

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF THOMASTON
February 8, 2021**

The Board of Trustees met on Monday, February 8, 2021 via videoconference at 7:30 p.m.

Present: Mayor Steven Weinberg, Deputy Mayor James Sharkey, Trustee Jill Monoson, Trustee To-on Pang, Trustee Burton Weston, and Village Administrator Denise M. Knowland

Absent: None

The Mayor opened the meeting at 7:33 p.m.

Mayor Weinberg read the following statement regarding the procedures for this meeting:

“Due to public health and safety concerns related to COVID-19, and pursuant to Governor’s Executive Orders, this meeting of the Board of Trustees is not being held in person.

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

Interested members of the public may provide comments on an agenda item or public hearing by calling in during the meeting at **(646) 558-8656, Meeting ID: 899 8017 2370, Password: 723120** or through the written chat section of the Zoom meeting. Comments may also be provided via email before and during the meeting to clerk@villageofthomaston.org.

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

The Village Administrator called the roll.

A quorum of the Board was in attendance, and the board began the business of the meeting.

Adoption of Minutes

RESOLUTION 21-16

Upon motion of Deputy Mayor Sharkey, seconded by Trustee Monoson, and unanimously approved, the following resolution was adopted:

RESOLVED, that the minutes of the Board of Trustees meeting held on January 11, 2021 are hereby approved and accepted as presented.

The vote on this resolution was:	Mayor Weinberg:	Aye	Deputy Mayor Sharkey:	Aye
	Trustee Monoson:	Aye	Trustee Pang:	Aye
	Trustee Weston:	Aye		

Cable Commission/PATV Update

Robert Schaufeld, the Village of Thomaston representative for the Northshore Cable Commission and Public Access Television, updated the Board on the status of PATV and the Altice and Verizon franchise renewals.

Continued Public Hearing on Bill T2021A (Generators)

Mayor Weinberg opened the continued public hearing on Bill T2021A, a local law to amend the Code of the Village of Thomaston, in relation to generators, at 7:54 p.m. The Mayor announced that the Nassau County Planning Commission had issued Resolution No. 10408-21, recommending local determination on Bill T2021A.

No members of the public were present during the public hearing. No comments from the public were received via email.

RESOLUTION 21-17

Upon motion of Mayor Weinberg, seconded by Trustee Monoson, and unanimously approved, the following resolution was adopted:

RESOLVED, that the public hearing on Bill T2021A, is hereby closed.

The vote on this resolution was:	Mayor Weinberg:	Aye	Deputy Mayor Sharkey:	Aye
	Trustee Monoson:	Aye	Trustee Pang:	Aye
	Trustee Weston:	Abstain		

RESOLUTION 21-18

Upon motion of Trustee Monoson, seconded by Trustee Pang, and unanimously approved the following resolution was adopted:

RESOLVED, that Bill T2021A is adopted as Local Law 1-2021, effective immediately.

The vote on this resolution was:	Mayor Weinberg:	Aye	Deputy Mayor Sharkey:	Aye
	Trustee Monoson:	Aye	Trustee Pang:	Aye
	Trustee Weston:	Aye		

A copy of the local law is attached to these minutes.

Public Hearing on 2021 Vigilant Fire Protection and Ambulance Service Contract

Mayor Weinberg opened the public hearing on the proposed 2021 contract for fire protection and ambulance service provided by the Vigilant Engine & Hook & Ladder Co., Inc. for the portion of the Village of Thomaston north of the LIRR tracks at 7:57 p.m.

No members of the public were present during the public hearing. No comments from the public were received via email.

RESOLUTION 21-19

Upon motion of Trustee Weston, seconded by Mayor Weinberg, and unanimously approved, the following resolution was adopted:

RESOLVED, that the public hearing on the 2021 Vigilant Fire Protection and Ambulance Service Contract is hereby closed.

The vote on this resolution was:	Mayor Weinberg:	Aye	Deputy Mayor Sharkey:	Aye
	Trustee Monoson:	Aye	Trustee Pang:	Aye
	Trustee Weston:	Aye		

RESOLUTION 21-20

Upon motion of Trustee Monoson, seconded by Trustee Weston , and unanimously approved, the following resolution was adopted:

WHEREAS, the Board of Trustees of the Village of Thomaston hereby finds and determines that it has received sufficient information and documentation regarding the matters described in Village Law §4-412 (3)(9) (a-1)(i) to permit the Village to review and consider the proposed fire protection and emergency ambulance service contract between the Village and Vigilant Engine & Hook & Ladder Company, Inc.,

Now, therefore, be it

RESOLVED, that the proposed 2021 contract between the Village and Vigilant Engine & Hook & Ladder Company, Inc., for fire protection and emergency ambulance service for the portion of the Village north of the Long Island Railroad tracks, is accepted, and it is further

RESOLVED, that the Mayor is authorized to execute the contract on behalf of the Village.

