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INCORPORATED VILLAGE OF THOMASTON
BOARD OF TRUSTEES - VIA VIDEOCONFERENCE
NOVEMBER 16, 2021
7:30 P.M.

P R E S E N T:

- STEVEN WEINBERG, MAYOR
- JAMES E. SHARKEY, DEPUTY MAYOR
- JILL MONOSON, TRUSTEE
- TO-ON PANG, TRUSTEE
- BURTON S. WESTON, TRUSTEE
- VILLAGE ATTORNEY, A. THOMAS LEVIN, ESQ.
- DENISE KNOWLAND, VILLAGE ADMINISTRATOR

JENNIFER DEVLIN
COURT REPORTER

1 MAYOR WEINBERG: Good evening. The
2 recording that was stopped was for the Board
3 of Review. And now we will begin the Board
4 of Trustees meeting for the Village of
5 Thomaston. Obviously today's date is
6 November 16, 2021. It is 7:30 p.m. And I
7 need to read a statement.

8 Due to public health and safety concerns
9 related to COVID-19, and pursuant to New York
10 State Law, this meeting of the Board of
11 Trustees is not being held in person.

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

20 Interested members of the public may
21 provide comments on a public hearing by
22 calling in during the meeting at (646)
23 558-8656. Meeting ID: 896 8968 4479.
24 Password: 730522, or through the written

1 chat section of the Zoom meeting. Comments
2 may also be provided by email before and
3 during the meeting to
4 clerk@villageofthomaston.org.

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

9 Denise, please call the roll.

10 VILLAGE ADMINISTRATOR KNOWLAND: Thank
11 you, Mayor Weinberg.

12 Deputy Mayor Sharkey.

13 DEPUTY MAYOR SHARKEY: Aye. Here.

14 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
15 Jill Monoson.

16 TRUSTEE MONOSON: Here.

17 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
18 Pang. Trustee Pang, you have to unmute
19 yourself, please.

20 TRUSTEE PANG: Here.

21 VILLAGE ADMINISTRATOR KNOWLAND: Thank
22 you.

23 Trustee Weston.

24 TRUSTEE WESTON: Here.

1 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
2 Weinberg.

3 MAYOR WEINBERG: Here.

4 VILLAGE ADMINISTRATOR KNOWLAND: A.
5 Thomas Levin, village attorney.

6 MR. LEVIN: Here.

7 VILLAGE ADMINISTRATOR KNOWLAND: And
8 Denise M. Knowland, Village Administrator.
9 Here.

10 A quorum of the Board is in attendance
11 and the business of the meeting may begin.

12 * * * * *

13 MAYOR WEINBERG: Okay. Resolution
14 21-108.

15 Jim, would you like to read the
16 resolution and make the motion for adoption
17 of the minutes?

18 DEPUTY MAYOR SHARKEY: RESOLVED, that the
19 public hearing on Bill T2021F is hereby
20 closed --

21 MAYOR WEINBERG: All right, Jim. No.
22 No. I apologize. It's the motion on the
23 first page for adoption of the minutes of the
24 prior meeting.

1 DEPUTY MAYOR SHARKEY: Oh. I'm sorry
2 about that.

3 RESOLVED, that the minutes of the Board
4 of Trustees meeting held on October 13, 2021,
5 are hereby approved and accepted as
6 presented.

7 MAYOR WEINBERG: Okay. Is there a
8 second?

9 TRUSTEE WESTON: I'll second it.

10 TRUSTEE PANG: I actually have a -- I
11 think that there is a typo for Resolution
12 21-101.

13 Are you there?

14 VILLAGE ADMINISTRATOR KNOWLAND: Oh, yes.
15 Hold on, Mr. Pang. Okay. That is a mistake
16 on that.

17 TRUSTEE PANG: Yeah.

18 VILLAGE ADMINISTRATOR KNOWLAND: I see it
19 now. All right. That has to be amended.

20 MAYOR WEINBERG: Okay.

21 VILLAGE ADMINISTRATOR KNOWLAND: Okay.
22 All right. So we'll have to amend that. I
23 don't have my note on who was the second on
24 that. I will have to -- I don't have that

1 with me.

2 TRUSTEE PANG: You can put me down as the
3 second if you want.

4 MAYOR WEINBERG: Ben, do we also need a
5 correction of the paragraph "RESOLVED"?

6 TRUSTEE WESTON: Yes, you do.

7 VILLAGE ADMINISTRATOR KNOWLAND: That is
8 for the same resolution?

9 TRUSTEE WESTON: Yes. Nelson Pope was
10 selected.

11 VILLAGE ADMINISTRATOR KNOWLAND: No.
12 This is the sidewalk repairs.

13 TRUSTEE WESTON: Oh, I'm sorry.

14 VILLAGE ADMINISTRATOR KNOWLAND: This is
15 the sidewalk repairs for Castle Industries.

16 TRUSTEE WESTON: Okay.

17 VILLAGE ADMINISTRATOR KNOWLAND: It's
18 just for Castle Industries. 101.

19 TRUSTEE WESTON: I'm sorry.

20 VILLAGE ADMINISTRATOR KNOWLAND: It's the
21 wrong -- right. It's just the second on that
22 motion.

23 TRUSTEE WESTON: Okay.

24 MAYOR WEINBERG: Oh, okay. Okay.

1 VILLAGE ADMINISTRATOR KNOWLAND: That was
2 the in-person meeting. And unfortunately I
3 don't have my notes as to the second, but I
4 can look that up tomorrow.

5 TRUSTEE PANG: I don't know if it's
6 important or not, but if you can't find it,
7 you can put me down as a second. I don't
8 know, you know, legally how it works, but --

9 MAYOR WEINBERG: Well, Tom, if I -- my
10 suggestion, Tom, if this is okay, would be to
11 leave a blank space for the Village
12 Administrator to fill in who was the second
13 based upon her notes, or should we refer the
14 whole thing over to the next meeting?

15 MR. LEVIN: Well, the third choice is as
16 Trustee Pang suggested. List Trustee Pang as
17 the seconder.

18 VILLAGE ADMINISTRATOR KNOWLAND: Okay.

19 MAYOR WEINBERG: Okay. Thank you.

20 VILLAGE ADMINISTRATOR KNOWLAND: Okay.

21 So the resolution will be approved and
22 accepted as amended?

23 MAYOR WEINBERG: Are there any other
24 comments or corrections by the board members

1 to the minutes of the October 13, 2021, board
2 meeting?

3 (There was no response.)

4 MAYOR WEINBERG: Hearing none, call the
5 roll please.

6 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
7 Mayor Sharkey.

8 DEPUTY MAYOR SHARKEY: Here. Aye.

9 VILLAGE ADMINISTRATOR KNOWLAND: Aye.

10 Okay.

11 Trustee Monoson.

12 TRUSTEE MONOSON: Aye.

13 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
14 Pang.

15 TRUSTEE PANG: Aye.

16 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
17 Weston.

18 TRUSTEE WESTON: Aye.

19 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
20 Weinberg.

