

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF THOMASTON
March 12, 2020**

The Board of Trustees met on Thursday, March 12, 2020 at the Village Hall, 100 East Shore Road, Great Neck, New York 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 Attorney, A. Thomas Levin

Absent: None

The Mayor opened the meeting at 7:31 p.m.

Adoption of Minutes

RESOLUTION 20-29

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 February 10, 2020 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		

Public Hearing on application of 661 Northern Associates, LLC

The Mayor opened the public hearing on the application of 661 Northern Associates, LLC for an amendment to a previously issued incentive use permit at 7:32 p.m. Michael Sahn, Esq. of Sahn, Ward & Coschignano, PLLC appeared on behalf of the applicant. Andrew Weinstock, Principal Member of 661 Northern Associates, LLC was also present. The minutes of the public hearing were transcribed stenographically, and are on file as part of the minutes of this meeting. The Village Attorney reported that the application had been sent to the Nassau County Planning Commission and, having receiving no response from the Commission within the prescribed time frame, recommended that the Board take such action as the Board deems appropriate. There was a short period of questions and comments from the Board. After all interested parties were heard, the public hearing was closed.

RESOLUTION 20-30

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

RESOLVED, that the public hearing on the application of 661 Northern Associates, LLC for an amendment to a previously issued incentive use permit, in relation to signage, 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 20-31

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

WHEREAS, the Board of Trustees of the Village of Thomaston has received and reviewed applications for amendment of an existing incentive zoning permit to allow installation of signage, and for temporary signage, at premises 661 Northern Boulevard, Thomaston, New York, and

WHEREAS, such review has included review of an Environmental Assessment form submitted by the applicant for the approvals necessary for the installation of the proposed signage,

Now, therefore, be it

RESOLVED, that the Board of Trustees hereby declares that is the Lead Agency for review of the aforesaid applications pursuant to the State Environmental Quality Review Act (SEQRA), and it is further

RESOLVED, that the Board of Trustees hereby classifies the aforesaid proposed actions as Type II Actions pursuant to SEQRA and is implementing regulations, pursuant to 6 NYCRR 617.5(c)(2), (9), and (21) , and it is further

RESOLVED, that no further environmental impact review is required with respect to the aforesaid applications.

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

RESOLUTION 20-32

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

WHEREAS, 661 Northern Associates, LLC, as long term lessee of premises 661 Northern Boulevard, Thomaston, also known as Section 2, Block 140, Lot 793 on the Nassau County Land and Tax Map, previously applied to the Board of Trustees of the Village of Thomaston for a certain incentive zoning permit with respect to permitted uses of the foregoing subject property, and

WHEREAS, by Resolution 18-55, duly adopted on June 18, 2018 the Board of Trustees granted incentive zoning relief pursuant to that application, subject to various conditions as stated in the said Resolution 18-55, and

WHEREAS, upon subsequent application, the Board of Trustees duly adopted Resolution 20-12 approving an amendment of the incentive zoning relief previously granted, and

WHEREAS, the applicant subsequently filed application to further amend the aforesaid incentive use permit, and to amend a Declaration of Covenants and Restrictions executed and recorded in relation to such incentive use permit, to allow use of the premises 661 Northern Blvd., Thomaston, New York for signage other than that described in the previously adopted approvals, and

WHEREAS, pursuant to General Municipal Law §239-m the Village of Thomaston has referred this application to the Nassau County Planning Commission for its review and recommendation, and

WHEREAS, the Nassau County Planning Commission has not responded to such referral within the time provided by law and agreement, and

WHEREAS, the Board of Trustees has held and concluded public hearings with respect to the said application as required by law,

WHEREAS, by Resolution 20-31 adopted this date the Board of Trustees, as Lead Agency, has classified this proposed action as a Type II Action which requires no further environmental review, and

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees hereby finds and determines that the proposed amendment is within the scope of permitted incentives as provided in the Village Code, and it is further

RESOLVED, that the Board of Trustees hereby finds and determines that the proposed amendments would be consistent with the intent of the Village Code incentive zoning legislation, and the approvals heretofore granted in Resolutions 18-55 and 20-12, and it is further

RESOLVED, that the Board of Trustees finds and concludes that the signage proposed by the amendment would be consistent with the character of the neighborhood and community, and would not generate adverse impacts or effects to any degree or type different from those which would result from the previously approved incentive use for the subject property, and it is further

RESOLVED, that the Board of Trustees hereby amends the previously approved incentive zoning permit approval, as previously amended, to permit signage as depicted on "Biener Ford Signage Details, Drawing labeled SP-1, prepared by John F. Capobianco dated February 4, 2020 (the "Signage Plan"), and it is further

RESOLVED, that the applicant is authorized and directed to file an amendment to the Declaration of Covenants required to be recorded pursuant to Resolution 18-55, as amended, in a form bearing the endorsement of the Village Attorney as to form, prior to the issuance of any building permit for construction or alterations at the subject property in furtherance of the authorized incentive use(s), and it is further

RESOLVED, except as modified by this resolution, all terms and conditions of Resolutions 18-55 and 20-12 shall remain in effect.

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

Application for Sign Permits of 661 Northern Associates, LLC

Michael Sahn, Esq. of Sahn, Ward & Coschignano, PLLC provided the Board with applications for the erection of four (4) signs on the building and one (1) ground sign at 661 Northern Boulevard. The Board, wishing to further review these applications, took no action at this time. This matter will be considered at the next meeting of the Board of Trustees on April 13, 2020.

