discussion was held regarding continuing the services of Shadow Security during the winter months. The Board decided to have Shadow Security continue to maintain the same schedule they are presently on.

13. Trustees Period

Nothing at this time.

14. Executive Session

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

Trustee Roman moved to close the Executive Session and return to the public meeting. Seconded by Trustee Sanderson.

Trustee Banks moved to adjourn the meeting. Seconded by Trustee Roman. Motion carried 5-0.

Meeting adjourned at 9:35 p.m.

Respectfully submitted,

Malverne J. Toll