

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
JANUARY 27, 2003

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 January 27, 2003.

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:

Trustee Sanderson moved to adopt the December 9, 2002 minutes, as amended. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Trustee Sanderson moved to adopt the minutes of December 23, 2002, as amended. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Trustee Sanderson moved to adopt the minutes of January 12, 2003, as amended. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Trustee Sanderson moved to have the Clerk purchase two Certificate of Deposits as recommended by the Treasurer. One CD for \$50,000 for 3 months and one CD for \$100,000 for 30 days. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Mayor Marshall moved to appoint Carole Tjoa to the Ethics Committee, Seconded by Trustee Roman. Motion carried 5-0.

Deputy Mayor Appel moved to set February 24, 2003 at 7:30 p.m. for a public hearing on the Community Development Grant process. Seconded by Trustee Sanderson. Motion carried 5-0.

Trustee Sanderson moved to terminate the Standby Letter of Credit for Halley Estates I since all maintenance work has been completed on Klingher Court, subject to the final approval of the Village Attorney. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Sanderson moved to adopt the New York State DEC (SPEDES) resolution regarding storm water discharges. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Deputy Mayor Appel moved to approve the installation of two new fire hydrants on Cheesecote Lane. Seconded by Trustee Banks. Motion carried 5-0.

Trustee Banks moved to institute legal action against Abe Steinberg to retrieve the Mickelberry escrow funds. Seconded by Deputy Mayor Appel. Motion carried 3-1-1. Deputy Mayor Appel voted no, Trustee Sanderson abstained.

Deputy Mayor Appel moved to retain the legal counsel of Michael Miranda to represent the Village Board in the new JWL lawsuit. Seconded by Trustee Roman. Motion carried 5-0.

1. Salute the Flag

2. Open Period

Rhonda Klass, 18 Brookside Ct., Pomona commented that she thought the mulch plant was closed and wanted to know if a barrier could be placed across the front gates so trucks could not enter the facility. Mayor Marshall explained the current court status of the plant and that trucks could remove mulch but not bring in tree stumps or logs for grinding since the court has moved that the grinding equipment can not be used.

Marilyn Klass, Mountainview Ct. reiterated the complaints of Rhonda Klass about the mulch plant.

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

3. Adoption of Minutes

A. December 9, 2002

On page 2, item 4, first paragraph it should read Ramapo Comprehensive Master Plan instead of planning report.

Trustee Sanderson moved to adopt the December 9, 2002 minutes, as amended. Seconded by Deputy Mayor Appel. Motion carried 5-0.

B. December 23, 2002

On page 3, item 4, first line should read "A copy of the proposed revision of Local Laws 118 and 119 is attached to the minutes.

Trustee Sanderson moved to adopt the minutes of December 23, 2002, as amended. Seconded by Deputy Mayor Appel. Motion carried 5-0.

C. January 13, 2003

On page 1, item 2A, second paragraph, the correct name should read First Class Snow Plowing.

Trustee Sanderson moved to adopt the minutes of January 12, 2003, as amended. Seconded by Deputy Mayor Appel. Motion carried 5-0.

4. Treasurer's Report

A copy of the Treasurer's Report was distributed to the members of the Board along with an investment report. Clerk Glantz requested permission to purchase two CD's from the Bank of New York; one for \$50,000 for 3 months, and one 30-day CD for \$100,000.

Trustee Sanderson moved to have the Clerk purchase two Certificate of Deposits as recommended by the Treasurer. One CD for \$50,000 for 3 months and one CD for \$100,000 for 30 days. Seconded by Deputy Mayor Appel. Motion carried 5-0.

5. NYS Deferred Compensation Plan

Thomas Migliano, Account Executive, gave a presentation on the New York State Deferred Compensation Plan. The Board will have further discussion on the matter at the next workshop.

6. Committee Reports

A. Cultural Center

A copy of the Director's report is attached to the minutes. Mr. Gde reported that the opening of the Winter 2003 Exhibition, Painting and Sculpture was very successful. The only problem is the availability of parking for patrons. Parking on Route 306 is dangerous and parking should be suggested on Pomona Road and Hidden Valley Road. At future openings, the Ramapo Police Department will be contacted for assistance in directing traffic.

B. Recreation

Trustee Roman reported that the Recreation Committee will be meeting to discuss their future plans and budget.

7. Ethics Committee Appointment

Mayor Marshall recommended Carole Tjoa for appointment to the Ethics Committee.

Mayor Marshall moved to appoint Carole Tjoa to the Ethics Committee, Seconded by Trustee Roman. Motion carried 5-0.

Trustee Roman, Liaison to the Ethics Committee will contact the committee and ask them to select a chairman.

8. Grants and Awards

Deputy Mayor Appel moved to set February 24, 2003 at 7:30 p.m. for a public hearing on the Community Development Grant process. Seconded by Trustee Sanderson. Motion carried 5-0.

Deputy Mayor Appel announced that he will again file a grant application for funds to install handicap access to the parks.

