

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF THOMASTON
September 12, 2022**

The Board of Trustees met on Monday, September 12, 2022 at the Village Hall, 100 East Shore Road, Great Neck, New York at 7:30 p.m.

Present: Mayor Steven Weinberg, Deputy Mayor Burton Weston, Trustee Aaron S. Halpern, Trustee Jay W. Chagrin and Trustee Karen Lynne Siegel

Absent: None

The Mayor opened the meeting at 7:31 p.m. Trustee Aaron Halpern was not present at the beginning of the meeting.

Approval of Minutes

RESOLUTION 22-89

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

RESOLVED, that the minutes of the Board of Trustees meeting held on August 8, 2022 are hereby approved and accepted as presented.

The vote on this resolution was:	Mayor Weinberg:	Aye	Deputy Mayor Weston:	Aye
	Trustee Chagrin:	Aye	Trustee Siegel:	Aye
	Trustee Halpern	Not Present		

Public Hearing on Bill T2022A - Videoconferencing

The Mayor opened the public hearing on Bill T2022A, A local law to amend the Code of the Village of Thomaston, to authorize the use of videoconferencing for public bodies.

No members of the public were present for the public hearing. The Mayor invited comments and questions from the Board. There being no comments or questions from the Board, the following resolution was adopted:

RESOLUTION 22-90

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

RESOLVED, that the public hearing on Bill T2022A is hereby closed.

The vote on this resolution was:	Mayor Weinberg:	Aye	Deputy Mayor Weston:	Aye
	Trustee Chagrin:	Aye	Trustee Siegel:	Aye
	Trustee Halpern	Not Present		

RESOLUTION 22-91

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

RESOLVED, that Bill T2022A is adopted as Local Law 1-2022, effective immediately upon filing with the Secretary of State as required pursuant to the Municipal Home Rule Law.

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Weston: Aye
Trustee Chagrin: Aye Trustee Siegel: Aye
Trustee Halpern Not Present

Bill T2022B – Purchasing by Best Value

The Mayor opened the public hearing on Bill T2022B, A local law to amend the Code of the Village of Thomaston in relation to purchasing goods on the basis of best value.

No members of the public were present for the public hearing. Trustee Halpern arrived at 7:33 p.m. The Mayor invited comments and questions from the Board. There being no comments or questions from the Board, the following resolution was adopted:

RESOLUTION 22-92

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

RESOLVED, that the public hearing on Bill T2022B is hereby closed.

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Weston: Aye
Trustee Chagrin: Aye Trustee Halpern: Aye
Trustee Siegel: Aye

RESOLUTION 22-93

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

RESOLVED, that Bill T2022B is adopted as Local Law 2-2022, effective immediately upon filing with the Secretary of State as required pursuant to the Municipal Home Rule Law.

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Weston: Aye
Trustee Chagrin: Aye Trustee Halpern: Aye
Trustee Siegel: Aye

Draft Solar Policy

The Board discussed a draft revised solar policy, prepared by the Village Attorney, to establish guidance for residential solar panel installations to facilitate the design review process by encouraging certain design characteristics deemed appropriate.

The Board discussed the proposed revisions to the draft solar policy and made one (1) additional change to item 1 by adding to the first sentence, “in the reasonable discretion of the Design Review Board, to minimize any visual impact upon the character of the Village.”

RESOLUTION 22-94

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

WHEREAS, the Village is experiencing increased interest in the installation of solar panels at residences within the Village of Thomaston, and

WHEREAS, installation of such panels in proper instances may be an appropriate means for property owners to implement measures to conserve energy, and contribute to the protection of the environment; and

WHEREAS, in order to obtain a required building permit for such installations, a recommendation from the Village Design Review Board is required; and

WHEREAS, the Design Review Board has recommended to the Board of Trustees that a Village policy be promulgated, to establish guidelines to facilitate the design review process by encouraging certain design characteristics deemed appropriate in achieving the standards set forth in the Village building code; and

WHEREAS, the Board of Trustees agrees that such guidelines would be useful to enhance the ability of the Building Department, and the Design Review Board, to review permits applications for installation of solar panels, and that the establishment of such guidance is in the best interest of the Village and its residents,

