

1 INCORPORATED VILLAGE OF THOMASTON

2 BOARD OF TRUSTEES - VIA VIDEOCONFERENCE

3 AUGUST 10, 2020

4

5

6

7

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

13

COUNSEL FOR BOARD OF TRUSTEES, A. THOMAS LEVIN, ESQ.

14

DENISE KNOWLAND, VILLAGE ADMINISTRATOR

15

16

17

18

19

20

21

22

JENNIFER DEVLIN
COURT REPORTER

23

24

1 MAYOR WEINBERG: All right. We're going
2 to call the meeting to order for the Board of
3 Trustees that was set notice for Monday,
4 August 10, 2020, via videoconference
5 scheduled for 7:30 p.m. We're starting at
6 7:40. We wanted to open the meeting at 7:40.
7 And I have to read the following statement as
8 required by law in order to conduct this
9 meeting by video conference.

10 Due to public health and safety concerns
11 related to COVID-19, and pursuant to
12 Governor's Executive Orders, this meeting of
13 the Board of Trustees is not being held in
14 person.

15 The Board is meeting by
16 videoconferencing. The meeting will be
17 recorded and a transcription will be provided
18 at a later date. The public has the
19 opportunity to observe this meeting live
20 online and to submit comments pursuant to
21 instructions given on the Village website and
22 in the meeting notice.

23 Interested members of the public may
24 provide comments on an agenda item or public

1 hearing by calling in during the meeting at
2 (646) 558-8656. Meeting ID: 871 3288 5159.
3 Password: 681998 or through the written chat
4 section of the Zoom meeting. Comments may
5 also be provided via email before and during
6 the meeting to clerk@villageofthomaston.org.

7 The Village Administrator will now call
8 the roll for attendance at this meeting by
9 members of the Board and relevant Village
10 staff.

11 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
12 Mayor Sharkey.

13 DEPUTY MAYOR SHARKEY: Here.

14 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
15 Monoson.

16 TRUSTEE MONOSON: Here.

17 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
18 Pang.

19 TRUSTEE PANG: Here.

20 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
21 Weston.

22 TRUSTEE WESTON: Here.

23 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
24 Weinberg.

1 MAYOR WEINBERG: Here.

2 All right. A quorum of the board is in
3 attendance. And we can begin the business of
4 the meeting.

5 Ben, would you like to read the
6 resolution for adoption of the minutes?

7 TRUSTEE PANG: Sure.

8 RESOLUTION 20-68.

9 RESOLVED, that the minutes of the Board
10 of Trustees meeting held on July 13, 2020,
11 are hereby approved and accepted as
12 presented.

13 MAYOR WEINBERG: Is there a second?

14 TRUSTEE MONOSON: I second.

15 Jill.

16 MAYOR WEINBERG: Call the question.

17 Denise, would you read the roll, please.

18 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
19 Mayor Sharkey.

20 DEPUTY MAYOR SHARKEY: Aye.

21 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
22 Monoson.

23 TRUSTEE MONOSON: Aye.

24 VILLAGE ADMINISTRATOR KNOWLAND: Trustee

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Pang.

TRUSTEE PANG: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Trustee
Weston.

TRUSTEE WESTON: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Mayor
Weinberg.

MAYOR WEINBERG: Yes.

VILLAGE ADMINISTRATOR KNOWLAND: There
are five votes in favor, zero opposed, no
abstentions. The motion is adopted.

* * * * *

MAYOR WEINBERG: And the next item on the
agenda is for the sign permits at 607
Northern Boulevard.

Burton, do you have that in front of you?

TRUSTEE WESTON: Sure I do.

WHEREAS, on May 7, 2020, the Zoning Board
of Appeals granted variances of Village Code
Section 203-85.7(A) and 203-85.7(B) to
maintain one (1) wall sign and four (4)
ground signs located at 607 Northern
Boulevard, Thomaston, New York 11021, and

WHEREAS, the minutes of the Zoning Board

1 of Appeals were filed in the Clerk's office
2 on June 2, 2020,

3 NOW THEREFORE BE IT RESOLVED, that the
4 Board of Trustees hereby approves the
5 issuance of sign permits, compliant with the
6 application documents and decision of the
7 Zoning Board of Appeals, to GPK Restaurant
8 Enterprises Corp, to maintain four (4) ground
9 signs and one (1) wall sign located at 607
10 Northern Boulevard, Thomaston, New York.

