

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
APRIL 24, 2006

ADOPTED JULY 24, 2006

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 April 24, 2006.

Present

Mayor: Herbert Marshall

Deputy Mayor: Nick Sanderson

Trustees: Ian Banks
Alan Lamer
Alma Roman

Doris Ulman, Village Attorney

P. J. Corless, Village Engineer

Leslie Sanderson. Village Clerk/Treasurer

Summary of Motions

Deputy Mayor Sanderson moved to table the June 17th opening expenditure at the Culture Center approval to the next meeting. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Banks moved to approve an expenditure not to exceed \$250.00 to purchase a Sear's Kenmore Number 70 dehumidifier for the downstairs at the Cultural Center. Seconded by Trustee Lamer. Motion carried 4-0-1. Trustee Roman abstained because she was not made aware of the expenditure.

Deputy Mayor Sanderson moved to authorize Tilcon, under the Rockland County contract, to pave the 8 designated roads in the Village. Seconded by Trustee Roman. Motion carried 5-0.

Deputy Mayor Sanderson moved to have the Village go out to bid for the drainage work at 120 Camp Hill Road. Seconded by Trustee Lamer. Motion carried 5-0.

Deputy Mayor Sanderson moved to set a Public Hearing for May 22, 2006 at 7:30 p.m. for the MS4 Annual Report. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Lamer moved to return the Building Permit fee of \$185.00 to Ms. Rudecindo. Seconded by Trustee Roman. Motion was defeated 3-2.

Mayor Marshall, Deputy Mayor Sanderson and Trustee Banks voted not to return the fee.

Trustee Lamer moved to return the Building Permit fee of \$155.00 to Ms. Rudecindo. Seconded by Mayor Marshall. Motion was defeated 3-2. Mayor Marshall, Deputy Mayor Sanderson and Trustee Banks voted not to return the fee.

Deputy Mayor Sanderson moved to approve a resolution creating Tobacco Free Parks and Playgrounds in the three parks in the Village of Pomona. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Lamer moved the resolution that the payment of General Funds Claims totaling \$84,347.46, set forth of pages 1 – 7 in the Monthly Abstract Listing dated March 25, 2006 through April 24, 2006, 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 5-0.

Trustee Lamer moved to approve Mr. Jay Helfgott's request to reduce his salary from \$17,000.00 per annum to \$860.00 per month. Seconded by Trustee Roman. Motion carried 5-0.

1. Salute the Flag.

A presentation of Young Lungs at Play was given by Shauna Scott of the Rockland County Department of Health in conjunction with the County Executive to prevent children's exposure to secondhand smoke in public parks and playgrounds. They are asking all Towns and Villages to adopt a resolution designating municipal parks tobacco-free. The Board discussed the material that was presented and had some questions for Ms. Scott. Mayor Marshall thanked Ms. Scott for her presentation and told her the Board would consider a resolution later in the meeting.

2. Open Period

David Herskowitz, 1 Litman Lane had some questions for the Board regarding the 2006/2007 Budget. He asked if there would be penalties, or anything, to enforce a Young Lungs resolution? Mayor Marshall responded that would be considered when the Board discusses the resolution. Mr. Herskowitz then asked several questions regarding the Budget.

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

- 3. Adoption of Minutes**
 - A. January 23, 2006**
 - B. February 13, 2006**
 - C. February 27, 2006**
 - D. March 27, 2006**
 - E. April 10, 2006**

Mayor Marshall announced that these Minutes are tabled to the next meeting.

- 4. Cultural Center**

A copy of the Director's Report is attached to the Minutes. Mr. Gde was not in attendance at the meeting but had requested approval of the expenditure for the June 17th opening.

Trustee Lamer moved to approve the expenditure for the June 17th opening at the Cultural Center. Seconded by Deputy Mayor Sanderson.

The Board discussed the matter and Trustee Roman commented that she has not had time to review the submitted expenditure. Trustee Lamer suggested tabling the matter to the next meeting.

Deputy Mayor Sanderson moved to table the June 17th opening expenditure at the Culture Center approval to the next meeting. Seconded by Trustee Roman. Motion carried 5-0.

