

VILLAGE OF POMONA
BOARD OF TRUSTEES MEETING
MARCH 23, 2015

ADOPTED APRIL 13, 2015

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 March 23, 2015.

Present

Mayor: Brett Yagel
Deputy Mayor: Leon Harris
Trustees: Ian Banks
Alma Roman
Nicholas Wilson

Village Attorney: Doris Ulman
Bldg. Inspector: Louis Zummo
Vlg. Clerk/Treas.: Frances Arsa Artha

Absent

Vlg. Engineer: J. Corless

SUMMARY OF MOTIONS

Resolution No. 21 – 2015

Trustee Wilson moved the resolution that the payment of General Funds Claims totaling \$56,787.18 set forth in page 3 in the Monthly Abstract Listing dated February 24, 2015 through March 23, 2015, as submitted, are hereby approved subject to individual audits by the Board of Trustees.

The Payroll of March 15, 2015 as set forth in the payroll in the amount of \$25,830.89 is hereby submitted for approval, subject to the individual audits by the Board of Trustees. Seconded by Deputy Mayor Harris. Motion carried 5-0.

Resolution No. 22 – 2015

Deputy Mayor Harris moved to approve an expenditure of \$675.00 (\$600.00 for musicians and \$75.00 for refreshments) for the Spring Concert 2015 to be held on May 16, 2015 at 7:30 p.m. Seconded by Trustee Roman. Motion carried 5-0.

Resolution No. 23 – 2015

Trustee Wilson moved the following resolution: **RESOLVED**, that a public hearing will be held by the Board of Trustees of the Village of Pomona on the 13th day of April 2015 at 7:30 p.m. to consider the adoption of a proposed local law entitled “A Local Law Amending the Code of the Village of Pomona to Permit an Override of the Tax Camp for Fiscal Year 2015/2016. Seconded by Deputy Mayor Harris. Motion carried 4-1. Trustee Banks voted no.

Resolution No. 24 – 2015

Trustee Wilson moved the following resolution: **RESOLVED**, that a public hearing will be held by the Board of Trustees of the Village of Pomona on the 13th day of April, 2015 at 7:30 p.m. at the Village Hall, 100 Ladentown Road, Pomona, New York 10970, and be it further

RESOLVED, that the Village Clerk is hereby authorized and directed to post and publish notice of said hearing at least five (5) days prior to said hearing and to set forth therein the compensation proposed to be paid to the Mayor and member of the Board of Trustees. Seconded by Trustee Roman. Motion carried 5-0.

Resolution No. 25 – 2015

Trustee Wilson moved the following resolution: **RESOLVED**, that effective April 13, 2015 the offices of Village Clerk and Village Treasurer shall be consolidated into the office of Village Clerk/Treasurer. Seconded by Trustee Roman. Motion carried 4-1. Trustee Banks voted no.

Resolution No. 26 - 2015

Trustee Roman moved the following resolution: **RESOLVED**, that a public hearing will be held by the Board of Trustees of the Village of Pomona on the 13th date of April, 2015 to consider the adoption of a proposed local law entitled “A Local Law Amending the Code of the Village of Pomona in Relation to Residency Requirement for the Village Clerk/Treasurer and Deputy Village Clerk”. Seconded by Trustee Wilson. Motion carried 5-0.

Resolution No. 27 – 2015

Trustee Wilson moved the following resolution:
BUDGET NOTE RESOLUTION
March 23, 2015

RESOLVED, that pursuant to the provisions of Sections 29.00 and 40.00 of the Local Finance Law of the State of New York, the Board of Trustees of the

Village of Pomona hereby authorizes the issuance of a Budget Note in the amount of Eighty Five Thousand (\$85,000.00) Dollars for expenditures for legal services for which insufficient provision was made in the current 2014/15 Village Budget, and be it further

RESOLVED, that there are no other funds available with which to pay for such services, and be it further

RESOLVED, that such legal services have been required in order for the Village to defend itself in a Federal Court action brought by an owner of real property within the Village, and be it further