11 MAYOR WEINBERG: Is there a second?

12 DEPUTY MAYOR SHARKEY: I'll second.

13 TRUSTEE PANG: Can I ask a question?

14 MAYOR WEINBERG: Now you can.

15 TRUSTEE PANG: Are those four signs
16 existing signs or they are neon signs?

17 VILLAGE ADMINISTRATOR KNOWLAND: They are
18 existing signs.

19 TRUSTEE PANG: Okay.

20 VILLAGE ADMINISTRATOR KNOWLAND: They're
21 not changing them. They discovered that they
22 had no previous permit for such signs. And
23 they were required to get variances because
24 they were not in compliance with the code

1 section as Burt read in the resolution.

2 TRUSTEE PANG: Got it. Thank you.

3 MAYOR WEINBERG: Any other question or
4 discussion?

5 (None.)

6 MAYOR WEINBERG: Call the question.

7 Denise, please read the roll.

8 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
9 Mayor Sharkey.

10 DEPUTY MAYOR SHARKEY: Aye.

11 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
12 Monoson.

13 TRUSTEE MONOSON: Aye.

14 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
15 Pang.

16 TRUSTEE PANG: Aye.

17 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
18 Weston.

19 TRUSTEE WESTON: Aye.

20 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
21 Weinberg.

22 MAYOR WEINBERG: Aye.

23 VILLAGE ADMINISTRATOR KNOWLAND: There
24 are five votes in favor, zero votes opposed,

1 no abstentions. The motion is adopted.

2 * * * * *

3 MAYOR WEINBERG: The next item on the
4 agenda is RESOLUTION 20-70. Budget
5 Modifications.

6 Jim, do you have the script in front of
7 you? Would you like to read that motion?

8 DEPUTY MAYOR SHARKEY: If I can find it.
9 Here it is. This is the 2020-2021 Budget
10 Modification.

11 RESOLVED, that on 2020 -- I'm sorry.
12 Resolved that the 2020/202 Budget
13 Modifications as of August 10, 2020,
14 (Attachment A) are hereby presented --
15 accepted as presented.

16 Do I have a motion?

17 MAYOR WEINBERG: Would you accept a
18 friendly amendment to May 2020-2021 Budget
19 Modification?

20 DEPUTY MAYOR SHARKEY: Sounds like a
21 plan.

22 MAYOR WEINBERG: Is there a second?

23 DEPUTY MAYOR SHARKEY: I'll second it.

24 MAYOR WEINBERG: No. You're the movant.

1 TRUSTEE WESTON: I'll second it.

2 MAYOR WEINBERG: Before we call the
3 question, anticipating a question or anyone
4 who's listening, Denise, would you briefly
5 tell us what the budget modifications are.

6 VILLAGE ADMINISTRATOR KNOWLAND: Yes.
7 For the category of street maintenance we're
8 increasing the line for equipment repair
9 \$5,000 to the total number would be for the
10 budget now \$10,000. And we reduced the line
11 item in the same category, street maintenance
12 for signs by \$5,000. And it went from a
13 budget that was originally \$18,000 down to
14 \$13,000.

15 The second modification as regards to the
16 salary for the Secretary to the Board of
17 Appeals. Initially when we adopted the
18 budget we -- with the salary thinking that
19 the position was going to have two civil
20 service titles. So half the salary was under
21 the Board of Trustees category and half was
22 under the zoning category to be under the
23 Zoning Board of Appeals.

24 However as it turns out the position was

1 granted full time for Secretary to the Board
2 of Trustees. So I'm moving the \$14,560 which
3 was the half of the full time salary into the
4 Board of Trustees line. And that would bring
5 the zoning line for personal service down to
6 zero.

7 MAYOR WEINBERG: And for the Board what
8 was the change for the expense? And in the
9 Department of Public Works what was that for?

10 VILLAGE ADMINISTRATOR KNOWLAND: That was
11 -- we did not anticipate the repair for the
12 Freightliner that was recently repaired which
13 was -- I don't recall the exact amount of the
14 repair. It was several thousand dollars. So
15 we originally had only budgeted \$5,000 to
16 repair. And now that we have to remain --
17 for the rest of year we have to have a little
18 bit of money in there should we have other
19 repairs going forward.

20 MAYOR WEINBERG: Are there any other
21 questions?

22 (None.)