Trustee Banks reported that he had a request from Mr. Gde to purchase a dehumidifier for the downstairs at the Cultural Center at a cost of approximately \$229.00.

Trustee Banks moved to approve an expenditure not to exceed \$250.00 to purchase a Sear's Kenmore Number 70 dehumidifier for the downstairs at the Cultural Center. Seconded by Trustee Lamer. Motion carried 4-0-1. Trustee Roman abstained because she was not made aware of the expenditure.

Mayor Marshall brought up the matter of establishing guidelines for use of Village Hall. Specific points were made at the last Workshop Meeting and will be further discussed at the workshop meeting.

- 5. Building Department**
 - A. Engineering and Building**

There were no requests for return of escrow money. Ms. Ulman reported there has been no additional movement on the Highgate Road Dedication Agreement.

Mr. Corless has received two bids for the Ormian Road drainage problem. One bid for \$6800.00 and one bid for \$8200.00. He is waiting for a third bid to come in. When the third bid comes in, the matter will be placed on the agenda for the next Board meeting.

Mr. Corless gave an update on the road paving in the Village. He toured the Village with a representative from Tilcon and an estimate of approximately \$52,000.00 was quoted. Eight roads were designated, Ladentown, Tara, North Circle, Tamarack, Pine, Boar, Ormian and Opal.

Deputy Mayor Sanderson moved to authorize Tilcon, under the Rockland County contract, to pave the 8 designated roads in the Village. Seconded by Trustee Roman. Motion carried 5-0.

Mayor Marshall inquired about a drainage culvert at 120 Camp Hill Road. Mr. Corless responded it is an old existing culvert and the Village needs to go out to bid. A couple of catch basins are needed to alleviate the flooding. Mr. Corless will prepare the specifications for the required work to be done.

Deputy Mayor Sanderson moved to have the Village go out to bid for the drainage work at 120 Camp Hill Road. Seconded by Trustee Lamer. Motion carried 5-0.

Mr. Corless gave an update on the MS4 Stormwater program. The Village now needs to hold a public hearing on the Annual Report and agreement needs to be reached with the Towns of Haverstraw and Ramapo for the cleaning of the roads and catch basins in the Village. The State requires dates when the work was done and the amounts removed from the catch basins and roads. Mr. Corless will prepare the specifications and work with Trustee Banks on the matter.

Deputy Mayor Sanderson moved to set a Public Hearing for May 22, 2006 at 7:30 p.m. for the MS4 Annual Report. Seconded by Trustee Lamer. Motion carried 5-0.

Mayor Marshall brought up a memo he received from Mr. Zrelak in which he recommends the returning of \$185.00 for Building Permit 2151 to Ms. Rudecindo at 1 Galileo Court for the construction of a hot tub which was never done.

Trustee Lamer moved to return the Building Permit fee of \$185.00 to Ms. Rudecindo. Seconded by Trustee Roman.

Trustee Banks asked if the Village had a policy for returning building permit fees when the applicant changes their mind. Ms. Ulman responded it would depend

on the amount of work done by the Building Inspector. Work was done in order for a building permit to be issued. Trustees Roman and Lamer had no objection to returning the fee. It costs the Village money to issue a Building Permit.

Motion was defeated 3-2. Mayor Marshall, Deputy Mayor Sanderson and Trustee Banks voted not to return the fee.

A request was also made to return \$155.00 for Building Permit 2150 to Ms. Rudecindo at 1 Galileo Court for the conversion of a garage to a living area which was never done.

Trustee Lamer moved to return the Building Permit fee of \$155.00 to Ms. Rudecindo. Seconded by Mayor Marshall. Motion was defeated 3-2. Mayor Marshall, Deputy Mayor Sanderson and Trustee Banks voted not to return the fee.

Deputy Mayor Sanderson requested, in the spirit of compassion and fairness, that a policy be developed regarding the return of Building Permit fees. The matter was tabled to the next workshop.

