

VILLAGE OF POMONA  
BOARD OF TRUSTEES MEETING  
JANUARY 26, 2004

**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 January 26, 2004.

Present

Mayor: Herb Marshall  
Deputy Mayor: Nick Sanderson  
Trustees: Ian Banks  
Alan Lamer  
Alma Roman  
  
Doris Ulman, Village Attorney  
P. J. Corless, Village Engineer  
Michael Zrelak, Jr., Building Inspector  
  
Village Clerk: Susan Glantz

**Summary of Motions:**

**Trustee Lamer moved to adopt a resolution requesting a \$35,000.00 from the Community Development Block Grant Program to correct and improve handicap access in Burgess Meredith Park. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to adopt the Minutes of December 15, 2003 as presented. Seconded by Trustee Lamer. Motion carried 5-0.**

**Trustee Roman moved to spend \$900.00 for hand decorated table skirts and umbrellas for the Cultural Center. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to return escrow in the amount of \$1600.00 for curb repair and street cleaning to JWL Construction for Lot I-6. Seconded by Trustee Banks. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to return escrow in the amount of \$10,400.00 to JWL Construction for items related to the issuance of the Certificate of Occupancy for Lot G-26. Seconded by Trustee Lamer. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to return escrow in the amount of \$2,062.00 for street sweeping and curbs to JWL Construction for Lot C-47. Seconded by Trustee Lamer. Motion carried 5-0.**

**Deputy Mayor Sanderson moved the resolution that the Escrow Agreement between Redwoods at Pomona, the Village of Pomona and the contract purchaser of Summit at Pomona for the developers to post a cash bond in the amount of \$153,100.00 for various improvements and for issuance of a building permit for Lot No. C-6 is hereby approved, and be it further resolved, that the Mayor is hereby authorized to execute said Agreement subject to approval of the Village Attorney as to form. Seconded by Trustee Roman. Motion carried 5-0.**

**Deputy Mayor Sanderson at the request of the Code Enforcement Officer moved to adopt the submitted tree list and specifications to replace trees cut down inadvertently subject to the wording being finalized by the Village Attorney. Seconded by Trustee Roman. Motion carried 4-1. Trustee Banks voted in opposition.**

**Trustee Lamer moved to set a Public Hearing on amending the local law relating to driveway gradients for February 23, 2004 at 7:30 p.m. Seconded by Trustee Roman. Motion carried 5-0.**

**Trustee Lamer moved to set a Public Hearing on amending the local law relating to shade trees on single lots. Seconded by Trustee Roman. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to accept the quote from Stevens Wholesale Gallery to carpet the stairs in the downstairs meeting room at a cost of \$348.00. Seconded by Trustee Banks. Motion carried 5-0.**

**Deputy Mayor Sanderson moved the resolution, that the payment of General Fund Claims totaling \$96,566.18 set forth on pages 1 through 9 in the Monthly Abstract Listing dated December 16, 2003 through January 23, 2004 as submitted by the Village Clerk-Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Lamer. Motion carried 5-0.**

**Whereas the protection of our environment requires that careful planning and development must be exercised by all municipalities, now, therefore, on the motion of Trustee Lamer being seconded by Trustee Banks, be it resolved that the Board of Trustees of the Village of Pomona has not and will not condone nor support any construction projects, comprehensive planning efforts or rezoning within the general area of which the Village of Pomona is a part, that does not specifically address mitigation of any potential adverse impact on traffic, infrastructure or general environmental issues affecting the quality of life and general well being of its residents which could result directly or indirectly from these projects, plans or zone changes before they are considered for approval. Further, the Board of**

**Trustees opposes in the strongest possible terms any public officials who abdicate their responsibility of office by placing the politics of special interest groups and individual developers ahead of the best interest of the people they are committed to serve. Motion carried 4-0-1. Deputy Mayor Sanderson abstained.**

**Trustee Lamer moved to adopt the Position Statement and Inter-Municipal Agreement as presented to the Board of Trustees. Seconded by Trustee Roman. Motion carried 5-0.**

**1. Salute to the Flag.**

**2. Open Period**

Abby Straus, 7 White Birch Drive, Pomona: addressed the Board with a request to use the Cultural Center facility for a three-day seminar. Mayor Marshall directed Ms. Straus to make her request directly to the Cultural Center Director.

Itamar Yeger, 5 Pasadena Place, New Hempstead: requested the Board to support the request for the purchase of 57 acres by the Town and County, on Pomona Road for expansion of the Fire Training Center.

