

**VILLAGE OF POMONA  
BOARD OF TRUSTEES MEETING/ PUBLIC HEARING  
APRIL 25, 2022  
8:00 PM**

When: Apr 25, 2022 08:00 PM Eastern Time (US and Canada)

Topic: Village of Pomona: Board of Trustees Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84265860031?pwd=cnpNZzFTTGizYnRLRDNDTnNGaG1VZz09>

Passcode: 10970

**AGENDA**

1. SALUTE TO THE FLAG
2. OPEN PERIOD
3. CONTINUATION OF PUBLIC HEARING
4. REORGANIZATION APPOINTMENTS
5. PRESENTATION BY CCA FOR CLEAN ENERGY PROPOSAL IN VILLAGE
6. APPROVAL OF AUDITED CLAIMS
7. CULTURAL CENTER REPORT
8. BUILDING AND ENGINEERING
  - a. PARK BENCHES
  - b. ROAD DEDICATION DISCUSSION
9. NEW BUSINESS
  - a. GFNY – GRAN FONDO SUNDAY MAY 15, 2022
  - b. BUDGET DISCUSSION – CHANGES AND VOTE
  - c. SPRING CLEANING WITHIN THE VILLAGE
10. OLD BUSINESS
11. TRUSTEES PERIOD
12. OFFICE PERIOD
13. LEGAL
14. EXECUTIVE SESSION

**JNAPPROVED DRAFT**

**RESOLUTION**

A Meeting of the Village Board of the Village of Pomona, New York was convened on **April 25, 2022 at 8:00 p.m.**

The following Resolution was duly offered and seconded to wit:

**APPROVAL OF PARK BENCHES INSTALLATION**

WHEREAS, the Village Board of the Village of Pomona (“Village Board”) authorizes two benches to be installed at Secor Park and Burgess Meredith Park. Total cost of installation shall be \$3,000.

This Resolution shall be effective immediately.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Ian Banks	[ ✓ ]	[ ]	[ ]	[ ]
Deputy Mayor Ilan Fuchs	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Carol McFarlane	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Mendy Lasker	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Marc Greenberg	[ ✓ ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

**RESOLUTION**

A Meeting of the Village Board of the Village of Pomona, New York was convened on **April 25, 2022 at 8:00 p.m.**

The following Resolution was duly offered and seconded to wit:

**RESOLUTION AUTHORIZING ADOPTION  
BY THE VILLAGE BOARD OF THE VILLAGE OF POMONA  
OF ADDITIONAL ROADS TO BE ADDED TO LOCAL HIGHWAY INVENTORY**

WHEREAS, the Village Board of the Village of Pomona (“Village Board”) desires to update its roads listed on the New York State Local Highway Inventory filed with the New York Department of Transportation (“NYDOT”), Highway Data Services Bureau; and

WHEREAS, the Village Board has reviewed such inventory with the Village of Pomona Engineer; and

WHEREAS, the Village Board accepts all of the legal, maintenance, and repair responsibility for the roadways set forth herein which are to hereafter be included in the Local Highway Inventory of the Village of Pomona.

NOW, THEREFORE, BE IT FURTHER RESOLVED that:

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

Section 2. The Village of Pomona Village Board does hereby declare the Village of Pomona to accept all of the legal, maintenance, and repair responsibility for the following roadways:

<u>Name</u>	<u>Begin Description</u>	<u>Ending Description</u>	<u>Length</u>
Cornell Peak	Klingher Court	Cul-de-Sac	0.41 miles
Woolf Road	Call Hollow Road	Halley Drive	0.09 miles

The following portions of roadways of previously dedicated Village roads were not included in the mileage measurements in the previous Local Highway Inventory listings and are hereby corrected (extensions to existing roads):

Halley Drive, NYSDOT ID #196293, from Camp Hill Road to Cul-de-Sac, 1.69 miles – including additional 0.66 miles to be dedicated.

Klingher Court, NYSDOT ID #196299, from Camp Hill Road to Cornell Peak, 0.49 miles – including additional 0.32 miles to be dedicated; and

Section 3. This Resolution shall be effective immediately.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Ian Banks	[ ✓ ]	[ ]	[ ]	[ ]
Deputy Mayor Ilan Fuchs	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Carol McFarlane	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Mendy Lasker	[ ✓ ]	[ ]	[ ]	[ ]
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The Resolution was thereupon duly adopted.

