

1 INCORPORATED VILLAGE OF THOMASTON

2 BOARD OF TRUSTEES

3 MAY 11, 2020

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P R E S E N T:

8

STEVEN WEINBERG, MAYOR

9

JAMES E. SHARKEY, DEPUTY MAYOR

10

JILL MONOSON, TRUSTEE

11

TO-ON PANG, TRUSTEE

12

BURTON S. WESTON, TRUSTEE

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DENISE KNOWLAND, VILLAGE ADMINISTRATOR

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JENNIFER DEVLIN  
COURT REPORTER

24

1           MAYOR WEINBERG: We're opening the  
2 meeting at 7:37 p.m. as a Zoom electronic  
3 meeting. We need to read the following  
4 meeting notice.

5           Due to the public health and safety  
6 concerns related to COVID-19 and pursuant to  
7 Governor's Executive Orders including,  
8 without limitation, Orders 220.1, 220.10 and  
9 202.15, the Board of Trustees will not be  
10 meeting in person until further notice.  
11 Meetings will be held by teleconference and  
12 video conference. Meetings will be recorded  
13 and transcriptions of the recording will be  
14 provided at a later date.

15           The public will have the opportunity to  
16 see and/or hear the meeting live by assessing  
17 the Zoom meeting at the Zoom address that's  
18 listed or by calling (646) 558-8656. Meeting  
19 ID: 933 7752 9163. Password: 681998.

20           If any interested members of the public  
21 would like to provide comments on an agenda  
22 or public hearing matter, comments may be  
23 submitted by email to  
24 clerk@villageofthomaston.org up to 4 hours

1 prior to the meeting, called in during the  
2 meeting to (646) 558-8656 and enter meeting  
3 ID: 933 7752 9163. Password: 681998, or  
4 submitted during the meeting to the written  
5 chat section of the Zoom meeting.

6 Instructions to access the virtual  
7 meeting: If you have a computer or tablet or  
8 smartphone, you can register, log in and see  
9 the video and hear the audio of the live  
10 session. You can access the Zoom meeting at  
11 the web address provided and clicking on  
12 "Join a Meeting" and entering Meeting ID:  
13 960 706 758. Password: 681998. You can  
14 also call in to the Zoom meeting at (646)  
15 558-8656 and enter the Meeting ID: 933 7752  
16 9163 and Password: 681998.

17 Members of the public who wish to view  
18 the virtual meeting should log in with a  
19 computer or smartphone 5 minutes before the  
20 scheduled meeting time and will be placed on  
21 hold until the meeting starts. Questions  
22 about assessing the Zoom videoconference  
23 should be emailed to the  
24 clerk@villageofthomaston.org.

1           Please check the meeting agenda posted on  
2           the village website at  
3           villageofthomaston.org. Meeting schedule for  
4           further instructions to assess the virtual  
5           meeting and for updated information.

6           And with that we'll turn to the first  
7           agenda item.

8           ADMINISTRATOR KNOWLAND: We have to call  
9           the roll first.

10          MAYOR WEINBERG: The roll is first.  
11          You're right. Thank you.

12          Denise, would you please call the roll.

13          ADMINISTRATOR KNOWLAND: Steven Weinberg,  
14          Mayor.

15          MAYOR WEINBERG: Here.

16          ADMINISTRATOR KNOWLAND: James Sharkey,  
17          Deputy Mayor.

18          DEPUTY MAYOR SHARKEY: Here.

19          ADMINISTRATOR KNOWLAND: Jill Monoson,  
20          trustee.

21          TRUSTEE MONOSON: Here.

22          ADMINISTRATOR KNOWLAND: To-on Pang,  
23          trustee.

24          TRUSTEE PANG: Here.

1 ADMINISTRATOR KNOWLAND: Burton Weston,  
2 trustee.

3 TRUSTEE WESTON: Here.

4 MAYOR WEINBERG: A quorum of the board is  
5 in attendance and we can begin the business  
6 of the meeting.

7 To-on Pang, would you like to make the  
8 resolution for ratifying the minutes of the  
9 meeting of April 13th?

10 TRUSTEE PANG: I'm sorry. I couldn't  
11 find them.

12 MAYOR WEINBERG: That's all right.

13 Jim.

14 DEPUTY MAYOR SHARKEY: Yes. I have  
15 before me the minutes of April 13, 2020.

16 BE IT RESOLVED, that the minutes of the  
17 Board of Trustees meeting held on April 13,  
18 2020 are hereby approved and accepted as  
19 presented. Make that motion.

