

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Wednesday, **November 20, 2019** at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present:	Mayor	-	Robert S. Weitzner
	Trustees	-	Steven Cohen
		-	Sherman Scheff
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen

Excused: Trustees Kepke and Malatino

1. Public Hearings

A. Conditional Use Application of Biener Auto Group at 101 Winners Circle

Mayor Weitzner opened the public hearing, duly advertised in the November 8, 2019 *Port Washington Times*, to consider the application of Biener Auto Group Inc., as applicant, and 101 Channel Drive LLC, as owner, for 101 Winners Circle, Port Washington New York (said premises designated on the Nassau County Land & Tax Map as Section 4, Block 123, Lots 18, 20, 23, 24, 43 & 50), for a conditional use permit for the use of parking and storage of motor vehicles on said property. 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, the Mayor adjourned the public hearing to December 18, 2019 at 7:45 p.m.

B. Bill 1 of 2019 – Amending the Economic Development B Zone

Mayor Weitzner opened the public hearing, duly advertised in the November 8, 2019 *Port Washington Times*, to consider the adoption of Bill 1 of 2019, amending Article XI Economic Development District B, Section 176-106B, to include and allow a movie/sound studio as a permitted principal use in said zone, and Section 176-114 to allow a height not to exceed 65 feet for a movie/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, the Mayor adjourned the public hearing to December 18, 2019 at 8:15 p.m.

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

WHEREAS, Bill 1 of 2019, amending Article XI Economic Development B District, Section 176-106B, to include and allow a movie/sound studio as a permitted principal use in said zone, and Section 176-114 to allow a height not to exceed 65 feet for a movie/sound studio, has been submitted to the Board of Trustees for its consideration; and

WHEREAS, the subject bill concerns the legislative action of the Village Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby designates itself as the lead agency for environmental review with regard to the adoption of the proposed local law.

2. Clerk

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meetings of September 25 and October 2, 2019 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

3. Treasurer

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

RESOLVED that the reading of the Abstract of General Fund Vouchers #215, totalling \$100,293.22, and Trust & Agency Vouchers #158, totalling \$1,778.50, be waived and that it be and hereby is approved as prepared by Treasurer Bella.

B. The Board reviewed the Annual Update Document for the fiscal year commencing June 1, 2018 and ending May 31, 2019 that was filed with the New York State Comptroller's Office. On motion of Trustee Scheff, seconded by Trustee Cohen, the following resolution was adopted:

WHEREAS the Board of Trustees has been presented with the Annual Update Document for the fiscal year commencing June 1, 2018 and ending May 31, 2019; NOW, THEREFORE, BE IT RESOLVED that the Annual Update Document for the fiscal year commencing June 1, 2018 and ending May 31, 2019, be and hereby is accepted as filed with the New York State Comptroller's Office.

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

The Board reviewed the Audited Financial Statement for the General Fund and the Audited Financial Statement and Management Letter for the Village Justice Court for the fiscal year commencing June 1, 2018 and ending on May 31, 2019, prepared by independent auditors Cullen & Danowski LLP. On motion of Trustee Scheff, seconded by Trustee Cohen, it was RESOLVED that the Audited Financial Statement for the General Fund, and the Audited Financial Statement and Management Letter for the Village Court, for the fiscal year commencing June 1, 2018 and ending on May 31, 2019, prepared by Cullen & Danowski LLP, be and hereby are accepted.

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

C. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the budget adjustments to the fiscal year ending May 31, 2019 be and hereby are approved as presented by Treasurer Bella.

D. Trustee Scheff stated that he reviewed the bank statement reconciliations for October 2019.

E. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that, whereas the Board of Trustees has determined that Village Law §4-412(3)(2) requires the designation of banks or trust companies for the deposit of all Village monies, and whereas the Village Treasurer has recommended Dime Community Bank as an authorized depository for Village funds, the Board of Trustees designates **Dime Community Bank** as an authorized depository of all moneys received by the Village Treasurer, Village Clerk and Receiver of Taxes.

