

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Monday, **July 24, 2006** at 7:30pm at the Village Hall, 71 Old Shore Road, Port Washington, New York.

Present:	Mayor	-	Robert Weitzner
	Trustees	-	Steven Cohen
		-	Daria Hoffman
		-	Michael Malatino
		-	Michael Schenkler
	Attorney	-	Stephen Limmer
	Clerk	-	Palma Torrisi
	Public Stenographer	-	Daniel Cohen

1. Public Hearing – Bill 1 of 2006 Amending Permitted Uses in the E.D.B. Zone

Deputy Mayor Schenkler opened the public hearing, duly advertised in the July 13, 2006 Port Washington News, to consider the adoption of Bill 1 of 2006, to amend the permitted uses within the Economic Development B District of the Village of Port Washington North. A stenographic transcript of the hearing is on file with the Village Clerk. All those present wishing to speak having been heard, the Deputy Mayor closed the hearing. On motion of Trustee Cohen, seconded by Trustee Hoffman, it was RESOLVED that Bill 1 of 2006 be and hereby is adopted as Local Law 1 of 2006 to read as follows:

Local Law 1 of the year 2006

Of the Village of Port Washington North

A local law amending the permitted uses within the EDB District
of the Village of Port Washington North

Be it enacted by the Board of Trustees of the Village of Port Washington North

Section 1. Subsection B, Uses permitted, of § 176-106, Purpose; permitted uses, of Article XI, Economic Development B District, of Chapter 176, Zoning, of the Code of the Village of Port Washington North, is hereby amended by renumbering the existing subdivision 13 as subdivision 14 and by adding a new subdivision 13, to read as follows:

“(13) Health clubs, spas, gymnasiums, and similar establishments;”

Section 2. Effective Date. This local law shall take effect immediately.

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

2. Clerk

A. On motion of Trustee Cohen, seconded by Trustee Hoffman, it was unanimously RESOLVED that the reading of the minutes of the meeting of the Board of Trustees of May 22, 2006 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. On motion of Mayor Weitzner, seconded by Trustee Cohen, it was unanimously RESOLVED that the next Board of Trustees regular monthly meeting is rescheduled from August 28th to Wednesday, September 6, 2006 at 7:30 p.m.

3. Treasurer

A. On motion of Trustee Hoffman, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the Abstract of General Fund Vouchers #52, totaling \$280,537.69, and the Abstract of Trust & Agency Vouchers #19, totalling \$4,748.74, be waived and that it be and hereby is approved as presented by Treasurer Stack.

B. On motion of Trustee Cohen, seconded by Trustee Hoffman, it was unanimously RESOLVED that the Budget Report as of May 31, 2006, showing the General Fund Balance to be \$1,878,528.00, and the Trust & Agency Fund Balance to be \$61,164.00, be and hereby is accepted as prepared by Treasurer Stack.

C. On motion of Trustee Cohen, seconded by Trustee Hoffman, it was unanimously RESOLVED that a budget modification for a planning consultant for \$6,000.00, and for other items as shown in the Budget Report dated 5/31/06, totalling \$7,290.00, be and hereby is approved.

4. Reports

A. Building Department

1. Upon complaint that the dumpsters behind the garden apartments are uncovered and stink, the Board directed the Building Department to inspect the dumpsters behind Wildwood and Soundview Gardens for possible violations.

2. The Board directed the Building Department to request that the Metropolitan Transportation Authority clean the graffiti off of the bus shelter on Shore Road at the intersection of Harbor Road.

B. Public Works

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the Public Works Department report for the month of June 2006 be and hereby is accepted as presented.

5. Business

A. Bill 2 of 2006 – Tax Sales & Notices to Redeem

Mayor Weitzner introduced Bill 2 of 2006, amending certain provisions of the Village Code of the Village of Port Washington North with regard to notices of tax sales and notices to redeem. A copy of the bill was delivered to each of the members of the Board of Trustees present this evening. The Mayor also presented a short environmental assessment form prepared by the Village Attorney. On motion of Trustee Schenkler, seconded by Trustee Hoffman, the following resolution was unanimously adopted:

WHEREAS Bill 2 of 2006, amending certain provisions of the Village Code of the Village of Port Washington North with regard to **notices of tax sales and notices to redeem**, has been submitted to the Board of Trustees for its consideration; and WHEREAS a short environmental assessment form has been submitted on behalf of the Village; and

WHEREAS the members of the Board have carefully reviewed said assessment form; and

WHEREAS the subject bill concerns the legislative action of this Board;

NOW, THEREFORE, BE IT RESOLVED that this Board hereby designates itself as the lead agency for environmental review with regard to the adoption of the proposed local law and this Board determines that the proposed local law is not an action as determined by the Commissioner of the Department of Environmental Conservation, and that it will not have an adverse impact on the environment.