NOW, THEREFORE, BE IT

RESOLVED, that effective immediately, in reviewing building permit applications for installation of solar panels at residential premises in the Village, the guidelines contained within the Village of Thomaston Solar Policy should be considered and, unless there are compelling circumstances to the contrary, applied by the Design Review Board and Building Department in determining whether to grant any such permit application, and it is further

RESOLVED, that the Design Review Board may utilize such additional policies and practices as it may deem appropriate with respect to consideration of solar panel installation permits, provided that no such policy or practice may be inconsistent with the policy established and/or amended by the Board of Trustees, or other applicable law, rule or regulation, and it is further

RESOLVED, that this policy may from time to time be amended by resolution of the Board of Trustees, and such resolution(s) shall remain in effect until repealed or rescinded by resolution of the Board of Trustees, and it is further.

RESOLVED, the Board of Trustees hereby adopts the Village of Thomaston Solar Policy, a copy of which is attached to these minutes, effectively immediately, and it is further

RESOLVED, that the Village Administrator is directed to transmit a copy of the adopted Solar Policy to General Code Publishers Corp., for inclusion in the Appendix to the Village Code, and it is further

RESOLVED, that the Village Administrator is directed to transmit a copy of the adopted Village of Thomaston Solar Policy to the members of the Design Review Board.

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Weston: Aye
 Trustee Chagrin: Nay Trustee Halpern: Aye
 Trustee Siegel: Aye

2022/23 Budget Amendments

RESOLUTION 22-95

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

RESOLVED, that the following 2022/23 Budget Amendments as of September 12, 2022 are hereby accepted as presented:

Budget Amendments as 9/12/22	ADOPTED	Proposed Amendment	Difference
	2022/23	9/12/22	
Revenues			
PROPERTY TAX ITEMS			
1001 Real Estate Taxes	\$1,466,126	\$1,462,101	(\$4,025)
FEDERAL AID			
A4960 Emergency Disaster	\$0	\$7,919	\$7,919
MISCELLANEOUS			

A599N Appropriated Fund Balance	\$69,910	\$91,716	\$21,806
Change in Revenues:			\$25,700
Appropriations			
CLERK-TREASURER			
A1325.4a Telephone	\$6,200	\$6,900	\$700
SHADE TREES			
A8560.4 Contract Expense	\$70,000	\$95,000	\$25,000
Change in Appropriations:			\$25,700

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Weston: Aye
Trustee Chagrin: Aye Trustee Halpern: Aye
Trustee Siegel: Aye

Appointment to the Design Review Board

Mayor Weinberg appointed Lawrence Levy as a Member the Design Review Board, to fill the vacancy due to the resignation of Glen Wilson, for the remainder of the current term (the end of the current official year). Mayor Weinberg appointed current Member Ruchira Madan as Chair of the Design Review Board.

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

RESOLUTION 22-96

RESOLVED, that the Board of Trustees approves the appointment of Lawrence Levy as a member of the Design Review Board, to fill the vacancy caused by the resignation of Glen Wilson, for the remainder of the official year, and it is further

RESOLVED, that the Board of Trustees approves the appointment of Ruchira Madan as Chair of the Design Review Board, for the remainder of the official year.

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Weston: Aye
Trustee Chagrin: Aye Trustee Halpern: Aye
Trustee Siegel: Aye

Appointment to the Zoning Board of Appeals

Mayor Weinberg recommended appointment of Wenjing Feng as a Member of the Zoning Board of Appeals, to fill the vacancy caused by the resignation of Lawrence Levy, for the balance of the term of office.

RESOLUTION 22-97

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

RESOLVED, that the Board of Trustees appoints Wenjing Feng as a member of the Zoning Board of Appeals to fill a vacancy in the term formerly held by Lawrence Levy for the balance of the term of that office.

The vote on this resolution was: Mayor Weinberg: Aye Deputy Mayor Weston: Aye
Trustee Chagrin: Aye Trustee Halpern: Aye
Trustee Siegel: Aye

Deputy Mayor Weston left the meeting at 7:58 p.m.

Amendments to the Village Fee Schedule

The Board reviewed proposed amendments to certain building department fees on the Village Fee Schedule.

