

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
JULY 25, 2005

ADOPTED SEPTEMBER 26, 2005

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 July 25, 2005.

Present

Mayor: Herbert Marshall
Deputy Mayor: Nick Sanderson
Trustees: Ian Banks
Alan Lamer – arrived 8:30 p.m.
Alma Roman

Doris Ulman, Village Attorney
P. J. Corless, Village Engineer
Sue Glantz, Village Clerk/Treasurer

Summary of Motions

Trustee Banks moved to approve a maximum expenditure of \$500.00 to repair the outside railing at the Cultural Center. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.

Deputy Mayor Sanderson moved to approve a maximum of \$250.00 for two signs, “No Swimming” and “No Ice Skating” to be installed at Secor Park. Seconded by Trustee Roman. Motion carried 4-0.

Trustee Roman moved to approve an expenditure of \$500.00 to remove the tree at Fairty Pond. Seconded by Deputy Mayor Sanderson. Motion carried 3-1. Trustee Banks voted no.

Deputy Mayor Sanderson moved to approve a maximum expenditure of \$7,000.00 for the work outlined in Christopher Meredith’s proposal subject to Trustee Banks discussing it with him. Seconded by Trustee Banks. Motion carried 4-0.

Trustee Banks moved the resolution that the payment of General Funds Claims totaling \$61,826.89 set forth on pages 1 through 7 in the Monthly Abstract Listing dated June 28, 2005 through July 22, 2005, as submitted by the Village Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Roman. Motion carried 4-0.

Trustee Lamer moved that the Board of Trustees authorizes the appeals of the decisions in the lawsuits known as Village of Airmont et al. v. Town of Ramapo et al. and Village of Chestnut Ridge et al. v. Town of Ramapo et al., and be it further resolved that the law firm of Zarin & Steinmetz, Esqs. is hereby retained for the purpose of filing and prosecuting said appeals upon the same terms and conditions as the prior retainer agreement. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Deputy Mayor Sanderson moved to set a public hearing for August 15, 2005 at 7:30 p.m. on the proposed Local Law Amending the Disturbance of Steep Slopes. Seconded by Trustee Banks. Motion carried 5-0.

1. Salute the Flag.

2. Open Period

No one appeared to speak.

Deputy Mayor Sanderson moved to close the Open Period. Seconded by Trustee Banks. Motion carried 4-0.

3. Adoption of Minutes

A. May 23, 2005

B. June 13, 2005

C. June 27, 2005

Tabled to the next meeting on August 15th.

4. Cultural Center

A copy of the Director's report is attached to the minutes. Mayor Marshall reiterated that Mr. Gde is to meet with Trustee Roman for her approval regarding all expenses for the Center since she is the Village Board liaison to the Cultural Center. Also, Mr. Gde agreed to attend all Village Board meetings. Trustee Banks commented that the outside railing at the Cultural Center is loose and should be repaired. Deputy Mayor Sanderson reported that progress is being made for installing voice mail at the Cultural Center.

Trustee Banks moved to approve a maximum expenditure of \$500.00 to repair the outside railing at the Cultural Center. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.

5. Building Department
A. Engineering and Building

Mr. Corless recommended a reduction of the bond for Southern Pomona Homes in the amount of \$75,000.00 for paving, sanitary sewers and erosion control.

Deputy Mayor Sanderson moved to reduce the bond for Southern Pomona Homes in the amount of \$75,000.00 for the completion of paving, sanitary sewers and erosion control. Seconded by Trustee Banks.

Mr. Corless commented that the bond was posted for a private road and the builder has completed a good portion of it. Ms. Ulman questioned if there is a resolution in place that bonds cannot be reduced until all the work is completed. Mr. Corless suggested that the Board obtain a recommendation from the Planning Board to reduce the bond.

Deputy Mayor Sanderson and Trustee Banks tabled their motion until a recommendation is received from the Planning Board.

Mr. Corless reported that the summer project is being completed by Daniel Blackburn.

Mayor Marshall then inquired of Mr. Corless about the JWL tree planting problem. Mr. Corless responded that the roads in question have not been dedicated because there is still work going on. Mr. Corless will discuss the matter with Bill Stein and request that some trees be planted.

Mayor Marshall then raised the matter of the Anna Mann Project and the Village's response. The Mayor explained that it is a 7 lot subdivision, all single acre lots, there are no undersized lots, one road exiting to Camp Hill Road Road and two lots onto Ladentown Road.

Based on the ensuing discussion the following recommendations were read into the record for transmission to the Town of Ramapo:

1. The proposal is for 7 lots, two of which will have driveways onto Ladentown Road and the other 5 will exit onto a cul de sac leading to Camp Hill Road. The placement of the cul de sac should be reviewed for sight distance and traffic impact and also reviewed in terms of changing road access to Ladentown Road;
2. Proposed Lot No. 3 shows the existing house and a new proposed dwelling – the plat should indicate removal or moving of the existing house and driveway;
3. Where and how the sanitary sewers will be connected.

4. We request that preliminary subdivision application and drainage system and calculations be sent to us when available;
5. Since the Village could be a permit issuing agency, it must be included in the SEQR process and other deliberations;
6. Proposed road widening dedication should preserve and maintain the existing stone wall and large trees on Camp Hill Road and Ladentown Road.

6. Committee Reports

A. Recreation

Trustee Roman reported she still does not have a chairperson for the Committee but is working on it.