RESOLVED, that the maturity of the Budget Note to be issued hereby is one year with the option to repay the Note prior to the maturity date with interest to be prorated to the date of payment, provided that the Mayor of the Village of Pomona gives written notice of the Village's intention to repay at least thirty (30) days prior to the date of repayment, and be it further

RESOLVED, that the Mayor is hereby authorized to negotiate with one or more lending institutions for the sale of the Budget Note, to execute said Note on behalf of the Village of Pomona and to take all actions necessary to implement this resolution. Seconded by Deputy Mayor Harris. Motion carried 4-1. Trustee Banks voted no.

Resolution No. 28 – 2015

Trustee Wilson moved the following resolution: RESOLVED, that the proposal submitted by JSR Security LLC to provide security services at Burgess Meredith Park and Van De Hende Park for the period April 15, 2015 through November 30, 2016 is hereby accepted, and be it further

RESOLVED, that the Mayor is hereby authorized to execute an agreement with JSR Security LLC to take all actions necessary to implement this resolution. Seconded by Trustee Roman. Motion carried 5-0.

Resolution No. 29 – 2015

Deputy Mayor Harris moved to approve an expenditure of \$450.00 to purchase a table for 10 at the 27th Annual Dinner Meeting of the Rockland Municipal Planning Federation on March 30, 2015. Seconded by Trustee Wilson. Motion carried 5-0.

Resolution No. 30 – 2015

Deputy Mayor Harris moved to adopt the Minutes from the February 24, 2014 Village Board meeting. Seconded by Trustee Banks. Motion carried 3-0.

Resolution No. 31 – 2015

Trustee Roman moved to adopt the Minutes from the March 10, 2014 Village Board meeting. Seconded by Trustee Banks. Motion carried 3-0.

1. Salute the Flag.

2. Open Period

Ramapo Police Chief Peter Brower addressed the Board and congratulated Mayor Yagel, Trustee Harris on their new term. Chief Brower welcomed Trustee-elect Wilson to the Board. Chief Brower told those present if they have a problem, i.e., speeding, etc. to call the Ramapo Police Department. He also talked about the current scams going on in the County, i.e., calls from Orange and Rockland re home improvement, IRS, owe money. He is currently addressing senior groups on these matters and is available to give presentations to other groups if asked. Mayor Yagel asked for dates Chief Brower is available and will set up a presentation at Village Hall. Chief Brower suggested the month of April and during a week day.

Bert Singer, 10 Chestnut Street advised the Board that about 8 to 10 feet of the berm in front of his property was removed by snow plows. Ms. Arsa Artha will contact Ramapo Highway Department to make a repair.

Trustee Wilson moved to close the Open Period. Seconded by Trustee Roman. Motion carried 5-0.

3. Resolution to Approve Abstract of Audited Claims

Resolution No. 21 – 2015

Trustee Wilson moved the resolution that the payment of General Funds Claims totaling \$56,787.18 set forth in page 3 in the Monthly Abstract Listing dated February 24, 2015 through March 23, 2015, as submitted, are hereby approved subject to individual audits by the Board of Trustees.

The Payroll of March 15, 2015 as set forth in the payroll in the amount of \$25,830.89 is hereby submitted for approval, subject to the individual audits by the Board of Trustees. Seconded by Deputy Mayor Harris. Motion carried 5-0.

4. Engineering & Building

A copy of the Building Inspector's report is attached to the Minutes. Trustee Banks commented that he was in Village Hall requesting the drainage records for the Zoroastrian Temple and was told that we didn't have any. He asked for an explanation what the procedure is in the Village so he understands. In all other

building departments Trustee Banks has been involved with, for example the State of California and in the City of New York, the inspection records are a matter of public access. So what's the procedure here? Louis Zummo, Building Inspector, responded you can have any of our inspection records on line, the inspections are done for the building itself, the planning, footings, foundation walls and interior walls. The drainage systems are regulated and controlled by the State and in this case was done by a list of engineers. We do not have their report yet because the drainage system hasn't been tested, due to the weather and the fact that there not complete.