9. Building Department Period

A. Code Enforcement

Deputy Mayor Appel reported on the status of the Frenzel property. Mr. Frenzel's report has not been received by the Village. Mr. Frenzel requested a report from the Village's Engineer on what needs to be done to the property to secure it.

Mayor Marshall reported on a complaint received about snow on the sidewalks. Code 91.7 states that owners are to clean sidewalks of litter and snow. The Code Enforcement Officer will send the complainant a copy of 91.7 stating the owner is responsible for clearing the sidewalk.

Trustee Sanderson inquired about the tree limbs on White Birch. Deputy Mayor Appel responded the Town of Ramapo Highway Department will remove the limbs at no cost to the Village.

B. Engineering

Mr. Corless reported that CMU Builders requested return of their \$8000.00 escrow funds. The items that the escrow was posted for have not been done, therefore, it should not be returned. The maintenance bond posted by Halley Estates I was requested to be returned. Mr. Corless reported that the required work was done and the letter of credit had expired and no further action is required. Clerk Glantz commented that the builder has asked for the letter to be returned to them even though it has expired.

Trustee Sanderson moved to terminate the Standby Letter of Credit for Halley Estates I since all maintenance work has been completed on Klingher Court, subject to the final approval of the Village Attorney. Seconded by Trustee Roman. Motion carried 5-0.

The Village cable rebuild is reported to have been completed.

A resolution for Sewer District #1, authorizing the Sewer Department of the Town of Haverstraw to finance the construction and reconstruction replacement of the sewerage treatment facility and collection system for the Joint Regional Sewer Board at an estimated cost of \$4,400,000.00. Mr. Corless reported that the Town is asking a resolution to support their funding request. Mayor Marshall will research the issue with the Town of Haverstraw and bring it up at the next workshop.

A resolution as a notice of intent for the New York State DEC dealing with storm water discharges, a mandated program, to be filed by March 10, 2003. Mr. Corless explained it is a new statewide requirement for all municipalities that are in urban areas and Rockland County is considered urban by the DEC. The intent deals with statewide sediment control and soil erosion documents.

Trustee Sanderson moved to adopt the New York State DEC (SPEDES) resolution regarding storm water discharges. Seconded by Deputy Mayor Appel. Motion carried 5-0.

Deputy Mayor Appel moved to approve the installation of two new fire hydrants on Cheesecote Lane. Seconded by Trustee Banks. Motion carried 5-0.

C. Building Inspector

Mr. Zrelak reported that a building permit for H-21 on Highgate has been granted.

Mr. Corless reported that the pump station on the Halley Road extension has not yet been accepted by the Town of Haverstraw.

10. Legal

Mayor Marshall brought the Board up to date on an application that was submitted for an improvement of the basement area at 12 Sherwood Ridge to hold worship services. Section 130-9 of our Village Code which deals with special permits for religious institutions was also discussed.

Trustee Sanderson moved to adjourn to Executive Session to discuss matters of litigation. Seconded by Trustee Roman. Motion carried 5-0.

Deputy Mayor Appel moved to close the Executive Session and reopen the public session of the Village Board Meeting. Seconded by Trustee Banks. Motion carried 5-0.

11. Old Business

Claude Van Kleek submitted a proposal to the Board to act as the Village Animal Control Officer. The financial rate would be the same and he would be an employee of the Village. As an employee he would be covered under the Village's insurance as long as he did not carry a firearm. He would use his own vehicle for the job and would have access to the local animal shelter. The matter will be pursued at the next meeting.

Trustee Banks moved to institute legal action against Abe Steinberg to retrieve the Mickelberry escrow funds. Seconded by Deputy Mayor Appel. Motion carried 3-1-1. Deputy Mayor Appel voted no, Trustee Sanderson abstained.

Deputy Mayor Appel moved to retain the legal counsel of Michael Miranda to represent the Village Board in the new JWL lawsuit. Seconded by Trustee Roman. Motion carried 5-0.

12. New Business

A claim has been filed by Mrs. Bedrosian of Footstep Lane for damages to her car in the amount of \$87.00 caused by a piece of gravel from around a catch basin on a Village road. Her letter to the Village will be used as a notice of claim and be forwarded to the Village's insurance company.

Regarding the complaint of a neighbor's chickens soiling property, it was suggested the complainant call the Board of Health to handle the matter.

Discussion ensued regarding a landscaping plan and the placement of a clock in front of Village Hall and two signs for the building. A grant of \$15,000 has been awarded to the Village for an outdoor clock in front of Village Hall.

13. Office Period

Nothing at this time.

14. Trustee Period

Trustee Roman brought up the possibility of an organ and tissue typing program that could be offered by the Village. Mayor Marshall suggested that the Hindu Temple could be involved in the program since their congregation has previously run a similar program at their facility. Trustee Roman will follow up with the Hindu Temple to see if they want to be involved in the issue.

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

Meeting adjourned at 10:25 p.m.

Respectfully submitted,

Malverne J. Toll