4. Reports

A. Public Works

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Public Works report for the months of November 2019 be and hereby are accepted as presented by Superintendent Novinski.

B. Building Department

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Building Department report for November 2019 be and hereby is accepted as submitted by Superintendent Barbach and Inspector Lauria.

C. Emergency Management & Traffic Safety

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Emergency Management and Traffic Safety report for November 2019 be and hereby is accepted as presented by Commissioner Kaplan.

D. Beautification

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Beautification Commission report for the month of November 2019 be and hereby is approved as presented by Howard Roth.

E. Justice Court

The Board accepted the Justice Court report for the months of September and October 2019.

5. Business

A. Fire Protection & Emergency Medical Service

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Board of Trustees of the Village of Port Washington North will hold a public hearing on Wednesday, December 18, 2019 at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York, with regard to a proposed contract with the Port Washington Fire Department, Inc. for the furnishing of fire protection and emergency medical service within the Village for the period of January 1, 2020 through December 31, 2020 at a cost to the Village of \$276,133.00.

B. Bill 1 of 2019 – SEQRA Compliance Consulting Engineer

Clerk Torrisi reported that proposals were received for SEQRA compliance review with respect to Bill 1 of 2019 Amending the Economic Development B District from the following:

GEI Consultants	\$5,150.
Nelson, Pope & Voorhis LLC	\$6,000.
VHB	\$9,000.

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board of Trustees of the Village of Port Washington North hereby engages the consulting engineering services of Nelson, Pope & Voorhis to conduct the environmental review with respect to Bill 1 of 2019, Amending the Economic Development B District, in compliance with the New York State Environmental Quality Review Act, at a cost not to exceed \$6,000.00 and as more particularly set forth in the written proposal dated October 9, 2019.

C. Conditional Use Application – ALK-Abello, 35 Channel Drive

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Board of Trustees of the Village of Port Washington North will hold a public hearing on Wednesday, December 18, 2019 at 8:00 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York, to consider the application of ALK-Abello for a Conditional Use Permit to extend the use of existing temporary storage containers at 35 Channel Drive (premises designated on the Nassau County Land & Tax Map as Section 4, Block 123, Lot4).

D. Opiate Addiction Litigation

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village of Port Washington North Board of Trustees hereby retains the law firm of Tate, Grossman, Kelly & Iaccarino, LLP., in the civil prosecution of any legal claims against manufacturers and distributors of opioids arising out of the manufacturers' and distributors' fraudulent, negligent and otherwise wrongful conduct. The Village of Port Washington Board of Trustees authorizes the Mayor to execute a Retainer Agreement with the Law Firm of Tate, Grossman, Kelly & Iaccarino and authorizes the commencement of litigation to pursue all claims against opioid manufacturers' and distributors. The Law Firm shall be paid on a 25% percentage contingency basis of all gross amounts recovered on behalf of the Village of Port Washington North. The Village of Port Washington North shall pay no expenses or legal fees if there is no recovery on behalf of the Village of Port Washington North.

E. Municipality Building Department Software

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village of Port Washington North enter into an agreement for building department software with General Code CMS LLC for Municipality Integrated Parcel Management Software, at a first-year cost not to exceed \$32,528.00 and for related integration, subscriptions and maintenance as more particularly set forth in a written proposal dated November 11, 2019.

F. New Oasis Soil Remediation

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that bids for the contract for Environmental Soil Remediation at the approximately 7.75 acres of Village-owned vacant land located at Valley Road (property designated on the Nassau County Land & Tax Map as Section 4, Block J, Lot 82), will be received at the Village Hall of the Village of Port Washington North, located at 3 Pleasant Avenue, Port Washington North, New York, until 12:00 noon on Tuesday, December 17, 2019, at which time all bids will be publicly opened and read aloud.

On motion of Trustee Cohen, 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