

VILLAGE OF POMONA
VILLAGE BOARD MEETING

April 28, 2025

7:30 P.M.

PRESENT

Mayor Ilan Fuchs

Deputy Mayor Mendy Lasker

Trustee Joel Grunwald

ALSO PRESENT

Village Attorney Brian Nugent

ABSENT

Trustee Marc Greenberg

Trustee Raanan Zidile

At 7:30pm Mayor Ilan Fuchs called the meeting to order and led everyone in the Pledge of Allegiance. We have a quorum, so the meeting can start now.

Mayor Ilan Fuchs made a motion to open the public comment period. The motion was seconded by Mendy Lasker. Upon vote, the motion was carried by all present, passes 3-0-2

Mayor Ilan Fuchs closed the public comment period. The motion was seconded by Mendy Lasker. Upon vote, the motion was carried by all present, passes 3-0-2.

Pomona Cultural Center

Gde Arsa Artha submitted a report to the Village Board on the Pomona Cultural Center. In the report he wrote about an upcoming Summer art Exhibition, June 15, 2025 from 5-8pm. Mr. Arsa Artha requested \$600 for the musicians and \$150 for hospitality, for a total of \$750. Mendy Lasker made a motion to approve the above. Seconded by Joel Grunwald. Upon vote, the motion was carried by all present, passes 3-0-2.

Meeting Minutes

Approval of Minutes from the Village Board meeting on 3/24/25. Mendy Lasker made a motion to approve the above meeting minutes and was seconded by Joel Grunwald. Upon vote, the motion was carried by all present, passes 3-0-2.

Approval of Minutes from the Village Board meeting on 4/7/25. Mendy Lasker made a motion to approve the above meeting minutes and was seconded by Joel Grunwald. Upon vote, the motion was carried by all present, passes 3-0-2.

Treasury Report

Mayor Ilan Fuchs moved the resolution that the payment of General Funds Claims totaling \$153,511.38 set forth on page 6 in the Monthly Abstract Listing dated March 25, 2025 through April 28, 2025 as submitted is hereby approved subject to individual audits by the Board of Trustees.

The Payroll(s) of April 18, 2025 and March 21, 2025 as set forth in the payroll in the amount(s) \$12,967.56 and \$12,943.59 respectively, are submitted for approval, subject to the individual audits by the Board of Trustees. The motion was seconded by Trustee Mendy Lasker. Upon vote, the motion was carried by all present, passes 3-0-2.

LL 130

Trustee Lasker made a motion to open public hearing on amending article 8 of chapter 130 in zoning. The motion was seconded by Trustee Greenwald. Upon vote, the motion was carried by all present, passes 3-0-2.

No public comments

Trustee Lasker made a motion to close the public hearing. The motion was seconded by Trustee Greenwald. Upon vote, the motion was carried by all present, passes 3-0-2.

Trustee Lasker made a motion ADOPTING LOCAL LAW NO. 1 OF 2025

WHEREAS, the Village Board of the Village of Pomona, New York (“Village Board”) from time to time reviews its laws, rules and regulations to be certain the same are consistent with all current lawful practices as well as best practices to protect the health, safety and welfare of Village residents; and

WHEREAS, the Village Board desires to adopt a Local Law to Amend Chapter 130 (Zoning) of the Village Code Concerning Posting of Security for Swimming Pools and Installation of Permeable Surfaces; and

WHEREAS, such introductory Local Law was introduced before the Village Board on April 28, 2025; and

WHEREAS, upon notice duly published and posted, a Public Hearing was held on said Local Law on April 28, 2025 wherein public discussion was heard concerning the merits of said Local Law and all persons were afforded an opportunity to be heard and the Village Board declared the public hearing closed.

NOW, THEREFORE, BE IT RESOLVED by the Village Board as follows:

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full.

Section 2. The Village Board hereby adopts Local Law No.1 of 2025 entitled, “Local Law to Amend Chapter 130 (Zoning) of the Village Code Concerning Posting of Security for Swimming Pools and Installation of Permeable Surfaces” in the form presented to the Village Board.