21 MAYOR WEINBERG: Aye.

22 VILLAGE ADMINISTRATOR KNOWLAND: Five
23 votes in favor, zero opposed. The motion is
24 adopted.

1 * * * * *

2 MAYOR WEINBERG: The next item on the
3 agenda is the continued public hearing on
4 Bill T2021F. It is 7:37 p.m. I'm opening
5 the continued public hearing on Bill T2021F,
6 a local law opting out of licensing and/or
7 establishing retail cannabis dispensaries
8 and/or onsite cannabis consumption
9 establishments within the Village of
10 Thomaston.

11 Is there anyone in the public that wishes
12 to be heard with respect to Bill T2021F?
13 Hearing none, are there any members --

14 TRUSTEE MONOSON: I'm sorry. This is
15 Jill.

16 There's a note in the chat room saying
17 that people are trying to get into the
18 meeting and waiting for the host to let them
19 in.

20 VILLAGE ADMINISTRATOR KNOWLAND: I have
21 -- I'm admitting people as they're coming in.

22 TRUSTEE MONOSON: Okay. I'm just
23 pointing that out.

24 VILLAGE ADMINISTRATOR KNOWLAND: And

1 there's no one in the waiting room at the
2 moment.

3 TRUSTEE MONOSON: Okay.

4 VILLAGE ADMINISTRATOR KNOWLAND: Somebody
5 may be just joining now.

6 TRUSTEE MONOSON: Okay.

7 VILLAGE ADMINISTRATOR KNOWLAND: Okay.
8 I'm just -- I'm checking again. I will check
9 the emails to see if there's been any
10 submitted comments for the public hearing
11 items.

12 There are no comments in the email.

13 MAYOR WEINBERG: Or in the chat. Are
14 there any comments by the Board?

15 VILLAGE ADMINISTRATOR KNOWLAND: And --

16 MAYOR WEINBERG: I'm sorry, Denise. Go
17 ahead.

18 VILLAGE ADMINISTRATOR KNOWLAND: There's
19 one person who's asking for admittance. I'm
20 letting that person in at the moment.

21 MAYOR WEINBERG: Are there any comments
22 by the board members with respect to the
23 public hearing on Bill T2021F? Okay.

24 (There was no response.)

1 MAYOR WEINBERG: Hearing none, I will
2 accept a motion to close the public hearing.

3 TRUSTEE PANG: I'll make a motion.

4 VILLAGE ADMINISTRATOR KNOWLAND: Okay.

5 MAYOR WEINBERG: Okay. Is there a
6 second?

7 TRUSTEE WESTON: I'll second it, Mayor.

8 MAYOR WEINBERG: Mr. Pang, would you read
9 the resolution, please.

10 TRUSTEE PANG: Oh, my God.

11 MAYOR WEINBERG: I'll read it for the
12 record if you would like.

13 VILLAGE ADMINISTRATOR KNOWLAND: Wait.
14 You have to just do the resolution to close
15 the public hearing.

16 MAYOR WEINBERG: That's what we're doing.

17 VILLAGE ADMINISTRATOR KNOWLAND: That's
18 the short one.

19 MAYOR WEINBERG: Resolution 2021-109.

20 TRUSTEE PANG: RESOLVED, that the public
21 hearing on Bill T2021F is hereby closed.

22 MAYOR WEINBERG: Denise, is there any
23 discussion by the Board on this resolution?

24 (There was no response.)

1 MAYOR WEINBERG: Denise, please call the
2 roll.

3 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
4 Mayor Sharkey.

5 DEPUTY MAYOR SHARKEY: Aye.

6 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
7 Monoson.

8 TRUSTEE MONOSON: Aye.

9 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
10 Pang.

11 TRUSTEE PANG: Aye.

12 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
13 Weston.

14 TRUSTEE WESTON: Aye.

15 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
16 Weinberg.

17 MAYOR WEINBERG: Aye.

18 VILLAGE ADMINISTRATOR KNOWLAND: Five
19 votes in favor, zero opposed. The motion is
20 adopted.

21 * * * * *

22 MAYOR WEINBERG: Okay. The next
23 resolution on the agenda is Resolution
24 21-110. On motion of Steven Weinberg, I'm

1 reading the following resolution.

2 WHEREAS, on August 16, 2021, the Board of
3 Trustees of the Village of Thomaston duly
4 adopted a resolution to schedule a public
5 hearing with respect to proposed Local Law
6 Bill T2021F - a local law opting out of
7 licensing and/or establishing retail cannabis
8 dispensaries and/or on-site cannabis
9 consumption establishments within the Village
10 of Thomaston; and

11 WHEREAS, included in the aforesaid August
12 16, 2021, resolution was a determination that
13 the Board of Trustees is the Lead Agency for
14 review of the proposed legislation pursuant
15 to the State Environmental Quality Review
16 Act, classifying the said proposed
17 legislation as an Unlicensed Action and
18 issuing a negative SEQRA declaration; and

19 WHEREAS, pursuant to legal notice duly
20 published and posted as required by law, the
21 Board of Trustees duly held a public hearing
22 on October 13, 2021, which public hearing was
23 concluded on November 16, 2021, with respect
24 to the adoption of such proposed local law;

1 and

2 WHEREAS, the Board of Trustees has
3 considered all comments and information
4 received with respect to the adoption of such
5 proposed local law.

6 NOW, THEREFORE, BE IT

7 RESOLVED, that the Board of Trustees
8 hereby approves and adopts Bill T2021F as a
9 local law of the Village of Thomaston,
10 subject to compliance with the provisions of
11 the New York Municipal Home Rule Law, the New
12 York Village Law and New York Cannabis Law
13 Section 131 with respect to a permissive
14 referendum and filing of such local law; and
15 it is further

16 RESOLVED, that the Village Administrator
17 is directed to give such notice and take such
18 other actions as may be required by law,
19 including New York Cannabis Law Section 131
20 with respect to permissive referendum
21 requirements, and the New York Municipal Home
22 Rule Law and Village Law with respect to
23 local law filing requirements; and it is
24 further

1 RESOLVED, that such local law is approved
2 and adopted subject to permissive referendum
3 requirements, and shall be filed with the
4 Secretary of State on -- shall be filed with
5 the Secretary of State upon the occurrence of
6 either of the following events: (a) the
7 applicable time period to file a petition for
8 a referendum has elapsed, and no such
9 petition has been timely filed, or (b) such a
10 petition has been timely filed, and a
11 referendum has been conducted approving such
12 local law.

13 Is there a motion for a second?

14 TRUSTEE MONOSON: I'll second, make a
15 second.

16 MAYOR WEINBERG: Any discussion by the
17 board members?

18 TRUSTEE PANG: No.

19 MAYOR WEINBERG: Denise, please call the
20 roll.

21 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
22 Mayor Sharkey.

23 DEPUTY MAYOR SHARKEY: Aye.

24 VILLAGE ADMINISTRATOR KNOWLAND: Trustee

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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: Five
votes in favor, zero opposed. The motion is
adopted.

* * * * *

MAYOR WEINBERG: Okay. The next item on
the agenda is -- Jill, would you read that,
please?

MAYOR WEINBERG: I'll read the first
paragraph. I'm sorry.