**RESOLUTION**

A Meeting of the Village Board of the Village of Pomona, New York was convened on **April 25, 2022 at 8:00 p.m.**

The following Resolution was duly offered and seconded to wit:

**RESOLUTION AUTHORIZING ROUND 1 OF THE RESURFACING PROJECT  
PROVIDED BY VILLAGE ENGINEER**

WHEREAS, the Village Board of the Village of Pomona (“Village Board”) authorizes Round 1 Resurfacing- The first round includes (7) roads for a total cost of \$425,000. These include the longest road of Sherwood Ridge Road as well as Beaver Dam Road and 5 other shorter roads (Boar Court, Litman Lane, North Circle, Stag Court, Tara Drive.

This Resolution shall be effective immediately.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Ian Banks	[ ✓ ]	[ ]	[ ]	[ ]
Deputy Mayor Ilan Fuchs	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Carol McFarlane	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Mendy Lasker	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Marc Greenberg	[ ✓ ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

VILLAGE OF POMONA

RESOLUTIONS for REORGANIZATION MEETING

April 25, 2022

8PM

1. RESOLVED, that Ilan Fuchs is appointed as Deputy Mayor for a one year term.

2<sup>ND</sup> Trustee Lasker  
5-0-0

2. RESOLVED, that Dave Levin is appointed as Planning Board member for a five year term, expiring on April 03<sup>rd</sup>, 2027.

No second

3. RESOLVED, Feerick Nugent MacCartney contract is extended as attorneys to represent the Board of Trustees, Planning Board and Zoning Board of Appeals for another year until April 03<sup>rd</sup> 2023.

Tabled

4. RESOLVED Doris Ulman contract is extended as attorney for the Mayor for another year until April 03<sup>rd</sup>, 2023

Tabled

5. RESOLVED, that Martin Spence of Spence Engineering is appointed as Village engineer for a one year term, expiring on April 03<sup>rd</sup>, 2023.

No second

6. RESOLVED, that Alan Lamer is appointed as Chairman of the Zoning Board of Appeals for a one year term, expiring on April 03<sup>rd</sup>, 2023.

2<sup>ND</sup> Trustee Lasker  
5-0-0

7. RESOLVED, that Dan Kolak is appointed as Chairman of the Planning Board, for a one year term, expiring on April 03<sup>rd</sup>, 2023.

2<sup>ND</sup> Trustee Lasker  
5-0-0

**JNAPPROVED DRAFT**

RESOLUTIONS (continued)

Page II

April 25, 2022

8. RESOLVED, that Nelson, Pope & Voorhees, LLC is appointed as Village Planner for a one year term, expiring on April 03<sup>rd</sup>, 2023.

Tabled

9. RESOLVED, that the Village Newspaper is the Journal News for a one year term.

2<sup>ND</sup> Lasker  
5-0-0

10. RESOLVED, that the Village depositories shall continue to be JP Morgan Chase Bank, M&T Bank and Sterling National Bank for a one year term.

2<sup>ND</sup> Deputy Mayor Fuchs  
5-0-0

11. RESOLVED, that the mileage reimbursement rate shall be 58.5 cents per mile.

2<sup>ND</sup> Trustee Lasker  
5-0-0

12. RESOLVED, that bonds of \$100,000 each are approved for the Village Clerk and Village Treasurer are approved.

2<sup>ND</sup> Trustee Lasker  
5-0-0

13. RESOLVED, that the Registrar of Vital Statistics shall be the Village Clerk.

2<sup>ND</sup> Trustee Lasker  
5-0-0

14. RESOLVED, that the Village Auditor shall be PKF O'Conner, LLP

2<sup>ND</sup> Trustee Lasker  
5-0-0

**UNAPPROVED DRAFT**

**UNAPPROVED DRAFT**

RESOLUTIONS (continued)  
Page III  
April 25, 2022

15. RESOLVED, that the Board of Trustees' Meeting Schedule dated April 5<sup>th</sup>, 2022 is hereby adopted for the Village year 2022-2023.

Tabled

16. RESOLVED, that Eloise Litman is appointed as Village Historian for a one year term, expiring on April 3<sup>rd</sup>, 2023.

2<sup>ND</sup> Deputy Mayor Fuchs  
5-0-0

**JNAPPROVED DRAFT**

**RESOLUTION**

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WHEREAS, the Village Board of the Village of Pomona (“Village Board”) desires to update its roads listed on the New York State Local Highway Inventory filed with the New York Department of Transportation (“NYDOT”), Highway Data Services Bureau; and

WHEREAS, the Village Board has reviewed such inventory with the Village of Pomona Engineer; and

WHEREAS, the Village Board accepts all of the legal, maintenance, and repair responsibility for the roadways set forth herein which are to hereafter be included in the Local Highway Inventory of the Village of Pomona.