5. Cultural Center & Recreation

A copy of the Director's Report is attached to the Minutes. The Spring Concert 2015 is scheduled for Saturday, May 16, 2015 at 7:30 p.m. Mr. Gde requested the approval of an expenditure of \$675.00 (\$600.00 for the musicians and \$75.00 for refreshments) for the event.

Resolution No. 22 – 2015

Deputy Mayor Harris moved to approve an expenditure of \$675.00 (\$600.00 for musicians and \$75.00 for refreshments) for the Spring Concert 2015 to be held on May 16, 2015 at 7:30 p.m. Seconded by Trustee Roman. Motion carried 5-0.

6. Village Maintenance

Deputy Mayor Harris reported that he is looking to find a contractor to inspect the elevator to determine the repairs needed and expects the amount to be about \$1000.00.

7. Code Enforcement Report

A copy of the Code Enforcement Report is attached to the Minutes.

8. Grants

Ms. Arsa Artha reported that she is still working with Senator Carlucci's office regarding a grant that was issued to the Village but no money has been received and the location of a letter regarding approval of the grant is also not to be found.

9. Legal

Ms. Ulman, Village Attorney, distributed to the Board resolutions for six items to be considered at the meeting. The first resolution is to schedule a public hearing date for a proposed Local Law to override the tax cap for Fiscal Year 2015/2016.

Resolution No. 23 – 2015

Trustee Wilson moved the following resolution: **RESOLVED**, that a public hearing will be held by the Board of Trustees of the Village of Pomona on the 13th day of April 2015 at 7:30 p.m. to consider the adoption of a proposed local law entitled “A Local Law Amending the Code of the Village of Pomona to Permit an Override of the Tax Cap for Fiscal Year 2015/2016. Seconded by Deputy Mayor Harris. Motion carried 4-1. Trustee Banks voted no.

The second resolution was to schedule a public hearing for the Tentative Budget for Fiscal Year June 1, 2015 through May 31, 2016.

Resolution No. 24 – 2015

Trustee Wilson moved the following resolution: **RESOLVED**, that a public hearing will be held by the Board of Trustees of the Village of Pomona on the 13th day of April, 2015 at 7:30 p.m. at the Village Hall, 100 Ladentown Road, Pomona, New York 10970, and be it further

RESOLVED, that the Village Clerk is hereby authorized and directed to post and publish notice of said hearing at least five (5) days prior to said hearing and to set forth therein the compensation proposed to be paid to the Mayor and member of the Board of Trustees. Seconded by Trustee Roman. Motion carried 5-0.

The third resolution was to consolidate the offices of Village Clerk and Treasurer into one office.

Resolution No. 25 – 2015

Trustee Wilson moved the following resolution: **RESOLVED**, that effective April 13, 2015 the offices of Village Clerk and Village Treasurer shall be consolidated into the office of Village Clerk/Treasurer. Seconded by Trustee Roman. Motion carried 4-1. Trustee Banks voted no.

The next resolution was to schedule a public hearing to permit residency requirement for the Village Clerk/Treasurer and Deputy Village Clerk.

Resolution No. 26 - 2015

Trustee Roman moved the following resolution: **RESOLVED**, that a public hearing will be held by the Board of Trustees of the Village of Pomona on the 13th date of April, 2015 to consider the adoption of a proposed local law entitled “A Local Law Amending the Code of the Village of Pomona in Relation

to Residency Requirement for the Village Clerk/Treasurer and Deputy Village Clerk". Seconded by Trustee Wilson. Motion carried 5-0.

The next resolution involved the approval of an issuance of a Budget Note in the amount of \$85,000.00 for expenditures of legal services.

