

VILLAGE OF POMONA  
BOARD OF TRUSTEES MEETING  
SEPTEMBER 23, 2003

**CORRECTED MINUTES**

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 September 23, 2003.

Present

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

Doris Ulman, Village Attorney  
P. J. Corless, Village Engineer  
Michael Zrelak, Jr., Building Inspector

Village Clerk: Susan Glantz

Absent

Trustee: Ian Banks

**Summary of Motions:**

**Trustee Lamer moved to adopt A Local Law Amending the Code of the Village of Pomona in Relation to Delivery of Materials to Subdivisions and Site Plan Construction Sites. Seconded by Trustee Roman. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to adopt the Minutes of September 8, 2003 as presented. Seconded by Trustee Lamer. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to return \$1500.00 in escrow funds to Avi Davi, Inc. for Lot C-52, driveway installation. Seconded by Trustee Lamer. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to return \$1716.00 in escrow funds to Lifestyle Builders for Lot C-50, curb and road maintenance. Seconded by Trustee Lamer. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to return \$5661.00 in escrow funds to Menna for Lot G-35, curb and road maintenance. Seconded by Trustee Lamer. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to go out for bids for the Village Hall Sidewalk Replacement Project with opening of bids at the October 27, 2003 Board meeting. Seconded by Trustee Lamer. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to approve an expenditure of \$1000.00, in addition to the \$250.00 donated by Barr Labs, for flower beds for Quaker Road. Seconded by Trustee Roman. Motion carried 4-0.**

**Deputy Mayor Sanderson moved the resolution that the payment of General Fund Claims totaling \$83,665.88 set forth on pages 1 through 6 in the Monthly Abstract Listing dated September 22, 2003 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 4-0.**

**Deputy Mayor Sanderson moved to set a public hearing on a proposed local law amending the Pomona Village Code relating to fees for October 27, 2003 at 7:30 p.m. Seconded by Trustee Lamer. Motion carried 4-0**

**Deputy Mayor Sanderson moved that the Board of Trustees of the Village of Pomona approves the Mayor issuing a letter of intent to the Town of Ramapo to join with the Town in the submission of an application for an EPA Grant under the Stormwater Management Program at no cost to the Village. Seconded by Trustee Lamer. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to approve an expenditure not to exceed \$450.00 to Country Wide Tree for the tree removal, stump grinding, soil replacement and seeding of the tree on South Ridge Road. Seconded by Trustee Lamer. Motion carried 4-0.**

**Deputy Mayor Sanderson moved to offer wall space in Village Hall's meeting room to establish a Rockland County Human Rights Hall of Fame. Seconded by Trustee Lamer. Motion carried 4-0.**

**1. Salute to the Flag.**

**2. Open Period**

Don Branson, 168 Camp Hill Road presented to the Village an historic map, dated 1920, of New York State. Mayor Marshall thanked Mr. Branson on behalf of the Village.

Mr. Branson also requested a new 'Village of Pomona' sign be replaced that had been on his property previously. Clerk Glantz reported there is a sign available for him to replace on his property.

Jay Helfgott, 13 Beaver Dam Road commented on the recently held jazz concert at the Cultural Center. Mr. Helfgott said it was a great concert and a good job was done in putting it together.

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

**3. Public Hearing – Proposed Local Law Entitled “ A Local Law Amending the Village Code of Pomona in Relation to Delivery of Materials to Subdivisions and Site Plan Construction Sites”**

A copy of the proposed local law is attached to the Minutes. Mayor Marshall gave an explanation of the law. No one from the public appeared to speak regarding the proposed local law.

**Deputy Mayor Sanderson moved to close the Public Hearing. Seconded by Trustee Lamer. Motion carried 4-0.**

Deputy Mayor Sanderson inquired as to the enforcement of the local law. Ms. Ulman responded that the trucks would not be stopped but an appearance ticket would be issued to the builder. As a last resort, a stop work order could be issued to the builder. Deputy Mayor Sanderson asked that the procedure for enforcing the proposed amendment be put in writing so that it could be followed in the same manner for everyone. Ms. Ulman suggested the requirement be placed on the site plans so everyone is aware of it. Ms. Ulman will prepare the wording to be used on site plans regarding the amendment.

**Trustee Lamer moved to adopt A Local Law Amending the Code of the Village of Pomona in Relation to Delivery of Materials to Subdivisions and Site Plan Construction Sites. Seconded by Trustee Roman. Motion carried 4-0.**

**4. Adoption of Minutes  
A. August 18, 2003**

Mayor Marshall tabled the August 18, 2003 Minutes to the next Board Meeting when Trustee Banks will be present since he was one of the three Board Members who attended the meeting.

