

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Monday, **February 5, 2007** at 7:30 p.m. at the Village Hall, 71 Old Shore Road, Port Washington, New York.

Present: Mayor - Robert Weitzner
 Trustees - Steven Cohen
 - Daria Hoffman
 - Michael Schenkler
 Attorney - Stephen Limmer
 Clerk - Palma Torrissi

Excused: Michael Malatino

1. Clerk

A. Tentative Assessment Roll

Clerk Torrissi reported that she, as the Assessor of the Village of Port Washington North, has completed the Assessment Roll of the Village of Port Washington North for the year 2007, and that a copy thereof has been filed with the Village Clerk on February 1, 2007. On motion of Trustee Schenkler, seconded by Trustee Hoffman, it was unanimously

RESOLVED that the Board of Trustees acting as the Board of Assessors have completed and accepted the Assessment Roll of the Village of Port Washington North for the year 2007, that a copy thereof has been filed with the Village Clerk on February 1, 2007, and that a legal notice shall be published stating that the Assessment Roll may be seen and examined by any person during business hours at the Village Hall, 71 Old Shore Road, Port Washington, New York 11050, until the 20th day of February 2007.

B. Clerk's Tax Returns

Whereas the Village Clerk on the 1st day of February 2007 did return and file an account of unpaid taxes to this Board for the year 2006, to wit:

VILLAGE OF PORT WASHINGTON NORTH
 CLERK'S TAX RETURN
 2006 TAXES
 FEBRUARY 1, 2007

<u>Year</u>	<u>Assessed To</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>\$ Amount</u>
2006	Arehmia Fidai & Michael Akerman	4	J	41	2,233.52 + Penalties
2006	Frederich H. Janson	4	J	753 435	435.54 + Penalties
2006	Michael Orlando	4	Q	255	327.21 + Penalties
2006	Michaeline Barakos-Drakoulis	4	Q	32	187.62 + Penalties
2006	Jose L. Garcia	4	51	3	520.41 + Penalties

County of Nassau)
 State of New York) ss:

I, Palma Torrissi, Clerk of the Village of Port Washington North, Nassau County, New York, do hereby certify that the foregoing is a true and correct statement of the Tax Return of the Village of Port Washington North for the 2006 tax year as of February 1, 2007. Witness my hand and official seal of the said Village this 1st day of February 2007.

Seal

 Palma Torrissi, Village Clerk

And, whereas the Board of Trustees, at a meeting at the Village Hall in the Village of Port Washington North on the 5th day of February 2007, examined such account and compared it with the original tax rolls, and found it to be correct; and

Whereas, from the account of unpaid taxes returned by the Clerk of the Village of Port Washington North, New York, to this Board for the year 2006, the following taxes still remain due and unpaid after diligent efforts have been made to collect the same, to wit:

<u>Year</u>	<u>Assessed To</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>\$ Amount</u>
2006	Arehmia Fidai & Michael Akerman	4	J	41	2,233.52 + Penalties
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2006	Michael Orlando	4	Q	255	327.21 + Penalties
2006	Michaeline Barakos-Drakoulis	4	Q	32	187.62 + Penalties
2006	Jose L. Garcia	4	51	3	520.41 + Penalties

Now, therefore, on motion of Trustee Schenkler, seconded by Trustee Hoffman, it was unanimously

RESOLVED that we the undersigned, constituting the Board of Trustees of the Village of Port Washington North, hereby certify that we have compared the foregoing return and account of taxes remaining unpaid for the year 2006, as submitted by the Village Clerk, with the original tax roll for the Village for the year 2006, from which such account was transcribed and find it to be correct.

Robert Weitzner, Mayor

Steven Cohen, Trustee

Daria Hoffman, Trustee

Michael Schenkler, Trustee

Sworn to before me this 5th day of February 2007

Palma Torrisi, Notary Public

C. Village Election

1. On motion of Trustee Schenkler, seconded by Trustee Cohen, the following resolution was unanimously adopted:

Whereas, the Village Clerk, as election officer of the Village of Port Washington North, has attempted to obtain the names of six residents of the Village of Port Washington North who would qualify to hold the office of Inspector of Election, in accordance with the Election Law of the State of New York; and

Whereas, the Village Clerk has not been able to find six persons who reside within the Village of Port Washington North and who meet the requirements to be appointed as Inspectors of Election as specified in the Election Law and who are willing to serve as such;

Now, therefore, be it RESOLVED that the requirement that Inspectors of Election of the Village of Port Washington North reside within the Village of Port Washington North, is hereby amended pursuant to Village Law Section 3-300 to provide that this Board of Trustees is hereby authorized to appoint any resident of the County of Nassau, who is otherwise duly qualified to act as an Inspector of Election, to act as an Inspector of Election for the Village of Port Washington North for the Village of Port Washington North's 2007 General Election.

