

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Monday, **February 23, 2009** at 7:30 pm at the Village Hall, 71 Old Shore Road, Port Washington, New York.

Present: Mayor - Robert Weitzner
Trustees - Steven Cohen
- Sherman Scheff
- Michael Schenkler
Attorney - Anthony Sabino
Clerk - Palma Torrisi
Public Stenographer - Robert Pollack

Excused: Trustee Malatino

1. Clerk

A. Minutes

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meeting of December 15, 2008 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. Clerk's Tax Returns

Clerk Torrisi submitted to the board a written report of taxes for the year June 1, 2007 to May 31, 2008 assessed against various properties in the Village which are unpaid and past due. On motion of Trustee Schenkler, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS the Village Clerk on the 23rd day of February 2009 did return and file an account of unpaid taxes to this Board for the year 2008, to wit:

**VILLAGE OF PORT WASHINGTON NORTH
CLERK'S TAX RETURN
2008 TAXES
FEBRUARY 23, 2009**

<u>Year</u>	<u>Assessed To</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>\$ Amount</u>
2008	Eva Wong	4	115	85	126.69 + Penalties

County of Nassau)
State of New York) ss:

I, Palma Torrisi, 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 2008 tax year as of February 23, 2009. Witness my hand and official seal of the said Village this 23rd day of February 2009.

Seal _____ Palma Torrisi, Village Clerk

WHEREAS the Board of Trustees, at a meeting at the Village Hall in the Village of Port Washington North on the 23rd day of February 2009, did examine such account and did compare it with the original tax rolls and did therefore certify to the effect that they found it to be correct, a copy of which certification is affixed hereto; 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 2008, 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>
2008	Eva Wong	4	115	85	126.69 + Penalties

NOW, THEREFORE, BE IT RESOLVED that this Board, pursuant to Article 14 of the Real Property Tax Law of the State of New York, determines to collect the amount

of such unpaid taxes levied or assessed for the year 2008 by a tax sale in the manner and after the form and requirements as provided and prescribed by said Article, and completed subsequent to the 20th day of March 2009, but not later than June 30, 2009, in accordance with Section 1452, subdivision 4, of the Real Property Tax Law; that a copy of this resolution, certified by the Clerk shall be transmitted forthwith to the Treasurer of the Village with the account, affidavit and certificate of such unpaid taxes, and that the Village Treasurer, upon receiving such account of unpaid taxes and a certified copy of this resolution, be and hereby is authorized and directed to cause to be published in the official newspaper of the Village, once each week for three consecutive weeks, a list as shown in the tax roll with the amount of the tax, interest, fees and charges thereon, excepting therefrom such parcels of property on which the Village holds and owns one or more unredeemed certificates of tax sale; and also a notice that said real estate will, on a day to be determined by said Village Treasurer and specified in said notice, be sold at public auction at a place in said Village to be designated by said Village Treasurer, to discharge the tax, interest, fees and charges aforesaid, which may be due thereon at the time of such sale, and that the said Village Treasurer, at the time and place specified in said notice proceed with the sale of said real estate upon which such taxes are unpaid, as set forth above, and continue the same from day to day until the sale is completed; that such real estate shall be sold subject to any unpaid assessments thereon levied by the Village of Port Washington North and also subject to any unpaid tax liens purchased and held by the Village; and
BE IT FURTHER RESOLVED that in all cases where no bid shall be made on a lot or parcel of land so offered for sale for any amount sufficient to pay the said tax, interest, fees and charges, the said premises shall be deemed to have been sold to and purchased by the said Village of Port Washington North.

State of New York)
County of Nassau) ss:

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 for the year 2008, as submitted by the Village Clerk, with the original tax roll for the Village for the year 2008, from which such account was transcribed and find it to be correct.

Robert Weitzner, Mayor

Steven Cohen, Trustee

Michael Malatino, Trustee

Sherman Scheff, Trustee

Michael Schenkler, Trustee

State of New York)
County of Nassau) ss:

I, Palma Torrisi, Clerk of the Village of Port Washington North, Nassau County, New York, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Board of Trustees of the Village of Port Washington North at a regular meeting of said Board held on February 23, 2009 at which a quorum was present. Witness my hand and official seal of the said Village this 23rd day of February 2009

Palma Torrisi, Village Clerk

C. Board of Assessment Review

The Board of Trustees and the Assessor, sitting as the Board of Assessment Review, dealt with applications for correction of assessment and for exemptions.

1. On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously
RESOLVED that the following applications for **Senior Citizens Exemption**, totaling \$10,067.00, for the 2009 Assessment Roll be and hereby are approved:

<u>Name</u>	<u>Section-Block-Lot-Unit</u>				<u>Amount</u>
Mario & M. Bertha Catu	4	J	11		\$ 920.00
Nicoletta Chimienti	4	J	40		4,777.00
Diana Tadler	4	J	753	205	320.00
Isabel DeOliveira	4	J	753	240	1,600.00
Mary Roper	4	31	86		2,450.00

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously
RESOLVED that the following applications for **Senior Citizens Exemption** for the 2009 Assessment Roll be and hereby are disapproved because their incomes, based on the tax returns submitted, exceeded the required minimum:

<u>Name</u>	<u>Section-Block-Lot-Unit</u>				<u>\$ Amount</u>
Joan Byrne	4	J	753	200	0
Takashi & Kazuko Yoshida	4	120	3		0
Bong & Kei Oh	4	135	2		0

2. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously
RESOLVED that the following applications for **Veteran Exemptions** for the 2009 Assessment Roll, totaling \$7,526.00, be and hereby are approved:

<u>Name</u>	<u>Section-Block-Lot-Unit</u>				<u>\$ Amount</u>
Joseph Bianco	4	J	753	241	800.
Arline Walzer	4	J	753	382	585.
Louis Fisher	4	117	21		1,164.
Gerald Krain	4	124	12		1,222.
Richard Milan	4	134	33		1,530.
Richard Pleines	4	137	27		2,225.

