

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Wednesday, **January 16, 2019** at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present:	Mayor	-	Robert S. Weitzner
	Trustees	-	Steven Cohen
		-	Michael Malatino
		-	Sherman Scheff
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	LaTonia Lewis

Excused: Trustee Kepke

1. Public Hearing – Parviz Farahzav, 101 Winner’s Circle for Conditional Use

Mayor Weitzner opened the public hearing, advertised in the January 11, 2019 *Port Washington Times*, to consider the application of Parviz Farahzav on behalf of the owner, 101 Channel Drive LLC, for a conditional use permit for 101 Winner’s Circle, Port Washington, New York (premises designated on the Nassau County Land & Tax Map as Section 4, Block 123, lots 18, 20, 23, 24, 43 & 50), to permit the use of the parking lot at said premises for the storage of automobiles for a car dealership(s). A stenographic transcript of the hearing was made and is on file with the Village Clerk. All those wishing to speak having been heard, the Mayor adjourned the hearing to Wednesday, February 20, 2019 at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

2. Clerk

A. Minutes

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meeting of November 14, 2018 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. Grievance Day

On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that on the 19th day of February 2019, 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 19, 2019 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.

C. Village Election

1. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the Village Clerk be and hereby is directed to publish in the official newspaper of the Village at least ten days prior to the General Village Election to be held on Tuesday, March 19, 2019 a notice that shall state:

- The polling place in each election district;
- The hours during which the polls shall be open, to wit, from noon to nine o’clock in the evening;
- The names and addresses of those who have been duly nominated in accordance with the provisions of the election law for the Village office whose petitions have been duly filed with

the Village Clerk, and the offices and terms of said office for which they have been so nominated.

2. On motion of Trustee Scheff, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS, the Village Clerk, as election officer of the Village of Port Washington North, has attempted to obtain the names of six residents of the Village of Port Washington North who would qualify to hold the office of Inspector of Election, in accordance with the election Law of the State of New York; and

WHEREAS, the Village Clerk has not been able to find six persons who reside within the Village of Port Washington North who reside within the Village of Port Washington North and who meet the requirements to be appointed as Inspectors of Election as specified in the Election Law and who are willing to serve as such;

NOW, THEREFORE, BE IT RESOLVED that the requirement that Inspectors of Election of the Village of Port Washington North reside within the Village of Port Washington North, is hereby amended pursuant to Village Law Section 3-300 to provide that this Board of Trustees is hereby authorized to appoint any resident of the county of Nassau, who is otherwise duly qualified to act as an Inspector of Election, to act as an Inspector of Election for the Village of Port Washington North for the Village of Port Washington North's 2019 General Election.

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

3. On motion of Trustee Malatino, seconded by Trustee Cohen, it was

RESOLVED that Maria D'Urso, Judith Epstein, Theodore Knopp and Margaret Malanga be and hereby are appointed Inspectors of Election for the next General Village Election, that Janet Knopp and Stanley Strauss be and hereby are appointed Alternate Inspectors of Election, and that said Margaret Malanga be and hereby is appointed Chairperson of said Inspectors; and

BE IT FURTHER RESOLVED that said Inspectors and Alternate Inspectors, 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; and

BE FURTHER RESOLVED that the Inspectors of Election of the Village of Port Washington North shall prepare the Register of Voters for the General 2019 Election of the Village of Port Washington North on Thursday, March 14, 2019 at the Village Hall, 3 Pleasant Avenue, Port Washington, New York, commencing at 9:00 a.m.

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

3. Treasurer

A. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously

RESOLVED that the reading of the General Fund Abstract of Vouchers #205, totalling \$51,507.04, and the Trust & Agency Abstract of Vouchers #150, totalling \$3,125.45, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

B. Budget Report

On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the Budget Report as of December 31, 2018, showing the General Fund Balance to be \$1,983,839.47 and the Trust & Agency Fund Balance to be \$0.00, 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 2018.

4. Reports

A. Public Works

On motion of Trustee Scheff, seconded by Trustee Malatino, it was unanimously RESOLVED that the Public Works Department report for the month of December 2018 be and hereby is accepted as submitted by Superintendent Novinski.