B. Planning and Zoning

Trustee Banks reported that he has been working with Mr. Corless on the sign-off inspection list. The inspections are shared by the Village Engineer, Building Inspector and Code Enforcement Officer and a chart is needed to record all the inspections that have been done. The chart should show the date inspected and signed off by the inspector. The matter will be discussed among the people involved and a final report will be given to the Mayor.

Mayor Marshall asked for recommendations to the Zoning Board of Appeals to fill the two openings.

6. Committee Reports

A. Recreation

Trustee Roman reported that the Committee hasn't met yet. Deputy Mayor Sanderson reported the pond is ready for the Fish-in scheduled for June 11th. Mayor Marshall requested Trustee Roman to have a report for the workshop on May 8th.

B. Buildings and Parks

Trustee Banks reported on the Village Hall repairs. The specifications for the painting of outside of Village Hall have to be redone and will include a timeframe for the work to be done. He will draw up a spec so that all the bidders will follow the same requirements.

Trustee Banks felt that an architect is needed to prepare the specs and plan for the stone wall along the front of Village Hall. The area needs to be measured in order to have an area defined. Trustee Banks will work with Mr. Zrelak to come up with a plan and specs.

The bridge at Secor Park over the ponds needs to be sealed. Also, there are nails protruding and need to be repaired. Deputy Mayor Sanderson will take care of the protruding nails and the sealing will be discussed further after the Fish-in.

C. Other

Discussion was held regarding a resolution on the Young Lungs at Play Presentation made earlier in the evening by Shauna Scott. A resolution effective April 24, 2006 regarding no smoking in the three Village of Pomona parks is attached to the Minutes. The parks included are, Burgess Meredith Park, Secor Park and Van de Hende. A copy of the full resolution is attached to the Minutes.

Deputy Mayor Sanderson moved to approve a resolution creating Tobacco Free Parks and Playgrounds in the three parks in the Village of Pomona. Seconded by Trustee Roman. Motion carried 5-0.

7. Finance

A. Treasurer's Report

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

B. Expenditure Abstract Resolution

Trustee Lamer moved the resolution that the payment of General Funds Claims totaling \$84,347.46, set forth of pages 1 – 7 in the Monthly Abstract Listing dated March 25, 2006 through April 24, 2006, 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 5-0.

C. Grants and Awards

Nothing new at this time.

8. Code Enforcement

A copy of the Code Enforcement Officer's report is attached to the Minutes. Mr. Helfgott requested the Board to reduce his yearly salary from \$17,000.00 per annum to \$860.00 per month beginning May 1, 2006 due to a change in circumstance.

Trustee Lamer moved to approve Mr. Jay Helfgott's request to reduce his salary from \$17,000.00 per annum to \$860.00 per month. Seconded by Trustee Roman. Motion carried 5-0.

9. Legal Period

Ms. Ulman had nothing to report for the public portion of the meeting.

10. Old Business

Deputy Mayor Sanderson reported on the status of the Verizon cell tower. Ms. Ulman has proposed comments and changes. She will send same to the attorney for Verizon with a copy of the proposed agreement to Michael Fallon, consultant to Verizon.

11. New Business

Nothing at this time.

12. Office Period

Ms. Sanderson reported that the Keep America Beautiful clean-up has been rescheduled to April 29th at 10 a.m.

13. Trustee's Period

Nothing at this time.

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

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

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

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Malverne J. Toll

WHEREAS, the Rockland County Health Department has asked the five towns and 19 villages to join in a program to help eliminate children's exposure to secondhand smoke at public parks and playgrounds, and

WHEREAS, the Village of Pomona is pleased to be one of the first municipalities in the County to create tobacco-free zones in all Village-owned parks,

NOW, THEREFORE, BE IT RESOLVED that it is hereby declared to be the policy of the Village of Pomona that all Village-owned parks shall be tobacco-free and that smoking shall be prohibited in said parks, and be it further

RESOLVED, that signs shall be posted at all Village-owned parks that smoking is prohibited in said parks, and be it further

RESOLVED, that a copy of this resolution shall be transmitted to the Rockland County Commissioner of Health, the Rockland County Executive and the Rockland County Legislature.

MOTION: Deputy Mayor Sanderson

SECOND: Trustee Roman

Motion carried 5-0