I'm informing the Board that the village
has received a proposed engagement letter
from Duff & Phelps for professional services
to provide an updated fixed asset accounting

1 ledger in conjunction with the annual audit.
2 The cost for the fixed asset accounting
3 ledger for the fiscal year ending February
4 28, 2021, will be \$1,275.00 versus \$1,250.00,
5 a \$25.00 increase for fiscal year ending
6 February 28, 2021. It should be the reverse
7 on the --

8 VILLAGE ADMINISTRATOR KNOWLAND: It's the
9 opposite, right. The fiscal year. Right.

10 MAYOR WEINBERG: The audit will be -- the
11 audit or the cost for the fixed asset
12 accounting ledger for fiscal year 2022 will
13 be \$1,275.00 as compared with \$1,250.00 for
14 fiscal year ending February 28, 2021. Okay.

15 TRUSTEE MONOSON: You want me to read it?

16 MAYOR WEINBERG: Please.

17 TRUSTEE MONOSON: RESOLVED, that the
18 Board of Trustees hereby authorizes the Mayor
19 to accept and sign on behalf of the Village
20 the proposed letter of engagement from Duff &
21 Phelps for professional services to provide
22 the fixed asset accounting ledger for the
23 fiscal year ending February 28, 2022.

24 MAYOR WEINBERG: Is there a second?

1 TRUSTEE WESTON: I'll second it, Mayor.

2 MAYOR WEINBERG: Okay. Any discussion on
3 the motion?

4 (There was no response.)

5 MAYOR WEINBERG: Hearing none, Denise,
6 please call the roll.

7 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
8 Mayor Sharkey.

9 DEPUTY MAYOR SHARKEY: Aye.

10 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
11 Monoson.

12 TRUSTEE MONOSON: Aye.

13 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
14 Pang.

15 TRUSTEE PANG: Aye.

16 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
17 Weston.

18 TRUSTEE WESTON: Aye.

19 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
20 Weinberg.

21 MAYOR WEINBERG: Aye.

22 VILLAGE ADMINISTRATOR KNOWLAND: Five
23 votes in favor, zero opposed. The motion is
24 adopted.

1 * * * * *

2 MAYOR WEINBERG: We now have the next
3 item on the agenda is the payment of the
4 annual invoice to the New York State & Local
5 Retirement System.

6 Burton, would you read the --

7 TRUSTEE WESTON: Sure. Resolution
8 20-112.

9 RESOLVED, that the Village Administrator
10 is authorized to pay the New York State &
11 Local Retirement System annual invoice, in
12 the amount of \$68,954, by December 15, 2021,
13 to take advantage of the early payment
14 discount.

15 MAYOR WEINBERG: Is there a second?

16 DEPUTY MAYOR SHARKEY: I'll make the
17 second.

18 MAYOR WEINBERG: Any discussion?

19 (There was no response.)

20 MAYOR WEINBERG: All right. Hearing
21 none, no discussion from the Board, Denise,
22 please call the roll.

23 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
24 Mayor Sharkey.

1 DEPUTY MAYOR SHARKEY: Aye.

2 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
3 Monoson.

4 TRUSTEE MONOSON: Aye.

5 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
6 Pang.

7 TRUSTEE PANG: Aye.

8 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
9 Weston.

10 TRUSTEE WESTON: Aye.

11 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
12 Weinberg.

13 MAYOR WEINBERG: Aye.

14 VILLAGE ADMINISTRATOR KNOWLAND: Five
15 votes in favor, zero opposed. Motion is
16 adopted.

17 MAYOR WEINBERG: Okay.

18 * * * * *

19 MAYOR WEINBERG: Next item on the agenda
20 is the Board review Bill T2021G - a local law
21 to repeal Village of Thomaston Local Law
22 3-2021. This is Resolution 20-113. Upon the
23 motion of Steven Weinberg, the following
24 resolution was adopted:

1 RESOLVED, that the Board hereby finds and
2 concludes that

3 (a) the proposed action Bill T2021G is an
4 unlisted action under the State Environmental
5 Quality Review Act and its regulations;

6 (b) the Board is the lead agency with
7 respect to the environmental review of this
8 proposed action;

9 (c) the Board has considered the
10 following factors, and made the following
11 conclusions, in respect to its review of the
12 environmental impacts of the proposed action:

13 (i) the proposed action is repeal of a
14 prior local law which authorized applications
15 to be made for certain incentive zoning
16 permits. No such application is presently
17 pending, and the time in which any such
18 application may be filed will soon expire.
19 The Board does not anticipate that any such
20 application will be filed prior to the
21 expiration of the prior law. The purpose of
22 this local law is to remove the prior local
23 law from the Village Code;

24 (ii) the proposed action would not result

1 in any substantial adverse change in existing
2 air quality, ground or surface water quality
3 or quantity, traffic or noise levels, nor any
4 substantial increase in solid waste
5 production, nor create a substantial increase
6 in the potential for erosion, flooding,
7 leaching or drainage problems;

8 (iii) the proposed action would not
9 result in the removal or destruction of large
10 quantities of vegetation or fauna,
11 substantial interference with the movement of
12 any resident or migratory fish or wildlife
13 species, impacts on a significant habitat
14 area, substantial adverse impacts on a
15 threatened or endangered species of animal or
16 plant, or the habitat of such a species, or
17 other significant adverse impacts to natural
18 resources;

19 (iv) the proposed action would not
20 impair the environmental characteristics of
21 any Critical Environmental Area;

22 (v) the proposed action would not
23 conflict with the community's current plans
24 or goals as officially approved or adopted;

1 (vi) the proposed action would not
2 impair the character or quality of important
3 historical, archaeological, architectural or
4 aesthetic resources or of existing community
5 or neighborhood character;

6 (vii) the proposed action would not
7 result in a major change in the use of either
8 the quantity or type of energy;

9 (viii) the proposed action would not
10 create a hazard to human health;

11 (ix) the proposed action would not
12 create a substantial change in the use, or
13 intensity of use, of land, including
14 agricultural, open space or recreational
15 resources, or in its capacity to support
16 existing uses;

17 (x) the proposed action would not
18 encourage or attract large numbers of persons
19 to any place for more than a few days,
20 compared to the number who would come to such
21 place without such action;

22 (xi) the proposed action would not
23 create changes in two or more elements of the
24 environment, no one of which would have a

1 significant impact on the environment, but
2 when taken considered together would result
3 in a substantial adverse impact on the
4 environment;

5 (xii) the proposed action would not
6 create substantial adverse impacts when
7 considered cumulatively with any other
8 actions, proposed or in process;

9 (xiii) the proposed action would not
10 result in substantial adverse impact with
11 respect to any relevant environmental
12 consideration, including noise, aesthetics,
13 traffic, air quality, water quality or
14 adequacy of water supply, drainage, soil
15 conditions, or quality of life in the
16 community in general and the immediate
17 neighborhood in particular;

18 (d) the proposed action would not have a
19 significant adverse environmental impact; and

20 (e) no further environmental review is
21 required with respect to the proposed action;
22 and

23 (f) the Mayor is hereby authorized to
24 complete and execute Part 3 of the

1 Environmental Assessment Form consistent with
2 this resolution.

3 Is there a second?

4 TRUSTEE PANG: I'll second.

5 DEPUTY MAYOR SHARKEY: Second.

6 TRUSTEE PANG: Put Jim as the second.

7 VILLAGE ADMINISTRATOR KNOWLAND: Jim
8 Sharkey as the second. Thank you.

9 TRUSTEE PANG: But I have a question. I
10 think the first question I know the answer,
11 but I will ask anyway. I think a lot of
12 people is anxious to repeal the law. I think
13 the question is why we cannot repeal the law
14 today.