RESOLUTION 22-98

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

RESOLVED, that the fees for the following items on the Village Fee Schedule are hereby amended, effective immediately:

Add: “FEES ARE DOUBLED FOR ANY WORK PERFORMED WITHOUT A PERMIT”

Building Permit Amendment

1 and 2 Family	Application Fee: \$200 plus \$200 for first \$1,000 of cost; plus \$20 per \$1,000 for the next \$24,000 of cost; plus \$30 per \$1,000 for the next \$150,000 of cost; plus \$20 per \$1,000 for the remaining cost.; plus deposit, if required, as per above*
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All other	Application Fee: \$500 plus \$15 per \$1,000 of cost, up to \$150,000; plus \$20 per \$1,000 of remaining cost; plus deposit, if required, as per above*
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Certificate of Occupancy or Completion with Special Inspection (non-current open permit where plans are on file with the Village and conform to the work completed) :

1 and 2 Family homes	\$500
All other	Greater of \$300 per floor level or \$50 per 1,000 sq. ft.

Certificate of Completion to Legalize and Maintain (for old structures built without permits):

Residential	\$250 plus all required building permit fees (doubled) to maintain an existing structure
All other	\$500 plus all required building permit fees (doubled) to maintain an existing structure.

The vote on this resolution was:	Mayor Weinberg:	Aye	Trustee Chagrin:	Aye
	Trustee Halpern:	Aye	Trustee Siegel:	Aye

Laserfiche upgrade options

Due to the sunsetting of the Village’s current Laserfiche system for electronic content management, the Board reviewed information and proposals for two (2) available options for upgrades to the Village’s Laserfiche system. The options are the Laserfiche Cloud system with an annual subscription or Laserfiche Avante, an on-premises system which requires an annual fee for support services.

The Board reviewed the information and proposals for Laserfiche Cloud and Laserfiche Avante. The Board discussed the pros and cons of each option. The Board tabled the matter to the October 12, 2022 meeting.

Bid for Tree Trimming

The Board reviewed the proposed bid package prepared by the Village Attorney for trimming and removal of trees in the right-of-way within the Village.

The Board reviewed the draft tree trimming bid prepared by the Village Attorney and a proposed alternate list of items for the bid form. The Village Attorney was unable to review the proposed alternate list of items in time for the meeting.

The Board, wishing to seek the advice of the Village Attorney, tabled the matter to the October 12, 2022 meeting.

Pending tax certiorari claim – Seven Seas v. Assessor

RESOLUTION 22-99

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

RESOLVED, that the Board of Trustees shall enter into executive session to discuss pending litigation.

The vote on this resolution was: Mayor Weinberg: Aye Trustee Chagrin: Aye
Trustee Halpern: Aye Trustee Siegel: Aye

At 8:50 p.m. the Board entered executive session.

RESOLUTION 22-100

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

RESOLVED, that the Board of Trustees shall return to the public session at 8:53 p.m.

The vote on this resolution was: Mayor Weinberg: Aye Trustee Chagrin: Aye
Trustee Halpern: Aye Trustee Siegel: Aye

The Board returned to public session at 8:53 p.m.

RESOLUTION 22-101

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

RESOLVED, that the Board of Trustees authorizes the Village Attorney to settle all pending tax certiorari cases for the premises 607 Northern Boulevard, Thomaston, NY and also known as Section 2 Block 143 Lot 477 through the 2022/23 tax year, for a reduction in assessment from \$16,500 to \$11,000, and a refund of \$8,700, with a moratorium on filing through the 2025/26 tax year.

The vote on this resolution was: Mayor Weinberg: Aye Trustee Chagrin: Aye
Trustee Halpern: Aye Trustee Siegel: Aye

Deposit Refunds

RESOLUTION 22-102

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

RESOLVED, that the refunds of deposit, in the aggregate amount of \$21,160.00 (as itemized on the Abstract of Refunds) dated Monday, September 12, 2022), are hereby approved for payment from the general fund.