2. On motion of Trustee Schenkler, seconded by Trustee Hoffman, it was unanimously

RESOLVED that Harriet Carpenter, Margaret Malanga, Norman Tanner and Elizabeth Temperino be and hereby are appointed Inspectors of Election for the next General Village Election, that Wiladean Ihrig and Bridget Lawlor be and hereby are appointed Alternate Inspectors of Election, and that said Harriet Carpenter be and hereby is appointed Chairperson of said Inspectors; and

BE IT FURTHER RESOLVED that said Inspectors and Alternate Inspectors, except for the Chairperson, shall be compensated at the rate of \$150.00 per day and that said Chairperson shall be compensated at the rate of \$175.00 per day; and

BE FURTHER RESOLVED that the Inspectors of Election of the Village of Port Washington North shall prepare the Register for the General 2007 Election of the Village of Port Washington North on March 15, 2007 at the Village Hall, 71 Old Shore Road, Port Washington, New York, commencing at 9:00 a.m.

2. Claim Vouchers

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously **RESOLVED** that the following claim vouchers, totaling \$27,034.39, be and hereby are approved:

#7440	Koeppel, Martone & Leistman LLP	\$23,000.00
#7442	Town of North Hempstead	4,034.39

3. Board of Appeals and Planning Board Training

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

WHEREAS, this Board has been made aware of the recent additions of subdivision 7-a to section 7-712 and subdivision 7-a to section 7-718 of Article 7 of the New York State Village Law, which, in substance, now require that each member of the Village's Board of Appeals and Planning Board (the "Boards") shall complete, at a minimum, four hours of training each year designed to enable such members to more effectively carry out their duties; and

WHEREAS, it has been and continues to be the policy of the Village that at all meetings of the Boards, knowledgeable and experienced legal counsel is provided to advise the members of the Boards of the law that is relevant to the applications then before them; and

WHEREAS, such counsel has been and continues to advise the Boards of recent decisions and changes in relevant statutes that might impact upon the decisions of the Boards; and

WHEREAS, it is the belief of this Board that the aforesaid education and training of the members of the Boards by the Village's counsel at the Board meetings meet and exceed the substance and the spirit of the training set forth in the said recent amendments; and

WHEREAS, New York Municipal Insurance Reciprocal has provided an on-line "Zoning School" in order to provide a training program that satisfies the 4-hour training requirements of said recent amendments; and

WHEREAS, this Board finds that it is essential that the members of the Boards act with knowledge of the relevant law in all of the applications before them; and

WHEREAS, this Board also appreciates the fact that the members of the Boards freely provide their limited time for no compensation; that finding knowledgeable qualified individuals who are willing to give of their time to serve on the Boards is not always easy; and it would be not be in the best interest of the Village to further impose upon those knowledgeable and qualified individuals who are willing to serve on the Boards to attend training sessions that are redundant or irrelevant to the types of applications that come before their respective Boards;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. This Board hereby restates the Village policy that legal counsel be provided at all of the meetings of the Village's Board of Appeals and the Planning Board to advise the members thereof of the law relevant to the applications before them.

2. This Board hereby directs the legal counsel present at the meetings of the Boards to continue to advise the Boards of recent decisions and changes in relevant statutes that might impact upon the decisions of the members of the Boards.

3. The Village Clerk shall advise the members of the Boards of this resolution and provide to them that a copy of the New York Municipal Insurance Reciprocal Zoning School for their review.

4. In the event that any member of either of the Boards should have any questions with regard to the Zoning School documents, or otherwise as to the relevant law with regard to any application before their Board, counsel to such Board is hereby directed to fully and completely respond to such questions.

5. The foregoing shall be deemed full satisfaction of the training requirements set forth in Article 7 of the Village Law for members of the Village's Board of Appeals and Planning Board and, to the extent that any additional requirements might be deemed to be required by virtue of such article, such required training is hereby waived by this Board in the best interest of the Village.

4. Bay Walk Park

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the program work plan (Appendix D) of Agreement #C006260 and the budget (Appendix B) and program work plan (Appendix D) of Agreement #C006571 between the Village of Port Washington North and the New York State Department of State for two Environmental Protection Fund grants be and hereby are amended so that the Village may have the funding for Agreement #C006260 extended to July 31, 2007; and that Mayor Weitzner is authorized to sign the appendices provided by the NYS Department of State.

5. 107 Cow Neck Road & 21 Soundview Drive

On motion of Trustee Cohen, seconded by Trustee Hoffman, it was unanimously RESOLVED that the Village of Port Washington North enter into a real estate broker agreement with Coldwell Banker to sell the two Village-owned premises designated on the Nassau County Land & Tax Map as Section 4, Block 125, Lots 10 & 20, (also known as 107 Cow Neck Road and 21 Soundview Drive), at a commission not to exceed 4% and upon such other terms and conditions agreed to by the Mayor and approved as to form by Attorney Limmer; and that Mayor Weitzner be and hereby is authorized to execute any necessary documents.

6. Executive Session

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board enter into executive session to discuss real estate contract negotiations with attorney Anthony Sabino.

On motion of Trustee Hoffman, seconded by Trustee Cohen, it was unanimously RESOLVED that the executive session be adjourned and the regular meeting be reconvened.

Mayor Weitzner stated that a resolution was adopted in executive session, in substance, authorizing the negotiation of a contract for the sale of the approximately 7½-acre Village-owned parcel, designated on the Nassau County Land & Tax Map as Section 4, Block J, Lot 755. The terms and conditions of such sale will be recorded in the minutes of the executive session, but will remain confidential because they relate to real estate contract negotiations.

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 8:30 p.m.

Palma Torrisi, Village Clerk