2020 Vigilant Fire Protection and Ambulance Service Contract

The Mayor opened the continued public hearing on the 2020 Vigilant Fire Protection and Ambulance Service Contract at 7:44 p.m. The Board discussed the proposed contract. David Weiss, Chairman of the Board of the Vigilant Engine & Hook & Ladder Company, Inc. was present to address the questions of the Board.

After all interested parties were heard, the public hearing was closed.

RESOLUTION 20-33

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

RESOLVED, that the public hearing on the 2020 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 20-34

Upon motion of Deputy Mayor Sharkey, seconded by Trustee Monoson, 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 pursuant to Village Law §4-412(3)(9)(a-1)(ii), the Board of Trustees hereby waives any requirement for further information or documentation as provided in such statute.

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

RESOLUTION 20-35

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

RESOLVED, that the proposed 2020 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, on condition that the contract be amended to include a requirement that Vigilant provide endorsements to document the existence of insurance policies in which the Village is required to be named as an additional insured, and it is further

RESOLVED, that the Mayor is authorized to execute the contract, as so amended, 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 Town of North Hempstead Solid Waste Disposal Amendment

The Board discussed the proposed amendment of the Town of North Hempstead Solid Waste Disposal agreement.

RESOLUTION 20-36

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

WHEREAS, the Village of Thomaston (“Village”), the Town of North Hempstead (“Town”), and the Town of North Hempstead Solid Waste Management Authority (“Authority”), entered into an Inter-Municipal Agreement (“IMA”) as of April 14, 2010 with respect to the disposal of solid waste materials at Authority facilities, and

WHEREAS, pursuant to paragraph A of the IMA, the term of the IMA expires April 30, 2020 unless terminated “pursuant to the opt-out provisions of the Sanitation Code of the Town of North Hempstead (the "Sanitation Code"), or the expiration of the long-term disposal agreement absent exercise of the option period contained therein”, and

WHEREAS, the Sanitation Code provides, in Town of North Hempstead Code §46-22, that a Village which is subject to the provisions of the Sanitation Code may exempt itself from such Code by making a declaration of exemption, and

WHEREAS, the Village wishes to terminate the IMA with respect to the Village, and to declare the Village to be exempt from the Sanitation Code, effective as of the close of business on April 30, 2020, and

WHEREAS, the Village heretofore has lawfully entered into contracts for the collection of solid waste from properties in the Village, and disposal of such waste at facilities of the Authority, or other locations as provided by law, and

WHEREAS, upon termination of the IMA and exemption from the Sanitation Code, the Village will continue to make lawful provisions for the collection and disposal of solid waste from properties in the Village on and after May 1, 2020 in accordance with law, and

WHEREAS, prior to May 1, 2020, and prior to entering into any agreements for such collection and disposal of solid waste the Village Board of Trustees will review and consider an Environmental Assessment Form pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and make such classifications and determinations as may be required by SEQRA,

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees of the Village of Thomaston hereby finds and determines as follows:

1. The Village hereby terminates the IMA effective as of the close of business on April 30, 2020;
2. The Village hereby declares its exemption from the Sanitation Code, effective as of the close of business on April 30, 2020;
3. Pursuant to the provisions of §46-22(B) of the Sanitation Code, the Village hereby further declares and agrees that the Village indemnifies the Town and Authority from responsibility or liability under any applicable New York State law, rule or regulation relating to solid waste collection, disposal or recycling activities conducted or authorized by said Village, including but not limited to New York State Environmental Conservation Law § 27-0107 (Local Solid Waste Management Plans) and 6 NYCRR Part 360, Subpart 15 (Comprehensive Solid Waste Management Planning), and
4. The Village Administrator is hereby authorized and directed to forthwith send a copy of this resolution to the Supervisor of the Town of North Hempstead, the Clerk of the Town of North Hempstead, the Town Attorney of the Town of North Hempstead, and the Members and Executive Director of the Town of North Hempstead Solid Waste Management Authority.

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

At 8:34 p.m. Burton Weston left the meeting.

Bill T 2020A – Amend §203-14(B) of the Village Code

The Board reviewed Bill T 2020A (Attachment A), a local law to amend the Code of the Village of Thomaston, in relation to appointment and compensation of experts, clerks and secretary to the board of appeals.

RESOLUTION 20-37

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

RESOLVED, that the Board of Trustees shall hold a public hearing on April 13, 2020 at 7:30 p.m. with respect to the proposed adoption of Bill T2020A, entitled “A local law to amend the Code of the Village of Thomaston, in relation to appointment and compensation of experts, clerks and secretary to the board of appeals,” and it is further

RESOLVED, that the Board of Trustees hereby finds and determines that the proposed local law is not an “Action” as defined in the State Environmental Quality Review Act and its implementing regulations, and no environmental impact review is required with respect to such proposed local law, 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

Quote for the repair of 2013 Freightliner Dump Truck

The Board review a quote from The Brake Service Group, in the amount of \$7,015.25 for the repair of the 2013 Freightliner Dump Truck.

RESOLUTION 20-38

WHEREAS, the Village’s 2013 Freightliner M2 truck is in need of repair, and the Village has received a price quotation from The Brake Service Group, 179 Herricks Road Garden City Park, New York 11040 dated February 27, 2020 in the amount of \$7105.25, and

WHEREAS, The Brake Service Group is familiar with this vehicle and previously has provided satisfactory service with respect thereto, and

WHEREAS, it is not practical to solicit multiple quotes for this repair because it is necessary to take apart components of the truck in order to identify the nature and extent of required repairs, for which the Village would be required to compensate each prospective service provider,

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees waives requirements of the Village’s procurement policy to solicit and/or obtain multiple proposals for such service, and it is further

RESOLVED, that the Board of Trustees accepts the February 27, 2020 proposal from The Brake Service Group, and authorizes payment for the services described therein, in an amount not to exceed \$7105.25.