20 MAYOR WEINBERG: Is there a second?

21 TRUSTEE WESTON: I'll second it.

22 ADMINISTRATOR KNOWLAND: Burton Weston.

23 MAYOR WEINBERG: Is there any discussion  
24 on the motion?

1 (None.)

2 MAYOR WEINBERG: Call the question.

3 Will the Village Administrator call the  
4 roll?

5 ADMINISTRATOR KNOWLAND: Deputy Mayor  
6 Sharkey.

7 DEPUTY MAYOR SHARKEY: Aye.

8 ADMINISTRATOR KNOWLAND: Trustee Monoson.

9 TRUSTEE MONOSON: Aye.

10 ADMINISTRATOR KNOWLAND: Trustee Pang.

11 TRUSTEE PANG: Aye.

12 ADMINISTRATOR KNOWLAND: Trustee Weston.

13 TRUSTEE WESTON: Aye.

14 ADMINISTRATOR KNOWLAND: Mayor Weinberg.

15 MAYOR WEINBERG: Aye.

16 ADMINISTRATOR KNOWLAND: Five votes in  
17 favor. Zero votes opposed. No abstentions.

18 The motion is adopted.

19 \* \* \* \* \*

20 MAYOR WEINBERG: The next item on the  
21 agenda is the 2020 Annual Stormwater Report.

22 The proposal from Liro Engineering.

23 Jill, would you make the motion?

24 TRUSTEE MONOSON: Sure.

1           The Board has reviewed the proposed  
2           consulting agreement from Liro Engineers in  
3           the amount of \$1,200 for preparation of the  
4           2020 Annual MS4 Report.

5           BE IT RESOLVED, that the Board of  
6           Trustees hereby authorizes the Mayor to  
7           execute the agreement in the amount of \$1,200  
8           with Liro Engineering Incorporated for  
9           preparation of the 2020 Annual MS4 Report on  
10          behalf of the village.

11          MAYOR WEINBERG: Is there a second?

12          DEPUTY MAYOR SHARKEY: I will make the  
13          second.

14          MAYOR WEINBERG: Is there any discussion  
15          on the motion? There being none, we call the  
16          question.

17          Will the village administrator read the  
18          roll.

19          ADMINISTRATOR KNOWLAND: Deputy Mayor  
20          Sharkey.

21          DEPUTY MAYOR SHARKEY: Aye.

22          ADMINISTRATOR KNOWLAND: Trustee Monoson.

23          TRUSTEE MONOSON: Aye.

24          ADMINISTRATOR KNOWLAND: Trustee Pang.

1 TRUSTEE PANG: Aye.

2 ADMINISTRATOR KNOWLAND: Trustee Weston.

3 TRUSTEE WESTON: Aye.

4 ADMINISTRATOR KNOWLAND: Mayor Weinberg.

5 MAYOR WEINBERG: Aye.

6 ADMINISTRATOR KNOWLAND: Five votes in  
7 favor. Zero votes opposed. Zero  
8 abstentions. The motion is adopted.

9 MAYOR WEINBERG: Thank you.

10 \* \* \* \* \*

11 MAYOR WEINBERG: The next item on the  
12 agenda is the Sign Permits at 661 Northern  
13 Boulevard. Let's see.

14 Burton, would you like to make that  
15 motion?

16 TRUSTEE WESTON: Sure.

17 WHEREAS, on March 12, 2020 the Board of  
18 Trustees duly adopted Resolution 20-32  
19 approving an amended use of the incentive use  
20 permit with respect to signage for 661  
21 Northern Associates LLC as long-term lessee  
22 of the premises at 661 Northern Boulevard,  
23 Thomaston, also known as Section 2, Block  
24 140, Lots 793; and



