

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **June 13, 2023** at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present:	Mayor	-	Robert Weitzner
	Trustees	-	Steven Cohen
		-	Matthew Kepke
		-	Andrea Scheff
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Jennifer Sampugno

Excused: Trustee Malatino

1. Public Hearing – Site Plan & Conditional Use – Jia Restaurant, 84 Old Shore Road

Mayor Weitzner opened the public hearing, duly advertised in the June 2, 2023 *Port Washington Times*, to consider to application of Lucky Wynwood LLC, d/b/a/ Jia Dim Sum, for Site Plan Review and Conditional Use approval for 84 Old Shore Road, Port Washington, NY 11050. The proposed site plan includes, but is not limited to, additions and alterations of a walk-in permanent cooler/freezer container along Old Shore Road, wood deck along Pleasant Avenue, and trash disposal enclosure the proposed conditional use is for outdoor dining located on the wood deck in the front yard facing Shore Road. Premises is owned by 84 Shore Road Development Realty Inc., Post Office Box 692, Port Washington, NY 11050 and designated on the Nassau County Land & Tax Map as Section 4, Block N-2, Lot 411. 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, Trustee Kepke made a motion, seconded by Trustee Cohen, unanimously RESOLVED that the public hearing be closed. Whereupon, the Mayor closed the public hearing.

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the **Site Plan** application of Lucky Wynwood LLC, d/b/a/ Jia Dim Sum, for 84 Old Shore Road, Port Washington, NY 11050, premises owned by 84 Shore Road Development Realty Inc., Post Office Box 692, Port Washington, NY 11050 and designated on the Nassau County Land & Tax Map as Section 4, Block N-2, Lot 411, including, but not limited to, additions and alterations of a walk-in permanent cooler/freezer container along Old Shore Road, wood deck along Pleasant Avenue, and trash disposal enclosure the proposed conditional use is for outdoor dining located on the wood deck in the front yard facing Shore Road be and hereby is approved in accordance with the plans of Prainito Architects P.C., bearing the latest revision date of 10/27/22.

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the **Conditional Use** application of Lucky Wynwood LLC, d/b/a/ Jia Dim Sum, for 84 Old Shore Road, Port Washington, NY 11050, premises owned by 84 Shore Road Development Realty Inc., Post Office Box 692, Port Washington, NY 11050 and designated on the Nassau County Land & Tax Map as

Section 4, Block N-2, Lot 411, for outdoor dining located on the wood deck in the front yard facing Shore Road, be and hereby is approved.

2. Clerk

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meeting of April 11, 2023 and April 18, 2023 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

3. Treasurer

A. On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the General Fund Abstract of Vouchers #258, totalling \$309,533.45, and the Trust & Agency Abstract of Vouchers #188, totalling \$1,992.34, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

B. Treasurer Bella stated that Trustee Scheff reviewed the bank statement reconciliations for April 2023.

4. Reports

A. Public Works

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the report of the Public Works Department for May 2023 be accepted as submitted by Superintendent Poole.

B. Building Department

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Building Department report for May/June 2023 be and hereby is accepted as presented by Superintendent Barbach.

C. Emergency Management & Traffic Safety

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the Emergency Management & Traffic Safety reports for the month of May 2023 be and hereby are accepted as presented by Commissioner Kaplan.

D. Beautification

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

RESOLVED that the Beautification Commission report for the month of May 2023 be and hereby is accepted as presented by Commissioner Roth.

E. Communications Commission

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the report of Communications Commissioner Lauren Summa for the month of June 2023 be and hereby are accepted as presented by the Mayor.

F. Justice Court

The Board accepted the Justice Court report for April 2023 submitted by Court Clerk Kropacek.

5. Business

A. Appeal of Denial for Access to Records

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

WHEREAS, Village Clerk and Clerk to the Village Justice conducted a thorough search of Village records and found no court records pertaining to Rabbi Samuel Jay Kersner; now, therefore, be it

RESEOLVED that the denial for access to records of Victor Malyar, dated 5/11/23 be and hereby is upheld.

B. Diwan Shore Road Destination Panel – TNH IMA

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

WHEREAS, the Town of North Hempstead (the "Town") in conjunction with the Cow Neck Historical Society, has designed an informational panel highlighting the history of Port Washington along Shore Road; and

WHEREAS, the informational panel to be installed on a portion of Shore Road within the Village of Port Washington North; and

WHEREAS, the Town Historian has recommended that the Town enter into an intermunicipal agreement with the Village to allow for the installation of the informational panel; and

WHEREAS, the Board finds it to be in the best interest of the Village to authorize the intermunicipal agreement; now, therefore, be it

RESOLVED that the intermunicipal agreement with the Town of North Hempstead be and hereby is authorized; and be it further

RESOLVED that the Mayor is hereby authorized to execute the intermunicipal agreement on behalf of the Village, and to take such other action as may be necessary to effectuate the foregoing.

C. NYS DEC Stormwater Management MS4 Report

Mayor Weitzner announced that the final 2022-2023 MS4 Annual Report for the Village of Port Washington North was filed on May 26, 2023. The final report was posted on the Village's website on May 30, 2023 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 2022-2023 prepared by H2M for the Village of Port Washington North is hereby approved.

D. Bay Walk Park Shoreline Protection – Town of North Hempstead Grant

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

WHEREAS, the Town of North Hempstead is seeking a federal grant with regard to Robert Dayton Shoreline Protection, which lies within the Village of Port Washington North and is partly owned by the Village; and

WHEREAS, the Board finds it to be in the best interest of the Village to support the Town's application for the federal grant; now, therefore, be it

RESOLVED that the Mayor is hereby authorized to execute such documents and take such other action as may be necessary to support the application of the Town of North Hempstead.

E. Summer Intern

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the Village of Port Washington North hereby engages the services of Marissa Cichon as a public policy consultant, to be paid at the rate of \$18.00 per hour.

F. Road Repair Contract Bid

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village of Port Washington North will receive bids for the Road Repairs/Asphalt 2023/2024 to 2025/2026 contract at the Village Hall, 3 Pleasant Avenue, Port Washington, NY 11050, until 10:00 a.m. on July 17, 2023 at which time all bids will be publicly opened and read aloud.

G. Village Hall Lease Extension to 2025

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village of Port Washington North renew and extend its lease for the Village Hall premises at 3 Pleasant Avenue, Port Washington, New York 11050, with Pleasant Avenue Realty LLC, with offices at 1 Pleasant Avenue, Port Washington, New York 11050, for a period of a one-year extension, commencing

on June 1, 2023 and ending on May 31, 2024, with a one-year option to renew, and as more particularly set forth in a written agreement between the parties.

H. Bill 1 of 2023 – Prohibiting Unsanitary Conduct in Public

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board of Trustees will hold a public hearing on Tuesday, July 18, 2023 at 7:30 p.m. at 3 Pleasant Avenue, Port Washington, New York 11050, on the proposed adoption of Bill 1 of 2023 with respect to Prohibiting Unsanitary Conduct in Public.

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 9:47 p.m.

Palma Torrisi, Village Clerk