2 Tara Drive, Pomona: a new resident to the Village and spoke to the Board about the lack of street lights in her neighborhood. Mayor Marshall informed the resident that it has been the ongoing understanding of the Board that Pomona residents feel street lights would conflict with the rustic nature of the community. He suggested that she have a petition signed by all of her neighbors living in the area in which she requests street lights and present it to the Board.

David Herskowitz, 1 Litman Lane, Pomona: had three issues he brought to the Board's attention. He felt the snow removal was very bad. Wanted to know if there was an alternate plan for trash removal due to the snow storm. He was advised that if he has a problem with trash removal to call Village Hall. He was also concerned about the speeding on Pomona Road. Mayor Marshall will follow up with Ramapo Police Department.

**3. Public Hearing – Community Development Block Grants**

The public hearing was opened but no one requested to speak on the issue.

**Deputy Mayor Sanderson moved to close the Public Hearing. Seconded by Trustee Lamer. Motion carried 5-0.**

**Trustee Lamer moved to adopt a resolution requesting a \$35,000.00 from the Community Development Block Grant Program to correct and improve handicap access in Burgess Meredith Park. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

- 4. Adoption of Minutes**
- A. December 15, 2003**

**Deputy Mayor Sanderson moved to adopt the Minutes of December 15, 2003 as presented. Seconded by Trustee Lamer. Motion carried 5-0.**

- B. January 12, 2004**

Mayor Marshall tabled the adoption of the January 12<sup>th</sup> Minutes to the next meeting in order to give Board Members adequate review time.

- 5. Cultural Center**

The Director's report is attached to the Minutes. Mr. Gde brought up the issue of a Village resident, Abbe Straus, using the Center for 3 days from early morning to late evening for a seminar. Deputy Mayor Sanderson commented that according to the Village Attorney, only Village sponsored activities could be held in Village facilities. After a lengthy discussion, it was suggested Ms. Straus to contact the Hindu Temple to see if their facility was available to use for her seminar. Mr. Gde then brought up the proposal of a purchase for hand decorated table skirts and umbrellas for the Cultural Center.

**Trustee Roman moved to spend \$900.00 for hand decorated table skirts and umbrellas for the Cultural Center. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

- 6. Building Department**
- A. Engineering**

Mr. Corless recommended the approval of three returns of escrow requests.

**Deputy Mayor Sanderson moved to return escrow in the amount of \$1600.00 for curb repair and street cleaning to JWL Construction for Lot I-6. Seconded by Trustee Banks. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to return escrow in the amount of \$10,400.00 to JWL Construction for items related to the issuance of the Certificate of Occupancy for Lot G-26. Seconded by Trustee Lamer. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to return escrow in the amount of \$2,062.00 for street sweeping and curbs to JWL Construction for Lot C-47. Seconded by Trustee Lamer. Motion carried 5-0.**

Village Attorney presented a negotiated escrow agreement relating to the Summit at Pomona for Board approval.

**Deputy Mayor Sanderson moved the resolution that the Escrow Agreement between Redwoods at Pomona, the Village of Pomona and the contract purchaser of Summit at Pomona for the developers to post a cash bond in the amount of \$153,100.00 for various improvements and for issuance of a building permit for Lot No. C-6 is hereby approved, and be it further resolved, that the Mayor is hereby authorized to execute said Agreement subject to approval of the Village Attorney as to form. Seconded by Trustee Roman. Motion carried 5-0.**

Mr. Corless commented that while he is away Pat Brady, engineer for the Joint Regional Sewer Board and County Department of Health will be covering his work and Maser Consultants will be available for additional assistance.

Mayor Marshall brought up the issue of the bids for Secor Park handicap access and the front walkway to Village Hall. Ms. Ulman suggested that the Secor Park handicap access be rebid and the bid on the walkway was accepted.

Discussion was held regarding the types of trees and specifications to be used in replacing trees that were inadvertently taken down by private property owners. (List is attached to the Minutes) 7 Chamberlain Court and 10 Halley Drive had trees cut down and they need to be replaced by property owners.

**Deputy Mayor Sanderson at the request of the Code Enforcement Officer moved to adopt the submitted tree list and specifications to replace trees cut down inadvertently subject to the wording being finalized by the Village Attorney. Seconded by Trustee Roman. Motion carried 4-1. Trustee Banks voted in opposition.**

Amendments to two zoning laws were discussed briefly. Ms. Ulman is still working on the final resolutions to amend the local law relating to driveway gradients and the local law relating to shade trees on a single lot. Mayor Marshall stated that a public hearing needs to be set for both amendments.

