

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
NOVEMBER 27, 2006

ADOPTED JANUARY 22, 2007

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 November 27, 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

Trustee Lamer moved to adopt “A Local Law Amending the Pomona Village Code in Relation to False Alarms and Increasing the Fine for Violations Thereof” as amended. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Deputy Mayor Sanderson moved to adopt the Minutes of August 14, 2006, as amended. Seconded by Trustee Roman. Motion carried 4-0-1. Trustee Lamer abstained.

Trustee Roman moved to table the September 25, 2006 Minutes to the next meeting. Seconded by Trustee Banks. Motion carried 3-2. Mayor Marshall and Trustee Lamer voted No.

Deputy Mayor Sanderson moved to approve using Village Hall on Sunday evenings for a second Yoga Class, through the end of May, for Yoga Classes. Seconded by Trustee Roman. Motion carried 5-0.

Deputy Mayor Sanderson moved to approve the return of escrow to M.C.S.P. Developers in the amount of \$4000.00 for the installation of sod on C-2. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Roman moved the resolution that the payment of General Funds Claims totaling \$52,524.65, set forth of pages 1-6 in the Monthly Abstract

Listing dated October 31, 2006 through November 27, 2006, as submitted by the Village Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

Deputy Mayor Sanderson moved the resolution that the proposed local law entitled “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Dormitory Buildings” is referred to the Rockland County Planning Board, the Village Planning Board, the Village Attorney, the Village Engineer and the Village Code Enforcement Officer for review and recommendation, and be it further resolved that a public hearing shall be held by the Board of Trustees of the Village of Pomona on the 18th of December 2006 at 7:30 P.M. at the Village Hall, 100 Ladentown Road, Pomona, New York 10970 to consider the adoption of a proposed local law entitled “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Dormitory Buildings”, and be it further resolved, that notice of the time and place of said hearing shall be posted and published in the manner provided by law. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Roman moved the resolution that the proposed local law entitled “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Houses of Worship” is referred to the Rockland County Planning Board, the Village Planning Board, the Village Attorney, the Village Engineer and the Village Code Enforcement Officer for review and recommendation, and be it further resolved, that a public hearing shall be held by the Board of the Village of Pomona on the 18th of December 2006 at 7:30 P.M. at the Village Hall, 100 Ladentown Road, Pomona, New York 10970 to consider the adoption of a proposed local law entitled “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Houses of Worship”, and be it further resolved, that notice of the time and place of said hearing shall be posted and published in the manner provided by law. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

- 1. Salute the Flag.**
- 2. Open Period**

No one appeared to speak.

- 3. Public Hearing – Local Law Amendment: False Alarms**

A copy of the proposed local law is attached to the Minutes.

Fred Viohl, Fire Inspector for Pomona, reviewed the proposed amendment to false fire alarms and suggested no changes.

Jay Helfgott, Code Enforcement Officer for Pomona suggested that for the first offense there should be a financial penalty as opposed to a warning letter.

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

Mayor Marshall reviewed the changes to the local law regarding false alarms and an increase to the fines for violations. Trustee Lamer suggested a change in the last paragraph from “the” to “a” code enforcement officer of the Village has the right and authority to issue appearance tickets for violations.

Trustee Lamer moved to adopt “A Local Law Amending the Pomona Village Code in Relation to False Alarms and Increasing the Fine for Violations Thereof” as amended. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

4. Adoption of Minutes

A. August 14, 2006

Trustee Banks requested that the discussion on the stone wall also included that he and the Village Engineer would meet with Scaffidi and the bid be accepted provided that he is able to perform the work according to the specifications and is acceptable to the Village of Pomona.

Deputy Mayor Sanderson moved to adopt the Minutes of August 14, 2006, as amended. Seconded by Trustee Roman. Motion carried 4-0-1. Trustee Lamer abstained.

B. September 25, 2006

Trustee Roman moved to table the September 25, 2006 Minutes to the next meeting. Seconded by Trustee Banks. Motion carried 3-2. Mayor Marshall and Trustee Lamer voted No.

5. Cultural Center

A copy of the Director’s report is attached to the Minutes. Trustee Roman commented that she had not received any proposals from Mr. Gde. Before going to the Board of Trustees, Mr. Gde must send Trustee Roman any requests he is planning to make.

Ms. Sanderson commented that she has received requests for a second Yoga Class to be held in the evenings. Previously the Board had decided that Sunday evening would be the best time for the second class. Funding for the second class could come from the Recreation budget.

Deputy Mayor Sanderson moved to approve using Village Hall on Sunday evenings for a second Yoga Class, through the end of May, for Yoga Classes. Seconded by Trustee Roman. Motion carried 5-0.

6. Building Department
A. Engineering and Building

Mr. Corless recommended the return of escrow to M.C.S. P. Developers, C-2, in the amount of \$4000.00 for installation of sod.