Public Works Report

The Mayor read the Public Works report.

New Business

The Mayor announced that the 96th Annual Great Neck Memorial Day Parade will be held on Monday, May 25, 2020. All Board members are invited to march and/or attend the parade ceremony.

A resident of the Village reported an of broken sidewalk on S. Middleneck Road. The Department of Public Works will investigate.

Vouchers

RESOLUTION 20-39

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

RESOLVED, that the vouchers, in the aggregate amount of \$71,726.99 (as itemized on the Abstract of Vouchers dated Thursday, March 12, 2020), are hereby approved for payment, all allocated to the General Fund.

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

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

Adjournment

At 8:46 p.m., there being no further business, the motion to adjourn was made by Deputy Mayor Sharkey, seconded by Trustee Monoson, and unanimously approved.

Respectfully Submitted,

Denise M. Knowland
Village Administrator

INC. VILLAGE OF THOMASTON

AUDITED VOUCHERS

February 11 through March 12, 2020

Type	Date	Num	Name	Amount	
Check	02/21/2020	ET	FRANCOTYP-POSTALIA, INC.	-250.00	
Check	02/19/2020	2419	MICHAEL F. MCNERNEY ARCHITECT PLLC	-1,035.00	
Check	02/19/2020	2420	NATIONAL GRID	-833.64	
Check	02/19/2020	2421	NATIONAL GRID	-266.78	
Check	02/19/2020	2422	NATIONAL GRID	-656.08	
Check	02/19/2020	2423	NATIONAL GRID	-471.76	
Check	02/19/2020	2424	WATER AUTHORITY OF GREAT NECK NORTH	-42.66	
Check	02/19/2020	2425	PSEGLI	-612.17	
Check	02/19/2020	2426	PSEGLI	-151.96	
Paycheck	02/21/2020	2427	ALLAN J GRDOVICH		
Paycheck	02/21/2020	2428	ANTHONY J CIAPPA		
Paycheck	02/21/2020	2429	CHRISTOPHER T SCHICKLER		
Paycheck	02/21/2020	2430	DAVID B DISTILLI		
Paycheck	02/21/2020	2431	FRANCIS M MORRISEY		
Paycheck	02/21/2020	2432	GERALD P. UMLAUF		
Paycheck	02/21/2020	2433	NEIL G. HICKS		
Paycheck	02/21/2020	2434	WILLIAM MAZURKIEWICZ		
Paycheck	02/21/2020	DD	CATHERINE M PULTOIAN		
Paycheck	02/21/2020	DD	STEVEN G PULSCH		
Paycheck	02/21/2020	DD	DENISE M KNOWLAND		
Paycheck	02/21/2020	DD	LINDA M EARLEY		
Check	02/21/2020	2435	FRIENDS IRRIGATION, INC.		Replacement check for #2243 (lost in mail)
Check	02/21/2020	2436	SPRUCE TOWERS OWNER CORP		Return of deposit on Street Opening Permit
Check	03/03/2020	2437	OPTIMUM	-22.00	
Check	03/03/2020	2438	PSEGLI	-10.36	
Check	03/03/2020	2439	PSEGLI	-305.98	
Check	03/03/2020	2440	VERIZON WIRELESS	-89.35	
Check	03/03/2020	2441	PSEGLI	-59.48	
Check	03/03/2020	2442	VERIZON	-432.84	
Check	03/04/2020	2443	MICHAEL F. MCNERNEY ARCHITECT PLLC	-747.50	
Paycheck	03/06/2020	2444	ALLAN J GRDOVICH		
Paycheck	03/06/2020	2445	ANTHONY J CIAPPA		
Paycheck	03/06/2020	2446	DAVID B DISTILLI		
Paycheck	03/06/2020	2447	FRANCIS M MORRISEY		
Paycheck	03/06/2020	2448	GERALD P. UMLAUF		
Paycheck	03/06/2020	2449	NEIL G. HICKS		
Paycheck	03/06/2020	2450	WILLIAM MAZURKIEWICZ		
Paycheck	03/06/2020	DD	CATHERINE M PULTOIAN		
Paycheck	03/06/2020	DD	DENISE M KNOWLAND		

