

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

March 12, 2012

The Board of Trustees met on Monday, March 12, 2012 at the Village Hall, 100 East Shore Road, Great Neck, New York.

Present: Mayor Robert Stern, Deputy Mayor Steven Weinberg, and Trustee James Sharkey.

Absent: Trustee Robert Klein, Trustee Gary Noren

The Mayor opened the meeting at 7:30 p.m. with the Pledge of Allegiance

Adoption of Minutes

RESOLUTION 12-15

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

RESOLVED that the minutes of the Board of Trustees meeting held on February 13, 2012 are hereby approved and accepted as presented.

Village Election

Mayor Stern reminded the audience and Board that the Village Election will be held on March 20, 2012 between the hours of noon and 9:00 pm. Voting will take place at the Village Hall, 100 East Shore Road, for the election of two trustees.

Violations of Village Code.

A report by Code Enforcement Officer Gerald P. Umlauf, Sr. was delivered to the Board prior to the meeting concerning an ongoing violation of Village Code §144-15A (Littering, abandoned refrigerators, receptacles) and §116-45D (Yards and courts shall be kept clean and free of physical hazards) at 258 Shoreward Drive.

RESOLUTION 12-16

Following discussion of the report, upon motion by Mayor Stern, seconded by Trustee Sharkey and unanimously approved, the Board adopted the following resolution:

RESOLVED, that the Village Administrator mail a letter to the property owner in the form attached to these minutes, directing him to appear at the meeting of the Board to be held on April 9, 2012 at 7:30 pm, to show cause why it should not be determined that the violation referenced in the letter continues to exist and/or why the provisions of Village of Thomaston Code, Part 1, Chapter 1, Article II, Section 1-18 should not be applied as a remedy to such violation. (Attachment A)

Re-Appointment of Deputy Mayor to the GN Water Authority

RESOLUTION 12-17

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

RESOLVED, that Deputy Mayor Steven Weinberg is re-appointed as a Director of the Water Authority of Great Neck North for another two year term.

Truck Fund

RESOLUTION 12-18

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

RESOLVED to transfer to the Truck Fund \$40,000 for future purchase of vehicles (the Truck Fund is included in the General Fund, but is maintained in a separate bank account).

Purchase of Residual Rights Parcel 12

The Village has the opportunity to purchase from the Manhasset-Lakeville Water District the residual rights to Lot 12 (Sec. 2 Block 350 Lot 12 on the Nassau County Tax Map), which is a landlocked parcel approximately ½ acre in area (i.e. approx. 20,000 sq. ft) located immediately adjacent to the Village Hall property (Lot 13), for a purchase price of \$11,000. The Village currently has the right to acquire a portion of the shared maintenance building on Lot 12 for a purchase price of \$89,000 pursuant to a prior agreement (this transaction has not yet closed), together with access easements over Lot 12. Pursuant to prior agreements, the Village also has the right to locate its salt-dome building on Lot 12. By acquiring the residual rights in addition to the structures on the parcel, the Village would gain full control over the parcel (for example, permitting the Village in the future to (i) alter the footprint of the existing structures on the parcel, and/or (ii) install additional parking area servicing the Village Hall). The Board discussed the value of such residual rights - - the residual rights appear to be worth little to MLWD (since the parcel has no access except over the adjacent Village parcel), but could have significant value to the Village in the future, particularly if the Village decides to develop the combined Lots 12 and 13 in a manner requiring a change to the existing structures or driveways (in addition, Lot 12 could benefit the Village in the near term through increased parking area servicing the Village Hall). The Board discussed the fairness to the Village of the proposed purchase price of \$11,000 for the residual rights, particularly in view of the fact that no other land exists which is adjacent to the Village Hall property and which could be acquired by the Village in the foreseeable future for such a low price (the only other adjoining parcel is currently occupied by the Equinox health club, consisting of a large, fully-utilized commercial parcel that sold for more than \$2 million several years ago).

RESOLUTION 12-19

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

RESOLVED, that the proposed acquisition of the land under the garage building leased to the Village by Manhasset-Lakeville water district is not an Action under the State Environmental Quality Review Act and its regulations and requires no environmental review, and it is further

RESOLVED, that the Village purchase from the Manhasset-Lakeville Fire District and the Manhasset-Lakeville Water District the parcel of land know as Sec. 2 Block 350 Lot 12 on the Nassau County Tax Map for the price of \$11,000. This purchase is in addition to the Village's purchase of rights to the shared maintenance building on Lot 12, pursuant to a prior agreement which remains in effect and it is further

RESOLVED, that the Mayor is authorized to execute and deliver such agreements and other documents, and take such other actions, as he shall deem necessary or appropriate in connection with effectuating such purchase for such purchase price.

Vouchers

RESOLUTION 12-20

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

RESOLVED, that the vouchers, in the aggregate amount of \$66,940.02 (constituting the vouchers itemized in the report dated Monday March 12, 2012) are hereby approved for payment, all allocated to the General Fund.

At 7:50 there being no further business a motion to adjourn was made by Trustee Sharkey, seconded by Deputy Mayor Weinberg and unanimously approved.

Respectfully submitted,

Barbara J. Daniels

Village Administrator

VILLAGE OF THOMASTON

100 EAST SHORE ROAD

GREAT NECK, NY 11023

(516) 482-3110

FAX (516) 829-5011

Via Certified Mail Return Receipt

March 13, 2012

Mr. Parviz Ohebshalom

258 Shoreward Drive

Great Neck, NY 11021

Dear Mr. Ohebshalom:

We are writing to you about the continued presence in your front yard at 258 Shoreward Drive of what appear to be refrigerator container cases. The Village Code Enforcement Officer previously issued to you a notice of violation relating to this matter, which has been ongoing for more than 18 months without being remedied.

Pursuant to the code of the Village of Thomaston, Part 1, Chapter 1, article II, Section 1-18, you are hereby directed to appear at a public meeting of the Board of Trustees of the Village of Thomaston to be held on Monday, April 9, 2012, at 7:30 pm at the Village Hall (100 East Shore road, Great Neck, NY), to show cause why it should not be determined that the aforesaid violation continues to exist and/or why the provisions of such referenced Section should not be applied as a remedy to such violation.

Upon conclusion of the presentation at such public meeting, the Board of Trustees may elect the remedies provided in such Section. A copy of such Section of the village Code is enclosed for your reference.

This notice does not prejudice any rights or remedies of the Village under other applicable laws, or in connection with the existing proceeding brought by the Village against you in the 3rd District Court relating to this matter.

By order of the Board of Trustees.

Barbara J. Daniels

Village Administrator