

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING and WORKSHOP
SEPTEMBER 7, 2004

ADOPTED NOVEMBER 22, 2004

The Board of Trustees of the Village of Pomona meeting and workshop was held at the Pomona Village Hall, 100 Ladentown Road, Pomona, New York at 7:30 p.m. on September 7, 2004.

Present

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

Village Attorney: Doris Ulman
Village Clerk: Susan Glantz

Summary of Motions

Deputy Mayor Sanderson moved to authorize the purchase of an HP InkJet Printer at a cost of \$99.99 for the Cultural Center. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to approve the expenditure of \$3,901.95 for the purchase of 3 Dell Computers for Village Hall. Seconded by Trustee Roman. Motion carried 5-0.

Mayor Marshall moved to adopt the amendment to the proposed Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation in accordance with the recommendations of the Village Planner. Seconded by Trustee Lamer. Motion carried 4-1. Trustee Banks voted no because he felt the amendment was not ready to be voted on.

Trustee Banks moved to lower the size of a protected tree from 55 inches to 36 inches in the Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation. Seconded by Mayor Marshall. Motion failed 1-4. Mayor Marshall, Deputy Mayor Sanderson, Trustees Lamer and Roman voted in opposition to the motion.

Trustee Roman moved to lower the size of a protected tree from 55 inches to 45 inches in the Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation. Seconded by Mayor Marshall. Motion carried 3-2.

Trustee Lamer moved to adopt the Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation, as amended as Local Law No. 4 of 2004. Seconded by Trustee Roman. Motion carried 3-1-1. Trustee Banks abstained. Deputy Mayor Sanderson voted no because it felt it was too restrictive.

Trustee Lamer moved to adopt the resolution regarding the planting of street trees within the Village of Pomona. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Lamer moved to adopt an amendment to the proposed Local Law amending the zoning law of the Village of Pomona in relation to protected trees in accordance with the recommendations of the Village Planner. Seconded by Trustee Roman. Motion carried 4-0-1. Trustee Banks abstained.

Trustee Lamer moved to lower the size of a protected tree from 55 inches to 45 inches in the Local Law Amending the Zoning Law of the Village of Pomona in Relation to Protected Trees. Seconded by Trustee Roman. Motion carried 3-2. Deputy Mayor Sanderson and Trustee Banks voted no.

Trustee Lamer moved to adopt the Local Law Amending the Zoning Law of the Village of Pomona in Relation to the definition of Protected Trees, as amended. Seconded by Mayor Marshall. Motion failed 2-3.

Trustee Lamer moved to set a Public Hearing for “A Local Law Amending the Code of the Village of Pomona to Clarify Requirements for Site Plan” for September 27, 2004 at 7:30 p.m. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Trustee Banks moved to set a Public Hearing for “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Schools” for September 27, 2004 at 7:30 p.m.. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

- 1. Salute the Flag**
- 2. Committee Reports**
 - A. Cultural Center**

Trustee Roman will ensure that Mr. Gde does not incur any expenditure until it is approved in advance by Trustee Roman, otherwise, the expenditure will not be paid. The program and exhibit expenses need to be submitted in a line-item format for approval.

Jay Helfgott will install the wiring for the air conditioner in the downstairs room. One of the computers from Village Hall will be installed at the Cultural Center. A printer will be purchased for the Cultural Center that is compatible with the computer.

Deputy Mayor Sanderson moved to authorize the purchase of an HP InkJet Printer at a cost of \$99.99 for the Cultural Center. Seconded by Trustee Lamer. Motion carried 5-0.

- B. Buildings and Parks**

Trustee Banks presented a landscape design plan for Village Hall. Copies of the plan will be made for each Board Member. Trustee Banks will obtain at least three written

proposals of the plantings on the plan for the next Board Meeting. Trustee Roman requested that a flower bed be added by the slope of lawn on the Route 202 side of the building.

Discussion was held regarding placing large rocks at the entrance to Van de Hende Park to discourage vehicles from entering the park and destroying the lawn. It was decided not to place the rocks there at this time. The matter will be revisited following the spring of 2005.

Trustee Banks reported the basketball hoops have been installed at Burgess Meredith Park. Chris Meredith is still working on the drainage swale at Tamarack Park.

C. Other

Trustee Roman reported that the Annual Halloween Party has been scheduled for Saturday, October 30, 2004.

3. Old Business

Deputy Mayor Sanderson moved to approve the expenditure of \$3,901.95 for the purchase of 3 Dell Computers for Village Hall. Seconded by Trustee Roman. Motion carried 5-0.