Paycheck	03/06/2020	DD	LINDA M EARLEY	
Paycheck	03/06/2020	DD	STEVEN G PULSCH	
Check	03/12/2020	2451	JENNIFER DEVLIN	-223.00
Check	03/12/2020	2452	OLD VILLAGE TREE SERVICE	-5,575.00
Check	03/12/2020	2453	DENISE KNOWLAND - PETTY CASH	-25.32
Check	03/12/2020	2454	COMMERCIAL CONCRETE CORP.	-450.00
Check	03/12/2020	2455	JORDAN ASSOCIATES	-147.00
Check	03/12/2020	2456	SEE NEVILLE AUTO SUPPLY INC.	-635.50
Check	03/12/2020	2457	COSTELLO'S HARDWARE	-33.20
Check	03/12/2020	2458	SIGN A RAMA	-220.00
Check	03/12/2020	2459	PHOENIX BUILDING PRODUCTS, INC.	-90.00
Check	03/12/2020	2460	NYCOM	-1,550.00
Check	03/12/2020	2461	BUSINESS CARD	-453.30
Check	03/12/2020	2462	NCVOA	-1,050.00
Check	03/12/2020	2463	PHOENIX BUILDING PRODUCTS, INC.	-15.00
Check	03/12/2020	2464	FINE DETAILING	-200.00
Check	03/12/2020	2465	READYREFRESH BY NESTLE	-47.91
Check	03/12/2020	2466	NYS EMPLOYEES' HEALTH INSURANCE	-7,615.99
Check	03/12/2020	2467	STAPLES CREDIT PLAN	-27.48
Check	03/12/2020	2468	MEADOW CARTING CORP	-29,519.20
Check	03/12/2020	2469	FELDMAN LUMBER	-29.29
Check	03/12/2020	2470	TOWN OF NORTH HEMPSTEAD-SWMA	-919.22
Check	03/12/2020	2471	GLENCO SUPPLY INC	-534.46
Check	03/12/2020	2472	LI SOFTWARE SOLUTIONS, INC	-35.00
Check	03/12/2020	2473	DUPLEX ELECTRICAL SUPPLY	-16.26
Check	03/12/2020	2474	NATIONAL FIRE & SAFETY SOLUTIONS, INC	-63.00
Check	03/12/2020	2475	VIGILANT FIRE COMPANY	-10,219.50
Check	03/12/2020	2476	PARAMOUNT PEST MANAGEMENT	-225.00
Check	03/12/2020	2477	GENERAL WELDING SUPPLY CORP	-7.50
Check	03/12/2020	2478	WEX BANK	-526.36
Check	03/12/2020	2479	BLANK SLATE MEDIA LLC	-184.95
Check	03/12/2020	2480	WINTERS BROS. HAULING OF LI, LLC	-245.00
Check	03/12/2020	2481	CANON SOLUTIONS AMERICA, INC.	-10.74
		3483	VOID CHECK	
Check	03/12/2020	2482	MEYER, SUOZZI, ENGLISH & KLEIN, P.C.	-3,450.00
Check	03/12/2020	2484	HOME DEPOT CREDIT SERVICES	-117.75
Check	03/12/2020	2485	NASSAU COUNTY BOARD OF ELECTIONS	-48.75
		2486	VOID CHECK	
Check	03/12/2020	2487	MANHASSET-LAKEVILLE WATER DISTRICT	-33.75
Check	03/12/2020	2488	GENERAL CODE	-1,195.00
				-71,726.99
TOTAL				-71,726.99

Bill T 2020A.

A local law to amend the Code of the Village of Thomaston, in relation to appointment and compensation of experts, clerks and secretary to the board of appeals.

Section one. Section 203-17(B) of the Code of the Village of Thomaston is hereby amended, to read as follows:

“B. A Board of Appeals, consisting of five members, shall be appointed by the Board of Trustees. Each member of the Board of Appeals shall have a term of five official years. The Board of Trustees shall designate one member of the Board of Appeals as the Chairperson of the Board of Appeals, for a term coterminous with the term of such member. In the absence of the Chairperson, the Board of Appeals may designate a member to serve as Acting Chairperson. Subject to the approval of the Board of Trustees, the Mayor may appoint counsel, clerks and/or a secretary for the Board of Appeals; the compensation and terms of employment of such persons shall be established by resolution of the Board of Trustees. Within the appropriations made by the Board of Trustees therefor, the Board of Appeals may retain the services of experts and may provide for such other expenses as may be necessary and proper.”

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

-----X

PUBLIC HEARING
OF THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF THOMASTON

-----X

PRESENT: STEVEN WEINBERG, Mayor
JAMES F. SHARKEY, Deputy Mayor
JILL S. MONOSON, Trustee
TO-ON PANG, Trustee
BURTON S. WESTON, Trustee

DATE: March 12, 2020

TIME: 7:30 p.m.

PLACE: THOMASTON VILLAGE HALL
100 East Shore Road
Great Neck, NY 11023

COUNSEL
REPRESENTING
VILLAGE OF
THOMASTON: A. THOMAS LEVIN, ESQ.

VILLAGE
ADMINISTRATOR: DENISE M. KNOWLAND

REPORTED BY: WENDY SILAS

18:30:20
18:30:20
18:30:20
18:30:20
18:30:20

18:31:48 2 MAYOR WEINBERG: The next item
18:31:49 3 on the agenda is the public hearing of
18:31:51 4 the application of 661 Northern
18:31:53 5 Associates, LLC.

18:31:54 6 We're going to open the public
18:31:56 7 hearing on the application of 661
18:31:58 8 Northern Associates, LLC for an
18:32:00 9 amendment to a previously-issued
18:32:04 10 incentive-use permit.

18:32:04 11 And, Mr. Sahn, the floor is
18:32:06 12 yours.

18:32:07 13 MR. SAHN: Thank you, Mayor.

18:32:08 14 Mayor, members of the board,
18:32:10 15 Michael Sahn, Sahn Ward Coschignano,
18:32:14 16 333 Earl Ovington Boulevard, Uniondale,
18:32:17 17 New York.

18:32:18 18 With me tonight present in the
18:32:20 19 hearing room is Andrew Weinstock who,
18:32:23 20 of course, the board members know as
18:32:25 21 the chief operating officer now of
18:32:27 22 Biener Ford and we appeared before in
18:32:31 23 connection with this matter. We
18:32:35 24 submitted a separate application for
18:32:38 25 the signage.

18:32:40 2 I actually have with me tonight
18:32:45 3 the additional copies of the
18:32:47 4 application and, with apologies, we
18:32:51 5 were supposed to bring a check for the
18:32:53 6 filing fee for this. Mr. Weinstock
18:32:58 7 forgot it at the office, but it will be
18:32:59 8 delivered to the Village first thing in
18:33:01 9 the morning.

