

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
JUNE 26, 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 June 26, 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 accept the Village Engineer's recommendation of return of escrow in the amount of \$1800.00 to JWL for sewer authorization on Lot C-45. Seconded by Trustee Roman. Motion carried 5-0.

**Deputy Mayor Sanderson moved to return escrow for the following Lots:
Menna Building Lot I-3. The street trees have not been installed and several pieces of curbing are damaged.**

Menna Building Lot I-4 in the amount of \$1000.65. The street trees have not been installed and several pieces of curbing are damaged.

Menna Building Lot I-5. The street trees have not been installed and several pieces of curbing are damaged.

Menna Building Lot H-16. The street trees are undersized and located in the ROW. Areas of the curbing are damaged.

JWL Lot D-10 in the amount of \$2500.00 The street trees have not been installed.

JWL Lot G-14 in the amount of \$1750.00. The street trees are undersized and located in the ROW, a certificate from the Landscape Architect has not been supplied and several pieces of curbing are damaged.

JWL Lot C-45 in the amount of \$1805.00. The street trees have not been installed.

Seconded by Trustee Lamer. Motion was defeated 0-5.

Trustee Banks moved the resolution that the payment of General Funds Claims totaling \$144,707.16 set forth on pages 1 – 7 in the Monthly Abstract Listing dated May 22, 2006 through June 26, 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 to return the escrow Cesar Cacho for Lot H-38. Seconded by Mayor Marshall. Motion was defeated 1-4. Trustee Roman voted yes.

1. Salute the Flag.

2. Open Period

Mayor Marshall read a brief statement regarding the guidelines for the Open Period.

Candi and Robert Gross, addressed the Board regarding the house they are having built, G-6, on High Mountain Road. They asked if there was a time limit on when the site plans have to be signed by the Planning Board Chairperson. Ms. Ulman responded that there is no time limit on the signing site plans.

Bert Singer, 10 Chestnut Drive informed the Board of a water problem he is having because the berm in front of his property has been worn down and he would like it repaired. Mayor Marshall and the Village Engineer will visit the site to inspect the problem.

Cesar Cacho, 1 High Mountain Road addressed the Board regarding his escrow money. Mayor Marshall advised Mr. Cacho that the matter will be discussed by the Board and his comments given due consideration.

Sandy Townsend, 50 Ladentown Road informed the Board of the passing of his mother who was 95 years old and that the staff at Village Hall was supportive during his time of need.

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

3. Adoption of Minutes

A. May 8, 2006

B. May 22, 2006

C. June 12, 2006

The adoption of the Minutes was tabled to the next regular Board Meeting.

4. Cultural Center

A copy of the Director's Report is attached to the Minutes. Mr. Gde reported on damage done to the grass area at the Center by cars at the Center belonging to a local contractor's employees. Mr. Gde spoke to the supervisor on the job with no apparent results. The Village Clerk will follow up to have the damage repaired. Mr. Gde reported that with the recent heavy rains the downstairs of the Center is experiencing flooding. Trustee Banks will look into the problem. Also, the gutter in that area needs work. Mr. Gde reported that the Yoga Classes are going well and he requested they be extended past the initial two months period. The matter will be discussed at the next meeting.

5. Building Department

A. Engineering and Building

Mr. Corless submitted a list for return of escrow money with his recommendations.

Trustee Lamer moved to accept the Village Engineer's recommendation of return of escrow in the amount of \$1800.00 to JWL for sewer authorization on Lot C-45. Seconded by Trustee Roman. Motion carried 5-0.

Deputy Mayor Sanderson moved to return escrow for the following Lots:
Menna Building Lot I-3. The street trees have not been installed and several pieces of curbing are damaged.
Menna Building Lot I-4 in the amount of \$1000.65. The street trees have not been installed and several pieces of curbing are damaged.
Menna Building Lot I-5. The street trees have not been installed and several pieces of curbing are damaged.
Menna Building Lot H-16. The street trees are undersized and located in the ROW. Areas of the curbing are damaged.
JWL Lot D-10 in the amount of \$2500.00 The street trees have not been installed.
JWL Lot G-14 in the amount of \$1750.00. The street trees are undersized and located in the ROW, a certificate from the Landscape Architect has not been supplied and several pieces of curbing are damaged.
JWL Lot C-45 in the amount of \$1805.00. The street trees have not been installed.
Seconded by Trustee Lamer. Motion was defeated 0-5.

