

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF THOMASTON**

November 16, 2021

The Board of Trustees met on Tuesday, November 16, 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 Attorney A. Thomas Levin

Absent: None

The Mayor opened the meeting at 7:30 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 New York State law, 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 a public hearing by calling in during the meeting at **(646) 558-8656, Meeting ID: 896 8968 4479, Password: 730522** 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 business of the meeting began.

Adoption of Minutes

RESOLUTION 21-108

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

RESOLVED, that the minutes of the Board of Trustees meeting held on October 13, 2021 are hereby approved and accepted as amended.

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

Continued Public Hearing on Bill T2021F

At 7:37 p.m. the Mayor opened the continued public hearing on Bill T2021F, a local law opting out of licensing and/or establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Thomaston.

The Mayor invited comments from the public. There were no comments made by the public and no discussion by the Board.

RESOLUTION 21-109

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

RESOLVED, that the public hearing on Bill T2021F is hereby closed .

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

RESOLUTION 21-110

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

WHEREAS, on August 16, 2021, the Board of Trustees of the Village of Thomaston duly adopted a resolution to schedule a public hearing with respect to proposed local law Bill T 2021F - A local law opting out of licensing and/or establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Thomaston, and

WHEREAS, included in the aforesaid August 16, 2021 resolution was a determination that the Board of Trustees is the Lead Agency for review of the proposed legislation pursuant to the State Environmental Quality Review Act, classifying the said proposed legislation as an Unlisted Action, and issuing a Negative SEQRA Declaration; and

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

WHEREAS, the Board of Trustees has considered all comments and information received with respect to the adoption of such proposed local aw,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby approves and adopts Bill T 2021F as a local law of the Village of Thomaston, subject to compliance with the provisions of the New York Municipal Home Rule Law, the New York Village Law, and New York Cannabis Law §131 with respect to a permissive referendum and filing of such local law, and it is further

RESOLVED, that the Village Administrator is directed to give such notice and take such other actions as may be required by law, including New York Cannabis Law § 131 with respect to permissive referendum requirements, and the New York Municipal Home Rule Law and Village Law with respect to local law filing requirements, and it is further

RESOLVED, that such local law is approved and adopted subject to permissive referendum requirements, and shall be filed with the Secretary of State upon the occurrence of either of the following events: (a) the applicable time period to file a petition for a referendum has elapsed, and no such petition has been timely filed, or (b) such a petition has been timely filed, and a referendum has been conducted approving such local law.

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

Upcoming Annual Audit for FYE February 28, 2022

The Mayor informed the Board that the Village has received a proposed engagement letter from Duff & Phelps for professional services to provide an updated fixed asset accounting ledger in conjunction with the annual audit. The cost for the fixed asset accounting ledger for the FYE 2/28/22 will be \$1,275 vs. \$1,250 for FYE 2/28/21.

RESOLUTION 21-111

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

RESOLVED, that the Board of Trustees hereby authorizes the Mayor to accept and sign on behalf of the Village, the proposed letter of engagement from Duff and Phelps for professional services to provide the fixed asset accounting ledger for the fiscal year ended February 28, 2022.

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

A copy of the letter is on file at the Village office.

Payment of Annual Invoice - NYS & Local Retirement System

The Board reviewed the annual invoice for the NYS & Local Retirement System.

RESOLUTION 20-112

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

RESOLVED, that the Village Administrator is authorized to pay the NYS & Local Retirement System annual invoice, in the amount of \$68,954, by December 15, 2021 to take advantage of the early payment discount.

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 invoice is on file at the Village office.

Bill T2021G

The Mayor introduced Bill T2021G (Attachment A), a local law to repeal Village of Thomaston Local Law 3-2021. The Board reviewed the Short Environmental Assessment Form submitted in relation to this proposed local law.

RESOLUTION 20-113

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

RESOLVED, that the Board hereby finds and concludes that

(a) the proposed action (Bill T 2021G) is an Unlisted action under the State Environmental Quality Review Act and its regulations;

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

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

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

(ii) the proposed action would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

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

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

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

(vi) the proposed action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;

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

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

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

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

(xi) the proposed action would not create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(xii) the proposed action would not create substantial adverse impacts when

considered cumulatively with any other actions, proposed or in process;

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

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

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

(f) the Mayor is hereby authorized to complete and execute Part 3 of the Environmental Assessment Form consistent with this resolution.

