

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Wednesday, **January 22nd, 2020** at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present:	Mayor	-	Robert S. Weitzner
	Trustees	-	Matthew Kepke
		-	Michael Malatino
		-	Sherman Scheff
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Jennifer Devlin

Excused: Trustee Cohen

1. Public Hearing – Bill 1 of 2019 Amending Economic Development B Zone

Mayor Weitzner opened the Public Hearing, duly adjourned from January 22, 2020, to consider the adoption of Bill 1 of 2019, to amend Article XI – Economic Development District B, Section 176-106B, to include and allow a movie and sound studio as a permitted principal use in said zone, and additionally amending Section 176-114 to allow a height not to exceed 65 feet for only a movie and sound studio. A stenographic transcript of the hearing was made and is on file with the Village Clerk. All those present wishing to speak having been heard, a motion was made by Trustee Kepke and seconded by Trustee Scheff, and it was unanimously

RESOLVED that the public hearing to consider the adoption of Bill 1 of 2019, to amend Article XI – Economic Development District B, Section 176-106B, be adjourned to February 26, 2020 at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

2. Clerk

A. Minutes

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meeting of November 20, 2019 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. Tentative Assessment Roll

Clerk Torrisi reported that she, as the Assessor of the Village of Port Washington North, has completed the Assessment Roll of the Village of Port Washington North for the year 2020, and that a copy thereof has been filed with the Village Clerk on January 22, 2020. On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously

RESOLVED that the Board of Trustees acting as the Board of Assessors have completed and accepted the Assessment Roll of the Village of Port Washington North for the year 2020, that a copy thereof has been filed with the Village Clerk on January 22, 2020, and that a legal notice shall be published stating that the Assessment Roll may be seen and examined by any person during business hours at the Village Hall, 3 Pleasant Avenue, Port Washington, New York 11050, until the 18th day of February 2020.

C. Clerk's Tax Return

Clerk Torrisi submitted to the board a written report of taxes for the year June 1, 2019 to May 31, 2020 assessed against various properties in the Village which are unpaid and past due. On motion of Trustee Scheff, seconded by Trustee Kepke, the following resolution was unanimously adopted:

WHEREAS the Village Clerk on the 22nd day of January 2020 did return and file an account of unpaid taxes to this Board for the year 2019, to wit:

**VILLAGE OF PORT WASHINGTON NORTH
CLERK'S TAX RETURN
2019 TAXES
JANUARY 22, 2020**

<u>Year</u>	<u>Assessed To</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Unit</u>	<u>\$ Amount</u>
2019	Angelo & Filomena Gaudio	4	J	38		1,624.11 + Penalties
2019	Franklin Stainless Corp.	4	J	636		112.21 + Penalties
2019	Maria Gannon	4	J	753	115	472.47 + Penalties
2019	Filomena Gaudio	4	Q	234		618.64 + Penalties
2019	Arthur & Merle Colchamiro	4	115	60		1,392.30 + Penalties
2019	Tamara M. Harris Irrevoc. Trust	4	117	20		1,693.06 + Penalties
2019	Michael & Christine Galluccio	4	120	27		1,110.30 + Penalties
2019	Cesar & Teresa Collier	4	126	5		1,250.56 + Penalties
2019	Ange Zurich	5	2	1		28.05 + Penalties

County of Nassau)
State of New York) ss:

I, Palma Torrisi, Clerk of the Village of Port Washington North, Nassau County, New York, do hereby certify that the foregoing is a true and correct statement of the Tax Return of the Village of Port Washington North for the 2019 tax year as of January 22, 2020. Witness my hand and official seal of the said Village this 22nd day of January 2020.