23 MAYOR WEINBERG: Denise, call the
24 question.

1 TRUSTEE MONOSON: We didn't read the
2 motion.

3 MAYOR WEINBERG: Yeah, we read the --

4 VILLAGE ADMINISTRATOR KNOWLAND: We read
5 the motion. Mr. Sharkey read it and Burton
6 seconded the budget modification.

7 TRUSTEE MONOSON: Oh, that one. Sorry.

8 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
9 Mayor Sharkey.

10 DEPUTY MAYOR SHARKEY: Aye.

11 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
12 Monoson.

13 TRUSTEE MONOSON: Aye.

14 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
15 Pang.

16 TRUSTEE PANG: Aye.

17 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
18 Weston.

19 TRUSTEE WESTON: Aye.

20 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
21 Weinberg.

22 MAYOR WEINBERG: Aye.

23 VILLAGE ADMINISTRATOR KNOWLAND: There
24 are five votes in favor, zero opposed, no

1 abstentions. The motion is adopted.

2 * * * * *

3 MAYOR WEINBERG: All right. The next
4 item on the agenda is Proposed Village Code
5 Changes. This is Resolution 20-71. I will
6 make the motion.

7 RESOLVED, that the Village Administrator
8 is authorized and directed to publish and
9 post one or more legal notices as may be
10 required by law with respect to public
11 hearings to be held at the September 14,
12 2020, meeting of the Board of Trustees
13 regarding the proposed local laws:

14 Bill T2020A - a local law to amend the
15 Code of the Village of Thomaston in relation
16 to appointment and compensation of experts,
17 clerks and secretary to the Board of Appeals.

18 Bill T2020B - a local law to amend the
19 Code of the Village of Thomaston in relation
20 to the effective date of floor area ratio
21 regulation.

22 And it is further

23 RESOLVED, that the Village Administrator
24 is authorized and directed to publish and

1 post one or more legal notices as may be
2 required by law with respect to the following
3 proposed local laws. Such hearings to be
4 held at dates and times of regular board
5 meetings as may be designated by the Mayor.

6 Bill T2020C - a local law -- bill. We're
7 leaving that one out, Denise?

8 VILLAGE ADMINISTRATOR KNOWLAND: No.
9 That one we're going to reconsider with the
10 modifications. So we can -- we're just
11 allowing publication of legal notice when
12 that final form is ready and decided upon.

13 MAYOR WEINBERG: So we can publish --

14 VILLAGE ADMINISTRATOR KNOWLAND: We can
15 include it. It's just to be published in the
16 future. We haven't set a date because we
17 need to do a little more work on that one.

18 MAYOR WEINBERG: Okay. Bill T2020C - a
19 local law to amend the Code of the Village of
20 Thomaston in relation to location of exterior
21 HVAC installations and equipment.

22 Bill T2020D - a local law to amend the
23 Code of the Village of Thomaston in relation
24 to regulation of small cell antennae

1 facilities.

2 Is there a second?

3 TRUSTEE MONOSON: Second.

4 MAYOR WEINBERG: Is there any discussion
5 or questions?

6 (None.)

7 MAYOR WEINBERG: Just so everyone is on
8 the same page. The September 14th hearing
9 and the legal notice for a September 14, 2020
10 public notice is for the bill to allow the
11 Secretary to the Board of Appeals.

12 The bill 2020B, the local law to amend
13 the Village of Thomaston for the effective
14 date of the floor area ratio, will also be a
15 public hearing at the September 14th meeting
16 of 2020.

17 The floor area ratio is a question that
18 came up with respect to two code provisions.
19 And it is to create an effective date for the
20 floor area ratio, which is a little more
21 restrictive if you have an oversized lot that
22 exceeds 100 feet in one direction as to how
23 floor area ratio is calculated. So we wanted
24 to be fair to residents since -- with respect

1 to giving notice as to when that would be
2 applied as of a particular date.

3 The Board may remember that we previously
4 had talked about -- and this was a number of
5 meetings ago, that we previously talked about
6 amending the law, the code with respect to
7 the installation of HVAC equipment. We're
8 still working on the proposal. But this
9 would authorize us to designate a future
10 meeting at which we can publish the legal
11 notice to have the public hearing on that
12 bill when we're ready to present it as well
13 as while we have a policy with respect to
14 small cell antennae facilities, we would like
15 to pass a local law. And when that's ready
16 we can designate the date for the public
17 hearing for the legal notice to be published.

18 Are there any other questions? Any
19 discussion? Hearing none, call the question.

20 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
21 Mayor Sharkey.