15 MAYOR WEINBERG: Okay. My understanding
16 -- and I will certainly let Mr. Levin explain
17 -- the local law -- in order to repeal a
18 local law, you are repealing a local law that
19 was established by hearing. In order to
20 repeal a local law you must do so by a local
21 law. In order to enact another local law you
22 must have a public hearing to approve that
23 local law, along with the negative SEQRA
24 declaration.

1 But, Tom, please answer the question.

2 MR. LEVIN: That's the gist of the
3 answer. But basically you have to follow the
4 same process to adopt this local law as you
5 did when adopting the law that you're now
6 proposing to repeal. So that means you have
7 to schedule a public hearing, which you may
8 be getting to tonight. You have to make the
9 SEQRA determination. And you have to refer
10 this to the Nassau County Planning Commission
11 and wait for a recommendation back from them.

12 So since none of those steps can be
13 accomplished tonight -- excuse me -- all of
14 those steps cannot be accomplished tonight,
15 you cannot repeal the local law tonight. You
16 have to go through that process first.

17 TRUSTEE PANG: Okay. Thank you.

18 I do have a second question. I think it
19 was mentioned that the Board does not
20 anticipate that any such application will be
21 made prior to the expiration of the prior
22 law. So I think the question is how
23 confident we are that we do not expect any
24 such application be filed before the

1 expiration date or before the next meeting.

2 MAYOR WEINBERG: Tom, do you have a
3 comment on that?

4 MR. LEVIN: My crystal ball isn't
5 working.

6 MAYOR WEINBERG: Neither is mine.

7 MR. LEVIN: Just going on the basis of
8 what the village has heard from the developer
9 who filed the one application and then
10 withdrew it by their own intentions. They do
11 not seem interested. The village has had no
12 indication from anyone else that they would
13 be interested in making any filing. So we're
14 operating on the assumption that there isn't
15 going to be one. We'll know soon enough
16 since the window for the application to be
17 made closes in mid-December.

18 TRUSTEE PANG: So what happened -- what
19 happens if today we approve this bill or we
20 approve this resolution but the -- but
21 someone changes his mind and put in a
22 application to modify one? What would happen
23 then?

24 MR. LEVIN: Well, I don't think -- my

1 view is it wouldn't change anything at all
2 because this resolution, I guess, boils down
3 to a simple one sentence in English. This
4 resolution says that the proposed law to
5 repeal the prior law does not itself have any
6 environmental impact.

7 And our position has been from the
8 beginning that simply adopting a law that
9 doesn't actually take effect or do anything
10 until there's a later application and a
11 hearing process, including environmental
12 review, merely adopting the law to put it in
13 the code or adopting the law to take it out
14 of the code has no environmental impact on
15 anybody.

16 It doesn't result in a development. This
17 doesn't undo a development. This just takes
18 a law off the books that isn't used. And
19 presumably the hearing wouldn't take place
20 until that window was -- at a point where it
21 was closed. So this resolution would stand
22 the same, even if somebody did make an
23 application. The law itself doesn't have an
24 environmental impact.

1 TRUSTEE PANG: Understood.

2 MR. LEVIN: That's all this resolution
3 says.

4 TRUSTEE PANG: Okay. Thanks.

5 MAYOR WEINBERG: Any other questions or
6 comments by the board members?

7 TRUSTEE WESTON: Tom, what is the notice
8 requirement in terms of scheduling a public
9 hearing, the minimum notice? You're muted,
10 Tom. Tom, you're muted.

11 MR. LEVIN: I'm sorry.

12 TRUSTEE WESTON: That's all right.

13 MR. LEVIN: No. I thought that I had
14 unmuted. Can you hear me now?

15 TRUSTEE WESTON: I can now.

16 MR. LEVIN: Okay. I'm sorry. I thought
17 that I had unmuted.

18 So there are a number of requirements for
19 the village. No. 1, you have to publish and
20 post a legal notice of the hearing at least 5
21 days before the hearing. That's one step.
22 Notices have to go out to adjoining
23 municipalities and various other entities.
24 And that has to be done 10 days before the

1 hearing. And we have to refer it to the
2 County Planning Commission. And they have 30
3 days to give us a response.

4 So there are varying different timing
5 requirements as to when you can move to the
6 next step. The most that you can do tonight
7 is adopt this SEQRA resolution, which allows
8 us to send it to the county -- because that's
9 one of the things that we have to send -- and
10 schedule a hearing, allowing sufficient time
11 for those steps to take place. Pick a
12 hearing date that would allow that -- enough
13 time for those things to take place before
14 the hearing, so that when you do have the
15 hearing you will be able to act at that
16 hearing.

17 TRUSTEE WESTON: Okay. And by that point
18 the application deadline certainly would have
19 passed presumably?

20 MR. LEVIN: Well, it depends. You could
21 have had the hearing before, but the problem
22 you have is because there are property rights
23 involved with this, I think it would be
24 inadvisable to repeal the law before that

1 windows closes.

2 So when you adopt a local law, for
3 example, a law to repeal a prior law, when
4 you adopt a local law, you also set the date
5 on which that law becomes effective. So the
6 earliest you're allowed to do that is to make
7 a law effective immediately on filing it with
8 the Department of State, the New York State
9 Secretary of State.

10 But you can adopt a law that says it's
11 effective immediately on filing or on a
12 particular date, whichever is later. You
13 can't make it earlier. You can't make the
14 law effective earlier than the filing with
15 the Secretary of State. So you could, for
16 example, before that window period expires,
17 you can adopt the law that's effective when
18 that window period expires or when it's filed
19 with the Secretary of State, whichever
20 happens later.

21 MAYOR WEINBERG: Any other comments or
22 discussion from the board members? Okay.

23 (There was no response.)

24 MAYOR WEINBERG: Hearing none, Denise,

1 please call the roll.

2 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
3 Mayor Sharkey.

4 DEPUTY MAYOR SHARKEY: Aye.

5 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
6 Monoson.

7 TRUSTEE MONOSON: Aye.

8 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
9 Pang.

10 TRUSTEE PANG: Aye.

11 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
12 Weston.

13 TRUSTEE WESTON: Aye.

14 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
15 Weinberg.

16 MAYOR WEINBERG: Aye.

17 VILLAGE ADMINISTRATOR KNOWLAND: Five
18 votes in favor, zero opposed. The motion is
19 adopted.

20 * * * * *

21 MAYOR WEINBERG: Next item on the agenda
22 is Resolution 20-114.

23 Upon motion of Steven Weinberg.

24 RESOLVED, that a public hearing be held

1 on December 20, 2021, at 7:30 p.m. via Zoom
2 webinar with respect to the proposed adoption
3 of Bill T2021G entitled, "A Local Law to
4 Repeal Village of Thomaston Local Law
5 3-2021", and it is further

6 RESOLVED, that the Village Clerk is
7 directed to publish, post and otherwise give
8 notice of such hearing as may be required by
9 law, and it is further

10 RESOLVED, that the Village Attorney is
11 authorized to submit Bill T2021G to the
12 Nassau County Planning Commission for its
13 recommendation as required by General
14 Municipal Law 239-m.