Resolution No. 27 – 2015

Trustee Wilson moved the following resolution:
BUDGET NOTE RESOLUTION
March 23, 2015

RESOLVED, that pursuant to the provisions of Sections 29.00 and 40.00 of the Local Finance Law of the State of New York, the Board of Trustees of the Village of Pomona hereby authorizes the issuance of a Budget Note in the amount of Eighty Five Thousand (\$85,000.00) Dollars for expenditures for legal services for which insufficient provision was made in the current 2014/15 Village Budget, and be it further

RESOLVED, that there are no other funds available with which to pay for such services, and be it further

RESOLVED, that such legal services have been required in order for the Village to defend itself in a Federal Court action brought by an owner of real property within the Village, and be it further

RESOLVED, that the maturity of the Budget Note to be issued hereby is one year with the option to repay the Note prior to the maturity date with interest to be prorated to the date of payment, provided that the Mayor of the Village of Pomona gives written notice of the Village's intention to repay at least thirty (30) days prior to the date of repayment, and be it further

RESOLVED, that the Mayor is hereby authorized to negotiate with one or more lending institutions for the sale of the Budget Note, to execute said Note on behalf of the Village of Pomona and to take all actions necessary to implement this resolution. Seconded by Deputy Mayor Harris. Motion carried 4-1. Trustee Banks voted no.

The next resolution was for the security proposal for Burgess Meredith Park and Van De Hende Park by JSR Security LLC. A copy of the proposal is attached to the Minutes.

Resolution No. 28 – 2015

Trustee Wilson moved the following resolution: **RESOLVED**, that the proposal submitted by JSR Security LLC to provide security services at Burgess

Meredith Park and Van De Hende Park for the period April 15, 2015 through November 30, 2016 is hereby accepted, and be it further

RESOLVED, that the Mayor is hereby authorized to execute an agreement with JSR Security LLC to take all actions necessary to implement this resolution. Seconded by Trustee Roman. Motion carried 5-0.

10. New Business

Ms. Arsa Artha gave an update on the status of the update of the tax database deeds/address and tax bills reconciliation. Mayor Yagel reported on the scheduled 27th Annual Dinner Meeting of the Rockland Municipal Planning Federation on March 30, 2015. The cost is \$45.00 per person or \$450.00 for a table of 10. In the past the Village has always attended and purchased a table of 10.

Resolution No. 29 – 2015

Deputy Mayor Harris moved to approve an expenditure of \$450.00 to purchase a table for 10 at the 27th Annual Dinner Meeting of the Rockland Municipal Planning Federation on March 30, 2015. Seconded by Trustee Wilson. Motion carried 5-0.

Mayor Yagel announced the Great American Clean-up is scheduled for Sunday, April 26th and they are looking for volunteers.

11. Old Business

Mayor Yagel reintroduced the Minutes from the February 24, 2014 meeting which were defeated at the March 9, 2015 meeting.

Resolution No. 30 – 2015

Deputy Mayor Harris moved to adopt the Minutes from the February 24, 2014 Village Board meeting. Seconded by Trustee Banks. Motion carried 3-0.

Mayor Yagel introduced the Minutes from the March 10, 2014 meeting.

Resolution No. 31 – 2015

Trustee Roman moved to adopt the Minutes from the March 10, 2014 Village Board meeting. Seconded by Trustee Banks. Motion carried 3-0.

12. Trustees Period

Trustee Roman congratulated Mayor Yagel and Deputy Mayor Harris on their re-election to the Village Board and to Trustee Wilson on his election to the Village Board.

13. Office Period

Ms. Arsa Artha congratulated Mayor Yagel and Deputy Mayor Harris on their re-election to the Village Board and to Trustee Wilson on his election to the Village Board. Ms. Arsa Artha also reported that she received a lot of feedback from Village residents on how happy they were to be able to vote during the 6 a.m. to noon timeframe.

14. Executive Session

Deputy Mayor Harris moved to adjourn to Executive Session to discuss matters of litigation and personnel. Seconded by Trustee Wilson. Motion carried 5-0.

Trustee Wilson moved to close the Executive Session and reopen the Public Meeting. Seconded by Deputy Mayor Harris. Motion carried 5-0.

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

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Malverne J. Toll