1           WHEREAS, the applications for sign  
2           permits for such approved signage as depicted  
3           on the "Biener Ford Signage Details," labeled  
4           SP-1, prepared by John F. Capobianco dated  
5           February 4, 2020 were filed with the Board of  
6           Trustees during the March 12, 2020 Board of  
7           Trustees meeting and;

8           WHEREAS, the Board, wishing to review the  
9           applications, further took no action on the  
10          application at that time.

11          NOW THEREFORE BE IT RESOLVED, that the  
12          Board of Trustees ratifies the action of the  
13          Mayor in issuing five sign permits in  
14          accordance with the approved signage plan to  
15          661 Northern Associates, LLC, owner of the  
16          property located at 661 Northern Boulevard  
17          and also known as Section 2, Block 140, Lot  
18          793 for the permanent signage for the Biener  
19          Ford automobile dealership.

20               MAYOR WEINBERG: Thank you.

21               Is there a second?

22               TRUSTEE MONOSON: I'll second.

23               MAYOR WEINBERG: Any discussion on the  
24          motion?

1 TRUSTEE PANG: I do have a question.

2 No. 2 that Denise said, I don't see any  
3 picture of the sign on the drawings.

4 Actually, no. I find it.

5 ADMINISTRATOR KNOWLAND: One drawing has  
6 all of the five signs on it.

7 TRUSTEE PANG: Okay.

8 MAYOR WEINBERG: The drawing is identical  
9 to what we reviewed at the hearing when we  
10 last considered the issue in March.

11 TRUSTEE PANG: Okay. All right. Thanks.

12 No other questions.

13 MAYOR WEINBERG: Any other discussion on  
14 the motion? There being none, we call the  
15 question.

16 Denise, would you call the roll.

17 ADMINISTRATOR KNOWLAND: Deputy Mayor  
18 Sharkey.

19 DEPUTY MAYOR SHARKEY: Aye.

20 ADMINISTRATOR KNOWLAND: Trustee Monoson.

21 TRUSTEE MONOSON: Aye.

22 ADMINISTRATOR KNOWLAND: Trustee Pang.

23 TRUSTEE PANG: Aye.

24 ADMINISTRATOR KNOWLAND: Trustee Weston.

1 TRUSTEE WESTON: Aye.

2 ADMINISTRATOR KNOWLAND: Mayor Weinberg.

3 MAYOR WEINBERG: Aye.

4 ADMINISTRATOR KNOWLAND: Five votes in  
5 favor. Zero votes opposed. No abstentions.  
6 The motion is adopted.

7 \* \* \* \* \*

8 MAYOR WEINBERG: The next item on the  
9 agenda -- we need to first have a question in  
10 executive session. Can we table that to  
11 after the other agenda items, Denise?

12 ADMINISTRATOR KNOWLAND: Yes. We'll go  
13 back to that. We'll go out of order. That's  
14 fine.

15 \* \* \* \* \*

16 MAYOR WEINBERG: The next item on the  
17 agenda is the Public Works report. And with  
18 all the changes in weather we've been having,  
19 obviously the Public Works Department  
20 continues to do storm cleanup and clearing  
21 storm drains due to street sign replacement,  
22 street light repair, lawn maintenance  
23 throughout the village. They started spring  
24 cleanup. And there has been street sweeping

1 that's continued. And we've addressed four  
2 resident's requests particularly involving  
3 issues with trees.

4 Our Department of Public Works is  
5 staggering its employees just to be safe in  
6 terms of COVID-19. So they will continue to  
7 work with fewer people, just to keep people  
8 in reserve in case we need people going  
9 forward.