15 Is there a second?

16 TRUSTEE MONOSON: I'll second.

17 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
18 Monoson seconds.

19 Any comments or discussion on the
20 resolution to schedule the public hearing by
21 the board members?

22 TRUSTEE WESTON: That gives us about
23 what, 30 plus days, 35 days? Okay.

24 UNIDENTIFIED AUDIENCE MEMBER: Okay.

1 Excuse me. Why is nobody paying any
2 attention to all the questions that are
3 coming in? In the upper right-hand corner
4 there are a million comments that nobody is
5 acknowledging.

6 MAYOR WEINBERG: At the time we're not
7 having a public hearing.

8 Tom, is there something else that you
9 would like to add?

10 MR. LEVIN: Well, I can just give a quick
11 summary, because I think there's not just
12 here but in general misunderstanding about
13 what the Open Meetings Law is about.

14 The Open Meetings Law provides that the
15 public has the right to observe meetings of
16 public bodies. The public does not have a
17 right to participate in meetings of public
18 bodies, except to the extent the public body
19 chooses to allow that at any particular time.

20 The public has a right to be heard. If
21 there is a public hearing being scheduled,
22 then the Board is required to have the public
23 comments. But right now this is a business
24 meeting of the Board which is open to the

1 public to observe. That's why the dialogue,
2 whatever it may be, is not being responded
3 to. It may or may not be later, but it's not
4 appropriate at this point. The Board is
5 doing its business meeting.

6 MAYOR WEINBERG: Is there any comment or
7 discussion by the Board on the resolution?

8 (There was no response.)

9 MAYOR WEINBERG: Hearing none, please
10 call -- Denise, please call the roll.

11 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
12 Mayor Sharkey.

13 DEPUTY MAYOR SHARKEY: Aye.

14 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
15 Monoson.

16 TRUSTEE MONOSON: Aye.

17 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
18 Pang.

19 TRUSTEE PANG: Aye.

20 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
21 Weston.

22 TRUSTEE WESTON: Aye.

23 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
24 Weinberg.

1 MAYOR WEINBERG: Aye.

2 VILLAGE ADMINISTRATOR KNOWLAND: There
3 are five votes in favor, zero opposed. The
4 motion adopted.

5 * * * * *

6 MAYOR WEINBERG: The next resolution on
7 the agenda is a special meeting of the Board
8 of Trustees. This is for Resolution 21-115.

9 It's upon on motion of Steve Weinberg.

10 WHEREAS, Section 120-3B(2) of the Village
11 of Thomaston Code requires approval of the
12 Board of Trustees for the Landmark
13 Preservation Commission to retain a
14 consultant where such retention would involve
15 the expenditure of Village funds; and

16 WHEREAS, the Landmark Preservation
17 Commission contemplates selecting such
18 consultant at its scheduled November 30,
19 2021, meeting, subject to the availability of
20 funding, after which the Board of Trustees
21 will have an opportunity to review that
22 selection, and the proposed cost thereof, and
23 consider authorization of funding; and

24 WHEREAS, the work of the Landmark

1 Commission would be expedited by a prompt
2 Board of Trustees decision whether to
3 authorize such consulting contract, and such
4 expenditure, as soon as feasible after the
5 Commission's November 30, 2021, meeting.

6 NOW, THEREFORE, BE IT

7 RESOLVED, that the Board of Trustees hold
8 a special meeting on December 1, 2021, at
9 7:30 p.m. via Zoom videoconference; and it is
10 further

11 RESOLVED, that the Village Administrator
12 give legal notice of such special meeting as
13 required by law.

14 Is there a second?

15 TRUSTEE WESTON: I'll second it, Mayor.

16 MAYOR WEINBERG: Okay. Any discussion or
17 comment by the Board on the proposed
18 resolution?

19 TRUSTEE PANG: I have a question.

20 So we know for sure that the Landmark
21 Preservation Commission will retain a
22 consultant?

23 MAYOR WEINBERG: We do not know for sure.

24 We know that the purpose of the business

1 meeting on November 30th is to consider the
2 retention of a consultant. And we are --
3 believe that they will. But we are
4 scheduling the meeting so that we are ready
5 to go to authorize the consultant, if they
6 choose one at the November 30th meeting.

7 TRUSTEE PANG: So the short answer is,
8 you know, if the Landmark Commission chooses
9 to retain a consultant on November 30th
10 meeting, they can start to look for a
11 consultant the next day; is that right?

12 MAYOR WEINBERG: No. My understanding is
13 the Landmark Commission is looking for
14 consultants now --

15 TRUSTEE WESTON: Now.

16 MAYOR WEINBERG: -- so that they will
17 review a proposal or proposals at the
18 November 30th meeting. And my understanding
19 is that they will select one and be -- in
20 order for the consultant to proceed with the
21 work for the Landmark Preservation Commission
22 that's selected by the Landmark Preservation
23 Commission, the Board -- the Board of
24 Trustees would have to authorize the

1 retention and payment of that consultant,
2 whoever that consultant may be.

3 TRUSTEE PANG: Right. So if they choose
4 one in that meeting, then the money will be
5 available to the Landmark Commission on that
6 day or the next day; is that correct?

7 MAYOR WEINBERG: I'm sorry. Tom, you
8 wanted to add something?

9 MR. LEVIN: I'm not sure that it was
10 clear what's happening here. The Landmark
11 commission is meeting on the 30th.

12 MAYOR WEINBERG: Correct.

13 MR. LEVIN: And they may or may not take
14 a consultant at that time that they would
15 like to use, but they can't finalize any
16 arrangement with the consultant because
17 they're not authorized to spend money until
18 this board authorizes that.

19 So the proposal is on the 1st, the next
20 day, to have this board have a special
21 meeting where they can authorize the spending
22 of money for the consultant. And if you then
23 authorize it -- if they recommend it on the
24 30th and you authorize it on the 1st, then

1 they can get a consultant to work right away.
2 Otherwise they will have to wait until your
3 next board meeting.

4 TRUSTEE PANG: Okay. Understood now.

5 Thank you.

6 TRUSTEE WESTON: The intent is to
7 expedite the process.

8 TRUSTEE PANG: Right.

9 MR. LEVIN: If it turns out on the 30th
10 they don't select a consultant, then you can
11 cancel your meeting on the 1st because you
12 shouldn't authorize money for something when
13 you don't know who it is or what it's going
14 to cost.

15 TRUSTEE PANG: Understood.

16 MAYOR WEINBERG: Is there any other
17 comments or discussion by the board members?

18 (There was no response.)

19 MAYOR WEINBERG: Hearing none, Denise,
20 please call the roll.

21 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
22 Mayor Sharkey.

23 DEPUTY MAYOR SHARKEY: Aye.

24 VILLAGE ADMINISTRATOR KNOWLAND: Trustee

1 Monoson.

2 TRUSTEE MONOSON: Aye.

3 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
4 Pang.

5 TRUSTEE PANG: Aye.

6 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
7 Weston.

8 TRUSTEE WESTON: Aye.

9 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
10 Weinberg.

11 MAYOR WEINBERG: Aye.

12 VILLAGE ADMINISTRATOR KNOWLAND: Five
13 votes in favor, zero opposed. The motion is
14 adopted.

15 DEPUTY MAYOR SHARKEY: Your Honor, I have
16 a question.

17 If the committee meets on the 30th and
18 makes a decision to hire someone, how soon
19 will they get -- how soon will they
20 communicate that decision to you or to any
21 other members of the Board?