D. Budget Hearing & Annual Meeting

On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously
RESOLVED that the Board of Trustees of the Village of Port Washington North will hold a **Public Hearing** at 7:30 p.m. on Monday, April 6, 2009 at the Manorhaven Village Hall, 33 Manorhaven Boulevard, Port Washington, New York 11050, with respect to the **Tentative Budget** of the Village for the fiscal year June 1, 2009 to May 31, 2010. The Tentative Budget provides an annual salary of \$2,500 for the Mayor and an annual salary of \$1,500 for each Trustee; and be it further
RESOLVED that the Board of Trustees will hold the **Annual Meeting** of the Village of Port Washington North at the Port Washington North Village Hall, 71 Old Shore Road, Port Washington, New York, on Monday, April 27, 2009 at 7:30 p.m.

2. Treasurer

A. On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously
RESOLVED that the reading of the General Fund Abstract of Vouchers #83, totaling \$64,545.33, and the Trust & Agency Abstract of Vouchers #49, totalling \$2,319.58, be waived and that they be and hereby are approved as presented by Treasurer Stack.

B. On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously

RESOLVED that the Budget Report as of January 31, 2009, showing the General Fund Balance to be \$2,072,147.54, and the Trust & Agency Fund Balance to be \$89,275.81, be and hereby is accepted as prepared by Treasurer Stack.

C. Treasurer Stack brought General Ledger correction "GL TRX 1236" to the Board's attention.

3. Reports

A. Building Department

1. On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously

RESOLVED that the Building Department report for January/February 2009 be and hereby is accepted as submitted by Inspectors Barbach and Lauria.

2. Game Stop Sign Permit Application

The Board reviewed the Sign Permit application, submitted by GameStop for a 2 foot high by 11 foot 2 inch long by 11 inch deep wall front sign at 10 Soundview Marketplace, Shore Road, Port Washington (Section 4, Block 129, Lots 1, 10, 12 & 14C). On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously

RESOLVED that permit application #PA2009-16 submitted by GameStop for a wall front sign at 10 Soundview Marketplace, Shore Road, Port Washington 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 plans prepared by Triangle Sign & Service, dated 4/11/08.

3. Training Station Sign Permit Application

The Board reviewed the Sign Permit application, submitted by Peter B. Karika for three 4-foot high by 23-foot long by 12-inch deep wall front canvas awning signs at Training Station Athletic Clubs, 45 Channel Drive, Port Washington (Section 4, Block 123, Lot 15). On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously

RESOLVED that the permit application submitted by Peter B. Karika for one south-facing wall front canvas awning sign (PA2009-21A & PA2009-21B) and one west-facing wall front canvas awning sign at Training Station, 45 Channel Drive, Port Washington and designated on the Nassau County Land & Tax Map as Section 4, Block 123, Lot 15, be and hereby is approved in accordance with plans prepared by We Are Signs & Awnings Inc.; and that permit application #PA2009-21C for a north-facing wall front sign be and hereby is denied.

B. Public Works

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously **RESOLVED** that the Public Works report for February 2009 be and hereby is accepted as submitted by Superintendent Novinski.

C. Justice Court

The Board accepted the Justice Court report for January 2009 prepared by Court Clerk Kropacek.

4. Public Comment

Richard Raskin, representing Mill Pond Acres Homeowners Association, urged the Board of Trustees to call the bond between Port View North and J. D. Posillico, submitted to the Village on behalf of Sandy Hollow Associates LLC, due to the condition of the public infrastructure improvements at Mill Pond Acres.

5. Business

A. Baywalk Park Environmental Remediation

On motion of Mayor Weitzner, seconded by Trustee Schenkler, it was unanimously RESOLVED that the Board of Trustees waives the requirements for public bidding and the Village's procurement policy in order to perform emergency remediation at Bay Walk Park as mandated by the New York State Department of Environmental Conservation; and be it further

RESOLVED that the Village enter into a contract with Eastern Environmental Solutions Inc. to perform emergency remediation of a subsurface petroleum spill at Bay Walk Park, at a cost not to exceed \$30,000, as more particularly set forth in a proposal dated February 6, 2009.

B. Soundview Marketplace Improvements

Michael Marinis, Site Engineer from Barret Bonacci & VanWheele, Eric Rosanes, Attorney from Ruskin Moucou Falticheck, and representatives of Armstrong Capital presented to the Board the site plan proposed for Building 5 at Soundview Marketplace, submitted on February 17, 2009.

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 contract negotiations with counsel.

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

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

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 1:15 a.m.

Palma Torrisi, Village Clerk