B. Buildings and Parks

Trustee Banks reported the signs for the parks are ready to be installed. He is working on designating locations for them. The fountain was a good team effort with Deputy Mayor Sanderson and it looks beautiful. Discussion was held regarding installing signs at Secor Park that are “No Swimming” and “No Ice Skating”. Trustee Banks estimated the signs could cost about \$120.00 each, installed. One sign will be attached to the existing sign at the Park and the second sign will be posted at another location in the park.

Deputy Mayor Sanderson moved to approve a maximum of \$250.00 for two signs, “No Swimming” and “No Ice Skating” to be installed at Secor Park. Seconded by Trustee Roman. Motion carried 4-0.

Deputy Mayor Sanderson raised the matter of a large tree that is falling into the Fairty Pond. The tree is dangerous and should be removed.

Trustee Roman moved to approve an expenditure of \$500.00 to remove the tree at Fairty Pond. Seconded by Deputy Mayor Sanderson. Motion carried 3-1. Trustee Banks voted no.

Trustee Banks questioned why all the park repairs, including removing the tree, couldn't be done as one expenditure and repair instead of in a piecemeal way. Trustee Roman commented that the fallen tree at the pond could be considered an emergency and should be taken care of right away.

C. Other

Trustee Banks introduced a list of proposed repair work to be done in the Village. A copy of the proposal is attached to the minutes.

Deputy Mayor Sanderson moved to approve a maximum expenditure of \$7,000.00 for the work outlined in Christopher Meredith's proposal subject to Trustee Banks discussing it with him. Seconded by Trustee Banks. Motion carried 4-0.

7. Finance

A. Treasurer's Report

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

B. Expenditure Abstract Resolution

Trustee Banks moved the resolution that the payment of General Funds Claims totaling \$61,826.89 set forth on pages 1 through 7 in the Monthly Abstract Listing dated June 28, 2005 through July 22, 2005, as submitted by the Village Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Trustee Roman. Motion carried 4-0.

C. Grants and Awards

Nothing at this time.

8. Code Enforcement

A copy of the Code Enforcement Officer's report is attached to the minutes. Trustee Banks brought up the matter of his neighbor dumping and spreading manure all over his backyard which is causing a smell. Mr. Helfgott will check it out.

Officer Lake of the Ramapo Police Department was in attendance and Mayor Marshall inquired about the problems on Tara Drive. Mayor Marshall brought up the matter of speeding on Village roads and the need for a police presence on Saturday when many people are walking on the sides of the roads

Because of the ongoing vandalism and dumping at Van den Hende Park, Mr. Helfgott will discuss the situation with Officer Lake.

9. Legal Period

The Board discussed a resolution regarding the lawsuits against the Town of Ramapo.

Trustee Lamer moved that the Board of Trustees authorizes the appeals of the decisions in the lawsuits known as Village of Airmont et al. v. Town of Ramapo et al. and Village of Chestnut Ridge et al. v. Town of Ramapo et al., and be it further resolved that the law firm of Zarin & Steinmetz, Esqs. is hereby retained for the purpose of filing and prosecuting said appeals upon the same terms and conditions as the prior retainer agreement. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

The proposed local law on parking violation penalties was tabled to the next workshop.

Ms. Ulman distributed a proposed Steep Slope Amendment to the current local law. Ms. Ulman explained the proposed changes to the local law.

Deputy Mayor Sanderson moved to set a public hearing for August 15, 2005 at 7:30 p.m. on the proposed Local Law Amending the Disturbance of Steep Slopes. Seconded by Trustee Banks. Motion carried 5-0.

10. Old Business

Ms. Ulman reported that she has requested the Town Clerk's office to check dates for the possible approval of the establishment of a water district in the Town of Ramapo. When that is completed, she will proceed with hydrant related legal action.

Deputy Mayor Sanderson reported that he is working diligently on the Halley Drive utility fence.

Clerk Glantz is working on ordering the No Overnight Parking signs.

11. New Business

Mayor Marshall passed along information regarding the Rockland Rodders Car Club Pomona Road adoption ceremony on Saturday, July 23rd. Deputy Mayor Sanderson reported that he had attended the ceremony and commented that it was very nice.

12. Office Period

Nothing at this time.

13. Trustees Period

Nothing at this time.

14. Second Open Period

David Hershkowitz, 1 Litman Lane addressed the Board regarding the lawsuits against the Town of Ramapo. He questioned the legal fees that were reported in a recent Journal News article. He was also concerned about being double billed as a resident of the Village and the Town of Ramapo and also inquired about the inclusion of legal fees for the lawsuits in the budget. Mayor Marshall explained that the fees were included as part of legal expenditures in the approved budget. Ms. Ulman commented that it is illegal for the Town of Ramapo to use funds from the taxpayers to defend themselves against the lawsuit involving planning or zoning. Also, the decision handed down stated that neither party could recoup their legal fees. Mayor Marshall requested Ms. Ulman to research the billing issue and if Village taxpayer funds are being used by the Town for the lawsuits.

Malverne Toll, 308 Quaker Road commended the Board for pursuing the lawsuits. She and her family purchased in the Village cause they wanted one acre zoning, no sidewalks, no streetlights and a rural atmosphere. The expense is worth it in order to maintain our way of life.

Trustee Lamer moved to close the second Open Period. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Deputy Mayor Sanderson 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.

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

Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Malverne J. Toll