

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held at 3 Pleasant Avenue, Port Washington, New York, on Tuesday, **August 9, 2022** at 7:30 pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

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

Excused: Trustee Cohen

### 1. Clerk

A. On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the minutes of the meeting of the Board of Trustees of June 14, 2022 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that regular meeting of the of the Board of Trustees scheduled for September 13, 2022 is hereby rescheduled to Thursday, September 8, 2022 at 7:30 pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

### 2. Treasurer

A. On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the Abstract of General Fund vouchers #248, totalling \$49,676.43, and Trust & Agency vouchers #184 totalling \$2,437.00, be waived and that they be and hereby are approved as presented by Treasurer Bella.

B. On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Budget Modification moving \$3,000.00 from the contingency line to the line for temporary help be and hereby is approved.

### 3. Reports

#### A. Public Works

On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the Public Works Department report for the month of July 2022 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 of Superintendent Barbach for the month of July/August 2022 be and hereby is accepted as submitted.

2. It was the consensus of the Board that sign permit applications A2022-0216 through A2022-0221 for studio stage marker identification, submitted by Parviz Farahzad of 101 Channel Drive LLC for the premises located at 101 Channel Drive, Port Washington (designated on the Nassau County Land & Tax Map as Section 4, Block 123, Lots 18, 20, 23,24 & 43), be approved in accordance with the plans submitted on August 8, 2022.

C. Emergency Management & Traffic Safety

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Emergency Management & Traffic Safety report for July 2022 be and hereby is accepted as presented by Commissioner Steven Kaplan.

D. Beautification Commission

On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the report of the Beautification Commissioner for July 2022 be accepted as presented by Howard Roth.

E. Justice Court

The Board accepted the Justice Court report for June 2022.

4. Business

A. Street Light Maintenance Proposals

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Village Clerk is hereby directed to solicit three written price quotes, pursuant to the Village Procurement Policy for public works contracts, for the Street Light Maintenance 2022/2023 contract.

B. Leaf Removal Contract

On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the Village of Port Washington North will accept sealed bids for the Leaf Removal from Village Streets during Fall 2022, 2023 and 2024 contract at the Village Hall, 3 Pleasant Avenue, Port Washington, NY 11050, until 12:00 noon on September 6, 2022 at which time all bids will be publicly opened and read aloud.

C. Fence Installation at 167 Shore Road

Clerk Torrisi reported that the Village received the following written estimates for a replacement wood stockade fence at the rear of the Village-owned property at 167 Shore Road:

Carls Fence Co. Inc.	\$4,820.
Rose Fence Inc.	\$3,900.
Serrano Fence & Son Inc.	\$3,100.

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Village of Port Washington North hereby engages Serrano Fence & Son Inc., as the lowest estimate, to erect a replacement wood stockade fence at the rear of the Village-owned property at 167 Shore Road in accordance with its written proposal dated 7/21/22.

D. West Side Engineering PC – Engineering Services Agreement

On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the Village of Port Washington North hereby engages West Side Engineering PC to provide consulting engineering services to the Village at the billing rate of \$180.00 per hour, as more particularly set forth in its letter of July 15, 2022.

E. Town of North Hempstead Intermunicipal Shared Services Agreement

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Village of Port Washington North hereby enters into an intermunicipal agreement with the Town of North Hempstead for cooperative services, extending the terms of the original agreement that expires on July 31, 2027.

F. Conditional Use Extension – Bombay Kitchen, 85 Channel Drive

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

DECISION ON THE APPLICATION OF ETHNIC FOODS, INC.  
d/b/a/ BOMBAY KITCHEN FOR CONDITIONAL USE PERMIT FOR  
85 CHANNEL DRIVE, PORT WASHINGTON, NEW YORK

APPLICATION – Ethnic Foods Inc., d/b/a/Bombay Kitchen 85 Channel Drive, Port Washington, New York 11050. Request for an extension of the conditional use permit, granted by resolution of the Board of Trustees on September 5, 2019, pursuant to Section 176-106(14) of the Port Washington North Village Code to permit applicant the conditional use of processing and manufacturing certain foods on premises at 85 Channel Drive, Port Washington, New York, more fully described as Section 4, Block 123, Lots 29 & 30. The Zoning District is Economic B, which does not permit as of right the processing and manufacturing of any foods.

The Board has determined after weighing the testimony that the application for the extension of a conditional use permit to process and manufacture certain foods at the premises is granted conditionally upon compliance with the following conditions:

Operation of delivery trucks: All delivery truck to and from the premises shall be from the hours of 7:00 a.m. to 4:00 p.m., Monday through Saturday. No other times for delivery shall be allowed. All deliveries shall be limited to the designated loading dock that is part of this application.

All refrigeration truck motors shall be turned off while parked at the premises. Applicant will be permitted to operate the cooling units in said truck(s) from the hours of 9:00 a.m. to 5:00 p.m. Thereafter applicant shall be permitted to operate the cooling unit in said truck(s) on Monday through Saturday from the hours of 5:01 p.m. to 8:59 a.m. and all of Sunday, but only in the loading dock and only plugged in to the building's electrical service. All other operation of the refrigerated trucks are prohibited at said premises.

The applicant is limited to processing and manufacturing the following foods: Roasted snack foods that include nuts, beans, dry foods, potatoes, seasoning and flour. Ice cream frozen yogurt, sorbets, cheeses and smoothies. All other products for processing and manufacturing are prohibited under this conditional use permit.

The Conditional Use permit shall expire on September 1, 2023, and applicant shall appear before the Board of Trustees prior to said expiration for an extension to the Conditional Use Permit for a period of time as decided by the majority of the Board of Trustees.

G. Fall Intern Consultant – Deniz Berkay

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

RESOLVED that the Village of Port Washington North hereby engages the services of Deniz Berkay as an intern consultant, to be paid at the rate of \$18.00 per hour.

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 8:40 p.m.

Palma Torrisi, Village Clerk