

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

Present: Mayor - Robert S. Weitzner  
 Trustees - Steven Cohen  
 - Michael Malatino  
 - Sherman Scheff  
 - Michael Schenkler  
 Attorney - Anthony Sabino  
 Clerk - Palma Torrissi

1. Clerk

A. On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the minutes of the meeting of the Board of Trustees of January 26, 2009 be waived and that they be and hereby are approved as prepared by Clerk Torrissi.

B. Assessor Torrissi reported that **Grievance Day** was held on February 17, 2009 from 10:00 a.m. to 2:00 p.m. at the Village Hall and that the Board of Trustees and the Assessor, sitting as the Board of Review, would now deal with applications for correction of assessment and for exemptions.

1. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the following applications for Correction of Property Assessments be and hereby are denied and that the tentative assessments remain unchanged on the 2009 Village Assessment Roll:

**Applications for Correction**

<u>Name</u>	<u>of</u>		<u>Property</u>	<u>2009</u>	<u>Assessments</u>	
	<u>Section</u>	<u>Block</u>			<u>Unit</u>	<u>Assessment Roll</u>
Gerhard & Brigitta Clusener	4	J	37		18,000	4,500
Jack Talve & Mark Talve	4	J	636		760	152
Red Wind Property Group LLC	4	J	690		9,335	934
Franklin Stainless Corp.	4	J	716		100,000	1,942
Jack Talve & Mark Talve	4	J	716		100,000	20,000
Daisy Brass	4	J	753	333	3900	975
Audrey Robinson	4	J	753	339	3900	975
Gulfway Marine Service Inc. 84 Shore Road Development	4	N-1	321 & 322		52,250	13,063
Realty Stop & Shop Supermarket Company	4	N-2	411		18,250	1,825
Bernie Yatauro	4	Q	10, 34, 128		122,550	12,255
15 Smull Place LLC	4	Q	226		12,500	1,250
15 Smull Place LLC	4	Q	227 & 4-48-49	A	6,720	672
15 Smull Place LLC	4	Q	227 & 4-48-49	B	5,760	576
15 Smull Place LLC	4	Q	227 & 4-48-49	C	5,760	576
15 Smull Place LLC	4	Q	227 & 4-48-49	D	5,760	576
Grantor Retained Annuity Trust of Amrit Sethi	4	Q	236		23,970	240
Stop & Shop Supermarket Company	4	Q	244		150,000	15,000
Richard A. LaPera	4	29	208		7,650	765
Stop & Shop Supermarket Company	4	48	8,27,34,35,36,37		108,743	10,874
Jack Santomauro	4	48	39		8,400	2,100
V & S Realty Corp.	4	48	40		10,000	2,500
Apple Tree Properties LLC	4	48	41		25,250	6,313
Vittorio Raimondo	4	48	42		2,050	513
Phyllis Sangiovanni & Louis Bordonaro	4	51	8		4,900	1,225

R. B. S., LLC	4	51	17	5,235	52
R. B. S., LLC	4	51	109	6,500	65
R. B. S., LLC	4	51	111	23,265	233
Andrew Hausspiegel & Shelly Goodman	4	117	9	8,870	887
Phyllis & Louis Bordonaro	4	119	21	8,700	2,175
ALK Abbello	4	123	4	70,000	14,000
Red Wind Property Group LLC	4	123	8 & 44A	250,000	25,000
Thomas E. Hoar, Inc.	4	123	15	35,000	7,000
Steven Klein	4	123	16 & 26	50,000	5,000
			18, 20, 23, 24,		
Publishers Clearing House	4	123	43	350,000	70,000
Red Wind Property Group LLC	4	123	21	25,000	2,500
Albert Oswald Realty Holding Corp.	4	123	27	43,000	10,750
Fab-Con Machinery Development Corp.	4	123	28	37,000	7,400
Channel Drive Inc.	4	123	29 & 30	50,000	10,000
Donn Pozan	4	123	37	8100	2,025
Publishers Clearing House	4	123	50	60,000	12,000
Red Wind Property Group LLC	4	123	51	2,020	202
New York Community Bank	4	125	19	2,200	550
New York Community Bank	4	125	22	23,500	5,875
New York Community Bank	4	125	23	2,500	625
Soundview Gardens, Inc	4	128	17	134,000	26,800
				96,000	19,200
Spivack Realty Company	4	128	21	103,800	20,760
Spivack Realty Company	4	128	23	100,200	20,040
Spivack Realty Company	4	128	24		
King Kullen Grocery, HSBC, Genovese, ACI Soundview LLC	4	129	1	150,000	15,000
99 Shore Road LLC	4	129	7	5,100	1,020
ACI Soundview LLC, HSBC Bank, & Genovese Drug Stores	4	129	10, 12, 14C	405,000	40,500
Genovese Drug Store	4	129	10, 12, 14C	405,000	40,500
ACI Soundview LLC, HSBC Bank & Genovese Drug Stores	4	129	14C	405,000	40,500
Genovese Drug Stores	4	129	14C	405,000	40,500
99 Shore Road LLC	4	129	15A	18,400	3,680
Kenneth & Lisa Roedel	4	135	25	9,675	468

2. On motion of Trustee Cohen, seconded by Trustee Scheff, it was RESOLVED that, based upon applications for Correction of Property Assessment, the following changes to the tentative assessments be and hereby are made on the 2009 Village Assessment Roll:

Name	Section-Block-Lot	Tentative Assessment	Requested Assessment	Corrected Assessment
Jane W. Mason	4 136 15	9,040	2,260	8,400
Adam & Ilyse Wofse	4 137 2	10,800	2,700	8,640

Vote was recorded as follows: Trustee Cohen-aye, Trustee Malatino-aye, Trustee Scheff-aye, Trustee Schenkler-abstains, Mayor Weitzner-aye. Motion carried.

3. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the following application for **Senior Citizen Exemption**, totaling \$750.00, for the 2009 Assessment Roll be and hereby is approved:

Name	Section-Block-Lot-Unit	Amount
Takashi & Kazuko Yoshida	4 120 3	750.00

### C. Assessment Roll Completed

Mayor Weitzner reported that the Assessment Roll for the year 2009 was finally

### 3. 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 #84, totaling \$257,418.83, and the Trust & Agency Abstract of Vouchers #50, totalling \$5,195.94, be waived and that they be and hereby are approved as presented by Treasurer Stack.

B. On motion of Trustee Scheff, seconded by Trustee Cohen, was unanimously  
RESOLVED that the Budget Report as of February 28, 2009, showing the General Fund Balance to be \$1,990,619.38, and the Trust & Agency Assets to be \$86,968.04, be and hereby is accepted with the budget modifications contained therein as prepared by Treasurer Stack.

C. On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously  
RESOLVED that Palma Torrisi be paid \$82.34 on the payroll for her appearance at the Village Justice Court.

#### D. Citizens Bank

On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously  
RESOLVED that the Board of Trustees designates Citizens Bank to be one of the depositories of all moneys received by the Village Treasurer, Clerk, and Receiver of Taxes; and be it further  
RESOLVED that the Village enter into a third party collateral agreement with Citizens Bank for collateralized municipal deposits, as more particularly set forth in a written agreement dated March 23, 2009.

### 4. Reports

#### A. Building Department

1. On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously  
RESOLVED that the Building Department report for February/March 2009 be and hereby is accepted as prepared by Inspector Barbach and Deputy Inspector Lauria.

#### 2. Sign Permit Application – Training Station

On motion of Trustee Scheff, seconded by Trustee Schenkler, it was unanimously  
RESOLVED that the application of Training Station Athletic Clubs for a permit for three directional signs at 45 Channel Drive (Section 4, Block 123, Lot 15) be and hereby is denied, based upon the plans submitted on February 24, 2009.

#### 3. Sign Permit Application - Diwan

On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously  
RESOLVED that the application of Diwan Indian Restaurant for a permit to install a curved ground sign affixed to the top of the existing sign at Diwan Indian Restaurant/Port Grill, 37 Shore Road, Port Washington, New York, (premises designated on the Nassau County Land & Tax Map as Section 4, Block 51, Lot 17), and a banner the design and wording of which will be approved by the Building Inspector, be and hereby are approved for a period of six months.

#### 4. Iuvara – 43 Angler Lane

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously  
RESOLVED that \$1,000.00 for a new Village curb tree will be accepted in-lieu-of a tree permit application fee for the premises owned by Mr. & Mrs. Iuvara at 43 Angler Lane.

#### 5. Mill Pond Acres

The Board directed the Building Inspector to send a letter to the Mill Pond Acres Homeowners Association informing it of the April 6, 2009 meeting of the Board of Trustees to consider the release of the bond for Mill Pond Acres.

B. Public Works

On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the Public Works report for March 2009 be and hereby is accepted as presented by Superintendent Novinski.

C. Justice Court

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

4. Business

A. Liability Insurance & Treasurer's Bond

Trustee Schenkler disclosed that his brother-in-law is an officer with Wright Risk Management, which oversees NYMIR. On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village of Port Washington North hereby authorizes Risk Strategies to place the following insurance, for a premium totaling \$20,112.95:

NYMIR Package Policy	\$11,324.09
NYMIR Public Officials Liability	3,774.10
NYMIR Excess Liability	3,072.30
NYMIR Auto Liability	1,399.80
NYMIR Inland Marine Property	344.66
Public Official's Bond	198.00

B. NYC/LI One Call Agreement

On motion of Trustee Schenkler, seconded by Trustee Malatino, it was unanimously RESOLVED that the Village enter into an agreement with New York City and Long Island One Call/ Dig Safely Inc. for the provision of participating exempt membership services at no cost and as more particularly set forth in a written agreement dated March 23, 2009.

C. ESRI GIS Maintenance

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village enter into an agreement with ESRI for ArcView GIS maintenance services for a one-year period commencing June 15, 2009 at a cost not to exceed \$1,037.00, as more particularly set forth in a written proposal dated March 9, 2009.

D. Nassau County Traffic & Parking Violations

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the Village enter into an intermunicipal agreement with the County of Nassau for the provision of delinquent motor vehicle ticket collections by the Nassau County Traffic and Parking Violations Agency on behalf of the Village, as more particularly set forth in a written agreement on file with the Village Clerk.

E. Soundview Marketplace Site Plan Review

The Board informed Eric Rosanes, the attorney representing Armstrong Capital, which owns Soundview Marketplace, that the Board will schedule a special meeting to conduct a site visit of the premises with respect to the proposed site plan.

F. Tax Certiorari, Small Claims & Assessment Consultant

The Board considered the application of Scott Stone to be the Village's tax certiorari, small claims and assessment consultant for the 2009/10 official year.

## 5. Executive Session

On motion of Trustee Schenkler, seconded by Trustee Malatino, it was unanimously RESOLVED that the Board enter into executive session to seek advice of counsel.

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

Mayor Weitzner stated that no action was taken in executive session

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 11:15 p.m.

Palma Torrisi, Village Clerk