

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
APRIL 28, 2003

CORRECTED MINUTES

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 April 28, 2003.

Present

Mayor: Herb Marshall
Deputy Mayor: Nick Sanderson
Trustees: Ian Banks
Alan Lamer
Alma Roman

Reuben Ortenberg, Village Attorney
P. J. Corless, Village Engineer
Michael Zrelak, Jr., Building Inspector
Jay G. Helfgott, Code Enforcement Officer

Village Clerk: Susan Glantz

Summary of Motions:

Deputy Mayor Sanderson moved to adopt the minutes of March 24, 2003 as presented. Seconded by Trustee Banks. Motion carried 4-0-1. Trustee Lamer abstained since he was not a Board member at that time.

Deputy Mayor Sanderson moved to adopt the minutes of April 7, 2003 as presented. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to adopt the minutes of April 14, 2003 as presented. Seconded by Trustee Banks. Motion carried 5-0.

Trustee Banks moved to approve expenditure not to exceed \$250.00 for Lou Cohn to purchase fish for Fairty Pond. Seconded by Deputy Mayor Sanderson. Motion carried 4-1. Mayor Marshall voted no.

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

Jay Helfgott, 13 Beaver Dam Road, Pomona addressed the Board regarding the truck and trailer that went around the Village using a bull horn and loud speaker on a Saturday, during the election. The residents in the area were upset because it was their Sabbath and the noise violated it. Mr. Helfgott cited the Village law that this action

violated. The Board discussed Mr. Helfgott's complaint at length and it was unanimously decided that too much time had elapsed since the incident for any legal action to be taken. (A copy of Mr. Helfgott's written complaint is attached to the minutes.)

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

3. Adoption of Minutes

A. March 24, 2003

Deputy Mayor Sanderson moved to adopt the minutes of March 24, 2003 as presented. Seconded by Trustee Banks. Motion carried 4-0-1. Trustee Lamer abstained since he was not a Board member at that time.

B. April 7, 2003

Deputy Mayor Sanderson moved to adopt the minutes of April 7, 2003 as presented. Seconded by Trustee Lamer. Motion carried 5-0.

C. April 14, 2003

Deputy Mayor Sanderson moved to adopt the minutes of April 14, 2003 as presented. Seconded by Trustee Banks. Motion carried 5-0.

4. Treasurer's Report

The Treasurer's Report is attached to the minutes. Mayor Marshall responded to a question previously raised about the amount in the Sewer Pump Station Escrow Account, a separate account, which is \$105,128.00. When the pump station is accepted by the Joint Regional Sewer Board the monies will be returned to those who paid into it, unless it is used.

5. Committee Reports

A. Cultural Center

A copy of the Director's report is attached to the minutes. After discussion it was decided that the rock band performance for June 21, 2003 could be held inside Village Hall but not in the Cultural Center.

Trustee Banks will obtain an estimate to have the outside of the Cultural Center painted.

Mr. Gde will put together a list of hardware and software that he would like for the Cultural Center from the 2002/03 and 2003/04 budgets for the Board to consider at the next workshop meeting.

B. Recreation

Trustee Roman reported that the Recreation Committee will be meeting on May 18th. The Annual Fishing Derby will be held this year but the date has not yet been set.

Deputy Mayor Sanderson reported that the pump at Fairty Pond in Secor Park has not been turned on yet. Lou Cohn, the fishing instructor at the Pond, has requested that additional fish be purchased for the Pond.

Trustee Banks moved to approve an expenditure, not to exceed \$250.00, for Lou Cohn to purchase fish for Fairty Pond. Seconded by Deputy Mayor Sanderson. Motion carried 4-1. Mayor Marshall voted no.

C. Other

Mayor Marshall again requested recommendations of candidates for the Planning Board.

6. Grants and Awards

Clerk Glantz is waiting to hear from Senator Morahan regarding the transfer of the \$15,000 grant for the clock to be used elsewhere.

7. Building Department

A. Code Enforcement

The Code Enforcement Officer's report is attached to the minutes.

Mayor Marshall will set up a meeting with representatives from the Hindu Temple regarding the replacement of the screening trees that have died on their property along with other issues.

Trustee Banks would like the Board to revisit the local law regarding the protection of trees on properties. Mayor Marshall asked Trustee Banks to research the issue and bring it up at the next workshop. Regarding the trees cut down on Parkside, the Board instructed the Code Enforcement Officer to have the homeowner replace the trees and not to cut down any more trees. Deputy Mayor Sanderson and Mr. Ortenberg will review the current local law on cutting down trees in the Village.

The Code Enforcement Officer reported of being stopped by the resident of 15 Sherwood Ridge Road who claimed that the street is now being used as a drag strip. Clerk Glantz will notify the Ramapo Police Department to patrol the area on a regular basis.

B. Engineering

Mr. Corless announced no return of escrow requests at this time.

The 3-lot subdivision of Southern Homes is scheduled for a final subdivision at the next Planning Board meeting. There is some controversy regarding the size of the conservation easement which will be discussed at the Planning Board meeting.

Mr. Corless explained the meaning of a partial building permit. The house is completed but the exterior site development is not done. The builder is permitted to post money to guarantee the completion of the work. A partial building permit would not be allowed during the construction season, when the site plan can be. Mr. Corless also recommended doubling the escrow money when the site plan can't be completed to

ensure the unfinished work is adequately covered. Mr. Ortenberg suggested that ample notice of the change be given to all the builders that work in the Village and be uniformly enforced. The issue will be further pursued at the next Building Department Meeting.

Mr. Corless commented on the requirement of the Planning Board for safety fencing to be placed at the property line of up-hill sites to protect the homes down-hill. If the builder does not erect a safety fence, they should sign off by saying they understand the responsibility of their action. The question was raised if safety fencing is a site plan requirement. The Planning Board will look at each individual case and where necessary have the homeowner sign off on the safety issue.

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

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

Mayor Marshall requested Trustee Roman to convene an organizational meeting of the Ethics Committee and elect a Chairman.

8. Legal

At the May 12th workshop discussion will be held regarding the proposed local law regulating snow plowing contractors and landscapers.

Mayor Marshall then brought up the letter from Irv Schucker regarding Wesley Hills' local law pertaining to minor religious uses as they apply to parking and all-night parking on Village streets. (Attached to the minutes.) The Village of Pomona has a similar situation on Sherwood Ridge where cars are parked in the street overnight. Mr. Ortenberg will rewrite the Village of Pomona's local law Section 130-9c regarding minor religious use and parking.

9. Old Business

Mayor Marshall announced that the mulch plant on Quaker Road has received an extension of 6 months, to September 20, 2003, to remove the mulch from the property. They are also responsible for the payment of an overseer to ensure the removal is done properly.

10. New Business

Trustee Banks reported that he is starting to have the spring clean up done at the Village's parks.

11. Office Period

Clerk Glantz requested a new computer, fax machine and printer for the office. Deputy Mayor Sanderson will have Optimum-on-line installed on the Clerk's computer.

Mayor Marshall commented that one more computer is needed to be shared by the Building Inspector and the Code Enforcement Officer. Deputy Mayor Sanderson will look into equipment and cost.

12. Trustees Period

Deputy Mayor Sanderson would like the Board to look into changing Chapter 108 of the Village Code. The Code doesn't cover the current size of satellite antennas.

Trustee Roman reminded everyone present that Make a Difference Day will be held in September.

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

Meeting adjourned at 10:40 p.m.

Respectfully submitted,

Malverne J. Toll