B. Public Works Maintenance Requirements Services

Clerk Torrisi reported that the following proposals were received for Public Works maintenance requirements services:

<u>Work</u>	<u>E. Cook</u>	<u>Dom's L.M.</u>	<u>R. Keogh</u>
Landscape labor rate/man hour	\$35.00	\$35.00*	\$38.50
One ton dump truck per hour	35.00	100.00**	55.00
Small, rotary walk mower/day	25.00	25.00	75.00
Large, bobcat walk mower/day	25.00	50.00	85.00
Walker mower per day	25.00	75.00	125.00
Gas hedge trimmers per day	25.00	25.00	75.00
Hand tools, rakes, shovels, brooms	-0-	-0-	- -
Disposal fee per ton	58.00	"accordingly"	65.00

* Two hour minimum

** Per Day

Superintendent LoMonte recommended E. Cook Industries Inc. as the lowest responsible bidder. On motion of Trustee Malatino, seconded by Trustee Schenkler, it was unanimously

RESOLVED that E. Cook Industries Inc. be and hereby is engaged to provide Public Works maintenance requirements services, at the direction of the Village, in accordance with the proposal received on June 27, 2006; and in the event that the performance of E. Cook Industries is not satisfactory, then Superintendent LoMonte is authorized to engage the services of Dom's Lawn Maker in accordance with its submitted proposal.

C. Town of North Hempstead Intermunicipal Agreement

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village enters into a cooperative service agreement with the Town of North Hempstead for the use of certain equipment, labor, and professional and other services offered by the Town of North Hempstead, in accordance with a contract dated July 25, 2006.

A copy of the contract is on file with the Village Clerk.

D. Long Island North Shore Heritage Area

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

WHEREAS, in 1988, the New York State Legislature established the Long Island North Shore Heritage Area (LINSHA) for the purpose of preserving and enhancing the historic, cultural and natural resources of Long Island's North Shore; and

WHEREAS, along with such establishment the Long Island North Shore Heritage Area Planning Commission was created and charged with developing a management plan which local governments within the heritage area can utilize for planning, preservation and enhancement of heritage area; and

WHEREAS, a management plan was professionally prepared with an extensive public participation process that involved more than 500 residents and civic leaders from throughout the Heritage Area; and

WHEREAS, the management plan is a sourcebook of inventories, interpretive themes, and strategies for preservation, protection and celebration of the North Shore's intrinsic resources; and

WHEREAS, Section 3 of Article 35.05 of the NY PRHPL states that "the local legislative body of each city, town, or village within a designated area...must approve the management plan before it is submitted to the commissioner" of the New York State Office of Parks, Recreation and Historic Preservation for approval; and

WHEREAS, the Long Island North Shore Heritage Area Planning Commission, acting as lead agency prepared a Generic Environmental Impact Statement (GEIS) which examines the environmental impacts and social and economic considerations associated with the Plan; and

WHEREAS, after conducting a SEQR review process, which increased public involvement and resulted in a Final Generic Environmental Impact Statement (FGEIS), the Long Island North Shore Heritage Area Planning Commission is now ready to submit the completed management plan to local governments for their approval; and

WHEREAS, local approval of the management plan will not impact local autonomy, and

WHEREAS, approval of the management plan will lead to a variety of benefits for the North Shore region, including, but not limited to:

- strengthening its cultural and historical identity;
- technical assistance and increased funding opportunities for projects within the Heritage Area; and

WHEREAS, the Village of Port Washington North is a municipality that falls wholly within the boundaries of the North Shore Heritage Area; and

WHEREAS, under the State Environmental Quality Review Act (SEQRA) and 6 NYCRR Part 617, the Village of Port Washington North is an involved agency with respect to the approval of the Management Plan;

NOW, THEREFORE, BE IT RESOLVED that having considered the relevant environmental impacts, facts and conclusions as set forth in the FGEIS and having weighed and balanced the relevant environmental impacts with social, economic and other considerations, the Village of Port Washington North hereby makes the following SEQRA Finding with regard to approval of the LINSHA Management Plan:

1. that the requirements of SEQRA and of 6 NYCRR Part 617 of the implementing regulations have been met, and
2. that adverse environmental impacts have been avoided or minimized to the maximum extent practicable, and all practicable mitigation measures have been incorporated.

BE IT FURTHER RESOLVED that the Village of Port Washington North supports the mission of the Long Island North Shore Heritage Area Planning Commission to preserve and protect the region's historic, natural and maritime resources; and

BE IT FURTHER RESOLVED that the Village of Port Washington North hereby approves the Long Island North Shore Heritage Area Management Plan upon the condition that:

1. the Village will incur no costs on account of its support of the Plan;
2. the Village has the right to opt out of involvement in the Plan at any time;

and

3. nothing is approved in the Plan which would affect the Village's projects with New York State without the prior approval of the Board of Trustees; and

BE IT FURTHER RESOLVED that such resolution will be forwarded to the Long Island North Shore Heritage Area Planning Commission office at the following address: Long Island North Shore Heritage Area Planning Commission, Planting Fields Arboretum State Historic Part, P. O. Box 58, Oyster Bay, New York 11771.

E. Local Safe Streets & Traffic Calming

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that bids for the Local Safe Streets and Traffic Claming project on Shore Road will be received in the Village Hall, 71 Old Shore Road, Port Washington, New York 11050, until 12:00 noon on August 29, 2006.

F. Parking Regulations on Old Shore Road

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that there shall be no parking on the westerly side of Old Shore Road; and be it further

RESOLVED that there shall be no parking on the easterly side of Shore Road between the hours of 2:00 a.m. and 4:00 a.m.

G. LIPA Power Outages

Bruce Germano, Michael Hervey, Lou DeBrino and Thomas Barracca of the Long Island Power Authority addressed the Board with regard to the power outages the Village has experienced.

H. Signs

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the fee to maintain a sign erected without a permit shall be \$300.00.

6. Executive Session

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

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

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

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 11:00 p.m.

Palma Torrisi, Village Clerk