**B. September 8, 2003**

**Deputy Mayor Sanderson moved to adopt the Minutes of September 8, 2003 as presented. Seconded by Trustee Lamer. Motion carried 4-0.**

**5. Cultural Center**

A copy of the Director of the Cultural Center report is attached to the Minutes. Mayor Marshall commented that the Autumn 2003 opening on September 13, 2003, including the musical and dancing entertainment, was excellent and well received.

**6. Building Department  
A. Engineering**

Mr. Corless recommended the return of escrow in the amount of \$1500.00 to Avi Davi, Inc. for Lot C-52, driveway installation.

**Deputy Mayor Sanderson moved to return \$1500.00 in escrow funds to Avi Davi, Inc. for Lot C-52, driveway installation. Seconded by Trustee Lamer. Motion carried 4-0.**

Mr. Corless recommended the return of escrow in the amount of \$1716.00 to Lifestyle Builders for Lot C-50, curb and road maintenance.

**Deputy Mayor Sanderson moved to return \$1716.00 in escrow funds to Lifestyle Builders for Lot C-50, curb and road maintenance. Seconded by Trustee Lamer. Motion carried 4-0.**

Mr. Corless recommended the return of escrow in the amount of \$5661.00 to Menna for Lot G-35, curb and road maintenance.

**Deputy Mayor Sanderson moved to return \$5661.00 in escrow funds to Menna for Lot G-35, curb and road maintenance. Seconded by Trustee Lamer. Motion carried 4-0.**

Mr. Corless commented that Lot G-33 is before the Planning Board's next meeting. There is an issue as to where the driveway should be measured from, length and height. Mrs. Ulman will draft a local law for consideration more clearly defining driveways.

Mrs. Ulman commented that her report on hydrants is still pending and will have it for the next regular meeting.

Mr. Corless reported he is still working on the drainage problem at North Circle.

Mayor Marshall brought up the issue of the Village Code 130.18H.1C regarding tree mapping. The law requires that 'a plan showing all existing or proposed contour lines, the amount of fill to be placed or displaced, the location of trees over 15 inches in circumference, measured 4 feet above the ground, and the road access to the site'. A tree map must be filed before a building permit is issued. Ms. Ulman recommended clarifying the tree map portion of the Code and will submit her proposed revision for the Board's review.

Mr. Corless reported on a letter from the Haverstraw Supervisor sent to the Planning Board Chairman regarding drainage problems still being pursued on Halley II. Mr. Corless is following up on the issue. Also, the builders on Highgate are ready to select the type of trees to be planted and where they are to be planted. The large amount of rock in the area will determine where trees can be planted.

The Tamarack Park drainage work is about completed and berms have been installed. Area needs to be seeded.

Mr. Zrelak reported that the owners of 12 South Ridge have begun reconstruction. In addition, the last house on Litman Lane has been completed and the road is scheduled to be paved during the coming week.

Mr. Corless reported that the handicapped entrance for Secor Park has not been completed yet. The plans for the sidewalk and entrance to Village Hall have been prepared and approved by Trustee Banks.

**Deputy Mayor Sanderson moved to go out for bids for the Village Hall Sidewalk Replacement Project with opening of bids at the October 27, 2003 Board meeting. Seconded by Trustee Lamer. Motion carried 4-0.**

The culvert pipe at Burgess Meredith Park still needs to be removed. Mr. Corless will have Belleville Landscape remove the pipe.

**7. Committee Reports**  
**A. Recreation**

Trustee Roman reported that the Village's Halloween Party is scheduled for November 1<sup>st</sup> and the Parade will form at the Hindu Temple parking lot and follow Ladentown Road to Village Hall.

**B. Buildings and Parks**

Items were covered earlier in the meeting.

**C. Beautification and Clean-Up**

The report on the cul de sacs was tabled to the next Board Meeting. Deputy Mayor Sanderson asked if Pro Cut has complied with the September 30<sup>th</sup> deadline? Discussion was held regarding Constantine Gletsos' request for funds to develop flower beds on Quaker Road. The Town of Haverstraw will prepare a flower bed on the corner of Quaker Road and the Palisades Parkway entrance/exit. Mr. Gletsos' committee will prepare a bed in the area between the kennel and Brookside Road.