NOW, THEREFORE, BE IT FURTHER RESOLVED that:

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

Section 2. The Village of Pomona Village Board does hereby declare the Village of Pomona to accept all of the legal, maintenance, and repair responsibility for the following roadways:

<u>Name</u>	<u>Begin Description</u>	<u>Ending Description</u>	<u>Length</u>
Cornell Peak	Klingher Court	Cul-de-Sac	0.41 miles
Wolf Road	Call Hollow Road	Halley Drive	0.09 miles

The following portions of roadways of previously dedicated Village roads were not included in the mileage measurements in the previous Local Highway Inventory listings and are hereby corrected (extensions to existing roads):

Halley Drive, NYSDOT ID #196293, from Camp Hill Road to Cul-de-Sac, 1.69 miles – including additional 0.66 miles to be dedicated.

Klingher Court, NYSDOT ID #196299, from Camp Hill Road to Cornell Peak, 0.49 miles – including additional 0.32 miles to be dedicated; and

Section 3. This Resolution shall be effective immediately.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
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Deputy Mayor Ilan Fuchs	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Carol McFarlane	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Mendy Lasker	[ ✓ ]	[ ]	[ ]	[ ]
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Deputy Mayor Ilan Fuchs	[ ✓ ]	[ ]	[ ]	[ ]
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Trustee Marc Greenberg	[ ✓ ]	[ ]	[ ]	[ ]

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**RESOLUTION**

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The following Resolution was duly offered and seconded to wit:

**RESOLUTION AUTHORIZING ROUND 1 OF THE RESURFACING PROJECT PROVIDED BY VILLAGE ENGINEER**

WHEREAS, the Village Board of the Village of Pomona (“Village Board”) authorizes the scope of work consisting of milling the existing roadway and applying hot mixed asphalt overly, 1-1/2” thick to maintain elevations.

Round 1 Resurfacing We have provided the attached spreadsheet with some breakdowns in "rounds". The first round includes (7) roads for a total cost of \$425,000. These include the longest road of Sherwood Ridge Road as well as Beaver Dam Road and 5 other shorter roads (Boar Court, Litman Lane, North Circle, Stag Court, Tara Drive. As a minimum we recommend the Round 1 Resurfacing list of roads for a budget amount of \$425,000 utilizing the \$269,207 (available grant funding) and \$155,793 (say \$160,000) local budget funding.

This Resolution shall be effective immediately.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Ian Banks	[ ✓ ]	[ ]	[ ]	[ ]
Deputy Mayor Ilan Fuchs	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Carol McFarlane	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Mendy Lasker	[ ✓ ]	[ ]	[ ]	[ ]
Trustee Marc Greenberg	[ ✓ ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

April 25, 2022 BOT Meeting

Budget Resolutions

Trustee Lasker makes a motion on tentative budget changes

A1210.4 from 3500 to 2500

A1210.c from 0 to 1500

A1325.1a from 74250 to 62830

A1325.1b from 54150 to 25750

A1325.1d from 7500 to 6000

A1325.1f from 25000 to 40658

A1420.4 from 300000 to 280000

A1425.1 from 37200 to 15000

A1440.4 from 50000 to 80000

A1620.2 from 7000 to 5000

A1620.4a from 2500 to 2740

A1930.4 from 5000 to 10000

A1990.4 from 100000 to 850000

A3310.2 from 5000 to 4000

A3310.4 from 2250 to 2450

A3410.4 from 117000 to 130000

A5192.4 from 4000 to 5000

A3620.1 from 42200 to 40970

A3620.4 from 0 to 1000

A51420.4a from 265000 to 263000

**UNAPPROVED DRAFT**

A5410.4 from 275000 to 500000

A9730 from 10000 to 7000

A8620.4 from 150000 to 20000

A8620.4a from 150000 to 15000

A8620.4b from 35000 to 25000

A7140.2 from 5000 to 40000

A7140.4 from 18300 to 20000

A7140.4a from 10000 to 5000

A7140.4c from 1500 to 3000

A7510.1 from 37850 to 38986

A8010.1 from 1905 to 1555

A8010.4 from 0 to 1500

A8020.1 from 4200 to 3430

A8020.4a from 12000 to 15000

A9030.8 from 25028 to 25250

A9060.8 from 13000 to 15000

A9080 from 4710 to 2000

Motion seconded by Trustee Mcfarlane

Discussion of total budget amount - 3,254,446

Motion carries 4-1-0

Mayor Banks Opposed

**UNAPPROVED DRAFT**

## RESOLUTION

A Meeting of the Village Board of the Village of Pomona, New York was convened on **April 25, 2022 at 8:00 p.m.**