22 MAYOR WEINBERG: I would assume they
23 would communicate it to us the same day, on
24 November 30th.

1 DEPUTY MAYOR SHARKEY: All right. Thank
2 you.

3 MAYOR WEINBERG: Tom, was there something
4 you wanted to add?

5 MR. LEVIN: I was going to say the same.
6 I would assume they would notify you as soon
7 as possible before your meeting on the 1st.

8 * * * * *

9 MAYOR WEINBERG: Okay. On the Public
10 Works report. The -- our Public Works
11 Department has been cleaning from the storms.
12 They were sweeping our village streets,
13 streetlight repair, continuing with cracked
14 sealing, tree trimming. They had to remove
15 four trees: two on Schenck, two on Shorewood
16 Drive. There was line striping. And there
17 were nine resident requests that were
18 addressed for trees and streetlights.

19 Upcoming work will continue with street
20 sweeping, cracked sealing. Fall cleanup is
21 in full swing. Sidewalk repair and catch
22 basin cleaning to try to keep up with all the
23 storms.

24 Is there a motion on the vouchers?

1 TRUSTEE MONOSON: I'll make the motion if
2 you want.

3 TRUSTEE PANG: I'll --
4 Go ahead.

5 TRUSTEE MONOSON: RESOLVED, that the
6 vouchers in the aggregate amount of
7 \$102,660.20 (as itemized on the abstract of
8 vouchers dated Tuesday, November 16, 2021),
9 are hereby approved for payment, all
10 allocated to the General Fund.

11 A copy of the approved vouchers list is
12 attached to these minutes.

13 MAYOR WEINBERG: Is there a second?

14 TRUSTEE PANG: I'll second.

15 MAYOR WEINBERG: Any discussion about the
16 vouchers?

17 (There was no response.)

18 MAYOR WEINBERG: Hearing none, would you
19 -- Denise, please call the roll.

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: Five
12 votes in favor, zero opposed. The motion is
13 adopted.

14 * * * * *

15 MAYOR WEINBERG: Okay. Before we adjourn
16 -- I'm sorry. Denise, if the members of the
17 public would please remain. Denise, would it
18 be possible to go into Executive Session?

19 VILLAGE ADMINISTRATOR KNOWLAND: If you
20 need to, I believe you have to state the
21 reason for the Executive Session.

22 MAYOR WEINBERG: Yes. To seek legal
23 advice from Mr. Levin.

24 VILLAGE ADMINISTRATOR KNOWLAND: Okay.

1 Let me set up the breakout room. Bear with
2 me. I'm just setting it up. Hold on a
3 moment. I'm sorry.

4 All right. I think that I have a
5 problem. I'm having a problem with this. I
6 have to try this again. I'm sorry.

7 Mr. Sharkey, you have to join the
8 breakout room. Do you see?

9 DEPUTY MAYOR SHARKEY: Sorry, Denise.
10 Say that again.

11 VILLAGE ADMINISTRATOR KNOWLAND: You have
12 to join the breakout room.

13 DEPUTY MAYOR SHARKEY: Let me get my
14 daughter. Kathleen.

15 VILLAGE ADMINISTRATOR KNOWLAND: I have
16 to reset it. Just a minute. It's timing
17 out. I don't know why. I have to do it
18 again. Sorry, folks. It was timing out. I
19 don't know what happened.

20 All right. Mr. Sharkey wasn't able to
21 get in right away, and I have to start it
22 again.

23 MAYOR WEINBERG: We need a motion.

24 MR. LEVIN: You need the motion first.

1 And also you need to map out the meeting time
2 so it closes automatically.

3 TRUSTEE WESTON: In a minute.

4 VILLAGE ADMINISTRATOR KNOWLAND: Right.
5 Sorry about that.

6 MAYOR WEINBERG: Tom, do we need Denise
7 to take any minutes --

8 MR. LEVIN: You mentioned the purpose was
9 for the advice. You need a motion to go into
10 Executive Session for legal advice?

11 MAYOR WEINBERG: Yes.

12 VILLAGE ADMINISTRATOR KNOWLAND: Okay.

13 MAYOR WEINBERG: I'm making a motion to
14 go into Executive Session for legal advice.

15 TRUSTEE WESTON: I'll second it.

16 MAYOR WEINBERG: All those in favor?

17 Denise, please call the roll.

18 VILLAGE ADMINISTRATOR KNOWLAND: Also we
19 have a second?

20 TRUSTEE WESTON: Yeah.

21 MAYOR WEINBERG: That was Burton.

22 VILLAGE ADMINISTRATOR KNOWLAND: Who was
23 the second? Burt?

24 TRUSTEE WESTON: I was. Yes.

1 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
2 Mayor Sharkey.

3 DEPUTY MAYOR SHARKEY: Aye.

4 VILLAGE ADMINISTRATOR KNOWLAND: Okay.
5 Trustee Monoson.

6 TRUSTEE MONOSON: Aye.

7 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
8 Pang.

9 TRUSTEE WESTON: Ben, you're muted Ben.

10 TRUSTEE PANG: Aye. I'm sorry.

11 VILLAGE ADMINISTRATOR KNOWLAND: Trustee
12 Weston.

13 TRUSTEE WESTON: Aye.

14 VILLAGE ADMINISTRATOR KNOWLAND: Mayor
15 Weinberg.

16 MAYOR WEINBERG: Aye.

17 VILLAGE ADMINISTRATOR KNOWLAND: Five
18 votes in favor, zero opposed. The motion is
19 adopted.

20 So now I'm trying to open the room.

21 Mr. Sharkey, do you see a message to
22 join?

23 DEPUTY MAYOR SHARKEY: Yes, I do.

24 VILLAGE ADMINISTRATOR KNOWLAND: So you

1 have to click on that.

2 DEPUTY MAYOR SHARKEY: Hold on one
3 second.

4 (The Board went into Executive Session at
5 8:19 p.m.)

6 (During the Executive Session the
7 following public comments were made:)

8 MS. MONES: Ellen Mones.

9 May I just ask what's going on?

10 MR. CRONSON: Andrew Cronson.

11 The Board has entered into Executive
12 Session, which is just one of the sort of
13 narrow -- where they're allowed to deliberate
14 privately in terms of appointments, retention
15 of officials, sort of legal advice or
16 anything that really is not meant to be
17 public. And we kind of wait for them to
18 finish their meeting. And they're supposed
19 to report back and end the session by making
20 a motion to adjourn. They may or may not
21 allow public comment to be heard. Most
22 likely they will not allow it.

23 MS. MONES: Thank you.

24 MS. CHEN: Wenjie Chen.

1 Thank you. That's very helpful.

2 MR. CRONSON: I also point out, for what
3 it's worth, that Counsel Levin is right on
4 the public meeting. They're not required to
5 allow the public to voice their opinion.
6 They're -- the law is silent with respect to
7 that officially. But they are required to
8 deliberate in front of the public.

9 MS. GORDON: Nina Gordon.

10 But just for the record, the Town of
11 North Hempstead and most other villages do
12 allow public comment at every meeting.

