

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Monday, **August 25, 2008** at 7:30pm at the Village Hall, 71 Old Shore Road, Port Washington, New York.

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

### 1. Clerk

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the minutes of the meetings of the Board of Trustees of June 23, 2008 and July 21, 2008 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

### 2. Treasurer

A. On motion of Trustee Schenkler, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the Abstract of Vouchers #77, totaling \$83,709.91, and the Abstract of Trust & Agency Vouchers #44, totaling \$2,736.85, be waived and that it be and hereby are approved as prepared by Treasurer Stack.

B. On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Budget Report, and the modifications contained within it, as of May 31, 2008, showing the General Fund Balance to be \$1,798,769.00, and the Trust & Agency Fund Balance to be \$57,457.00, be and hereby is accepted as prepared by Treasurer Stack.

C. On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Budget Report, and the modifications contained within it, as of June 30, 2008, showing the General Fund Balance to be \$2,611,543.45, and the Trust & Agency Fund Balance to be \$92,363.50, be and hereby is accepted as prepared by Treasurer Stack

D. On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Budget Report, and the modifications contained within it, as of July 31, 2008, showing the General Fund Balance to be \$2,711,660.77, and the Trust & Agency Fund Balance to be \$95,960.04, be and hereby is accepted as prepared by Treasurer Stack.

### 3. Reports

#### A. Building Department

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Building Department reports for the months of July/August 2008 be and hereby are accepted as submitted.

#### B. Public Works Department

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

RESOLVED that the Public Works Department report for the month of August 2008 be and hereby is accepted as submitted by Superintendent Novinski.

C. Beautification Commission

The Mayor reported that Commissioner Zausner did a great job with the plantings around the Verizon box on Radcliff Avenue.

D. Justice Court

On motion of Trustee Schenkler, seconded by Trustee Malatino, it was unanimously RESOLVED that the Board of Trustees authorizes an application to be made by the Clerk to the Village Justice for a New York State Justice Court Assistance Program Grant to fund a walk-through security device, which will be installed at and staffed by the Village Court, and a file cabinet for the Village Court, said request not to exceed \$30,000.00

4. Business

A. Bay Walk Park Phase I Improvements – Contracts A & B

Clerk Torrisi reported that the following bids were received by 12:00 noon on August 20, 2008 for the Bay Walk Park Phase I Improvements:

	<u>Contract A</u> <u>General Site</u> <u>Improvements</u>	<u>Contract B</u> <u>Pier &amp; Bulkead</u> <u>Improvements</u>
PSL Industries Inc.	\$768,000.	--
J. Anthony Enterprises Inc.	971,000.	--
Reef Construction Corp.	985,000.	--
Watral Brothers Inc.	1,041,300.	--
Peter Scalamandre & Sons Inc.	1,134,112.	--
Galvin Brothers Inc.	1,427,000.	--
Chesterfield Associates Inc.	--	524,000.
Stout Construction Inc.	--	546,800.
R. B. Conway & Sons Inc.	--	578,500.

Cameron Engineering & Associates recommended PSL Industries Inc. as the lowest responsible bidder for Contract A – General Site Improvements. Sidney B. Bowne & Son recommended Chesterfield Associates Inc. as the lowest responsible bidder for Contract B – Pier and Bulkhead Improvements. On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOVLED that Bay Walk Park Phase I Contract A for General Site Improvements be and hereby is awarded to PSL Industries, Inc. as the lowest responsible bidder, in accordance with its bid dated Augu

Superintendent Novinski recommended Stasi Brothers Asphalt Corp. as the lowest responsible bidder. On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously

RESOLVED that the Road Repairs 2008/9 contract be and hereby is awarded to Stasi Brothers Asphalt Corp., as the lowest responsible bidder, in accordance with its bid dated August 19, 2008.

#### C. Snow Removal & Sanding/Salting

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the invitation for bids for the Snow Removal & Sanding/Salting of Village Streets 2008/09 to 2010/11 contract be advertised in the September 18, 2008 Port Washington News and that the bids be received at the Village Hall by 12:00 noon on Monday, October 6, 2008.

#### D. Traffic Violation Fines

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the traffic fine schedule of the Port Washington North Village Justice Court shall be as follows:

#### E. Change of Attorney

On motion of Trustee Schenkler, seconded by Trustee Malatino, it was unanimously RESOLVED that Anthony Sabino be retained as Village Attorney.

#### F. Waiver of Conflict of Interest for Freudenthal/Elkowitz

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

WHEREAS, the Village has received an offer to purchase Village owned property located on Valley Road and further identified as Section 4, Block J, part of Lot 754, on the Land and Tax Map of Nassau County (hereafter the "Village Parcel@"), and

WHEREAS, the Village environmental Consultant, Freudenthal & Elkowitz Consulting Group, Inc. (hereafter "Consultants") has informed the Board by a letter dated March 22, 2007 that said Consultants have been asked to perform environmental services for the purchaser of the Village Parcel and appear before the Village Planning Board and Board of Trustees if necessary on behalf of the purchasers of the Village, and

WHEREAS, the Consultants have requested that the Village waive any conflict of interest that may arise from the representation of the performance of environmental services regarding the Village parcel;

NOW, THEREFORE, BE IT RESOLVED, That the Village Board of Trustees, hereby finds that any possible conflict is not a prohibited conflict of interest, the Village waives any apparent conflict of interest and grants its consent to the Consultants to perform environmental services on behalf of the purchasers of the Village Parcel, and be it further,

RESOLVED that the Phase I , Phase II and follow up reports can be used by the above referenced parties for the submission to the Nassau County Planning Commission.

#### G. Waiver of Conflict of Interest for Forchelli, Curto, Schwartz, Mineo & Carlino

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

WHEREAS, the Village has received an offer to purchase Village owned property located on Valley Road and further identified as Section 4, Block J, part of Lot 754, on the Land and Tax Map of Nassau County (hereafter the "Village Parcel@"), and

WHEREAS, the Village has been informed by Anthony J. Sabino, Esq., formerly a member of the law firm of Forchelli, Curto, Crowe Deegan Schwartz, Mineo, & Cohn, LLP (hereafter the "Law Firm", that said the Law Firm has been requested to perform legal services for Shree Realty LLC the purchaser of the Village Parcel, and

WHEREAS, the Law Firm has requested that the Village waive any conflict of interest that may arise due to Anthony Sabino's former relationship with the Law Firm, and

WHEREAS, Anthony Sabino, Village Counsel has represented to the Board that his former relationship with the Law Firm will not in any way adversely affect the interest of the Village;

NOW, THEREFORE, BE IT RESOLVED, That the Village Board of Trustees, hereby finds that any possible conflict is not a prohibited conflict of interest, the Village waives any apparent conflict of interest and grants its consent to the Law Firm to represent the the contract vendee on matters before the Village Board of Trustees and Planning Board.

#### H. Pleasant Avenue Improvements

Kenneth Pritchard and Chris Clement of Dvirka & Bartilucci discussed with the Board and those members of the public in attendance at the meeting the improvements planned for Pleasant Avenue from its intersection with Shore Road extending to the stop sign at the top of the hill.

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 10:00 p.m.

Palma Torrisi, Village Clerk