

VILLAGE OF POMONA  
BOARD OF TRUSTEES MEETING  
AUGUST 23, 2004

**ADOPTED SEPTEMBER 27, 2004**

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 August 23, 2004.

Present

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

Doris Ulman, Village Attorney  
Michael Zrelak, Jr., Building Inspector  
Susan Glantz, Village Clerk-Treasurer

Absent

P. J. Corless, Village Engineer

Summary of Motions

**Trustee Lamer moved to adopt the Minutes of July 26, 2004, as amended. Seconded by Trustee Banks. Motion carried 4-0-1. Trustee Roman abstained because she was absent from the meeting.**

**Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$93,088.79 set forth on pages 1 through 7 in the Monthly Abstract Listing dated July 27, 2004 through August 20, 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.**

**Deputy Mayor Sanderson moved the resolution that the application submitted to the New York State Office of Children and Family Services for matching funds for the Pomona Recreation for youth programs for the period of 1/1/05 to 12/31/05 is hereby approved. Be it further resolved that matching funds for the program have been provided in the Village Budget for the fiscal year 2004-2005 and are available for program use. Seconded by Trustee Roman. Motion carried 5-0.**

**1. Salute the Flag**

**2. Open Period**

Susan Mastrococco, 12 White Birch Drive, Pomona had a question concerning the local laws to be discussed during the Public Hearing portion of the meeting.

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

**3. Public Hearings**

**A. Amending Subdivision and Site Plan Codes in Relation to Trees**

Mayor Marshall explained the proposed amendment to the Code.

Malverne Toll, 308 Quaker Road, Pomona inquired if the amendment being discussed only pertained to subdivisions and not existing residences. Mayor Marshall replied the Subdivision Code amendment only applied to subdivisions and site plans.

Susan Mastrococco, 12 White Birch Drive, Pomona asked when was the amendment proposed and who proposed it. Mayor Marshall replied that the law had been proposed more than a month before and was for the purpose of preserving trees.

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

The Board then discussed the proposed local law.

**Trustee Lamer moved to adopt the proposed Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation as published. Seconded by Mayor Marshall.**

**Trustee Banks moved to amend the proposed Local Law by changing the circumference of protected trees from 55 inches to 36 inches. Seconded by Trustee Lamer.**

**Both motions were withdrawn.**

The proposed local law was tabled to the September 7, 2004 Village Board Workshop/Meeting.

## **B. Amending Zoning Code in Relation to Trees Preservation**

No one appeared to speak at the Public Hearing.

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

The Board discussed the proposed amendment to the Zoning Code in Relation to Trees Preservation. The proposed amendment was tabled to the September 7, 2004 Village Board/Workshop meeting.

## **4. Adoption of Minutes**

### **A. July 26, 2004**

Trustee Banks requested that an explanation be included in the Minutes with his No vote on setting a Public Hearing for a Local Law relating to protected trees. He voted No because he felt the proposed law was inadequate.

**Trustee Lamer moved to adopt the Minutes of July 26, 2004, as amended. Seconded by Trustee Banks. Motion carried 4-0-1. Trustee Roman abstained because she was absent from the meeting.**

## **5. Cultural Center**

A copy of the Director's Report is attached to the Minutes. Mayor Marshall instructed Mr. Gde that his report is to be delivered to Village Hall the Wednesday prior to the Monday Village Board Meeting in order for Board Members to review it.

Trustee Banks reported that the shed for storage has been finished and the wiring is being done for the air conditioner for the downstairs room and should be completed by September 1<sup>st</sup>. Additional gravel is needed for the drainage around the shed in back of the Cultural Center building.

Trustee Roman questioned Mr. Gde regarding the costs of programs he is setting up for September. The costs need to be established before a program is finalized to determine that money is in the budget.

## **6. Building Department**

### **A. Engineering and Building**

A request for return of escrow was made by Norock Development for \$1500.00 for Lot C-2. Ms. Ulman reported that some costs have been deducted from the escrow and there are other outstanding charges that need to be submitted by the

Village Engineer. The return of escrow was tabled to the next meeting on September 27, 2004.

Mayor Marshall directed Clerk Glantz to check with the Village Engineer regarding the status of paving on Litman Lane and when Ladentown Road is scheduled to be repaved and advise the Mayor and the Board.

Mayor Marshall announced that the next Building Department Meeting will take place on Friday, September 10<sup>th</sup> at 8:00 a.m.

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

Attached is a note from Lou Cohn who works with the youngsters at the Annual Fish-In at Fairty Pond. Trustee Roman reported that the Fish-In went well and the Committee thanks for Board for their support in allowing the Fish-In to be held on July 18th.

**B. Buildings and Parks**

Trustee Banks gave an update on the current projects in the Village. Trustee Banks needs to check out Burgess Meredith Park to ensure the work has been done there. The mowing at Tamarack Park has been done but the fill work still needs to be done. Trustee Banks needs to have someone meet him there and give him directions on what needs to be done. The grates at Village Hall still need to be completed. The contractor has rocks covering the grate openings which need to be removed when the grates are installed. The landscaping plans are still being worked on.

**8. Finance**

**A. Treasurer's Report**

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

**B. Expenditure Abstract Resolution**

**Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$93,088.79 set forth on pages 1 through 7 in the Monthly Abstract Listing dated July 27, 2004 through August 20, 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.**

## **C. Grants and Awards**

Mrs. Ulman prepared a resolution on the youth grant that is given every year to the Villages.

**Deputy Mayor Sanderson moved the resolution that the application submitted to the New York State Office of Children and Family Services for matching funds for the Pomona Recreation for youth programs for the period of 1/1/05 to 12/31/05 is hereby approved. Be it further resolved that matching funds for the program have been provided in the Village Budget for the fiscal year 2004-2005 and are available for program use. Seconded by Trustee Roman. Motion carried 5-0.**

Mayor Marshall reported that a \$5000.00 technology grant had been received from Cablevision.

## **9. Code Enforcement**

A copy of the Code Enforcement Officer's report is attached to the Minutes. The Mayor commended Mr. Helfgott for his efforts to obtain surplus equipment for use in the emergency preparedness set-up in Village Hall. The Office of General Services has recently reported that our request for equipment has been approved. Their letter is attached.

Mr. Helfgott reported that ATV's are still being used in the parks in the Village and causing damage to the grounds. The matter will be discussed at the next workshop

## **10. Legal Period**

Mrs. Ulman distributed a proposed Local Law Amending the Code of the Village of Pomona to Clarify Requirement for Site Plan. The matter was tabled to the next workshop for discussion. Also tabled to the workshop for discussion are possible revisions to the fence law, sign law, and school dormitory law.

## **11. Old Business**

Deputy Mayor Sanderson has written to Neil Winter at Orange and Rockland Utilities regarding the proposed fence to cover the utility boxes on the mountain. He is waiting for a response.

Attached is a letter that has been sent to developers in the Village regarding the local law regulating trucks in excess of 10,000 pounds and construction equipment and the hours they are allowed to operate on Village roads.

## **12. New Business**

Mayor Marshall reminded the Board Members of the upcoming Volunteer Counseling Services Workshop on October 3 – 5, 2004.

**13. Office Period**

Deputy Mayor Sanderson requested recommendations as to upgrades for the office computers.

**14. Trustees Period**

Nothing at this time.

**15. Executive Session**

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

**Trustee Roman moved to reopen the public session of the meeting. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

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

Meeting adjourned at 9:20 p.m.

Respectfully submitted,

Malverne J. Toll