The vote on this resolution was:	Mayor Weinberg:	Aye	Deputy Mayor Sharkey:	Aye
	Trustee Monoson:	Aye	Trustee Pang:	Aye
	Trustee Weston:	Aye		

Proposed Village Code Change

RESOLUTION 21-21

Upon motion of Mayor Weinberg, seconded by Trustee Weston, and unanimously approved the following resolution was adopted:

RESOLVED, that a public hearing be held on Monday, February 22, 2021 at 7:30 p.m. with respect to the proposed adoption of Bill T2021B, entitled "A local law to amend the Code of the Village of Thomaston, in relation to temporary deferral of the time for payment of real property taxes," and it is further

RESOLVED, that the Village Clerk is directed to publish, post and otherwise give notice of such hearing as may be required by law.

The vote on this resolution was:	Mayor Weinberg:	Aye	Deputy Mayor Sharkey:	Aye
	Trustee Monoson:	Aye	Trustee Pang:	Aye
	Trustee Weston:	Aye		

Special Meeting of the Board of Trustees

RESOLUTION 21-22

Upon motion of Trustee Pang, seconded by Trustee Weston, and unanimously approved the following resolution was adopted:

RESOLVED, that a special meeting of the Board of Trustees will be held on Monday, February 22, 2021 at 7:30 p.m.

The vote on this resolution was:	Mayor Weinberg:	Aye	Deputy Mayor Sharkey:	Aye
	Trustee Monoson:	Aye	Trustee Pang:	Aye
	Trustee Weston:	Aye		

2020/21 Budget Modifications

RESOLUTION 21-23

Upon motion of Mayor Weinberg, seconded by Trustee Monoson, and unanimously approved, the following resolution was adopted:

RESOLVED, that the 2020/2021 Budget Modifications (Attachment A) as of February 8, 2021 are hereby accepted as presented.

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Sharkey: Aye
Trustee Monoson: Aye Trustee Pang: Aye
Trustee Weston: Aye

Public Works Report

The Mayor will read the Public Works Report.

New Business

There was no new business.

Deposit Refunds

RESOLUTION 21-24

Upon motion of Mayor Weinberg, by seconded by Deputy Mayor Sharkey, and unanimously approved, the following resolution was adopted:

RESOLVED, that the refunds of deposits, in the aggregate amount of \$5,000.00 (as itemized on the Abstract of Refunds dated Monday, February 8, 2021), are hereby approved for disbursement from the Trust and Agency Fund.

A copy of the approved refund list is attached to these minutes.

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Sharkey: Aye
Trustee Monoson: Aye Trustee Pang: Aye
Trustee Weston: Aye

Vouchers

RESOLUTION 21-25

Upon motion of Trustee Pang, by seconded by Trustee Weston, and unanimously approved, the following resolution was adopted:

RESOLVED, that the vouchers, in the aggregate amount of \$55,592.19 (as itemized on the Abstract of Vouchers dated Monday, February 8, 2021), are hereby approved for payment, all allocated to the General Fund.

A copy of the approved voucher list is attached to these minutes.

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Sharkey: Aye
Trustee Monoson: Aye Trustee Pang: Aye
Trustee Weston: Aye

ADJOURNMENT

At 8:14 p.m., there being no further business, the motion to adjourn was made by Deputy Mayor Sharkey, seconded by Trustee Weston, and unanimously approved.

Respectfully Submitted,

Denise M. Knowland
Village Administrator

VILLAGE OF THOMASTON - Trust and Agency Fund

AUDITED REFUNDS

January 12 through February 8, 2021

Type	Num	Date	Name	Memo	Original Amount
Check	1006	02/08/2021	CDL UNDERGROUND SPECIALISTS INC.	REFUND DEP PERMIT #1531	-5,000.00
				REFUND DEPOSIT	5,000.00
TOTAL					5,000.00