22 DEPUTY MAYOR SHARKEY: Aye.

23 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
24 Monoson.

1 TRUSTEE MONOSON: Aye.

2 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
3 Pang.

4 TRUSTEE PANG: Aye.

5 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
6 Weston.

7 TRUSTEE WESTON: Aye.

8 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
9 Weinberg.

10 MAYOR WEINBERG: Aye.

11 VILLAGE ADMINISTRATOR KNOWLAND: There
12 are five votes in favor, zero opposed, no
13 abstentions. The motion is adopted.

14 * * * * *

15 MAYOR WEINBERG: The next item on the
16 agenda is for a resolution authorizing and
17 approving the Trust and Agency Fund.

18 Jill, would you like to be the movant and
19 read it?

20 TRUSTEE MONOSON: Sure.

21 RESOLUTION 20-72.

22 RESOLVED, that the Board of Trustees does
23 hereby establish a budget fund to be known as
24 the Trust and Agency Fund as of March 1, 2020

1 for the purpose of recording funds received
2 by the Village in a custodial capacity
3 including, without limitation, deposits
4 received pursuant to Village Laws and
5 regulations in conjunction with various
6 applications made to the Village of
7 Thomaston; and it is further

8 RESOLVED, that the Village Treasurer is
9 hereby directed to deposit in a separate
10 non-interest bearing bank account to be known
11 as "Trust and Agency," the current deposit
12 balances of funds currently or hereafter held
13 by the Village in a custodial capacity,
14 including deposits heretofore made, and any
15 future deposits made, by or on behalf of
16 applicants, as required by Village Law or
17 regulations; and it is further

18 RESOLVED, that the authorized signatories
19 for payments to be made from the Trust and
20 Agency Fund shall be any two of the
21 following: the Mayor, the Village
22 Administrator or the Deputy Mayor; and it is
23 further

24 RESOLVED, that following review and

1 approval by the Board of Trustees, the
2 Village Treasurer is hereby directed to pay
3 or refund from the Trust and Agency Fund any
4 custodial funds due and owing to any person
5 or agency, and any unused portions of an
6 applicant's deposit upon completion of the
7 application or purpose for which the deposit
8 was made.

9 MAYOR WEINBERG: Is there a second?

10 DEPUTY MAYOR SHARKEY: I'll second it.

11 MAYOR WEINBERG: Denise, would you
12 briefly inform the Board what the purpose of
13 this fund is.

14 VILLAGE ADMINISTRATOR KNOWLAND: This
15 fund is required to keep track of all the
16 deposits we received. As you are aware,
17 we've done a few -- the Board of Trustees has
18 had some applications for incentive uses or
19 special use permits. In those cases we take
20 deposits as required and as authorized by the
21 Board. And upon completion of the
22 application we refund the unused portions of
23 such deposits.

24 This is a matter in which we need to

1 record it separate from the -- from our
2 regular other accounts for the Village, as
3 these are custodial funds. Sort of like an
4 escrow account for attorneys and such.

5 This was recommended as -- on behalf of
6 the company that did our audit. And it is to
7 be in compliance with the new GASB 75
8 regulations that the -- that have been
9 adopted for New York State and the State
10 Comptroller.

11 MAYOR WEINBERG: Are there any questions
12 or discussion from the Board?

13 DEPUTY MAYOR SHARKEY: I have a question,
14 your Honor. Why is it a non-interest bearing
15 account? Is there a legal reason why we
16 don't collect interest?

17 MAYOR WEINBERG: Technically they're not
18 funds of the Village. It's a deposit. So as
19 a deposit it goes to the Village when it
20 reimburses the Village for an expense. Then
21 it's funds of the Village and it can go into
22 the Village's account which is an interest
23 bearing account.

24 DEPUTY MAYOR SHARKEY: Okay. Thank you.

1 MAYOR WEINBERG: And the unused portion
2 of the funds are still the property -- at
3 least as the attorneys on the line know.
4 Technically it's --

5 TRUSTEE MONOSON: It's like an escrow
6 account.

7 MAYOR WEINBERG: Exactly. It's the
8 property of whoever makes the deposit in
9 which they have an interest of getting back
10 the surplus funds. So when -- after whatever
11 it is that we've taken it for, if it's for a
12 road opening permit or something else or
13 going to the Zoning Board of Appeals, once
14 the task is completed then any balance is
15 refunded back to the resident or the
16 applicant who deposited the funds.