13 MS. MONES: And they did say in their
14 print that -- they told us how we can
15 communicate with them. And we all wrote
16 letters. And they said that they would be
17 aware of them and they would be presented at
18 the meeting. That's what was said.

19 MR. CRONSON: They're supposed to reflect
20 in their deliberations on the public comment,
21 which becomes part of the public record. But
22 they're not required to allow people to
23 speak. And if they do choose to, the public
24 means everyone and anyone. The -- New York

1 State has come out by saying that anyone from
2 here to Timbuktu 2 is allowed to comment.
3 They're considered the public. But they're
4 not required to allow the public to comment
5 at meetings unless they want to.

6 MS. MONES: I wish I had that law at my
7 table.

8 MS. HALPERN: Wendy Halpern.

9 Well, it's interesting also because at
10 other meetings that aren't "controversial"
11 there's a time for public comment. Here they
12 know what people want to say, and they're
13 most likely not going to allow public
14 comment, which doesn't mean they don't need
15 to -- they couldn't address the questions in
16 the chat even if they didn't allow public
17 comment.

18 MS. SHERMAN: Nancy Sherman.

19 What legal opinion could they possibly
20 need from their counsel in the middle of
21 their meeting? I wonder.

22 MS. MONES: How to keep out of jail
23 maybe.

24 (The Board left Executive Session at 8:31

1 p.m.)

2 * * * * *

3 MAYOR WEINBERG: There were a number of
4 questions in the chat room. There are
5 certain questions that we can answer, certain
6 questions that we cannot based on pending
7 litigation.

8 Tom, can you take the lead on the
9 categories of questions?

10 MR. LEVIN: It would help if somebody can
11 tell me which categories they would like me
12 to address. And then I will.

13 MAYOR WEINBERG: Sure. The Landmark
14 Commission.

15 MR. LEVIN: Okay. So let me tell you.
16 Basically this is interesting because
17 although the village has had this in their
18 code I think for some 25 or more years, and
19 I've been the village attorney since
20 somewhere in the early 80s, I don't recall
21 there ever having been a meeting of the
22 Landmark Commission. So there is some new
23 ground being broken. But let me explain
24 briefly how it works.

1 If there is a request from anyone or a --
2 including a property owner or any resident
3 that a particular property be given what's
4 colloquially called "landmark status," the
5 commission is obligated to consider that.
6 And the process by which they do that is a
7 little vague in the code.

8 It is clear that once they start having
9 meetings -- and they're not required to have
10 a public hearing, so -- but they are required
11 to take public input. And my understanding
12 is they intend to do that. And so I don't
13 think that's going to be a problem for
14 anyone. But once they start a meeting at
15 which they take public comments and
16 considering the substance of the application,
17 they have a fixed period of time after they
18 conclude that meeting in which to make a
19 decision.

20 So before anybody gets excited over the
21 fact that when they have a hearing scheduled
22 within I think it's 62 days later they're
23 going to have the decision. And the 62 days
24 is measured from when they finish listening

1 to people and having their meetings to
2 discuss the application. It's not one
3 meeting. It could be more than one if there
4 are a number of comments or if there's issues
5 they still want to address.

6 So it's an advisable thing for a Landmark
7 Commission, since their ultimate decision if
8 they landmark a property is going to have
9 serious effects and impacts on the owner of
10 that property and the future owners as to
11 what can be done with the property, that
12 before they make those kinds of decisions
13 they ought to get advice from somebody who
14 has experience in this kind of work.

15 And they've been, I understand, looking
16 at some consultants who do have that
17 background and can give them advice. It's
18 not a simple thing that you just look at a
19 property and decide that because it has
20 historic characteristics for example, or it
21 may be eligible to be on the national or
22 state register -- where incidentally property
23 cannot go unless an owner consents to it as
24 oppose to the village's landmarking which can

1 be done over the opposition of an owner --
2 where you have that kind of situation,
3 because there are serious impacts on people's
4 property, it's very advisable to get this
5 kind of professional advice before you do
6 that.

7 The mere fact that a property is eligible
8 for a national or a state listing doesn't
9 mean that it has to be listed or it has to be
10 landmarked by the village. The village has
11 to weigh a number of factors. And if they
12 decide to landmark a property, they also have
13 to decide to what extent it's being
14 landmarked.

15 Landmarking generally applies to the
16 exterior of a property. And they can set
17 conditions as to what can be done. Whether
18 it's just the building, whether it's the
19 property, a combination of the two, there are
20 a number of different possibilities. So it's
21 a good idea to get some professional
22 expertise from people who have that kind of
23 knowledge.

24 It would be nice sometimes if you had

1 people on the commission or on any board who
2 had personal familiarity with these kinds of
3 issues. But the Board's decisions have to be
4 based on impartiality and professional
5 recommendations. So while the knowledge of
6 people on the Board or a commission is always
7 a good thing, it's not a good idea to rely
8 solely on that and not get some outside
9 advice.

10 So I think that's why they're choosing to
11 do that. And they're going through -- as I
12 understand it, they're going through that
13 process. I'm not familiar with all of their
14 details, but I do know from conversation that
15 that's the direction that they're headed.

16 I'm trying to think what else there was.
17 The qualifications for the commission. In
18 the code it's basically people whom the Mayor
19 and the trustees have chosen to appoint to
20 the Board. And that's done in their best
21 judgment as to people who can properly serve
22 and balance a number of different interests,
23 not just people who are familiar with
24 architecture, for example, or history or

1 anything of that sort.

2 MAYOR WEINBERG: Following up on that.

3 Denise, can you address the names, the
4 members of the Landmark Preservation
5 Commission?

6 TRUSTEE WESTON: Steve, if you can also
7 indicate when they were appointed.

8 MAYOR WEINBERG: Denise?

9 MR. LEVIN: Denise, you're muted.

10 MAYOR WEINBERG: Denise, are you here?

11 VILLAGE ADMINISTRATOR KNOWLAND: Yes.

12 As to the members of the commission,
13 Leila Mattson is on the committee --
14 commission. I do not have in front of me
15 when she was first appointed, but she has
16 been on the commission as long as I've been
17 working for the village. So that's 14 years
18 at least.

19 Miriam Chatinover is also on that
20 commission. I'm not sure how long her tenure
21 has been, but she's been on for several
22 years. Karen Siegel was appointed to the
23 Landmark Commission I believe in April of
24 2021 because there were vacancies on that

1 board. And she accepted that invitation.
2 And Donald Stern and Gary Noren were
3 appointed recently at the September or the
4 October Board of Trustees meeting. Again I
5 don't have it right in front of my -- right
6 in front of me at this point.

7 TRUSTEE PANG: It's the August meeting,
8 not September.

9 TRUSTEE WESTON: August meeting. That's
10 correct.

11 VILLAGE ADMINISTRATOR KNOWLAND: Oh. It
12 was the August meeting. I'm sorry. Thank
13 you.

14 MAYOR WEINBERG: Okay. Leila Mattson has
15 been the Village Historian for a significant
16 length of time. Correct, Denise?

17 VILLAGE ADMINISTRATOR, KNOWLAND: Yes.
18 For a significant length of time she's been
19 the Village Historian. She's also a member
20 of the Great Neck Historical Society.