The following Resolution was duly offered and seconded to wit:

### **RESOLUTION TO RELEASE FUNDS PURSUANT TO AMERICAN RESCUE PLAN ACT**

**WHEREAS**, on March 11, 2021, the President of the United States signed into law the American Rescue Plan Act (“ARPA”), which included \$362 billion in federal fiscal recovery aid to state and local governments; and

**WHEREAS**, the United States Department of the Treasury (“US Treasury”) issued funding allocations for ARPA State and Local Aid; and

**WHEREAS**, the State of New York received its allocation of the ARPA funds; and

**WHEREAS**, the State of New York allocated ARPA funds to the Village of Pomona (“Village”); and

**WHEREAS**, the Village in 2021 received ARPA funding thus far, with potentially more funds expected to be received in 2022, for an expected total of \$334,563.10 in ARPA funding for 2021-2022; and

**WHEREAS**, ARPA’s stated purpose is, at least in part, to support urgent COVID-19 response efforts to continue to decrease spread of the virus and bring the pandemic under control; and

**WHEREAS**, ARPA seeks to replace lost public sector revenue to strengthen support for vital public services and to help retain jobs; and

**WHEREAS**, ARPA also seeks to support immediate economic stabilization for households and businesses; and

**WHEREAS**, ARPA further seeks to address systemic public health and economic challenges that have contributed to the unequal impact of the pandemic; and

**WHEREAS**, the US Treasury issued a Final Rule Guidance document related to ARPA eligible expenses, which identified a more definite and greater detail regarding expenditure items of need and priority focused on community services, and include specifically a standard allowance for revenue loss of up to \$10 million; and

**WHEREAS**, the US Treasury’s Final Rule Guidance further sets forth that the standard allowance for revenue loss of up to \$10 million may be used by the Village for government services thereby allowing the Village to continue to provide valuable services and ensures that fiscal austerity measures will not hamper the broader Village economic recovery and further offering the Village greater latitude to direct the ARPA funds where the Village and its residents would most benefit from the ARPA funds; and

**WHEREAS**, pursuant to the US Treasury’s Final Rule Guidance the Village may use such ARPA funds received by the Village of \$334,563.10, when designated as revenue loss, for government services including, but not limited to, pay-go funded building of infrastructure, including roads, modernization of hardware and software, protection of critical infrastructure, health services, environmental remediation, school or educational services, provision of police, fire, safety and other services, and any service traditionally provided by Village government except those excluded by the Final Rule Guidance; and

**WHEREAS**, the Village has determined that it suffered significant revenue loss due to the COVID-19 pandemic causing the partial closure of the Village Hall as well as other revenue loss throughout the Village; and

**WHEREAS**, the Village has identified that it has significant financial need for the continued provision of governmental services.

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

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference.

Section 2. The Village Board hereby accepts the US Treasury’s Final Rule Guidance and pursuant to the Final Rule Guidance designates the ARPA funds received by the Village, and expected to be received by the Village in 2022, a total amount of approximately \$334,563.10, and up to the Final Rule Guidance limit of \$10 million, as the Village’s Revenue Loss and hereby authorizes the release of said ARPA funds received by the Village to substitute and replace the Village’s revenue loss; and hereby releases said ARPA funds to be utilized, pursuant to the US Treasury’s Final Rule Guidance, for the continued provision of governmental revenue services.

Section 3. The Village Board hereby further authorizes and directs the Mayor, the Village Clerk, and/or the Village Deputy Clerk/Treasurer, to take any and all further actions necessary and convenient to promptly effectuate the foregoing.

Section 4. This Resolution shall be effective immediately.

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

	Yea	Nay	Abstain	Absent
Mayor Ian Banks	[ v ]	[ ]	[ ]	[ ]
Deputy Mayor Ilan Fuchs	[ v ]	[ ]	[ ]	[ ]
Trustee Carol McFarlane	[ v ]	[ ]	[ ]	[ ]
Trustee Mendy Lasker	[ v ]	[ ]	[ ]	[ ]
Trustee Marc Greenberg	[ v ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.