18:33:02 10 MR. LEVIN: Off the record.

18:33:04 11 (Discussion held off the record.)

18:33:15 12 MR. SAHN: So I have the
18:33:23 13 application package and we will have a
18:33:28 14 check delivered in the morning and I
18:33:32 15 again thank the Board for your
18:33:34 16 consideration on that.

18:33:36 17 MAYOR WEINBERG: Could you just
18:33:38 18 give -- this is a public hearing.

18:33:40 19 Could you just give us the brief,
18:33:41 20 brief, brief background --

18:33:44 21 MR. SAHN: Very briefly.

18:33:45 22 MAYOR WEINBERG: -- as to why we
18:33:46 23 need an amendment of the incentive-use
18:33:49 24 zoning application -- or permit that
18:33:51 25 was granted?

1
18:33:51 2 MR. SAHN: Very briefly, as you
18:33:53 3 recall, the Board approved an amendment
18:33:56 4 of the original incentive-use permit to
18:33:59 5 allow for the Biener Ford operations at
18:34:03 6 the premises.

18:34:05 7 At the time of that approval the
18:34:08 8 signs that were proposed for Biener
18:34:11 9 Ford had not been finalized.

18:34:13 10 Since that time we did finalize
18:34:15 11 the sign plans. Sign plans have been
18:34:18 12 submitted with the applications.

18:34:20 13 Additionally, we submitted
18:34:22 14 separate applications for temporary
18:34:25 15 signage at the premises.

18:34:27 16 So we have before the Board
18:34:31 17 tonight the actual Ford signs that we
18:34:36 18 would like to permanently install and I
18:34:41 19 think the Board has seen those and
18:34:43 20 reviewed those. They include the pylon
18:34:45 21 sign in the front, which is a
18:34:48 22 monument-type pylon sign, with a
18:34:51 23 typical Ford oval and then we have
18:34:55 24 those Ford ovals on the building as
18:34:57 25 well as the name Biener.

18:34:58

1

MAYOR WEINBERG: Um-hum.

18:34:59

2

MR. SAHN: And that, in essence,

18:35:01

3

is our signage.

18:35:02

4

MAYOR WEINBERG: And I believe

18:35:04

5

the incentive-use zoning application

18:35:07

6

and the permit that was subsequently

18:35:10

7

issued did not provide for -- go ahead.

18:35:14

8

MR. LEVIN: No, I was just --

18:35:15

9

MAYOR WEINBERG: Did not provide

18:35:16

10

for the signage and/or the dimensions

18:35:19

11

of the sign which exceeded Village code

18:35:21

12

requirements or restrictions so that

18:35:24

13

there's a need to amend the permit to

18:35:28

14

include -- to allow a variance for the

18:35:33

15

size of the signs that Biener is making

18:35:35

16

application for.

18:35:36

17

MR. SAHN: That's correct.

18:35:37

18

MR. LEVIN: I was just going to

18:35:39

19

expand a little bit on what Mr. Sahn

18:35:41

20

said --

18:35:41

21

MAYOR WEINBERG: Sorry.

18:35:42

22

MR. LEVIN: -- to make the

18:35:43

23

history perhaps a little clearer.

18:35:44

24

There was an incentive permit

18:35:46 2 that was granted for this property
18:35:48 3 which included specific sets of
18:35:50 4 plans --

18:35:51 5 MAYOR WEINBERG: Um-hum.

18:35:51 6 MR. LEVIN: -- including a
18:35:52 7 signage plan.

18:35:54 8 MAYOR WEINBERG: Um-hum.

18:35:55 9 MR. LEVIN: When the amendment
18:35:56 10 that Mr. Sahn was referring to was
18:35:57 11 submitted to the Board and heard and
18:35:59 12 approved the new sign application and
18:36:02 13 the details was not available until the
18:36:05 14 very eve of that hearing --

18:36:06 15 MAYOR WEINBERG: Um-hum.

18:36:07 16 MR. LEVIN: -- so the board
18:36:08 17 didn't have a chance to review it. So
18:36:10 18 when the amendment was granted the
18:36:12 19 amendment did not include the new
18:36:13 20 signage plans and it continued the old
18:36:15 21 signage plans which is not what they
18:36:17 22 intend to do.

18:36:18 23 So now we're having the hearing
18:36:19 24 on the signage plan part for a further
18:36:22 25 amendment just to change the

18:36:24 2 description of the signage plans that
18:36:26 3 are part of the permit.

18:36:27 4 MAYOR WEINBERG: And this way the
18:36:30 5 signage plans are part of the incentive
18:36:33 6 use.

18:36:33 7 MR. LEVIN: And, as correctly
18:36:34 8 noted, the signage plan as proposed
18:36:36 9 does not conform to the code, but the
18:36:38 10 the incentive zoning law under which
18:36:40 11 the application is made allows this
18:36:43 12 board to grant a variance or variations
18:36:45 13 of that as part of an incentive and
18:36:47 14 that was what was done before and there
18:36:51 15 are different but further ones of the
18:36:52 16 same type now being requested.

18:36:53 17 MAYOR WEINBERG: And that this
18:36:54 18 board will be able to make the decision
18:36:56 19 on the actual sign application that is
18:37:00 20 submitted.

18:37:00 21 MR. LEVIN: Yes.

18:37:01 22 MAYOR WEINBERG: We'll be able to
18:37:02 23 issue that permit at the appropriate
18:37:04 24 time.