10 We have a limited work -- we have street  
11 sweeping that will continue, lawn  
12 maintenance. Obviously we will continue to  
13 deal with whatever the weather sends our way.  
14 We are hoping that we will be able to  
15 complete the sidewalk repairs as soon as we  
16 can -- the concrete company will arrange to  
17 come and pour the concrete and that we may be  
18 able to resume crack sealing, which is also  
19 not only COVID-19 dependent but weather  
20 dependent.

21 \* \* \* \*

22 MAYOR WEINBERG: Next item on the agenda  
23 is whether or not there's any new business,  
24 any items that a board member or a member of

1 the public wishes to bring up for new  
2 business. If there is someone who wishes to  
3 call in or email a question in or put it in  
4 or chat, we'll try to pick it up as we go  
5 along.

6 \* \* \* \* \*

7 MAYOR WEINBERG: Can I -- To-on, can you  
8 read the motion on the vouchers?

9 TRUSTEE PANG: In relation to Resolution  
10 20-54?

11 ADMINISTRATOR KNOWLAND: It will be  
12 20-52, Mr. Pang, since we took it out of  
13 order. 20-52.

14 TRUSTEE PANG: Oh. Right.

15 RESOLVED, that vouchers in the aggregate  
16 amount of \$82,233.12 (as itemized on the  
17 Abstract of Vouchers dated Monday, May 11,  
18 2020) are hereby approved for payment, all  
19 allocated to the General Fund. A copy of  
20 this approved voucher list is attached to  
21 this minutes.

22 MAYOR WEINBERG: Thank you.

23 Is there a second?

24 DEPUTY MAYOR SHARKEY: I second it.

1           MAYOR WEINBERG: Any discussion on the  
2 motion? There being none, we call the  
3 question.

4           Denise, would you call the roll?

5           ADMINISTRATOR KNOWLAND: Deputy Mayor  
6 Sharkey.

7           DEPUTY MAYOR SHARKEY: Aye.

8           ADMINISTRATOR KNOWLAND: Trustee Monoson.

9           TRUSTEE MONOSON: Aye.

10          ADMINISTRATOR KNOWLAND: Trustee Pang.

11          TRUSTEE PANG: Aye.

12          ADMINISTRATOR KNOWLAND: Trustee Weston.

13          TRUSTEE WESTON: Aye.

14          ADMINISTRATOR KNOWLAND: Five votes in  
15 favor. Zero votes opposed. No abstentions.  
16 The motion is adopted.

17          MAYOR WEINBERG: Okay. On the last  
18 motion, Denise, just put me down as an "aye"  
19 as well.

20          ADMINISTRATOR KNOWLAND: Oh. I'm so  
21 sorry, Mayor Weinberg.

22          MAYOR WEINBERG: And that makes the five.

23          ADMINISTRATOR KNOWLAND: So sorry I  
24 skipped you.

1 MAYOR WEINBERG: That's okay.

2 ADMINISTRATOR KNOWLAND: I apologize.

3 \* \* \* \* \*

4 MAYOR WEINBERG: At this time I would  
5 like to make a motion that we go into  
6 executive session.

7 Resolved that the Board of Trustees go  
8 into executive session to discuss issues  
9 related to the prospective litigation. By  
10 completion of the discussion the Board will  
11 return to the public session.

12 ADMINISTRATOR KNOWLAND: We need a vote.  
13 We need a second. Sorry.

14 MAYOR WEINBERG: Is there a second?

15 TRUSTEE MONOSON: I'll second.

16 MAYOR WEINBERG: All right. Any  
17 discussion on the motion?

18 (None.)

19 MAYOR WEINBERG: There is a possibility  
20 of future litigation. We're discussing this  
21 in executive session. The public will be  
22 asked to leave. We will -- they will not  
23 hear the discussion and -- in order to  
24 maintain privilege. And we will then resume

1 the public -- the public may be invited if  
2 they wish to hear the balance of the meeting  
3 after we come out of executive session.