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

Public Hearing Date Bill T2021G

RESOLUTION 20-114

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

RESOLVED, that a public hearing be held on December 20, 2021 at 7:30 p.m. via Zoom Webinar with respect to the proposed adoption of Bill T2021G, entitled “A Local Law to Repeal Village of Thomaston Local Law 3-2021,” 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, and it is further

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

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 21-115

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

WHEREAS §120-3 B(2) of the Village of Thomaston Code requires approval of the Board of Trustees for the Landmark Preservation Commission to retain a consultant where such retention would involve the expenditure of Village funds, and

WHEREAS, the Landmark Preservation Commission contemplates selecting such a consultant at its scheduled November 30, 2021 meeting, subject to the availability of funding, after which the Board of Trustees will have an opportunity to review that selection, and the proposed cost thereof, and consider authorization of funding, and

WHEREAS, the work of the Landmark Commission would be expedited by a prompt Board of Trustees decision whether to authorize such consulting contract, and such expenditure, as soon as feasible after the Commission's November 30, 201 meeting,

NOW THEREFOR BE IT,

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

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

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

New Business

The Mayor read the public works report.

Vouchers

RESOLUTION 21-116

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

RESOLVED, that the vouchers, in the aggregate amount of \$102,660.20 (as itemized on the Abstract of Vouchers dated Tuesday, November 16, 2021), are hereby approved for payment, all allocated to the General Fund.

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

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

Executive Session

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

RESOLUTION 21-117

RESOLVED, that the Board of Trustees enter into executive session for the purpose of obtaining legal advice.

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

At 8:19 p.m. the members of the Board, the Village Attorney and the Village Administrator entered into executive session to discuss legal advice.

At 8:31 p.m., upon motion of Trustee Weston, by seconded by Trustee Weston, and unanimously approved, the following resolution was adopted:

RESOLUTION 21-118

RESOLVED, the Board of Trustees shall return to the public session.

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

The Board and the Village Attorney discussed various comments submitted by the public in the Zoom Chat feature, and responded to them.

Adjournment

At 8:48 p.m., there being no further business, a motion to adjourn was made by Deputy Mayor Sharkey, seconded by Trustee Pang, and unanimously approved.

Respectfully Submitted,

Denise M. Knowland
Village Administrator

DRAFT

INC. VILLAGE OF THOMASTON**AUDITED VOUCHERS****October 14 through November 16, 2021**

| Type | Date | Num | Name | Amount |
|-------|------------|------|-------------------------------------|------------|
| Check | 10/15/2021 | ACH | MICHAEL F. MCNERNEY ARCHITECT PLLC | -1,207.50 |
| Check | 10/18/2021 | 3343 | WATER AUTHORITY OF GREAT NECK NORTH | -43.47 |
| Check | 10/18/2021 | 3344 | PSEGLI | -734.57 |
| Check | 10/18/2021 | 3345 | PSEGLI | -64.27 |
| Check | 10/18/2021 | 3346 | NATIONAL GRID | -133.88 |
| Check | 10/18/2021 | 3347 | NATIONAL GRID | -40.73 |
| Check | 10/18/2021 | 3348 | NATIONAL GRID | -67.85 |
| Check | 10/18/2021 | 3349 | NATIONAL GRID | -45.01 |
| Check | 10/18/2021 | ET | FRANCOTYP-POSTALIA, INC. | -200.00 |
| Check | 10/29/2021 | 3360 | MICHAEL F. MCNERNEY ARCHITECT PLLC | -1,466.25 |
| Check | 11/02/2021 | 3361 | PSEGLI | -34.94 |
| Check | 11/02/2021 | 3362 | PSEGLI | -10.36 |
| Check | 11/02/2021 | 3363 | PSEGLI | -362.48 |
| Check | 11/02/2021 | 3364 | VERIZON | -112.40 |
| Check | 11/02/2021 | 3365 | VERIZON WIRELESS | -79.47 |
| Check | 11/02/2021 | 3366 | MANHASSET-LAKEVILLE WATER DISTRICT | -16.20 |
| Check | 11/02/2021 | 3367 | MANHASSET-LAKEVILLE WATER DISTRICT | -1,366.70 |
| Check | 11/12/2021 | 3371 | MICHAEL F. MCNERNEY ARCHITECT PLLC | -1,897.50 |
| Check | 11/16/2021 | 3372 | WINTERS BROS. HAULING OF LI, LLC | -735.00 |
| Check | 11/16/2021 | 3373 | GARY MUHLSTOCK | -500.00 |
| Check | 11/16/2021 | 3374 | NYSPSP | -12.45 |
| Check | 11/16/2021 | 3375 | COMMERCIAL CONCRETE CORP. | -591.00 |
| Check | 11/16/2021 | 3376 | FELDMAN LUMBER | -23.47 |
| Check | 11/16/2021 | 3377 | HP INC. | -630.16 |
| Check | 11/16/2021 | 3378 | JORDAN ASSOCIATES | -1,056.50 |
| Check | 11/16/2021 | 3379 | DUPLEX ELECTRICAL SUPPLY | -137.40 |
| Check | 11/16/2021 | 3380 | W.B. MASON CO., INC. | -17.14 |
| Check | 11/16/2021 | 3381 | BLANK SLATE MEDIA , LLC | -256.36 |
| Check | 11/16/2021 | 3382 | GENERAL WELDING SUPPLY CORP | -22.50 |
| Check | 11/16/2021 | 3383 | WEX BANK | -1,409.00 |
| Check | 11/16/2021 | 3384 | OPTIMUM | -22.00 |
| Check | 11/16/2021 | 3385 | HOME DEPOT CREDIT SERVICES | -49.97 |
| Check | 11/16/2021 | 3386 | BUSINESS CARD | -865.85 |
| Check | 11/16/2021 | 3387 | MEADOW CARTING CORP | -68,624.80 |