18:37:04 25 MR. LEVIN: Yes.

1
18:37:05 2 And, just to add, fill in the
18:37:06 3 record, as required we submitted this
18:37:08 4 to the Nassau County Planning
18:37:09 5 Commission.

18:37:10 6 MAYOR WEINBERG: Um-hum.

18:37:10 7 MR. LEVIN: We have not heard
18:37:11 8 back from them within the time allotted
18:37:13 9 in the intermunicipal agreement with
18:37:17 10 the commission, so the Board is free to
18:37:18 11 proceed.

18:37:19 12 MAYOR WEINBERG: Okay.

18:37:20 13 Are there any questions from the
18:37:23 14 Board with respect to the application
18:37:25 15 to amend the incentive-use zoning
18:37:27 16 permit?

18:37:28 17 TRUSTEE PANG: What is the
18:37:30 18 temporary sign for?

18:37:34 19 MAYOR WEINBERG: Go ahead.

18:37:35 20 MR. SAHN: I was just going to
18:37:37 21 express, assuming the Board approves
18:37:40 22 the permitted signs we would like, as
18:37:43 23 we've submitted applications, to keep
18:37:45 24 the temporary signs in place until the
18:37:49 25 permanent signs are fabricated and

1

installed.

18:37:51 2

18:37:52 3

TRUSTEE PANG: So you intend to open up for business before the permanent sign is ready?

18:37:54 4

18:37:55 5

18:37:59 6

MR. SAHN: It is open for business, yes.

18:38:00 7

18:38:02 8

18:38:03 9

MR. LEVIN: Do you have an estimated time for completion of the fabrication of the new signs?

18:38:05 10

18:38:07 11

MR. WEINSTOCK: Eight, 12, weeks.

18:38:11 12

MR. SAHN: Eight to 12 weeks.

18:38:13 13

18:38:13 14

MAYOR WEINBERG: Any other questions while we're in session for the public hearing?

18:38:15 15

18:38:18 16

18:38:19 17

18:38:22 18

18:38:25 19

Anyone from the public wish to be heard or -- with respect to the application to amend the incentive-use zoning permit or any questions from the public?

18:38:27 20

18:38:29 21

18:38:32 22

18:38:39 23

That being said, we'll close the public hearing -- do I need to do that by motion?

18:38:39 24

MR. LEVIN: Yes, please.

18:38:40 25

MAYOR WEINBERG: Is there a

1
18:38:41 2
18:38:41 3
18:38:42 4
18:38:42 5
18:38:44 6
18:38:44 7
18:38:45 8
18:38:46 9
18:38:46 10
18:38:46 11
18:38:47 12
18:38:47 13
18:38:47 14
18:38:49 15
18:38:50 16
18:38:51 17
18:38:53 18
19
20
21
22
23
24
25

motion?

TRUSTEE MONOSON: I'll make a motion.

MAYOR WEINBERG: Second?

DEPUTY MAYOR SHARKEY: Second.

MAYOR WEINBERG: All those in favor?

TRUSTEE MONOSON: Aye.

TRUSTEE PANG: Aye.

MAYOR WEINBERG: Aye.

DEPUTY MAYOR SHARKEY: Aye.

TRUSTEE WESTON: Aye.

MAYOR WEINBERG: Any opposed?

MR. SAHN: Thank you, Mayor, members of the board.

MAYOR WEINBERG: Don't run out.

(Public hearing concludes 7:39 p.m.)

* * * *

It is hereby certified that the foregoing is a true and accurate transcript of the proceedings.