17 DEPUTY MAYOR SHARKEY: Thank you.

18 MAYOR WEINBERG: Any other questions?

19 (None.)

20 MAYOR WEINBERG: Call the question.

21 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
22 Mayor Sharkey.

23 DEPUTY MAYOR SHARKEY: Aye.

24 VILLAGE ADMINISTRATOR KNOWLAND: Trustee

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Monoson.

TRUSTEE MONOSON: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Trustee
Pang.

TRUSTEE PANG: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Trustee
Weston.

TRUSTEE WESTON: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Mayor
Weinberg.

MAYOR WEINBERG: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: There
are five votes in favor, zero votes opposed,
no abstentions. The motion is adopted.

* * * * *

MAYOR WEINBERG: Well, our public -- the
next item on the agenda is the Public Works
Report. You can imagine our Public Works
department is very busy. It's hard to
believe they actually did work before the
storm that included lawn maintenance, street
sweeping, street light repairs, a little bit
of cracked sealing, trimming trees and some
resident requests as well as maintaining the

1 islands.

2 Obviously the complete focus now is total
3 clean up after the tropical storm. So that's
4 really the focus. And other activities will
5 be suspended until we get the Village back to
6 where it was.

7 * * * * *

8 MAYOR WEINBERG: I guess now is the time
9 for new business. Denise, do we have any new
10 -- well, any new business from any members of
11 the Board? Denise, any questions or emails
12 regarding new business from any members or
13 residents?

14 VILLAGE ADMINISTRATOR KNOWLAND: There's
15 nothing in the chat room. I'm just checking
16 the email right now. Just give me one moment
17 in case something came in while we were --
18 okay. There are no emails. There are a few
19 folks listening it on the Zoom meeting.

20 MAYOR WEINBERG: Obviously we hope
21 everyone fared well or is okay, their family
22 as well, and most importantly that if there
23 was any property damage that it's resolved as
24 quickly as possible.

* * * * *

MAYOR WEINBERG: With respect to the next item on the agenda: The Vouchers.

Ben, would you like to read 20-73.

TRUSTEE PANG: RESOLVED, that the vouchers in the aggregate amount of \$22,158.31 (as itemized on the abstract of vouchers dated Monday, August 10, 2020), are hereby approved for payment, all allocated to the General Fund.

MAYOR WEINBERG: Is there a second?

DEPUTY MAYOR SHARKEY: I'll second it.

MAYOR WEINBERG: Any questions or discussion?

(None.)

MAYOR WEINBERG: Call the question.

Denise, please read the roll.

VILLAGE ADMINISTRATOR KNOWLAND: Deputy Mayor Sharkey.

DEPUTY MAYOR SHARKEY: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Trustee Monoson.

TRUSTEE MONOSON: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Trustee

1 Pang.

2 TRUSTEE PANG: Aye.

3 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
4 Weston.

5 TRUSTEE WESTON: Aye.

6 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
7 Weinberg.

8 MAYOR WEINBERG: Aye.

9 VILLAGE ADMINISTRATOR KNOWLAND: There
10 are five votes in favor, zero opposed, no
11 abstentions. The motion is adopted.

12 * * * * *

13 MAYOR WEINBERG: Burton, would you like
14 to make the motion to adjourn?

15 TRUSTEE WESTON: Sure. I will make a
16 motion for adjournment.

17 VILLAGE ADMINISTRATOR KNOWLAND: Do we
18 have a second?

19 TRUSTEE PANG: I will second it.

20 VILLAGE ADMINISTRATOR KNOWLAND: Mr.
21 Pang.

22 All those in favor?

23 MAYOR WEINBERG: Denise, call the roll,
24 please.

1 VILLAGE ADMINISTRATOR KNOWLAND: Okay.

2 Deputy Mayor Sharkey.

3 DEPUTY MAYOR SHARKEY: Aye.

4 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
5 Monoson.

6 TRUSTEE MONOSON: Aye.

7 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
8 Pang.

9 TRUSTEE PANG: Aye.

10 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
11 Weston.

12 TRUSTEE WESTON: Aye.

13 VILLAGE ADMINISTRATOR KNOWLAND: There
14 are five votes in favor, zero opposed. The
15 motion is adopted. No abstentions.

16 MAYOR WEINBERG: Well, I hope everyone
17 stays well and I hope we get back to just
18 business -- regular business without any
19 catastrophic interruptions. Thank you all.

20 (Time noted: 8:05 p.m.)

21

22

23

24