Deputy Mayor Sanderson reported on the status of the fencing around the utility boxes on the Halley Drive. Orange and Rockland has stated that they will not pay for the installation work, only the fencing itself. Deputy Mayor Sanderson will contact Cablevision to try and obtain the installation money from them. He will also try to obtain foliage cover for the fences.

Discussion was held regarding a proposed amendment to the site plan and subdivision code chapters relating to tree preservation. A copy of the proposed amendment is attached to the Minutes.

Mayor Marshall moved to adopt an amendment to the proposed Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation in accordance with the recommendations of the Village Planner. Seconded by Trustee Lamer. Motion carried 4-1. Trustee Banks voted no because he felt the amendment was not ready to be voted on.

Trustee Banks moved to lower the size of a protected tree from 55 inches to 36 inches in the Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation. Seconded by Mayor Marshall. Motion failed 1-4. Mayor Marshall, Deputy Mayor Sanderson, Trustees Lamer and Roman voted in opposition to the motion.

Trustee Roman moved to lower the size of a protected tree from 55 inches to 45 inches in the Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation. Seconded by Mayor Marshall. Motion carried 3-2.

WHEREAS, the Village of Pomona has a vital interest in the planting and preservation of trees within its borders, and

WHEREAS, trees stabilize the soil on slopes to prevent erosion, siltation and flooding, they control water pollution, purify the air and generate oxygen, mitigate noise and reduce energy consumption by providing shade; they increase the value of all properties within the Village, aid in drainage control and are generally beneficial to the health, safety and welfare of all residents of the Village, and

WHEREAS, the purpose of the proposed local laws entitled “A Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation” and “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Protected Trees” is to preserve trees and minimize damage and removal while at the same time protecting the rights of property owners within the Village,

NOW, THEREFORE, BE IT RESOLVED that the proposed local law entitled “A Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation” is hereby adopted as amended and enacted as Local Law No. 4 of 2004.

Trustee Lamer moved to adopt the Local Law Amending the Code of the Village of Pomona in Relation to Tree Preservation, as amended. Seconded by Trustee Roman. Motion carried 3-1-1. Trustee Banks abstained. Deputy Mayor Sanderson voted no because it felt it was too restrictive.

A discussion was held regarding a resolution pertaining to the planting of Street Trees in the Village. A copy of the proposed resolution is attached to the Minutes.

Trustee Lamer moved to adopt the resolution regarding the planting of street trees within the Village of Pomona. Seconded by Trustee Roman. Motion carried 5-0.

A discussion was then held regarding a proposed resolution concerning amending the zoning law of the Village in relation to protected trees. A copy of the resolution is attached to the Minutes.

Trustee Lamer moved to adopt an amendment to the proposed Local Law amending the zoning law of the Village of Pomona in relation to protected trees in accordance with the recommendations of the Village Planner. Seconded by Trustee Roman. Motion carried 4-0-1. Trustee Banks abstained.

Trustee Lamer moved to lower the size of a protected tree from 55 inches to 45 inches in the Local Law Amending the zoning law of the Village of Pomona in Relation to Protected Trees. Seconded by Trustee Roman. Motion carried 3-2. Deputy Mayor Sanderson and Trustee Banks voted no.

Trustee Lamer moved to adopt the Local Law Amending the zoning law of the Village of Pomona in Relation to the definition of Protected Trees, as amended. Seconded by Mayor Marshall. Motion failed 2-3.

The Board then discussed setting a Public Hearing for amending the Code of the Village of Pomona to Clarify Requirements for Site Plans.

Trustee Lamer moved to set a Public Hearing for “A Local Law Amending the Code of the Village of Pomona to Clarify Requirements for Site Plan” for

September 27, 2004 at 7:30 p.m. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Trustee Banks moved to set a Public Hearing for “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Schools” for September 27, 2004 at 7:30 p.m.. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Mrs. Ulman, Village Attorney, commented she is still working on proposed revisions to the Village Code regarding fence and sign laws. She will have them for the next workshop meeting.

4. New Business

Nothing at this time.

5. Office Period

Nothing at this time.

6. Trustees Period

Trustee Roman again reported on the condition of Camp Hill Road and the need for it to be repaved. Mayor Marshall will look into the matter.

Trustee Lamer reported that residents on the mountain have approached him as to what the Village Board could do to have them annexed into the North Rockland School District from the East Ramapo School District. Trustee Lamer will obtain the information needed in this matter and pass it along to the residents involved.

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

Meeting adjourned at 10:05 p.m.

Respectfully submitted,

Malverne J. Toll