WENDY SILAS
OFFICIAL COURT REPORTER

<p>1</p> <p>100 [1] - 1:16 11023 [1] - 1:17 12 [3] - 1:14, 9:11, 9:12</p>	<p>Associates [2] - 2:5, 2:8 assuming [1] - 8:21 available [1] - 6:13 Aye [5] - 10:9, 10:10, 10:11, 10:12, 10:13</p>	<p>D</p> <p>DATE [1] - 1:14 decision [1] - 7:18 delivered [2] - 3:8, 3:14 DENISE [1] - 1:22 DEPUTY [2] - 10:6, 10:12 Deputy [1] - 1:11 description [1] - 7:2 details [1] - 6:13 different [1] - 7:15 dimensions [1] - 5:11 discussion [1] - 3:11 done [1] - 7:14</p>	<p>9:17 HEARING [1] - 1:3 hearing [9] - 2:3, 2:7, 2:19, 3:18, 6:14, 6:23, 9:15, 9:22, 10:18 held [1] - 3:11 hereby [1] - 10:21 history [1] - 5:24 hum [5] - 5:2, 6:5, 6:8, 6:15, 8:6</p>	<p>mayor [1] - 2:14 MAYOR [25] - 2:2, 3:17, 3:22, 5:2, 5:5, 5:10, 5:22, 6:5, 6:8, 6:15, 7:4, 7:17, 7:22, 8:6, 8:12, 8:19, 9:13, 9:25, 10:5, 10:6, 10:7, 10:11, 10:12, 10:14, 10:17 members [3] - 2:14, 2:20, 10:16 Michael [1] - 2:15 MONOSON [3] - 1:11, 10:3, 10:9 monument [1] - 4:22 monument-type [1] - 4:22 morning [2] - 3:9, 3:14 motion [3] - 9:23, 10:2, 10:4 MR [24] - 2:13, 3:10, 3:12, 3:21, 4:2, 5:3, 5:9, 5:18, 5:19, 5:23, 6:6, 6:9, 6:16, 7:7, 7:21, 7:25, 8:7, 8:20, 9:6, 9:8, 9:11, 9:12, 9:24, 10:15</p>
<p>2</p>	<p>B</p>	<p>E</p>	<p>I</p>	<p>N</p>
<p>2020 [1] - 1:14</p>	<p>background [1] - 3:20 Biener [5] - 2:22, 4:5, 4:8, 4:25, 5:16</p>	<p>Earl [1] - 2:16 East [1] - 1:16 eight [2] - 9:11, 9:12 ESQ [1] - 1:20 essence [1] - 5:3 estimated [1] - 9:9 eve [1] - 6:14 exceeded [1] - 5:12 expand [1] - 5:20 express [1] - 8:21</p>	<p>incentive [10] - 2:10, 3:23, 4:4, 5:6, 5:25, 7:5, 7:10, 7:13, 8:15, 9:18 incentive-use [6] - 2:10, 3:23, 4:4, 5:6, 8:15, 9:18</p>	<p>name [1] - 4:25 Nassau [1] - 8:4</p>
<p>3</p>	<p>bit [1] - 5:20</p>	<p>fabricated [1] - 8:25 fabrication [1] - 9:10 favor [1] - 10:8 fee [1] - 3:6 filing [1] - 3:6 fill [1] - 8:2 finalize [1] - 4:10 finalized [1] - 4:9 first [1] - 3:8 floor [1] - 2:11 Ford [6] - 2:22, 4:5, 4:9, 4:17, 4:23, 4:24 foregoing [1] - 10:21 forgot [1] - 3:7 free [1] - 8:10 front [1] - 4:21</p>	<p>include [3] - 4:20, 5:15, 6:19 included [1] - 6:3 including [1] - 6:6 install [1] - 4:18 installed [1] - 9:2 intend [2] - 6:22, 9:3 intermunicipal [1] - 8:9 issue [1] - 7:23 issued [2] - 2:9, 5:8 item [1] - 2:2</p>	<p>Neck [1] - 1:17 need [3] - 3:23, 5:14, 9:22</p>
<p>333 [1] - 2:16</p>	<p>BOARD [1] - 1:5 board [6] - 2:14, 2:20, 6:16, 7:12, 7:18, 10:16</p>	<p>G</p>	<p>JAMES [1] - 1:11 JILL [1] - 1:11</p>	<p>New [1] - 2:17 new [3] - 6:12, 6:19, 9:10</p>
<p>6</p>	<p>Board [8] - 3:15, 4:3, 4:16, 4:19, 6:11, 8:10, 8:14, 8:21</p>	<p>grant [1] - 7:12 granted [3] - 3:25, 6:2, 6:18 Great [1] - 1:17</p>	<p>J</p>	<p>next [1] - 2:2 Northern [2] - 2:4, 2:8</p>
<p>661 [2] - 2:4, 2:7</p>	<p>Boulevard [1] - 2:16</p>	<p>H</p>	<p>K</p>	<p>noted [1] - 7:8 NY [1] - 1:17</p>
<p>7</p>	<p>brief [3] - 3:19, 3:20 briefly [2] - 3:21, 4:2 bring [1] - 3:5 building [1] - 4:24 BURTON [1] - 1:12 business [2] - 9:4, 9:7 BY [1] - 1:23</p>	<p>HALL [1] - 1:16 heard [3] - 6:11, 8:7,</p>	<p>keep [1] - 8:23 KNOWLAND [1] - 1:22</p>	<p>O</p>
<p>7:30 [1] - 1:15 7:39 [1] - 10:18</p>	<p>certified [1] - 10:21 chance [1] - 6:17 change [1] - 6:25 check [2] - 3:5, 3:14 chief [1] - 2:21 clearer [1] - 5:24 close [1] - 9:21 code [2] - 5:12, 7:9 Commission [1] - 8:5 commission [1] - 8:10 completion [1] - 9:9 concludes [1] - 10:18 conform [1] - 7:9 connection [1] - 2:23 consideration [1] - 3:16 continued [1] - 6:20 copies [1] - 3:3 correct [1] - 5:18 correctly [1] - 7:7 Coschignano [1] - 2:15 COUNSEL [1] - 1:18 County [1] - 8:4 course [1] - 2:20 COURT [1] - 10:24</p>	<p>L</p>	<p>law [1] - 7:10 LEVIN [14] - 1:20, 3:10, 5:9, 5:19, 5:23, 6:6, 6:9, 6:16, 7:7, 7:21, 7:25, 8:7, 9:8, 9:24 LLC [2] - 2:5, 2:8</p>	<p>OF [5] - 1:4, 1:5, 1:6, 1:7, 1:19 office [1] - 3:7 officer [1] - 2:21 OFFICIAL [1] - 10:24 old [1] - 6:20 ON [1] - 1:12 ones [1] - 7:15 open [3] - 2:6, 9:4, 9:6 operating [1] - 2:21 operations [1] - 4:5 opposed [1] - 10:14 original [1] - 4:4 oval [1] - 4:23 ovals [1] - 4:24</p>
<p>A</p>	<p>C</p>	<p>M</p>	<p>March [1] - 1:14 matter [1] - 2:23 Mayor [4] - 1:10, 1:11, 2:13, 10:15</p>	<p>able [2] - 7:18, 7:22 accurate [1] - 10:21 actual [2] - 4:17, 7:19 add [1] - 8:2 additional [1] - 3:3 additionally [1] - 4:13 ADMINISTRATOR [1] - 1:22 agenda [1] - 2:3 agreement [1] - 8:9 ahead [2] - 5:8, 8:19 allow [2] - 4:5, 5:15 allows [1] - 7:11 alotted [1] - 8:8 amend [3] - 5:14, 8:15, 9:18 amendment [7] - 2:9, 3:23, 4:3, 6:9, 6:18, 6:19, 6:25 Andrew [1] - 2:19 apologies [1] - 3:4 appeared [1] - 2:22 application [13] - 2:4, 2:7, 2:24, 3:4, 3:13, 3:24, 5:6, 5:17, 6:12, 7:11, 7:19, 8:14, 9:18 applications [3] - 4:12, 4:14, 8:23 appropriate [1] - 7:23 approval [1] - 4:7 approved [2] - 4:3, 6:12 approves [1] - 8:21</p>