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

The vote on this resolution was:	Mayor Weinberg:	Aye	Trustee Chagrin:	Aye
	Trustee Halpern:	Aye	Trustee Siegel:	Aye

Vouchers

RESOLUTION 22-103

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

RESOLVED, that vouchers, in the aggregate amount of \$67,339.83 (as itemized on the Abstract of Vouchers dated Monday, September 12, 2022), 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	Trustee Chagrin:	Aye
	Trustee Halpern:	Aye	Trustee Siegel:	Aye

Drainage, Paving & Sidewalk Project (2022-1) – Change Order

RESOLUTION 22-104

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

RESOLVED, that the Board of Trustees authorizes additional milling and paving work on Linden Street in an amount not to exceed 25% of the area covered by the project pursuant to the project pursuant to the Agreement for Drainage, Paving & Sidewalk Project (2022-1) , and it is further

RESOLVED, that the Mayor is authorized to direct the contractor, John McGowan & Sons, Inc., to issue a Change Order for milling and paving of the portion of Linden Street from the intersection of Schenck Avenue to 15 Linden Street, and it is further

REOLVED, the Superintendent is authorized to schedule the work with the contractor.

The vote on this resolution was:	Mayor Weinberg:	Aye	Trustee Chagrin:	Aye
	Trustee Halpern:	Aye	Trustee Siegel:	Aye

Adjournment

At 9:02 p.m., there being no further business, a motion to adjourn was made by Trustee Halpern, seconded by Trustee Chagrin, and unanimously approved.

Respectfully Submitted,

Denise M. Knowland
Village Administrator

VILLAGE OF THOMASTON						
AUDITED REFUNDS						
August 9 through September 12, 2022						
Type	Date	Num	Name	Amount		
Check	09/12/2022	1022	QIAN KUN ZHANG	-5,000.00		
Total A200.2 · Cash - Agency FNBLI				-5,000.00		
TOTAL				-5,000.00		
Type	Date	Num	Name	Amount		
Check	09/12/2022	3882	RONGBO WU	-16,160.00		
Total A200 · DISBURSEMENT FNBLI				-16,160.00		
TOTAL				-16,160.00		

VILLAGE OF THOMASTON

AUDITED VOUCHERS

August 9 through September 12, 2022

Type	Date	Num	Name	Amount
Check	08/15/2022	3843	WATER AUTHORITY OF GREAT NECK NORTH	-44.37
Check	08/15/2022	3844	NATIONAL GRID	-41.40
Check	08/15/2022	3845	NATIONAL GRID	-58.91
Check	08/15/2022	3846	NATIONAL GRID	-38.11
Check	08/15/2022	3847	NATIONAL GRID	-72.46
Check	08/19/2022	ACH	MICHAEL F. MCNERNEY ARCHITECT PLLC	-1,875.00
Check	08/23/2022	3849	PSEGLI	-886.68
Check	08/23/2022	3850	PSEGLI	-48.30
Check	08/23/2022	3851	PSEGLI	-55.88
Check	08/26/2022	ET	FRANCOTYP-POSTALIA, INC.	-200.00
Check	08/31/2022	3852	VERIZON	-118.41
Check	08/31/2022	3853	VERIZON WIRELESS	-79.74
Check	09/02/2022	ACH	MICHAEL F. MCNERNEY ARCHITECT PLLC	-1,343.75
Check	09/02/2022	3855	FINE DETAILING	-250.00 *
Check	09/06/2022	3856	PSEGLI	-11.79
Check	09/06/2022	3857	PSEGLI	-335.16
Check	09/06/2022	3858	OPTIMUM	-22.00
Check	09/06/2022	3859	MANHASSET-LAKEVILLE WATER DISTRICT	-16.20
Check	09/12/2022	3860	WINTERS BROS. HAULING OF LI, LLC	-1,500.00
Check	09/12/2022	3861	MEADOW CARTING CORP	-39,274.00
Check	09/12/2022	3862	ANTON MEDIA GROUP	-257.40
Check	09/12/2022	3863	W.B. MASON CO., INC.	-37.12
Check	09/12/2022	3864	OLD VILLAGE TREE SERVICE	-4,250.00
Check	09/12/2022	3865	WASTE OIL SOLUTIONS INC	-115.80
Check	09/12/2022	3866	AUTO BARN	-157.09
Check	09/12/2022	3867	JORDAN ASSOCIATES	-3,325.50
Check	09/12/2022	3868	WEX BANK	-890.21
Check	09/12/2022	3869	GENERAL WELDING SUPPLY CORP	-7.50
Check	09/12/2022	3870	BUSINESS CARD	-2.99
Check	09/12/2022	3871	BUSINESS CARD	-46.48