INC. VILLAGE OF THOMASTON**AUDITED VOUCHERS**

January 12 through February 8, 2021

Type	Date	Num	Name	Amount
Check	01/20/2021	2923	WATER AUTHORITY OF GREAT NECK NORTH	-42.79
Check	01/20/2021	2924	PSEGLI	-642.55
Check	01/20/2021	2925	PSEGLI	-128.81
Check	01/20/2021	2926	NATIONAL GRID	-500.07
Check	01/20/2021	2927	NATIONAL GRID	-912.00
Check	01/20/2021	2928	NATIONAL GRID	-300.33
Check	01/20/2021	2929	NATIONAL GRID	-722.33
Check	01/22/2021	ET	MICHAEL F. MCNERNEY ARCHITECT PLLC	-1,236.25
Check	02/03/2021	2932	PSEGLI	-62.86
Check	02/03/2021	2933	VERIZON WIRELESS	-80.42
Check	02/03/2021	2934	VERIZON	-446.77
Check	02/03/2021	ET	FRANCOTYP-POSTALIA, INC.	-200.00
Check	02/05/2021	ET	MICHAEL F. MCNERNEY ARCHITECT PLLC	-1,035.00
Check	02/08/2021	2937	NYCOM	-1,550.00
Check	02/08/2021	2938	CHARLES BERMAN, RECEIVER OF TAXES	-1,917.40
Check	02/08/2021	2939	CHARLES BERMAN, RECEIVER OF TAXES	-14.59
Check	02/08/2021	2940	CHARLES BERMAN, RECEIVER OF TAXES	-1.91
Check	02/08/2021	2941	OLD VILLAGE TREE SERVICE	-1,050.00
Check	02/08/2021	2942	GENERAL WELDING SUPPLY CORP	-7.50
Check	02/08/2021	2943	ATLANTIC SALT	-1,603.88
Check	02/08/2021	2944	MIDWEST MARKING PRODUCTS, INC	-48.02
Check	02/08/2021	2945	NOVEMBER AND SONS LLC	-145.00
Check	02/08/2021	2946	FELDMAN LUMBER	-54.79
Check	02/08/2021	2947	H.O. PENN MACHINERY COMPANY	-448.95
Check	02/08/2021	2948	JORDAN ASSOCIATES	-62.50
Check	02/08/2021	2949	B & R PLUMBING & HEATING OF L.I. INC.	-411.52
Check	02/08/2021	2950	SEE NEVILLE AUTO SUPPLY INC.	-366.18
Check	02/08/2021	2951	BLANK SLATE MEDIA , LLC	-102.29
Check	02/08/2021	2952	COSTELLO'S HARDWARE	-20.00
Check	02/08/2021	2953	VERIZON	-111.61
Check	02/08/2021	2954	EIBER TRANSLATIONS, INC.	-79.34
Check	02/08/2021	2955	SKINNON & FABER, CPA'S, P.C.	-31.50
Check	02/08/2021	2956	LOGISTICS PRINTING, INC	-309.00
Check	02/08/2021	2957	HOME DEPOT CREDIT SERVICES	-192.83
Check	02/08/2021	2958	READYREFRESH BY NESTLE	-42.91
Check	02/08/2021	2959	OPTIMUM	-22.00
Check	02/08/2021	2960	FINE DETAILING	-250.00

Check	02/08/2021	2961	BUSINESS CARD	-28.19
Check	02/08/2021	2962	BUSINESS CARD	-587.27
Check	02/08/2021	2963	TOWN OF NORTH HEMPSTEAD	-1,800.00
Check	02/08/2021	2964	STAPLES CREDIT PLAN	-65.31
Check	02/08/2021	2965	JENNIFER DEVLIN	-1,548.50
Check	02/08/2021	2966	MEYER, SUOZZI, ENGLISH & KLEIN, P.C.	-2,730.00
Check	02/08/2021	2967	TOWN OF NORTH HEMPSTEAD-SWMA	-3,080.88
Check	02/08/2021	2968	PSEGLI	-10.36
Check	02/08/2021	2969	PSEGLI	-349.52
Check	02/08/2021	2970	WEX BANK	-700.40
Check	02/08/2021	2971	BIENER FORD LLC	-11.16
Check	02/08/2021	2972	MEADOW CARTING CORP	-29,519.20
Check	02/08/2021	2973	GENERAL WELDING SUPPLY CORP	-7.50
				-55,592.19
TOTAL				-55,592.19

	ADOPTED 2020/21	Proposed Modification 2/8/2021	Difference
A1910.4 Unallocated Insurance	\$60,000	\$59,666	(\$334)
A1950.4 Property Taxes	\$1,600	\$1,934	\$334
A5110.4a Equipment Repair	\$10,000	\$10,500	\$500
A5110.4b Gas, Oil, Tires	\$15,000	\$14,500	(\$500)
A5110.4e Supplies	\$10,000	\$11,000	\$1,000
A5110.4f Signs	\$13,000	\$12,000	(\$1,000)
A8160.4a Contract Refuse	\$392,136	\$388,136	(\$4,000)
A8160.4b Incinerator	\$27,500	\$31,500	\$4,000
NET INCREASE IN APPROPRIATIONS			\$0

Local Law 1-2021

A local law to amend the Code of the Village of Thomaston, in relation to regulating location and maintenance of generators.