4 ADMINISTRATOR KNOWLAND: I will call the  
5 roll for the vote.

6 MAYOR WEINBERG: Sure. We'll call the  
7 question.

8 ADMINISTRATOR KNOWLAND: Deputy Mayor  
9 Sharkey.

10 DEPUTY MAYOR SHARKEY: Aye.

11 ADMINISTRATOR KNOWLAND: Trustee Monoson.

12 TRUSTEE MONOSON: Aye.

13 ADMINISTRATOR KNOWLAND: Trustee Pang.

14 TRUSTEE PANG: Aye.

15 ADMINISTRATOR KNOWLAND: Trustee Weston.

16 TRUSTEE WESTON: Aye.

17 ADMINISTRATOR KNOWLAND: Mayor Weinberg.

18 MAYOR WEINBERG: Aye.

19 ADMINISTRATOR KNOWLAND: Okay. We'll  
20 enter into executive session. I will set up  
21 the break out room for such purpose.

22 (Executive session held)

23 \* \* \* \* \*

24 ADMINISTRATOR KNOWLAND: Okay.



1           MAYOR WEINBERG: Upon completion of the  
2           discussion, the Board returns to public  
3           session on -- as the Mayor I'm making the  
4           following motion.

5           WHEREAS, at its meeting on March 12, 2020  
6           the Board of Trustees discussed various  
7           matters pertaining to the Town of North  
8           Hempstead Solid Waste Management Authority,  
9           and following such discussion adopted  
10          Resolution 20-36, in which the Board  
11          determined to terminate the existing  
12          agreement between the Village and the  
13          Authority and to exempt the Village from the  
14          Town of North Hempstead Sanitation Code, all  
15          effective April 30 2020; and

16          WHEREAS, pursuant to such Resolution  
17          20-36 the Village gave due notice of such  
18          action to the Authority; and

19          WHEREAS, subsequent to its receipt of  
20          such notice the Authority notified the  
21          Village that the Authority disputed the  
22          Village's right to elect exemption from the  
23          Town Sanitation Code; and

24          WHEREAS, discussions thereafter ensued

1           between the Executive Director of the  
2           Authority and the Village Attorney regarding  
3           the Authority of the Village to so act; and

4                       WHEREAS, the Authority and the Village  
5           continue to disagree regarding the Village's  
6           authority to so act; and

7                       WHEREAS, the Board of Trustees has  
8           reviewed the current impasse regarding that  
9           legal issue and continues to assert the  
10          position that in the absence of any agreement  
11          not to do so, the Village has authority to  
12          claim such exemption at any time it deems  
13          appropriate; and

14                      WHEREAS, devoting Village funds and  
15          assets to further asserting such exemption at  
16          this time would not serve the interest of the  
17          Village; and

18                      WHEREAS, withdrawing such exemption claim  
19          at this time would not preclude the Village  
20          from acting at a future date to claim such  
21          exemption as may be authorized by law,

22                      NOW, THEREFORE, BE IT

23                      RESOLVED, effective immediately, and  
24          without any prejudice to any action or legal

1 position, the Board of Trustees of the  
2 Village may determine to take with respect to  
3 such subject at any appropriate time in the  
4 future, the Board of Trustees hereby rescinds  
5 paragraphs 2 and 3 in Resolution 20-36, to  
6 wit:

7 2. The Village hereby declares its  
8 exemption from the Sanitation Code, effective  
9 as of the close of business on April 30,  
10 2020;

11 3. Pursuant to the provisions of Section  
12 46-22(B) of the Sanitation Code, the Village  
13 hereby further declares and agrees that the  
14 Village indemnifies the Town and Authority  
15 from responsibility or liability under any  
16 applicable New York State law, rule or  
17 regulation relating to solid waste  
18 collection, disposal or recycling activities  
19 conducted or authorized by said Village,  
20 including but not limited to New York State  
21 Environmental Conservation Law 27-0107 (Local  
22 Solid Waste Management Plans) and 6 NYCRR  
23 Part 360, Subpart 15 (Comprehensive Solid  
24 Waste Management Planning)

1                   And it is further

2                   RESOLVED, that in all other respects the  
3                   aforesaid Resolution 20-36 shall remain in  
4                   effect, and it is further

5                   RESOLVED, that the Village Administrator  
6                   is hereby authorized and directed to  
7                   forthwith send a copy of this resolution to  
8                   the Supervisor of the Town of North  
9                   Hempstead, to the Clerk of the Town of North  
10                  Hempstead, the Town Attorney of the Town of  
11                  North Hempstead, and the Members and  
12                  Executive Director of the Town of North  
13                  Hempstead Solid Waste Management Authority.