Check	09/12/2022	3872	STAPLES CREDIT PLAN	-60.17
Check	09/12/2022	3873	NYS EMPLOYEES' HEALTH INSURANCE	-7,854.56
Check	09/12/2022	3874	PARAMOUNT PEST MANAGEMENT	-225.00
Check	09/12/2022	3875	TOWN OF NORTH HEMPSTEAD-SWMA	-2,787.67
Check	09/12/2022	3876	GARY MUHLSTOCK	-500.00
Check	09/12/2022	3877	CANON SOLUTIONS AMERICA, INC.	-22.68
Check	09/12/2022	3878	NATIONAL FIRE & SAFETY SOLUTIONS, INC	-90.00
Check	09/12/2022	3879	FINE DETAILING	-200.00
Check	09/12/2022	3880	JORDAN ASSOCIATES	-156.25
Check	09/12/2022	3881	BEE READY FISHBEIN HATTER & DONOVAN, LLP	-81.25
				-67,339.83
TOTAL				-67,339.83
*Replacement for check #3829 (lost in mail)				

VILLAGE OF THOMASTON SOLAR POLICY

1. Mounted solar panels on the roof and other fixtures should be uniform in color, without lines or lines forming a grid, and uniform in array, in the reasonable discretion of the Design Review Board, to minimize any negative visual impact on the character of the Village. The equipment shall be screened with appropriate material as recommended by the Design Review Board.
2. Each permit application for a solar panel installation shall include a survey of the subject property. In the event of a solar battery installation, the application shall include a survey of the subject property made not more than one year prior to the application date, which survey shall depict all improvements then existing on the property.
3. Each such application shall include documentation that the existing roof is not older than ten (10) years, or a Certification by the Architect/Engineer in charge of the installation that the existing roof is capable of withstanding the new load per the minimum requirements of the then current NYS Building Code.
4. Unless such requirement is waived by the Building Official for good cause, installation of solar panel equipment shall be permitted only on a roof with a single layer of roof covering.
5. At no point may visible panels or supports, or other mounting equipment, extend more than six inches above the roofline.
6. Each such application shall include an accurately colored illustration identifying panel placement and roof elements such as vent stacks, skylights and ridge vents, and elevation elements such as windows and doors. To the maximum extent feasible, all panels are to match the color of the roof to which they are to be attached. In the absence of matching color panels, the panel frames and supporting brackets must be black.
7. Each such application shall include an accurately colored photograph showing all elevations of the existing structures(s) on the property and the front façade of the structures on each property immediately adjacent to the subject property.
8. Accessory boxes shall be located on interior walls or exterior walls and shall be properly screened so as not to be visible on any from any adjacent property or the street .
9. An emergency cut-off switch shall be provided, mounted on a side exterior wall at a height not to exceed four feet, at a location which will be readily accessible in case of emergency.
10. Solar powered backup battery installation shall be in accordance with New York State Building Code and with the Village's accessory structure regulations.
11. Conduit connecting panels shall be submerged into the soffit and/or below the roof shingles and plywood sheathing in a manner to render them not visible. No conduit may be laid on the roof. Vertical conduit shall be placed near existing leaders or existing conduit, and shall match the color of the exterior wall or leader.

12. Each such application shall include a Glare Effects Analysis.
13. No trees may be removed to accommodate installation, collection or functioning of any solar panel equipment.
14. Each permit application shall include six (6) sets of architectural drawings showing all the exterior features of the building including roof plan and elevations.
15. Complete application packages must be submitted to the Village office at least seven (7) business days prior to the Design Review Board meeting, to facilitate distribution to Board members for review.
16. No permit application shall be considered by the Design Review Board for any solar panel installation, or substantial modification to an existing such installation, without documentation that written notice of such application, in a form provided by the Village, has been given by the applicant to all owners of property within a two hundred (200) foot radius of the subject property, as shown on the Village's most recent assessment roll. Such notice shall be mailed by the applicant certified mail, return receipt requested, at least ten (10) business days prior to any meeting of the Design Review Board at which such application is to be considered. Proof of such mailing shall be filed with the Village Clerk no later than five (5) business days prior to such meeting, and all certified mail receipts or returns shall be filed with the Village Clerk not later than one (1) day before the meeting.

Adopted by the Board of Trustees 9/12/22