

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **September 10, 2024** at 7:30 pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

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

1. Clerk

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the minutes of the meeting of the Board of Trustees of July 9, 2024 and July 29, 2024 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

2. Treasurer

A. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the Abstract of Vouchers for the General Fund #273, totalling \$279,399.01, and the Trust & Agency Abstract of Vouchers #203, totalling \$583.00, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

B. It was reported that Trustee Scheff reviewed the bank statement reconciliations for July 2024.

3. Reports

A. Public Works

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Public Works Department report for the month of August 2024 be and hereby is accepted as submitted by Superintendent Poole.

B. Building Department

1. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Building Department report for August/September 2024 be and hereby is accepted as presented by Superintendent Barbach.

2. The Board considered sign permit application A2024-0223, submitted on August 13, 2024 by Universal Signs & Service, for **Woof Gang**, 163 Soundview Marketplace, Shore Road, Port Washington, NY (premises owned by PEBB

Soundview LLC and Soundview PW LLC, and designated on the Nassau County Land & Tax Map as Section 4, Block 129, Lots 1, 10, 12 & 14C). On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that sign permit application A2024-0223 for a 19-inch high by 10-feet 6-inch wide by 6.8-inch deep store-front advertising sign reading "Woof Gang" at 163 Soundview Marketplace, Shore Road, Port Washington, NY (premises owned by PEBB Soundview LLC and Soundview PW LLC, and 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 bearing the latest revision date of 06/16/2024.

3. The Board considered sign permit applications A2024-0226, -0227 and -0228, submitted on August 15, 2024 by Universal Signs & Service, for **Just Salad**, 143 Soundview Marketplace, Shore Road, Port Washington, NY (premises owned by PEBB Soundview LLC and Soundview PW LLC, and designated on the Nassau County Land & Tax Map as Section 4, Block 129, Lots 1, 10, 12 & 14C). On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the following sign permit applications signs reading "Just Salad" at 143 Soundview Marketplace, Shore Road, Port Washington, NY (premises owned by PEBB Soundview LLC and Soundview PW LLC, and designated on the Nassau County Land & Tax Map as Section 4, Block 129, Lots 1, 10, 12 & 14C), be and hereby are approved, in accordance with the plans bearing the latest revision date of 8/16/2024:

- A2024-0226 for a 13.25-inch high by 12-foot 11-inch wide by 3-inch deep rear of store sign;
- A2024-0227 for a 17-inch high by 15-feet 7-inch wide by 3.8-inch deep east-facing storefront advertising sign; and
- A2024-0228 for a 17-inch high by 15-feet 7-inch wide by 3.8-inch deep north-facing storefront advertising sign.

C. Traffic Safety & Emergency Management

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the August 2024 report of the Emergency Manager and Traffic Safety Commissioner be accepted as presented by Steven Kaplan.

D. Beautification Commission

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the August 2024 report of the Beautification Commission be accepted as presented by Howard Roth.

E. Communication Commission

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the August and September 2024 reports of the Beautification Commission be accepted as prepared by Lauren Summa.

F. Justice Court

The Board accepted the Justice Court report for June and July 2024.

4. Business

A. Inclusive Playground Design Update – Unlimited Play

The Village hosted a presentation an update about the planned inclusive recreational facility, comprised of an inclusive playground and walking trail, on Channel Drive. Natalie Mackay, executive director of Unlimited Play, a not-for-profit based in St. Peters, MO specializing in inclusive playgrounds, led the discussion about the design of the project, which was developed with input from the Playground Advisory Committee.

B. Research Assistant to the Board of Trustees

On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the Village of Port Washington North hereby establishes the full-time position of Research Assistant to the Board of Trustees to carry out various research assignments in connection with the development and evaluation of programs.

Whereupon, Mayor Weitzner appointed Angelique Melnyk as Research Assistant to the Board of Trustees effective September 18, 2024, and further appointed Angelique Melnyk as Village Clerk effective October 17, 2024 upon the retirement of current Village Clerk Palma Torrisi. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that Mayor Weitzner’s appointment of Angelique Melnyk as Research Assistant to the Board of Trustees be and hereby is ratified.

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

The Board considered the August 2, 2024 request 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 12, 2023, which will expire on September 12, 2024, 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 Scheff, seconded by Trustee Cohen, 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 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 is 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 15, 2025, and applicant shall appear before the Board of Trustees prior to said expiration for an extension to the Condition Use permit for a period of time as decided by the majority of the Board of Trustees.

D. Emergency Water Leak Repair

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board of Trustees hereby ratifies, nunc pro tunc, the engagement of Port Plumbing & Heating by Mayor Weitzner on August 22, 2024 to repair an emergency water service leak to Bay Walk Park at 40 Shore Road in the Village of Port Washington North, the cost of which repair was \$4,800.00.

E. Angler Lane Drainage Study

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Board of Trustees hereby ratifies, nunc pro tunc, the engagement of H 2 M Architects + Engineers by Mayor Weitzner on September 6, 2024 to provide professional engineering services to perform a drainage study of Angler Lane, at an initial cost of \$10,000.00 as set forth in the agreement dated September 6, 2024.

F. Stop Sign at Soundview Drive & Dock Lane Intersection

Upon the recommendation of the Port Washington Police Department to take down the Stop Sign on Soundview Drive at the corner of Dock Lane, a motion was made by Trustee Kepke, seconded by Trustee Cohen, and it was unanimously RESOLVED that the Stop Sign on the east side of northbound Soundview Drive at the intersection with Dock Lane shall be removed.

G. Outdoor Storage of Commercial Vehicle Accessories

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board of Trustees will hold a public hearing at 7:30 p.m. on Tuesday, October 8, 2024 at the Village Hall, 3 Pleasant Avenue, Port Washington, New York, to consider the adoption of Bill No. 1 of 2024, a proposed local amending Section 176-142 of the Port Washington North Village Code to prohibit the outdoor storage of commercial vehicle accessories including those accessories used for purposes of commercial operations.

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 9:07 p.m.

Palma Torrisi, Village Clerk