Section 3. The Village Clerk is hereby directed to enter said Local Law into the minutes of this meeting and in the Local Law book of the Village of Pomona, and to give due notice of the adoption of said Local Law by filing the Local Law in the Office of the Secretary of State in the State of New York.

Section 4. This Resolution shall be effective immediately.

Second by trustee Greenwald

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Ilan Fuchs **yes**

Trustee Mendy Lasker **yes**

Trustee Marc Greenberg **absent**

Trustee Joel Grunwald **yes**

Trustee Raanan Zidile **absent**

The Resolution was thereupon duly adopted. 3-0-2

LL96

Trustee Lasker made a motion to open public hearing on amending chapter 96 concerning noise. The motion was seconded by Trustee Greenwald. Upon vote, the motion was carried by all present, passes 3-0-2.

No public comments

Trustee Lasker made a motion to close the public hearing. The motion was seconded by Trustee Greenwald. Upon vote, the motion was carried by all present, passes 3-0-2.

Trustee lasker made a motion ADOPTING LOCAL LAW NO. 2 OF 2025 ENTITLED LOCAL LAW TO AMEND CHAPTER 96 (NOISE) OF THE VILLAGE CODE CONCERNING NOISE RESTRICTIONS ON WEEKENDS

WHEREAS, the Village Board of the Village of Pomona, New York (“Village Board”) from time to time reviews its laws, rules and regulations to be certain the same are consistent with all current lawful practices as well as best practices to protect the health, safety and welfare of Village residents; and

WHEREAS, the Village Board desires to adopt a Local Law to Amend Chapter 96 (Noise) of the Village Code Concerning Noise Restrictions on Weekends; And

WHEREAS, such introductory Local Law was introduced before the Village Board on April 28, 2025 and

WHEREAS, upon notice duly published and posted, a Public Hearing was held on said Local Law on April 28, 2025 wherein public discussion was heard concerning the merits of said Local Law and all persons were afforded an opportunity to be heard and the Village Board declared the public hearing closed.

NOW, THEREFORE, BE IT RESOLVED by the Village Board as follows:

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full.

Section 2. The Village Board hereby adopts Local Law No. 2 of 2025 entitled, “Local Law to Amend Chapter 96 (Noise) of the Village Code Concerning Noise Restrictions on Weekends” in the form presented to the Village Board.

Section 3. The Village Clerk is hereby directed to enter said Local Law into the minutes of this meeting and in the Local Law book of the Village of Pomona, and to give due notice of the adoption of said Local Law by filing the Local Law in the Office of the Secretary of State in the State of New York.

Section 4. This Resolution shall be effective immediately.

Second by trustee Greenwald

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Ilan Fuchs yes

Trustee Mendy Lasker **yes**
Trustee Marc Greenberg **absent**
Trustee Joel Grunwald **yes**
Trustee Raanan Zidile **absent**

The Resolution was thereupon duly adopted. 3-0-2

trustee lasker made a motion AMENDING HANDBOOK REGARDING HEALTH INSURANCE CONTRIBUTIONS

WHEREAS, the Village of Pomona has previously adopted an Employee Handbook to provide uniform policies and procedures regarding Village employment practices; and

WHEREAS, the Village Board has determined it necessary and appropriate to amend the Employee Handbook to revise the health insurance provisions applicable to full-time employees; and

WHEREAS, the Village Board desires to require full-time employees who elect health insurance coverage to contribute toward the cost of the health insurance premium, and to offer a health insurance buyout option for eligible employees with alternate coverage.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Pomona as follows:

Section 1. The above “WHEREAS” paragraphs are incorporated herein by reference as if set forth in full.