14                  Is there a second?

15                  DEPUTY MAYOR SHARKEY: I will make the  
16                  second.

17                  MAYOR WEINBERG: Okay. Any discussion on  
18                  the motion?

19                  (None.)

20                  MAYOR WEINBERG: Will the Village  
21                  administrator call the roll. I call the  
22                  question.

23                  ADMINISTRATOR KNOWLAND: Deputy Mayor  
24                  Sharkey.

1 DEPUTY MAYOR SHARKEY: Aye.

2 ADMINISTRATOR KNOWLAND: Trustee Monoson.

3 TRUSTEE MONOSON: Aye.

4 ADMINISTRATOR KNOWLAND: Trustee Pang.

5 TRUSTEE PANG: Aye.

6 ADMINISTRATOR KNOWLAND: Trustee Weston.

7 TRUSTEE WESTON: Aye.

8 ADMINISTRATOR KNOWLAND: Mayor Weinberg.

9 MAYOR WEINBERG: Aye.

10 ADMINISTRATOR KNOWLAND: Five votes in  
11 favor. Zero votes opposed. No abstentions.

12 The motion is adopted.

13 \* \* \* \* \*

14 MAYOR WEINBERG: Would someone like to  
15 make the motion to adjourn?

16 TRUSTEE MONOSON: I will make the motion  
17 to adjourn.

18 TRUSTEE WESTON: And I will second it.

19 ADMINISTRATOR KNOWLAND: That's Jill  
20 Monoson made the motion. Seconded by Burton  
21 Weston.

22 Any discussion?

23 (None.)

24 MAYOR WEINBERG: Call the question and do

1 the roll, please.

2 TRUSTEE MONOSON: When is the next  
3 meeting?

4 ADMINISTRATOR KNOWLAND: Deputy Mayor  
5 Sharkey?

6 DEPUTY MAYOR SHARKEY: What's the  
7 question?

8 ADMINISTRATOR KNOWLAND: I'm calling the  
9 vote.

10 Deputy Mayor Sharkey, your vote on the  
11 resolution --

12 MAYOR WEINBERG: To adjourn.

13 ADMINISTRATOR KNOWLAND: -- to close the  
14 meeting.

15 DEPUTY MAYOR SHARKEY: Aye.

16 ADMINISTRATOR KNOWLAND: Trustee Monoson.

17 TRUSTEE MONOSON: Aye.

18 ADMINISTRATOR KNOWLAND: Trustee Pang.

19 TRUSTEE PANG: Aye.

20 ADMINISTRATOR KNOWLAND: Trustee Weston.

21 TRUSTEE WESTON: Aye.

22 ADMINISTRATOR KNOWLAND: Mayor Weinberg.

23 MAYOR WEINBERG: Aye.

24 ADMINISTRATOR KNOWLAND: Five votes in

1 favor. Zero votes opposed. No abstentions.

2 The motion is adopted.

3 MAYOR WEINBERG: 8:18.

4 ADMINISTRATOR KNOWLAND: 8:18.

5 DEPUTY MAYOR SHARKEY: Ladies and  
6 gentlemen, stay healthy. Stay well.

7 MAYOR WEINBERG: You too. Thank you.

8 ADMINISTRATOR KNOWLAND: Next meeting  
9 date is Monday, June 8th.

10 TRUSTEE MONOSON: Thank you.

11 (Time noted: 8:18 p.m.)

12

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