Section one. The Code of the Village of Thomaston is hereby amended, by adding thereto a new section, to be section 203-119, to read as follows:

“§203-119. Generators.

- A. Definitions. As used in this section, the terms “generator”, “equipment” and “permanent standby generator” shall mean and refer to a stationary, outdoor machine designed to provide a temporary source of electricity for a structure or building when electricity from an off-site utility provider has been disrupted.
- B. Permit required. Any person or entity hereafter installing permanent standby generator equipment within the Village of Thomaston shall be required to obtain from the Building Official a permit pursuant to this section, prior to any such installation. No person or entity shall maintain or operate any such generator equipment installed on or after the effective date of this section without a permit as required by this section.
 - (1) An application for a permit pursuant to this section shall include payment of any applicable permit or application fee established from time to time by resolution of the Board of Trustees, and the following information form satisfactory to the Building Official:
 - (a) a copy of the survey of the property upon which the installation is proposed;
 - (b) a sketch plan of the proposed location of the equipment to be installed, indicating thereon the distances in feet to all property lines,
 - (c) a brief description of the equipment proposed to be installed,
 - (d) a copy of the manufacturer’s specifications for the unit(s) to be installed and
 - (e) such other information as may from time to time reasonably be requested by the Building Inspector.
- C. Review of application; issuance of permit.
 - (1) Upon receipt of the required fee and a properly completed permit application, the Building Official promptly shall review the application, and the plans and specifications and other material included therein, and, if necessary, make a visual inspection of the proposed installation site. Before issuing any permit pursuant to this section, the Building Official shall have the power to require reasonable changes deemed necessary, including the power, where appropriate, to require or designate appropriate screening of the equipment.

- (2) In issuing a permit pursuant to this section, the Building Official may include such conditions as may be reasonable and proper, and necessary to protect the public health, safety and general welfare, including protection of adjoining properties from visual impacts, noise and odors.
- (3) In the event the Building Official determines that the application and the proposed installation are satisfactory and compliant pursuant to this section, the Building Official shall issue a permit pursuant to this code section, with such conditions as may be permitted as provided in this section.

D. In zoning districts R-6, R-7/7C, R-8, R-9/9B/9C, and R-10 a permanent standby generator shall be installed and maintained only in a rear yard and only in compliance with the following regulations:

- (1) A permanent standby generator located in a rear yard shall be located as close to the rear building wall as feasible, while providing sufficient clearance to comply with all applicable building and other safety codes and manufacturer requirements, subject to the rear yard and side yard setback requirements for the zoning district in which the property is located.
- (2) No permanent standby generator may exceed a sound rating of 70 decibels, pursuant to the manufacturer's specifications, nor operate at a decibel level in excess of 70dBa measured at a distance of seven (7) meters from the source. The manufacturer's specifications demonstrating compliance with such sound rating shall be submitted with the permit application.
- (3) Permanent standby generators shall be used only during electrical power outages, and as required by the manufacturer for maintenance purposes. Except where required in conjunction with an ongoing emergency repair, exercise, testing or maintenance operation shall take place only on Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m., for a maximum duration not to exceed thirty (30) minutes, and shall not occur more often than once in any calendar week.

E. In all other zoning districts, permanent standby generators may be installed and maintained only in locations as described in paragraph D(1) of this section, or on the roof of a principal structure. All such equipment shall be operated and maintained, as provided in paragraphs D(2) and D(3) of this section. All such equipment located on the roof of a structure shall be set back from the roof edge not less than ten (10) feet, and shall be surrounded by screening as reasonably

approved by the Building Official to minimize or eliminate visibility from surrounding properties or streets.

- F. Notwithstanding any other provision of this section, the provisions of this section shall not be applicable to a generator installed prior to January 11, 2021, and any such generator may be maintained and operated in its location as of that date, and may be repaired or replaced as reasonably necessary provided that there is no material change in the size or location of such equipment. In any case, the burden of proof to establish that such equipment was installed prior to such date shall be on the owner of the property.”

Section two. Nothing in this law shall be deemed to affect any pending violation notice or prosecution for violation of any provision of the Village Code which is amended by this local law. Any such violation may be enforced, and any such prosecution may continue, notwithstanding any provision of this local law.

Section three. If any clause, sentence, paragraph, section, article, or part of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate any other part of this local law, or the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section four. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.