**Deputy Mayor Sanderson moved to approve an expenditure of up to \$1000.00, in addition to the \$250.00, donated by Barr Labs for flower beds for Quaker Road. Seconded by Trustee Roman. Motion carried 4-0.**

**8. Finance**

**A. Treasurer's Report**

**Deputy Mayor Sanderson moved the resolution that the payment of General Fund Claims totaling \$83,665.88 set forth on pages 1 through 6 in the Monthly Abstract Listing dated September 22, 2003 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 4-0.**

**B. Grants and Awards**

Nothing at this time. Deputy Mayor Sanderson inquired about monies that may be left over from the Burgess Meredith Park renovations. Clerk Glantz will investigate and have a correct number at the next meeting.

**9. Code Enforcement**

A copy of the Code Enforcement Officer's report is attached to the Minutes. Mr. Helfgott reported on large mounds of mulch and a grinder being used by JWL

Construction on East Court. The mulch is being used on JWL Construction sites for soil stabilization. Mayor Marshall requested a timetable as to when all the mulch will be removed. Mr. Corless reported that the Code Enforcement Officer and Maser Construction will perform weekly inspections on building sites on the mountain.

Mayor Marshall requested that the monthly Code Enforcement report be submitted no later than the Wednesday prior to the regularly scheduled Village Board Meeting.

## **10. Legal**

Ms. Ulman reported on a review of the Village Code Chapters concerning fees. Mayor Marshall then distributed a proposed local law amending the Village Code relating to fees and requested that a public hearing be set.

**Deputy Mayor Sanderson moved to set a public hearing on a proposed local law amending the Pomona Village Code relating to fees for October 27, 2003 at 7:30 p.m. Seconded by Trustee Lamer. Motion carried 4-0**

Mrs. Ulman introduced correspondence from the Town of Ramapo asking the Village to join with the Town of Ramapo in a grant application the Town will submit to the Environmental Protection Agency for funding under the Stormwater Management Plan for cleaning of catch basins, cleaning streets, etc. The Town currently provides these services to the Village by contract, for which the Village pays a fee. Mrs. Ulman recommended joining with the Town of Ramapo in submitting the grant application.

**Deputy Mayor Sanderson moved that the Board of Trustees of the Village of Pomona approves the Mayor issuing a letter of intent to the Town of Ramapo to join with the Town in the submission of an application for an EPA Grant under the Stormwater Management Program at no cost to the Village. Seconded by Trustee Lamer. Motion carried 4-0.**

## **11. Old Business**

Mayor Marshall reported about a tree/weed on South Ridge growing in the Village right of way and is destroying the berm and part of the street and the catch basin. Two quotes were received for the removal of the tree, grinding of the stump and replacement of top soil and seeding. Ira Wickes' for \$690.00 and Countywide Tree at \$300.00 but did not include soil replacement or seeding.

**Deputy Mayor Sanderson moved to approve an expenditure not to exceed \$450.00 to County Wide Tree for the tree removal, stump grinding, soil replacement and seeding of the tree on South Ridge Road. Seconded by Trustee Lamer. Motion carried 4-0.**

The picking up of leaves in the Village was then discussed. It was agreed that the Village will continue not to pick up leaves separately.

Mayor Marshall brought up a request from the Rockland County Human Rights Commission for wall space to establish a Rockland County Human Rights Hall of Fame.

**Deputy Mayor Sanderson moved to offer wall space in Village Hall's meeting room to establish a Rockland County Human Rights Hall of Fame. Seconded by Trustee Lamer. Motion carried 4-0.**

**12. New Business**

Discussion ensued regarding changing the Workshop Meeting from October 13<sup>th</sup> to the 14<sup>th</sup>. It was unanimously decided to keep the Workshop Meeting date of October 13<sup>th</sup>.

Mayor Marshall informed the Board of a proposal from Software Consulting Associates (SCA). Deputy Mayor Sanderson will review the proposal and have a recommendation at the next Workshop Meeting. Mayor Marshall recused himself from any discussion because of a personal conflict. Deputy Mayor Sanderson will review the proposal and have a recommendation for the next Workshop Meeting.

**13. Office Period**

Nothing at this time.

**14. Trustee's Period**

Nothing at this time.

**Deputy Mayor Sanderson moved to adjourn to Executive Session to discuss matters of litigation and Personnel matters. Seconded by Trustee Lamer. Motion carried 4-0.**

**Trustee Lamer moved to reopen the public meeting. Seconded by Deputy Mayor Sanderson. Motion carried 4-0.**

**Trustee Roman moved to adjourn the meeting. Seconded by Trustee Lamer. Motion carried 4-0.**

Meeting adjourned at 9:40 p.m.

Respectfully submitted,

Malverne J. Toll