Section 2. The Village of Pomona Employee Handbook, Article III, Section 4(A), is hereby amended to state as follows:

“All full-time employees are eligible to receive health insurance for the employee and his/her family in a plan to be chosen by the Village provided the employee does not have coverage through another employer- paid plan. Any full-time employee shall be eligible to receive health insurance for the employee and his/her family in a plan to be chosen by the Village provided the employee does not have coverage through another employer-paid plan and provided that the employee pays 50% of the premium allocated to the individual or family plan as the case may be. A new section 4(C) shall be added to Article III, Section 4 as follows: Full-time employees who are eligible for the Village’s health insurance coverage but who elect not to enroll because they have alternate health insurance coverage shall be eligible to receive an annual health insurance buyout in the amount of \$1,500 for an individual plan or \$3,000 for a family plan. Employees must provide proof of other health insurance coverage and sign a waiver of participation in the Village’s health insurance plan in a form approved by the Village. The annual buyout amount for the opting for it will be divided into quarterly payments.

Section 3. The Mayor, and any officer, employee or consultant, as directed by the Mayor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution.

Section 4. This Resolution shall be effective immediately.

Second by trustee Greenwald

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Ilan Fuchs **yes**

Trustee Mendy Lasker **yes**

Trustee Marc Greenberg **absent**

Trustee Joel Grunwald **yes**

Trustee Raanan Zidile **absent**

The Resolution was thereupon duly adopted. 3-0-2

Trustee lasker made a motion CONSOLIDATING THE POSITIONS OF VILLAGE CLERK AND VILLAGE TREASURER INTO ONE VILLAGE CLERK-TREASURER POSITION

WHEREAS, pursuant to New York State Village Law § 3-301(2)(b), the Village Board has the authority to consolidate the positions of Village Clerk and Village Treasurer; and WHEREAS, the Village Board has determined that it is in the best interests of the Village of Pomona to consolidate the offices of Village Clerk and Village Treasurer into one office to promote efficiency and streamline the Village’s administrative operations; and WHEREAS, the Village Board desires to effectuate the consolidation of the two offices into the single office of Village Clerk-Treasurer, effective immediately.

NOW THEREFORE BE IT RESOLVED, that:

Section 1. The above “WHEREAS” paragraphs are incorporated herein by reference as if set forth in full.

Section 2. The Village Board hereby consolidates the offices of Village Clerk and Village Treasurer into the single office of Village Clerk-Treasurer, effective April 28, 2025.

Section 3. The individual appointed to the Village Clerk-Treasurer position shall have all the powers and duties of both the Village Clerk and the Village Treasurer, as set forth in the Village Law and other applicable laws of the State of New York

Section 4. Any reference in Village policies, resolutions, or otherwise to the “Village

Clerk” or & ”Village Treasurer” shall, as of April 28, 2025, be deemed to refer to the “Village Clerk-Treasurer”.

Section 5. The Village Clerk-Treasurer shall be appointed by the Mayor with the approval of the Village Board, consistent with applicable provisions of New York State law.

Section 6. The Mayor, and any officer, employee or consultant, as directed by the Mayor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution.

Section 7. This Resolution shall be effective immediately.

Second by trustee Greenwald

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Ilan Fuchs **yes**

Trustee Mendy Lasker **yes**

Trustee Marc Greenberg **absent**

Trustee Joel Grunwald **yes**

Trustee Raanan Zidile **absent**

The Resolution was thereupon duly adopted. 3-0-2

Appointments

Mayor fuchs RESOLVED, that Jesse Kaufman is appointed as Chairman of the Zoning Board of Appeals for a one-year term, expiring on April 6, 2026.

second by Trustee Greenwald, motion carries 3-0-2

Mayor fuchs RESOLVED, that Dan Kolak is appointed as Chairman of the Planning Board, for a one-year term, expiring on April 6, 2026

second by Trustee Lasker, motion carries 3-0-2

Mayor fuchs RESOLVED, that Moshe Orange is hereby appointed as the Village Clerk-Treasurer effective immediately.

second by Trustee Greenwald, motion carries 3-0-2

Mayor fuchs RESOLVED, that the Registrar of Vital Statistics shall be the Village Clerk-Treasurer

second by Trustee Lasker, motion carries 3-0-2

Trustee Lasker made a motion to retain the services of ZP Consultants LLC of 11 S Ridge Road, Pomona, NY to provide financial accounting services to the Village during the fiscal year 2025-2026 at a rate of \$2,500 per month. Either the Village or ZP Consultants may terminate the relationship upon thirty (30) days notice.