Deputy Mayor Sanderson moved to approve the return of escrow to M.C.S.P. Developers in the amount of \$4000.00 for the installation of sod on C-2. Seconded by Trustee Lamer. Motion carried 5-0.

Mr. Corless reported on the drainage problem on Burning Brush. There is a private drain on the north side of 1 Burning Brush; the pipe has collapsed, 130 feet of pipe that goes into a private headwall. He recommended installing an interceptor drain in the Village right-of-way to collect the water to avoid it spilling into the street. The homeowner informed the Village that she is aware the pipe belongs to her and not the Village and will have the pipe replaced. The Village will hold off installing an interceptor drain.

Mr. Corless reported that the drain installed at Camp Hill and Quaker Roads is working fine with all the recent rain. The homeowner at 54 Call Hollow Road has a large conservation easement across the back of his property which is wet. He would like to Village to drain the easement. Because the easement was designated a conservation easement at the time of construction it must remain as it is.

Mr. Corless is working on obtaining surveys for Village Hall and the Cultural Center. He will also pursue obtaining the independent report on the Roman sewer hook-up.

7. Committee Reports
A. Recreation

Trustee Roman will work on having a Pomona Day in the Village. Discussion then took place regarding combining Pomona Day with the Fish-in as part of the same celebration.

B. Buildings and Parks

Trustee Banks reported that the Village's landscaper still has some work to do, including road side pick up. The parks, in general, are in good condition. Someone is dumping their garbage at the tennis courts, it will be picked up.

8. Finance

A. Treasurer's Report

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

B. Expenditure Abstract Resolution

Trustee Roman moved the resolution that the payment of General Funds Claims totaling \$52,524.65, set forth of pages 1-6 in the Monthly Abstract Listing dated October 31, 2006 through November 27, 2006, as submitted by the Village Clerk/Treasurer are hereby approved subject to individual audits by the Board of Trustees. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

C. Grants and Awards

Nothing at this time.

9. Code Enforcement

A copy of the Code Enforcement Officer's report is attached to the Minutes. The Code Enforcement Officer reported on a lot on South Ridge Road where the land had been raised 6+ feet with dirty fill. Lots 1 and 2 on Route 306 which had been troublesome have been seeded and fabric fence placed where it couldn't be seeded. Lot G-8 has placed a dumpster in the road and the company has been called to have it removed.

Fred Viohl, Fire Inspector reported that he is working with the Temple representatives to solve their false alarm problems.

10. Legal

Ms. Ulman distributed two proposed local laws. One proposed local law is in relation to dormitory buildings and the second is in relation to houses of worship. Mayor Marshall explained the changes in the proposed local law

Deputy Mayor Sanderson moved the resolution that the proposed local law entitled "A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Dormitory Buildings" is referred to the Rockland County Planning Board, the Village Planning Board, the Village Attorney, the Village Engineer and the Village Code Enforcement Officer for review and

recommendation, and be it further resolved that a public hearing shall be held by the Board of Trustees of the Village of Pomona on the 18th of December 2006 at 7:30 P.M. at the Village Hall, 100 Ladentown Road, Pomona, New York 10970 to consider the adoption of a proposed local law entitled “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Dormitory Buildings”, and be it further resolved, that notice of the time and place of said hearing shall be posted and published in the manner provided by law. Seconded by Trustee Lamer. Motion carried 5-0.

Trustee Roman moved the resolution that the proposed local law entitled “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Houses of Worship” is referred to the Rockland County Planning Board, the Village Planning Board, the Village Attorney, the Village Engineer and the Village Code Enforcement Officer for review and recommendation, and be it further resolved, that a public hearing shall be held by the Board of the Village of Pomona on the 18th of December 2006 at 7:30 P.M. at the Village Hall, 100 Ladentown Road, Pomona, New York 10970 to consider the adoption of a proposed local law entitled “A Local Law Amending the Zoning Law of the Village of Pomona in Relation to Houses of Worship”, and be it further resolved, that notice of the time and place of said hearing shall be posted and published in the manner provided by law. Seconded by Deputy Mayor Sanderson. Motion carried 5-0.

A copy of both proposed amendments is attached to the Minutes.

11. Old Business

Ms. Ulman reported there is nothing new regarding the Verizon tower. Ms. Sanderson reported that the resolution to the assessment grievances will be presented at the next meeting.

12. New Business

Nothing at this time.

13. Office Period

The Holiday Luncheon date was set for Thursday, December 28th at 12:15 P.M.

14. Trustees Period

Trustee Roman reminded those present of the upcoming school vote on December 13th.

15. 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 close the Executive Session and 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 8:55 P.M.

Respectfully submitted,

Malverne J. Toll