Palma Torrisi, Village Clerk

Seal

WHEREAS the Board of Trustees, at a meeting at the Village Hall in the Village of Port Washington North on the 22nd day of January 2020 did examine such account and did compare it with the original tax rolls and did therefore certify to the effect that they found it to be correct, a copy of which certification is affixed hereto; and

WHEREAS from the account of unpaid taxes returned by the Clerk of the Village of Port Washington North, New York, to this Board for the year 2019, the following taxes still remain due and unpaid after diligent efforts have been made to collect the same, to wit:

<u>Year</u>	<u>Assessed To</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Unit</u>	<u>\$ Amount</u>
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2019	Cesar & Teresa Collier	4	126	5		1,250.56 + Penalties
2019	Ange Zurich	5	2	1		28.05 + Penalties

NOW, THEREFORE, BE IT RESOLVED that this Board, pursuant to Article 14 of the Real Property Tax Law of the State of New York, determines to collect the amount of such unpaid taxes levied or assessed for the year 2019 by a tax sale in the manner and after the form and requirements as provided and prescribed by said Article, and completed subsequent to the 20th day of March 2020, but not later than June 30, 2020, in accordance with Section 1452, subdivision 4, of the Real Property Tax Law; that a copy of this resolution, certified by the Clerk shall be transmitted forthwith to the Treasurer of the Village with the account, affidavit and certificate of such unpaid taxes, and that the Village Treasurer, upon receiving such account of unpaid taxes and a certified copy of this resolution, be and hereby is authorized and directed to cause to be published in the official newspaper of the Village, once each week for three consecutive weeks, a list as shown in the tax roll with the amount of the tax, interest, fees and charges thereon, excepting therefrom such parcels of property on which

the Village holds and owns one or more unredeemed certificates of tax sale; and also a notice that said real estate will, on a day to be determined by said Village Treasurer and specified in said notice, be sold at public auction at a place in said Village to be designated by said Village Treasurer, to discharge the tax, interest, fees and charges aforesaid, which may be due thereon at the time of such sale, and that the said Village Treasurer, at the time and place specified in said notice proceed with the sale of said real estate upon which such taxes are unpaid, as set forth above, and continue the same from day to day until the sale is completed; that such real estate shall be sold subject to any unpaid assessments thereon levied by the Village of Port Washington North and also subject to any unpaid tax liens purchased and held by the Village; and
BE IT FURTHER RESOLVED that in all cases where no bid shall be made on a lot or parcel of land so offered for sale for any amount sufficient to pay the said tax, interest, fees and charges, the said premises shall be deemed to have been sold to and purchased by the said Village of Port Washington North.

State of New York)
County of Nassau) ss:

We the undersigned, constituting the Board of Trustees of the Village of Port Washington North, hereby certify that we have compared the foregoing return and account of taxes for the year 2019, as submitted by the Village Clerk, with the original tax roll for the Village for the year 2019, from which such account was transcribed and find it to be correct.

Robert Weitzner, Mayor

Matthew Kepke, Trustee

Michael Malatino, Trustee

Sherman Scheff, Trustee

Sworn to before me this 22nd day of January 2020

Palma Torrasi, Notary Public

State of New York)
County of Nassau) ss:

I, Palma Torrasi, Clerk of the Village of Port Washington North, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Board of Trustees of the Village of Port Washington North at a regular meeting of said Board held on January 22, 2020 at which a quorum was present. Witness my hand and official seal of the said Village this 22nd day of January 2020.

SEAL

Palma Torrasi, Village Clerk

D. Village Election

On motion of Trustee Malatino, seconded by Trustee Kepke, it was RESOLVED that Maria D'Urso, Theodore Knopp, Cindy Perdikakis, and Sandra Wright be and hereby are appointed Inspectors of Election for the 2020 General Village Election; that Sandy Becker-Hyman, Abigail Hand, Janet Knopp, Caroline

Mastropieri, Stanley Strauss and Peter Vanzer be and hereby are appointed Alternate Inspectors of Election, and that said Cindy Perdikakis be and hereby is appointed Chairperson of said Inspectors; and

BE FURTHER RESOLVED that Judith Epstein and Cindy Perdikakis shall prepare the Register of Voters for the General 2020 Election of the Village of Port Washington North on Thursday, March 12, 2020 at the Village Hall, 3 Pleasant Avenue, Port Washington, New York, commencing at 9:00 a.m.; and

BE IT FURTHER RESOLVED that said Inspectors, Alternate Inspectors and persons preparing the Register of Voters, except for the Chairperson, shall be compensated at the rate of \$175.00 per day and that said Chairperson shall be compensated at the rate of \$200.00 per day.

Vote was recorded as follows: Trustee Kepke-aye, Trustee Malatino-aye, Trustee Scheff-aye, Mayor Weitzner-aye. Motion carried.