second by Trustee Greenwald, motion carries 3-0-2

Minor Budget changes

Trustee Lasker made a motion to move from the budget that was presented to the board from A1325.1f for the amount of \$5000 to A1325.1a

Second by Trustee Greenwald, motion carries 3-0-2

Trustee Lasker made a motion to move from the budget that was presented to the board from A1325.1f for the amount of \$44500 to A1325.8

Second by Trustee Greenwald, motion carries 3-0-2

Budget 25-26 adoption

Mayor fuchs made a motion to adopt the budget of 25-26 based on the amendments that just passed.

second by Trustee Lasker, motion carries 3-0-2

Village fee schedule

Trustee Lasker made a motion amending the village fee schedule pursuant to Chapter 67 of the village code in the form presented to the village board.

Second by Trustee Greenwald, motion carries 3-0-2

Return of escrow

Trustee Lasker made a motion to return escrow for the amount of \$2617.50 to mrs helen Blumstein from 1 stag court.

Second by Trustee Greenwald, motion carries 3-0-2

Tilcon agreement

Mayor fuchs made a motion to approve the road repavement proposal presented by Mr Spence for the amount of \$308554.20 for the roads Brookside dr, Hidden Valley dr, Tamarac ln, Willow ct and Woodfield rd all presented by proposal of Mr Spence

second by Trustee Lasker, motion carries 3-0-2

Legal Counsel Approval

Trustee Lasker made a RESOLUTION AUTHORIZING VILLAGE LEGAL COUNSEL TO ASSIST AND/OR REPRESENT THE VILLAGE IN A FEDERAL COURT LITIGATION

WHEREAS, the Village Board currently utilizes the legal services of the law firm of

Feerick Nugent MacCartney, PLLC (“Village Special Counsel”) to represent the Village of Pomona (“Village”); and

WHEREAS, the Village and its officials have been named as Defendants in the pending proceeding commenced on February 20, 2025 entitled Congregation Rabbinical Institute of Tartikov, Inc. (f/k/a Congregation Rabbinical College of Tartikov, Inc. et al. v. Village of Pomona, NY, et al., in the Southern District Court of the State of New York under Docket No. 7:25-cv-01471(NSR) (the “Proceeding”); and

WHEREAS, the Village Clerk has forwarded the Amended Complaint and related documents to its Insurance Carrier to obtain a defense on April 23, 2025 and requires Village legal counsel to be prepared to represent the Village in this matter or to assist any counsel assigned by the Insurance Carrier in this proceeding; and

WHEREAS, unless and until the Village’s Insurance Carrier assigns legal counsel to defend the Village Defendants, the Village Board desires to authorize Village Special Counsel to undertake representation and a defense of the Village Defendants in said Proceeding.

Section 1. The above “WHEREAS” clauses are incorporated herein as if set forth in full.

Section 2. Village Legal Counsel, Feerick Nugent MacCartney, PLLC, is hereby authorized to appear on behalf of the Village of Pomona Defendants, or, if Insurance Counsel is assigned, to assist said Counsel as needed. Village Legal Counsel shall be compensated for all services performed with regard to the proceeding entitled Congregation rabbinical Institute of Tartikov, Inc. (f/k/a Congregation Rabbinical College of Tartikov, Inc. et al. v. Village of Pomona, NY, et al., in the Southern District Court of the State of New York under Docket No. 7:25-cv-01471(NSR), including any appeals if necessary, as set forth in the Village Board Resolution and Agreement appointing Special Counsel.

Section 3. This Resolution shall be effective immediately.

Second by Trustee Greenwald, motion carries 3-0-2

Executive session for legal and personnel

Mayor Fuchs made a motion to go into executive session

Second by Trustee Lasker, motion carries 3-0-2

Trustee Lasker made a motion to return to public session

Second by Trustee Greenwald, motion carries 3-0-2

Trustee Lasker made a motion to adjourn the meeting

Second by Mayor Fuchs, motion carries 3-0-2

Minutes respectfully submitted by Mendy Lasker, acted as Village Clerk for the meeting