| | | | | |
|--------------|------------|------|--------------------------------------|--------------------|
| Check | 11/16/2021 | 3388 | COSTELLO'S HARDWARE | -82.10 |
| Check | 11/16/2021 | 3389 | MEYER, SUOZZI, ENGLISH & KLEIN, P.C. | -7,410.00 |
| Check | 11/16/2021 | 3390 | TOWN OF NORTH HEMPSTEAD-SWMA | -1,544.12 |
| Check | 11/16/2021 | 3391 | NOVEMBER AND SONS LLC | -450.00 |
| Check | 11/16/2021 | 3392 | NYS EMPLOYEES' HEALTH INSURANCE | -7,460.09 |
| Check | 11/16/2021 | 3393 | FINE DETAILING | -250.00 |
| Check | 11/16/2021 | 3394 | JENNIFER DEVLIN | -224.00 |
| Check | 11/16/2021 | 3395 | VOID | |
| Check | 11/16/2021 | 3396 | WINTERS BROS. HAULING OF LI, LLC | -245.00 |
| Check | 11/16/2021 | 3397 | SANTELLI & SONS, INC. | -118.15 |
| Check | 11/16/2021 | 3398 | PSEGLI | -74.21 |
| Check | 11/16/2021 | 3399 | PSEGLI | -56.35 |
| Check | 11/16/2021 | 3400 | PSEGLI | -500.10 |
| Check | 11/16/2021 | 3401 | NATIONAL GRID | -328.77 |
| Check | 11/16/2021 | 3402 | NATIONAL GRID | -214.04 |
| Check | 11/16/2021 | 3403 | NATIONAL GRID | -274.91 |
| Check | 11/16/2021 | 3404 | NATIONAL GRID | -97.38 |
| Check | 11/16/2021 | 3405 | GRAINGER | -493.80 |
| | | | | -102,660.20 |
| TOTAL | | | | -102,660.20 |

Bill T2021G. A local law to repeal Village of Thomaston Local Law 3-2021.

Section 1. Findings and Purpose. On July 12, 2019, the Board of Trustees of the Village of Thomaston adopted Local Law 3-2021, which Local Law was filed with the New York State Department of State on July 19, 2021. The aforesaid Local Law established a one hundred fifty day period of time in which the applications could be filed with the Village for incentive zoning permits for certain properties to which the Local Law was applicable. That period of time expires on December 16, 2021. As of the date of enactment of this law, no such applications are pending. It is the intention of the Board of Trustees in enacting this law to remove the provisions of Local Law 3-2021 from the Village Code, and avoid possible future confusion which may result from having provisions in the Village Code which are no longer current and are of no operative effect.

Section 2. Village of Thomaston Local Law 3-2021 is hereby REPEALED.

Section 3. Effective date. This local law shall take effect on December 17, 2021, or upon adoption and filing pursuant to the Municipal Home Rule Law, whichever shall last occur.