E. Grievance Day

On motion of Trustee Scheff, seconded by Trustee Malatino, it was unanimously RESOLVED that on the 18th day of February 2020, at the Village Hall, 3 Pleasant Avenue, Port Washington, New York 11050, the Board of Trustees and the Assessor will meet for the purpose of hearing complaints in relation to assessments from 10:00 a.m. to 2:00 p.m. on said day. Each complainant shall file with the Village Clerk on or before February 18, 2020 a statement under oath, specifying the respect in which the assessment complained of is incorrect, which statement must be made by the person whose property is assessed or by some person authorized to make such statement who has the knowledge of the facts stated therein.

3. Treasurer

A. On motion of Trustee Scheff, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the General Fund Abstract of Vouchers #217, totalling \$79,029.61, be waived and that it be and hereby is approved as prepared by Treasurer Bella.

B. Budget Report

On motion of Trustee Scheff, seconded by Trustee Malatino, it was unanimously RESOLVED that the Budget Report as of December 31, 2019, showing the General Fund Balance to be \$1,908,147.83 and the Trust & Agency Fund Balance to be \$29,549.20, and the modifications contained therein, be and hereby are accepted as prepared by Treasurer Bella.

C. Trustee Scheff stated that he has reviewed the bank statement reconciliations for December 2019.

4. Reports

A. Public Works

On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the Public Works Department report for the month of January 2020 be and hereby is accepted as submitted by Superintendent Novinski.

B. Building Department

1. On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the Building Department report for January 2020 be and hereby is accepted as submitted by Superintendent Barbach.

2. Upon complaint by Sam Glasser, the Board directed the Building Department to inform T.J.Maxx and Target that they are required to maintain their shopping carts on their premises.

3. The Board directed the Building Department to send a letter to the owner of 10/12 Marlin Lane to have the large beehive removed from their rear yard.

C. Emergency Management & Traffic Safety

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the Emergency Management and Traffic Safety reports for the month of January 2020 be and hereby are accepted as presented by Commissioner Kaplan.

D. Justice Court

The Board accepted the Justice Court reports for November 2019.

5. Business

A. Conditional Use - Biener Auto Group, 101 Winners Circle

DECISION ON THE APPLICATION OF BIENER AUTO GROUP, INC., FOR A CONDITIONAL USE PERMIT TO PERMIT PARKING AND STORAGE OF MOTOR VEHICLES AT THE PREMISES LOCATED AT 101 WINNERS CIRCLE a/k/a 382 CHANNEL DRIVE, PORT WASHINGTON, NEW YORK.

Public Hearings were conducted before the Village of Port Washington North Board of Trustees held at Port Washington North Village Hall located at 3 Pleasant Avenue, Port Washington New York 11050, on November 20, 2019 and December 18, 2019, respectively.

APPLICATION of Biener Auto Group, Inc., located at 795 Northern Boulevard, Great Neck, New York, request for a conditional use permit pursuant to Section 176-106 B(14) of the Port Washington North Village Code to permit applicant the conditional use of storage and parking of up to 240 motor vehicles on the premises located at 101 Winners Circle, a/k/a 382 Channel Drive, Port Washington, New York, more fully described as Section 4 Block 123 Lot(s) 18, 20, 23, 24, 43 and 50, of the Nassau County Tax Map. The Zoning District Economic Development B currently does not permit the storage of motor vehicles at this site.

On a motion made by Trustee Scheff, seconded by Trustee Kepke and carried, application is GRANTED WITH CONDITIONS

GRANTED WITH CONDITIONS

The property that is the subject of this application is Zoned Economic Development B District since July 2005.

The applicant is before the Village of Port Washington North Board of Trustees seeking permission to use the described premises for the outdoor storage and parking of up to 240 motor vehicles at said premises.

After hearing all the evidence and testimony at two public hearings on November 20, 2019 and December 18, 2019, respectively and examining the exhibits the Village of Port Washington North Board of Trustees determines that due to the unique circumstances regarding this property, and in taken into consideration the properties in the surrounding area and community, that the general character of the neighborhood will not change if said application is granted and under certain conditions. Additionally, there will not be a detriment to nearby properties if the Conditional Use Permit is granted with certain specified conditions.

