

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **June 14, 2022** at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present: Mayor - Robert Weitzner  
Trustees - Steven Cohen  
- Matthew Kepke  
- Michael Malatino  
Clerk - Palma Torrisi  
Attorney - Stuart Besen

Excused: Trustee Scheff

1. Mayor Weitzner presented a proclamation to Dr. Irwin L. Kellner's wife Ann in honor of her husband's unprecedented fifty years of service to the Village, and the wisdom and good counsel that he contributed as a member of the Planning Board.

2. Clerk

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 April 12, 2022 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

3. Treasurer

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the General Fund Abstract of Vouchers #246, totalling \$262,418.59, and the Trust & Agency Abstract of Vouchers #183, totalling \$367.50, be waived and that they be and hereby are approved as presented by Treasurer Bella.

4. Reports

A. Public Works

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the report of the Public Works Department for May 2022 be accepted as submitted by Superintendent Novinski.

B. Building Department

1. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the Building Department report for May 2022 be and hereby is accepted as presented by Superintendent Barbach.

2. Sign Permit Application: F45, 5 Soundview Marketplace

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that sign permit application A2022-0097 of Jamie Shea of Mineola Signs for Metro Capital Realty for a 3-foot high by 13-foot long by 5-inch deep wall front advertising sign at F45, 5 Soundview Marketplace, Shore Road (designated on the Nassau County Land & Tax Map as Section 4, Block 129, Lots 1, 10, 12 & 14C) be and hereby is approved in accordance with the plans submitted on May 12, 2022.

C. Emergency Management & Traffic Safety

1. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the Emergency Management & Traffic Safety reports for the month of May 2022 be and hereby are accepted as presented by Commissioner Kaplan.

2. On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the street light opposite 91 Soundview Drive be repaired at a cost not to exceed \$16,000.

3. Mr. & Mrs. Stephen Gelman plan to remove the row of cypress shrubs at the corner of their property at 2 Angler Lane in conjunction with erecting a fence.

D. Beautification

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Beautification Commission report for the month of May 2022 be and hereby is accepted as presented by Commissioner Roth.

E. Justice Court

The Board accepted the Justice Court report for April 2022 submitted by Court Clerk Kropacek.

5. Business

A. NYS DEC Stormwater Management MS4 Report

Mayor Weitzner announced that the draft 2021-2022 MS4 Annual Report for the Village of Port Washington North was made available for public review on May 20, 2022. The report was made available to solicit comments from the general public on the Village's stormwater management program. The final 2021-2022 MS4 Annual Report was filed on May 27, 2022. The final report was posted on the Village's website on June 1, 2022 and is available at the Village Hall. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the MS4 Annual Report 2021-2022 prepared by H2M for the Village of Port Washington North is hereby approved.

B. Kayak Launch Emergency Repair

On motion of Trustee Malatino, seconded by Trustee Kepke, the following resolution was unanimously adopted:

RESOLVED that Scobbo Contractors is hereby engaged, as a sole source contractor, to conduct emergency marine repairs to the Village's kayak launch in Bay Walk Park at a cost not to exceed \$17,500.00.

C. Conditional Use Extension – Bombay Kitchen

The Board considered the April 28, 2022 application of Sanjiv Mody as owner of Sara Mody Holdings for an extension of the Conditional Use Permit of Ethnic Foods Inc. d/b/a Bombay Kitchen, granted by the Board of Trustees on September 5, 2019, which expired on September 1, 2020, for the premises at 85 Channel Drive, Port Washington, New York (designated on the Nassau County Land & Tax Map as Section 4, Block 123, Lots 29 & 30). After the presentation of Bombay Kitchen's attorney Christopher Prior, the Board reserved judgment.

D. Communications Consultant

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village of Port Washington North hereby engages the services of Max Bogensberger as a Communications Consultant, to be paid at the rate of \$18.00 per hour.

6. Executive Session

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Board enter into executive session to discuss a potential tax certiorari settlement with the Village Attorney.

On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the executive session be ended and the regular meeting be reconvened.

Mayor Weitzner stated that no action was taken in the executive session.

7. Business (continued)

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

WHEREAS there is now pending the Supreme Court, Nassau County, proceedings by the owners of certain real property within the Village of Port Washington North to reduce the assessed valuation placed on property for Village Tax purposes; and

WHEREAS the Village Attorney recommends that said proceeding be settled in accordance with a written memorandum to the Board dated June 8, 2022; now, therefore, be it

RESOLVED that the Village Attorney is hereby authorized to settle the following tax certiorari proceeding on the basis indicated:

MNK Management Corp.  
45 Shore Road  
Section 4, Block 48, Lot 41

<u>Tax Year</u>	<u>Present Assessment</u>	<u>Proposed Assessment</u>	<u>Refund</u>
2016/17	\$25,250.	--	} Lump
2017/18	\$25,250.	--	} Sum
2018/19	\$25,250.	--	} Settlement
2019/20	\$25,250.	--	}
2020/21	\$25,250.	--	} of
2021/22	\$25,250.	--	}
2022/23	\$25,250.	--	} \$7,500.

BE IT FURTHER RESOLVED that a lump sum settlement of \$7,500.00 is approved and the Assessor is hereby directed to place an assessment of \$21,850 upon the Village Assessment 2023/24 Roll for Section 4, Block 48, Lot 41; and

BE IT FURTHER RESEOLVED that there shall be three-year moratorium on filing tax certioraris for the aforesaid property.

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 8:45 p.m.

Palma Torrisi, Village Clerk