B. Building Department

On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the Building Department report for December 2018 be and hereby is accepted as submitted by Superintendent Barbach.

C. Emergency Management & Traffic Safety

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Emergency Management and Traffic Safety reports for the month of December 2018 be and hereby are accepted as presented by Commissioner Kaplan.

D. Justice Court

The Board accepted the Justice Court reports for November 2018.

5. Business

A. Small Claims Assessment Review Consultant

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village hereby engages the professional services of Michael Haberman Associates, Inc. to defend the Village in residential small claims assessment review proceedings nunc pro tunc, in accordance with its proposal dated May 9, 2018. The rate for such services, including but not limited to administration, market analysis, negotiations, conferences and court appearances, shall be \$125.00 per parcel. This contract is for a term ending April 2019, except that either party may terminate the agreement at any time.

B. Village Hall Cleaning Contract

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village of Port Washington North will continue the contract with Capital Contractors Inc., 88 Duryea Road, Melville, New York, to provide janitorial cleaning services at the Village Hall, 3 Pleasant Avenue, amending, however, the monthly fee to \$338.38.

C. Park Maintenance Contract

Clerk Torrisi reported that the following bids were received by 12:00 noon on January 15, 2019 for the Park Maintenance 2019/20, 2020/21 & 2021/22 contract:

	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>
Bucky Demelas & Son	42,000.	42,000.	45,000.
Dom's Lawnmaker Inc.	67,564.	68,915.	70,293.

Superintendent Novinski recommended Bucky Demelas & Son as the lowest responsible bidder. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously

RESOLVED that the contract for Park Maintenance, for the period from March 1, 2019 to February 28, 2020, be and hereby is awarded to Bucky Demelas & Son Landscape Contractors Inc., as the lowest responsible bidder and as more particularly set forth in its bid document dated January 14, 2019.

D. Site Plan Review – TJ Maxx, 1 Soundview Marketplace

Max Rinaldi of Soundview Marketplace and Robert Eschbacher of VHB addressed the Board of Trustees with respect to the Site Plan Review application of Rosenbaum Design Group for a proposed TJMaxx parking lot and traffic plan for Soundview Marketplace, Shore Road, Port Washington, New York. On motion of Trustee Malatino, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS, the Board of Trustees of the Village of Port Washington North held a public hearing on June 20, 2018 with respect to the Site Plan Review application of Rosenbaum Design Group on behalf of TJMaxx and LBUBS 2007-C7 Shore Road, LLC., as owner of the premises located at 1 Soundview Marketplace, Shore Road, Port Washington, New York (premises designated on the Nassau County Land & Tax Map as Section 4, Block 129, Lots 1, 10, 12 & 14C), and all people present were heard or were given an opportunity to be heard; and

WHEREAS, the Board of Trustees has determined that the application is subject to site plan review pursuant to Chapter 137 of the Port Washington North Village Code; and

WHEREAS, the Board of Trustees established itself as lead agency and has determined that the action constitutes a type II 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; and

WHEREAS, the Board of Trustees has reviewed the application and the "Pedestrian Safety Improvements" parking lot and traffic plan, prepared by VHB on behalf of TJMaxx and bearing the latest revision date of June 29, 2018, and has carefully considered the testimony and all other relevant evidence presented at the public hearing held on June 20, 2018; now, therefore, be it

RESOLVED that the Board of Trustees, after site plan review pursuant to the Code of the Village of Port Washington North, hereby approves the "Pedestrian Safety Improvements" parking lot and traffic plan, bearing the latest revision date of June 29, 2018, prepared by VHB on behalf of TJMaxx and LBUBS 2007-C7 Shore Road LLC, as owner of the premises located at 1 Soundview Marketplace, Shore Road, Port Washington, New York (premises designated on the Nassau County Land & Tax Map as Section 4, Block 129, Lots 1, 10, 12 & 14C), as submitted to the Village of Port Washington North, subject to any diminimous changes the Village Superintendent of Buildings may deem necessary for the safety of the public.

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 10:00 p.m.

Palma Torrisi, Village Clerk