The Board of Trustees established itself as lead agency and determines that the action constitutes an unlisted action pursuant to Section 617.2 of the SEQRA Regulations and has further determined that the action will not result in any significant adverse impacts on the environment. A Short Environmental Assessment Form was submitted on October 7, 2019.

The Board of Trustees has determined after weighing the testimony and exhibits that the application for a conditional use permit for the outdoor storage and parking of motor vehicles at said described location is granted conditionally upon compliance with the following conditions:

Operation of delivery trucks: All transportation of motor vehicles to and from the location shall be from the hours of 8:00 a.m-4:00 p.m, Monday through Friday. No other days or times for delivery shall be allowed. All deliveries shall be limited to the designated location that is part of this application.

The applicant is limited to motor vehicles and sports utility vehicles.

At no time shall there be more than 240 vehicles stored and/or parked at said location.

Applicant is to use there best efforts to stay on main roads and avoid residential neighborhoods. Applicant is not permitted to use any road that commercial trucks are not permitted.

The Conditional Use permit shall expire on July 22, 2020, and applicant shall appear before the Board of Trustees prior to said expiration for an extension to the Conditional Use Permit for a peiod of time as decided by the majority of the Board of Trustees. Any extension of the Conditional Use Permit is in the sole discretion of the Board of Trustees.

Accordingly, this application is granted with conditions the conditions as outlined above.

Vote was recorded as follows: Trustee Kepke-aye, Trustee Malatino-aye, Trustee Scheff-aye, Mayor Weitzner-aye. Motion carried.

B. Street Sweeping

Clerk Torrisi reported that the following bids were received by 10:00 a.m. on January 21, 2020 for the Street Sweeping 2020, 2021 & 2022 contract:

	<u>2020</u>	<u>2021</u>	<u>2022</u>
Coastal Contracting Corp.	462,250.	462,250.	462,250.
Dejana Industries LLC	38,150.	38,150.	38,150.
Dom's Lawnmaker Inc.	54,200.	55,284.	56,383.
John McGowan & Sons Inc.	32,500.	33,500.	34,500.

Superintendent Novinski recommended John McGowan & Sons as the lowest responsible bidder. On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously

RESOLVED that the contract for Street Sweeping, for the year 2020 be and hereby is awarded to John McGowan & Sons Inc. as the lowest responsible bidder, and as more particularly set forth in its bid document dated January 20, 2020.

C. LOSAP Intermunicipal Agreement

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously

RESOLVED that the Village of Port Washington North enter into an Intermunicipal Agreement regarding the Length of Service Awards Program ("LOSAP") between and among the Town of North Hempstead, the Incorporated Village of Port Washington North, the Incorporated Village of Flower Hill, the

Incorporated Village of Sands Point, the Incorporated Village of Baxter Estates, the Incorporated Village of Manorhaven and the Incorporated Village of Plandome Manor, for the purpose of establishing a joint municipal sponsoring board to jointly sponsor an existing Defined Benefit Length of Service Award Program for volunteer members of the Port Washington Fire Department; and be it further

RESOLVED that the Municipal Sponsoring Board is authorized to engage any and all professional services that it deems appropriate to assist the board in fulfilling its duties under this agreement, including, but not limited to, any and all financial, actuarial, accounting and legal services; and be it further

RESOLVED that the Board of Trustees hereby authorizes the Mayor to execute the intermunicipal agreement.

D. Outfall Inspection Services – H2M

On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the Village engage the services of H2M Architects + Engineers to provide GIS coordination and storm sewer outfall inspection services, as required under the NYS Municipal Separate Storm Sewer Systems permit program, at a cost not to exceed \$4,250.00, and as more particularly set forth in its proposal dated December 19, 2019.

E. Curb Tree Removal Request – 31 Driftwood Drive

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the Village of Port Washington North shall cause the curb tree located in the utility strip in front of 31 Driftwood Drive to be removed.

F. New Oasis Contract Amendment

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Mayor is authorized mayor to execute an amendment to the contract between Village of Port Washington North and New Oasis Development LLC., for the sale of vacant land known as Section 4, Block J Lots p/o 45 and 754 and more particularly described in schedule A of the Contract of Sale

On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 11:00 p.m.

Palma Torrisi, Village Clerk