Deputy Mayor Sanderson moved to accept the Village Engineer's recommendation of return of escrow in the amount of \$5000.00 to Weber at 6 Ayden Court for completed vegetation.. Seconded by Trustee Lamer. Motion carried 5-0.

Mr. Corless reported the drainage repair on Ormian Drive has been completed and the voucher submitted for payment. The Camp Hill Road drainage spec has been done and ready to go out to bid for the work.

The name request for Halley II was tabled to the next meeting.

The road paving and repairs on the Tamarack portion has not been completed because of the weather. The damaged sprinkler head on Mr. Jaffe's Tamarack property will be repaired at a cost of approximately \$60-80. Mr. Corless recommended payment to Tilcon for the road paving and repairs.

Trustee Banks inquired as to the status of the stone wall specs being prepared by the Village Attorney. She will have them to Trustee Banks by the weekend.

Discussion was held regarding the return of escrow to Cesar Cacho for Lot H-38 for vegetation restoration. It is the long standing policy of the Village not to split escrow amounts. The Planning Board requirements have not been completed so the escrow monies cannot be returned.

Deputy Mayor Sanderson moved to return the escrow to Cesar Cacho for Lot H-38. Seconded by Mayor Marshall. Motion was defeated 1-4. Trustee Roman voted yes.

B. Planning and Zoning

Mayor Marshall reported he is still working on contacting candidates for the two openings on the Zoning Board of Appeals. There is also an opening for a Planning Board stenographer.

6. Committee Reports

A. Recreation

Trustee Roman submitted the expenditure report for the Fish-in held on June 11th. A copy is attached to the Minutes. While the Fish-in was a huge success, efforts need to be made to recruit new volunteers to work on recreational activities.

B. Buildings and Parks

Trustee Banks reported that he is still looking for someone to paint the outside of Village Hall. Also, Chris Meredith will try to have the logs removed from the Cultural Center and Tamarack Park before July 4th.

The signs at Van de Hende Park regarding "No Vehicles on the Grass" seem to be working, there were no ruts in the grass.

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 \$144,707.16 set forth on pages 1 – 7 in the Monthly Abstract Listing dated May 22, 2006 through June 26, 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

Deputy Mayor Sanderson reported that a grant from Assemblyman Zebrowski's office, that the Clerk/Treasurer has been working to verify has been approved for the wall safety in front of Village Hall in the amount of \$7500.00. Also, there is a time limit to make use of the grant money designated for emergency preparedness. In conjunction with that grant, the completion of acquiring a Village Hall generator and emergency communication equipment should be expeditiously pursued.

8. Code Enforcement

A copy of the Code Enforcement Officer's report is attached to the Minutes. The Code Enforcement Officer has visited the local camps to reinforce no speeding by the camp buses and counselors on local roads in the Village. The police department also plans to send a community officer to the camps to speak with the counselors about speeding on local roads.

The Code Enforcement Officer reported on the status of the Fitz Charles problem regarding cut logs dumped into the stream behind his house which also runs into his neighbor's property. The logs have been removed from the stream and moved back about 50 feet onto Mr. Charles' property. The violation notice on the property has been removed.

9. Legal

Ms. Ulman will have the proposed revision of the local law regarding right of way issues ready for the next workshop.

Trustee Lamer reported on the NYS Industrial Code Rules and Regulations regarding toilet facilities (Porta-Potty) for construction, demolition and excavation operations. A copy of the regulation is attached to the Minutes. No further legislation is required by the Village to enforce the law. The requirement will be added to each site plan.

10. Old Business

Ms. Ulman reviewed the changes made by Verizon to the proposed tower lease and has returned it to Verizon for further comment.

Mayor Marshall and Ms. Ulman met with the Fire Inspector to go over the Village's Fire Inspection Policy. A copy of the policy is attached to the Minutes.

Trustee Roman gave a brief report on the NYCOM meeting she attended on June 12th.

11. New Business

Nothing at this time.

12. Office Period

Ms. Sanderson showed to the Board the signs to be placed at the Village Parks from Young Lungs at Play.

13. Trustees Period

Trustee Roman reported that the recent vote on the Finkelstein Library budget has passed.

14. Executive Session

Deputy Mayor Sanderson moved to adjourn to Executive Session to discuss matter 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.

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

Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Malverne J. Toll