

VILLAGE OF POMONA  
BOARD OF TRUSTEES MEETING  
MARCH 14, 2005

**ADOPTED MARCH 28, 2005**

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 March 14, 2005.

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 adopt the minutes of December 20, 2004 as presented. Seconded by Trustee Lamer. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to adopt the minutes of January 10, 2005 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

**Deputy Mayor Sanderson moved to adopt the minutes of January 24, 2005 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

**Deputy Mayor Sanderson moved the resolution that the payment of General Funds Claims totaling \$90,278.82, set forth on pages 1 through 8 in the Monthly Abstract Listing dated January 21, 2004 through February 19, 2005, 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.**

**Trustee Lamer moved to set a public hearing on March 28, 2005 at 7:30 p.m. for A Local Law Amending the Code of the Village of Pomona in Relation to Bulk Requirements. Seconded by Trustee Roman. Motion carried 5-0.**

**Trustee Lamer moved to set a public hearing on March 28, 2005 at 7:30 p.m. for A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Protected Trees. Seconded by Trustee Banks. Motion carried 4-1. Deputy Mayor Sanderson voted no.**

**Trustee Banks moved to reject the low bidder, Knapp's Landscaping, Inc., for failure to submit a non-collusion statement and the bid appears to be unrealistic for the work to be performed and was 50% lower than the next lowest bidder. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

**Trustee Banks moved to accept the next lowest bidder, Christopher Meredith, Inc. at \$10,400.00 for all the work including road side litter. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

**1. Salute the Flag.**

**2. Adoption of Minutes**

**A. December 20, 2004**

**Deputy Mayor Sanderson moved to adopt the minutes of December 20, 2004 as presented. Seconded by Trustee Lamer. Motion carried 5-0.**

**B. January 10, 2005**

**Deputy Mayor Sanderson moved to adopt the minutes of January 10, 2005 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

**C. January 24, 2005**

**Deputy Mayor Sanderson moved to adopt the minutes of January 24, 2005 as presented. Seconded by Trustee Banks. Motion carried 5-0.**

**3. Committee Reports**

**A. Cultural Center**

A copy of the Cultural Center's monthly report is attached to the minutes. A discussion then took place regarding Trustee Roman's official oversight of Cultural Center expenditures and activities. Following the Reorganization Board Meeting, Mayor Marshall will put the procedures in writing for Mr. Gde's direction.

**B. Buildings and Parks**

Trustee Banks reported that the repairs have been made at the Burgess Meredith kiddie park.

**C. Other**

Nothing at this time.

**4. Legal**

Mayor Marshall distributed a letter he had received from Reuben Ortenberg regarding his affiliation with Fix, Spindelman, Brovitz & Goldman, and his representation for the Village in the cases of Pomona vs. Steinberg (Mickleberry) and Pomona vs. Wesley Hills and Kwilecki. The Board then held a discussion regarding retaining Fix, Spindelman, Brovitz & Goldman Counsel in these matters. The Pomona vs. Steinberg case has been decided by the Supreme Court of Rockland County in favor of the Village and is considered closed. Mr. Ortenberg will be asked to submit a final statement for

charges relating to the Steinberg matter. In the event that an appeal is filed, the Board will decide at that time how the matter will be handled.

Since the Wesley Hills/Kwilicki matter continues to await a NYMIR decision on coverage, the Board tabled any action at this time. Mayor Marshall will send a letter to Mr. Ortenberg with the Board's decision.

At this time, there were no requests for return of escrow funds.

## **5. Finance**

### **A. Treasurer's Report**

A copy of the February 28, 2005 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 \$90,278.82, set forth on pages 1 through 8 in the Monthly Abstract Listing dated January 21, 2004 through February 19, 2005, 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**

Nothing at this time.

### **D. 2005 Budget**

Mayor Marshall reported that he is working on the proposed 2005/2006 Budget and will be meeting with the Village accountants before bringing it before the Board. He hopes to have a preliminary budget for the next meeting.

## **6. Old Business**

Due to the cancellation of the February 28, 2005 meeting due to a snow storm, the two public hearings scheduled for that date needed to be rescheduled.

**Trustee Lamer moved to set a public hearing on March 28, 2005 at 7:30 p.m. for A Local Law Amending the Code of the Village of Pomona in Relation to Bulk Requirements. Seconded by Trustee Roman. Motion carried 5-0.**

**Trustee Lamer moved to set a public hearing on March 28, 2005 at 7:30 p.m. for A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Protected Trees. Seconded by Trustee Banks. Motion carried 4-1. Deputy Mayor Sanderson voted no.**

Mrs. Ulman, Village Attorney, reported that four (4) bids were submitted for the Landscape Maintenance Contract for the Village.

Bidder	All Work Per Specs.	Roadside Litter Removal	Total Bid
Knapp's Landscaping, Inc.	\$4400.00	\$800.00	\$5200.00
Christopher Meredith, Inc.	\$9200.00	\$1200.00	\$10,400.00
ProCut Landscaping	\$7795.00	\$3985.00	\$11,780.00
Ascape Landscape	\$14,000.00	\$48,000.00	\$62,000.00

Mrs. Ulman reported that the low bidder, Knapp's Landscaping did not submit complete bid documents.

**Trustee Banks moved to reject the low bidder, Knapp's Landscaping, Inc., for failure to submit a non-collusion statement and because the bid appeared to be unrealistic for the work to be performed and was 50% lower than the next lowest bidder. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

**Trustee Banks moved to accept the next lowest bidder, Christopher Meredith, Inc. at \$10,400.00 for all the work including road side litter. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.**

Mayor Marshall reported on a problem at Pine Court involving cars from the group home parking in the cul de sac, blocking mail boxes and causing difficulty for cars to pass by. Mayor Marshall has discussed the situation with the group home management and it appears to have been corrected. If evidence indicates that it has not, the Board will consider banning parking all parking in the cul de sac.

Mrs. Ulman reported that she still has not heard from the Town of Ramapo regarding the refund of fees paid for hydrants and will follow up.

## **7. New Business**

Mayor Marshall questioned whether existing sewer fund activities could be transferred to the General Fund. Mrs. Ulman responded that she will research the matter and if it can be done, will prepare a resolution for the next Board meeting.

Mayor Marshall announced a meeting being held by the Rockland County Conference of Mayors on March 29, 2005 where the guest speaker will talk about Storm water Management. The Mayor and Deputy Mayor will attend.

Mayor Marshall distributed a proposed Village Meeting Schedule for the coming year. He asked for any comments or changes for the next meeting.

## **8. Office Period**

Clerk Glantz reported that she has received a bill for salting on Village property. The contract states salting will be paid for when requested. The billed salting was not requested and she will notify the contractor.

**9. Trustees Period**

Nothing at this time.

**10. Executive Session**

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

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

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Malverne J. Toll