**Trustee Lamer moved to set a Public Hearing on amending the local law relating to driveway gradients for February 23, 2004 at 7:30 p.m. Seconded by Trustee Roman. Motion carried 5-0.**

**Trustee Lamer moved to set a Public Hearing on amending the local law relating to shade trees by public roads. Seconded by Trustee Roman. Motion carried 5-0.**

**7. Committee Reports**  
**A. Recreation**

Nothing at this time.

**B. Buildings and Parks**

A quote received for carpeting the stairs in the meeting room from Stevens Wholesale Gallery was discussed..

**Deputy Mayor Sanderson moved to accept the quote from Stevens Wholesale Gallery to carpet the stairs in the downstairs meeting room at a cost of \$348.00. Seconded by Trustee Banks. Motion carried 5-0.**

Trustee Banks reported that the new signs for the Village are in the process of being made.

**C. Other**

Nothing at this time.

**8. Finance**

A copy of the Treasurer's Report is attached to the Minutes.

**Deputy Mayor Sanderson moved the resolution, that the payment of General Fund Claims totaling \$96,566.18 set forth on pages 1 through 9 in the Monthly Abstract Listing dated December 16, 2003 through January 23, 2004 as submitted by the Village Clerk-Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Lamer. Motion carried 5-0.**

**B. Grants and Awards**

Nothing at this time.

**9. Code Enforcement**

A copy of the Code Enforcement Officer's report is attached to the Minutes. Mr. Helfgott reported that he has contacted the DEC in regard to someone poaching deer in Van de Hende Park and killing them. Mayor Marshall asked Mr. Helfgott

to prepare a list of items he wants discussed with the police department. Trustee Banks brought up the matter of overnight parking on Ladentown Road in front of the Hindu Temple. Mr. Helfgott will monitor the situation. Trustee Lamer brought up the matter of residents still having snow plowed or blown into the streets causing a hazard. Mr. Helfgott will monitor the situation.

## **10. Legal**

Ms. Ulman announced the Village is no longer paying for fire hydrants in the Ramapo section of the Village. The entire Ramapo portion of the Village is within the Town Water District and beginning January 1, 2004 all bills will be sent to the Town of Ramapo Water District. (A copy of the correspondence is attached to the Minutes.) As far as the Haverstraw section is concerned, the Town of Haverstraw is attempting to locate the water district maps to determine if the Village's hydrants are in the Haverstraw Water District. Ms. Ulman will continue to pursue the matter.

The Haverstraw road agreement should be acted on in the Town of Haverstraw's February meeting.

Mayor Marshall read the following construction resolution regarding the sand and gravel pit on Route 202. Mayor Marshall explained that the resolution ties with a letter that was sent to the Town of Ramapo regarding the Master Plan. The resolution would cover the future development of the sand and gravel pit on Route 202. After much discussion the following resolution was made.

**Whereas the protection of our environment requires that careful planning and development must be exercised by all municipalities, now, therefore, in the motion of Trustee Lamer being seconded by Trustee Banks, be it resolved that the Board of Trustees of the Village of Pomona has not and will not condone nor support any construction projects, comprehensive planning efforts or rezoning within the general area of which the Village of Pomona is a part, that does not specifically address mitigation of any potential adverse impact on traffic, infrastructure or general environmental issues affecting the quality of life and general well being of its residents which could result directly or indirectly from these projects, plans or zone changes before they are considered for approval. Further, the Board of Trustees opposes in the strongest possible terms any public officials who abdicate their responsibility of office by placing the politics of special interest groups and individual developers ahead of the best interest of the people they are committed to serve. Motion carried 4-0-1. Deputy Mayor Sanderson abstained.**

Mayor Marshall gave an update on the current status of the Town of Ramapo's proposed Master Plan. Mayor Marshall distributed a position statement and Inter-Municipal Agreement that ten of the Villages in Ramapo will be agreeing to.

A copy of the position statement and Inter-Municipal Agreement is attached to the Minutes.

**Trustee Lamer moved to adopt the Position Statement and Inter-Municipal Agreement as presented to the Board of Trustees. Seconded by Trustee Roman. Motion carried 5-0.**

Attached is a memo from the Village Attorney regarding correcting the language in the Annual Report. The changes have been forwarded to the auditor and will be made in next year's Annual Report. Deputy Mayor Sanderson questioned as to whether the Village's checking account is collateralized. Clerk Glantz will check with the bank and report back to the Board.

**12. New Business**

Nothing at this time.

**13. Office Period**

Nothing at this time.

**14. Trustees Period**

Nothing at this time.

**15. Executive Session**

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

**Trustee Lamer moved to reopen the public meeting. Seconded by Trustee Roman. Motion carried 5-0.**

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

Meeting adjourned at 10:50 p.m.

Respectfully submitted,

Malverne J. Toll