21 MAYOR WEINBERG: Okay. And in terms of
22 -- just finishing up with the Landmark
23 Preservation Commission. I don't -- at the
24 moment we do not know the consultants that

1 are being considered by the Landmark
2 Preservation Commission. I know that -- I'm
3 just -- I believe they're waiting for
4 proposals.

5 In terms of notice, the notice -- notice
6 will be provided, as it was today. There
7 will be a Swift 311 Reach notice of the
8 commission.

9 VILLAGE ADMINISTRATOR KNOWLAND: The
10 meeting has gone out for the November 30th
11 meeting.

12 MAYOR WEINBERG: Right.

13 VILLAGE ADMINISTRATOR KNOWLAND: That has
14 been -- that has been sent out already. And
15 it's on the website. And it has been mailed.

16 MAYOR WEINBERG: Correct. The notice for
17 the board meetings going forward. A reminder
18 notice that there is a board meeting will be
19 sent out by 311. And it will advise the
20 agenda and board meeting materials. Most of
21 the board meeting materials should also be
22 posted with the agenda on the village
23 website. So it will remind you of the date
24 of the meeting. And then that the agenda and

1 items are posted on the village website. If
2 anyone has difficulty accessing the village
3 website, they can certainly call the village
4 hall. And village hall will certainly either
5 help them or make alternative arrangements to
6 get the information to anyone who needs that
7 assistance.

8 In terms of -- and that's a policy that
9 will keep going forward. In terms of --
10 there was a general question I believe about
11 comparing the procedure. The procedure that
12 was followed tonight for enacting the local
13 -- for scheduling the public meeting for the
14 local law to repeal the local law was the
15 same procedure that was filed -- followed
16 with respect to the local law itself.

17 Tom, was there anything that you wanted
18 to add?

19 MR. LEVIN: No. Just one thing that I
20 would like to add.

21 I understand the desire of people
22 sometimes to just have the Board do something
23 right away. But we have to keep in mind that
24 there's a structure to government and a

1 requirement that we give due process. So
2 there are procedures that the village has to
3 follow before it can do certain things. And
4 that's unfortunately sometimes you can't act
5 immediately or even quickly on various
6 matters. And you have to cover some
7 procedural steps. And that's to protect
8 everyone, to make sure things are done in a
9 proper way.

10 So while it's frustrating, and I
11 appreciate the frustration, we need to do
12 that, or we're going to be inundated with
13 lawsuits over every single thing you do. We
14 have to respect people's property rights.
15 And that doesn't just mean yours, any
16 particular person. That means everyone. So
17 residents have rights and property owners
18 have rights. And applicants have rights.
19 And board members have rights.

20 So we try to balance all of those and
21 protect all of those rights as best we can
22 through these processes. Unfortunately it
23 takes time. Sometimes you have to just wait
24 out the process. And that's what we're

1 trying to do.

2 MAYOR WEINBERG: Thank you, Tom.

3 "Why is the Village Attorney here?" The
4 Village Attorney is here obviously to help us
5 with the legal questions that have come up.
6 And actually it's been very helpful tonight.
7 Obviously we've had a couple -- the
8 correction to the minutes and important
9 questions to address, while there's also at
10 the moment a pending lawsuit. We're trying
11 to get information to you. Pending lawsuits
12 obviously are very costly for all of the
13 parties involved in the lawsuit. And if we
14 can come to a resolution sooner rather than
15 later, that's probably in everyone's best
16 interest, certainly from the time and expense
17 standpoint.

18 There was certainly a question about the
19 New York State Retirement System invoice
20 where there's a statement as to salary of
21 \$326,737.00. "Was that one person's salary
22 or former salary, multiple salaries?" I want
23 to give a little background to this. There
24 is no one, no one that earns a salary of

1 \$326,737.00 that works for this village.

2 It's an aggregate of salary.

3 Denise, is that only present -- a total
4 of present employees, or does that include
5 any prior employees as well?

6 Denise, you have to unmute.

7 VILLAGE ADMINISTRATOR KNOWLAND: All
8 right.

9 For that -- the year -- those are the
10 members, the current employees who are
11 members of the pension system in Tier 4.
12 That is an aggregate amount of money. There
13 is a separate line item for the aggregate for
14 the members that are Tier 6 in the pension
15 system.

16 MAYOR WEINBERG: Actually what the
17 village has done and the background that I
18 was alluding to and what we've achieved over
19 literally the past, oh, probably goes back
20 starting 20 years ago, but is that we have
21 two full-time employees in the Department of
22 Public Works. And then we have five
23 part-time employees that supplement the
24 Public Works Department. Obviously the

1 Public Works Department takes care of the
2 street cleaning, our streetlights, trees,
3 debris, storm cleanup and significantly
4 repair and maintenance of our roads.

5 And extremely significantly we all
6 appreciate their hard work in winter clearing
7 our roads that generally are credited with
8 being cleaner than many villages that are --
9 exist on our peninsula. And our residents
10 appreciate that and have grown accustomed to
11 that service.

12 What's significant about that is that
13 again we've -- over the years we've -- by
14 trimming the staff and using two permanent
15 full-time employees and five part-time
16 employees, obviously there was a significant
17 reduction in village overhead.

18 In our Village Administrator's office we
19 have three individuals that do the work of
20 this entire village with respect to the
21 clerical work of the village administration
22 staff. Needless to say they are very, very,
23 busy from 9:00 to 4:00 every single day.

24 There was -- are there other general

1 questions? Okay. Just following up on
2 notice. What we're talking about is the 311
3 notice. Really the village no longer does
4 mailings because, again, it's not only the
5 cost, but it certainly is very, very time
6 consuming for our village staff to actually
7 do a physical mailing, certainly to the
8 entire village. I think that happens once a
9 year. And that's really for the tax notice
10 that goes out.

11 That's -- I think that's the general
12 topics that were covered. Okay. So I thank
13 you and any other -- is there a motion to
14 adjourn?

15 DEPUTY MAYOR SHARKEY: I'll make the
16 motion.

17 MAYOR WEINBERG: Okay.

18 TRUSTEE PANG: I'll second.

19 MAYOR WEINBERG: Any -- Denise, please
20 call the roll.

21 VILLAGE ADMINISTRATOR KNOWLAND: Deputy
22 Mayor Sharkey.

23 DEPUTY MAYOR SHARKEY: Aye.

24 VILLAGE ADMINISTRATOR KNOWLAND: Trustee

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Monoson.

TRUSTEE MONOSON: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Trustee
Pang.

TRUSTEE PANG: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Trustee
Weston. Trustee Weston, are you still there?
Oh, you're muted.

TRUSTEE WESTON: I'm sorry. I apologize.
Aye.

VILLAGE ADMINISTRATOR KNOWLAND: That's
okay.

Mayor Weinberg.

MAYOR WEINBERG: Aye.

VILLAGE ADMINISTRATOR KNOWLAND: Five
votes in favor, zero opposed. The motion is
adopted.

MAYOR WEINBERG: All right. Thank you.

* * *

CERTIFIED THAT THE FOREGOING IS A TRUE AND ACCURATE
TRANSCRIPT OF THE MINUTES OF THIS HEARING AS TRANSCRIBED
FROM A RECORDING, DONE TO THE BEST OF MY ABILITY

JENNIFER DEVLIN
Court Reporter