Ovington [1] - 2:16	1:19 requested [1] - 7:16 required [1] - 8:3 requirements [1] - 5:13 respect [2] - 8:14, 9:17 restrictions [1] - 5:13 review [1] - 6:17 reviewed [1] - 4:20 Road [1] - 1:16 room [1] - 2:19 run [1] - 10:17	TIME [1] - 1:15 TO [1] - 1:12 TO-ON [1] - 1:12 tonight [3] - 2:18, 3:2, 4:17 transcript [1] - 10:22 true [1] - 10:21 TRUSTEE [6] - 8:17, 9:3, 10:3, 10:9, 10:10, 10:13 Trustee [3] - 1:11, 1:12, 1:12 TRUSTEES [1] - 1:5 type [2] - 4:22, 7:16 typical [1] - 4:23	Z zoning [5] - 3:24, 5:6, 7:10, 8:15, 9:19
P	S	U	
p.m [2] - 1:15, 10:19 package [1] - 3:13 PANG [4] - 1:12, 8:17, 9:3, 10:10 part [4] - 6:24, 7:3, 7:5, 7:13 perhaps [1] - 5:24 permanent [2] - 8:25, 9:5 permanently [1] - 4:18 permit [10] - 2:10, 3:24, 4:4, 5:7, 5:14, 5:25, 7:3, 7:23, 8:16, 9:19 permitted [1] - 8:22 PLACE [1] - 1:16 place [1] - 8:24 plan [3] - 6:7, 6:24, 7:8 Planning [1] - 8:4 plans [7] - 4:11, 6:4, 6:20, 6:21, 7:2, 7:5 premises [2] - 4:6, 4:15 PRESENT [1] - 1:10 present [1] - 2:18 previously [1] - 2:9 previously-issued [1] - 2:9 proceed [1] - 8:11 proceedings [1] - 10:22 property [1] - 6:2 proposed [2] - 4:8, 7:8 provide [2] - 5:8, 5:10 Public [1] - 10:18 PUBLIC [1] - 1:3 public [7] - 2:3, 2:6, 3:18, 9:15, 9:16, 9:20, 9:22 pylon [2] - 4:20, 4:22	Sahn [5] - 2:11, 2:15, 5:20, 6:10 SAHN [10] - 2:13, 3:12, 3:21, 4:2, 5:3, 5:18, 8:20, 9:6, 9:12, 10:15 second [2] - 10:5, 10:6 separate [2] - 2:24, 4:14 session [1] - 9:14 sets [1] - 6:3 SHARKEY [3] - 1:11, 10:6, 10:12 Shore [1] - 1:16 sign [9] - 4:11, 4:21, 4:22, 5:12, 6:12, 7:19, 8:18, 9:5 signage [11] - 2:25, 4:15, 5:4, 5:11, 6:7, 6:20, 6:21, 6:24, 7:2, 7:5, 7:8 signs [7] - 4:8, 4:17, 5:16, 8:22, 8:24, 8:25, 9:10 SILAS [2] - 1:23, 10:23 size [1] - 5:16 sorry [1] - 5:22 specific [1] - 6:3 STEVEN [1] - 1:10 submitted [7] - 2:24, 4:12, 4:13, 6:11, 7:20, 8:3, 8:23 subsequently [1] - 5:7 supposed [1] - 3:5	um-hum [5] - 5:2, 6:5, 6:8, 6:15, 8:6 under [1] - 7:10 Uniondale [1] - 2:16 up [1] - 9:4	
Q	T	V	
questions [3] - 8:13, 9:14, 9:19	temporary [3] - 4:14, 8:18, 8:24 THE [2] - 1:4, 1:6 THOMAS [1] - 1:20 THOMASTON [3] - 1:7, 1:16, 1:20	variance [2] - 5:15, 7:12 variations [1] - 7:12 VILLAGE [4] - 1:7, 1:16, 1:19, 1:21 Village [2] - 3:8, 5:12	
R		W	
ready [1] - 9:5 record [3] - 3:10, 3:11, 8:3 referring [1] - 6:10 REPORTED [1] - 1:23 REPORTER [1] - 10:24 REPRESENTING [1] -		Ward [1] - 2:15 weeks [2] - 9:11, 9:12 WEINBERG [24] - 1:10, 2:2, 3:17, 3:22, 5:2, 5:5, 5:10, 5:22, 6:5, 6:8, 6:15, 7:4, 7:17, 7:22, 8:6, 8:12, 8:19, 9:13, 9:25, 10:5, 10:7, 10:11, 10:14, 10:17 Weinstock [2] - 2:19, 3:6 WEINSTOCK [1] - 9:11 WENDY [2] - 1:23, 10:23 WESTON [2] - 1:12, 10:13 wish [1] - 9:16	
		Y	
		York [1] - 2:17	