

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **October 14, 2003** at 7:30pm at the Village Hall, One Soundview Drive, Port Washington, New York.

Present:	Mayor	-	Thomas J. Pellegrino
	Trustees	-	Noel Ilberg
		-	Gary Levi
		-	Janet Orloff
		-	Robert Weitzner
	Attorney	-	Stephen Limmer
	Clerk	-	Palma Torrisi

#### 1. Public Hearings

A. Mayor Pellegrino opened the public hearing, duly advertised in the October 2, 2003 Port Washington News, to consider the adoption of **Bill 6B of 2003**, a proposed local law to amend Section 143-24, **Covered Vehicles**, of the Code 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 Mayor closed the public hearing.

B. Mayor Pellegrino opened the public hearing, duly advertised in the October 2, 2003 Port Washington News, to consider the adoption of Bill 7 of 2003, a proposed local law to amend the provisions of the Village Code of the Village of Port Washington North with regard to the reimbursement of costs and expenses in criminal proceedings. A stenographic transcript of the hearing is on file with the Village Clerk. All those present wishing to speak having been heard, the Mayor closed the public hearing. On motion of Trustee Levi, seconded by Trustee Weitzner, it was RESOLVED that Bill 7 of 2003 be and hereby is adopted as Local Law 6 of 2003 to read as follows:

( insert Local Law 6 of 2003 )

Vote was recorded as follows: Trustee Ilberg-aye, Trustee Levi-aye, Trustee Orloff-aye, Trustee Weitzner-aye, Mayor Pellegrino-aye. Motion carried.

C. Mayor Pellegrino opened the public hearing, duly advertised in the October 2, 2003 Port Washington News, to consider the adoption of Bill 8B of 2003, a proposed local law with regard to abandoned shopping carts within 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 Mayor closed the public hearing. On motion of Trustee Ilberg, seconded by Trustee Levi, it was RESOLVED that Bill 8B of 2003 be and hereby is adopted as Local Law 7 of 2003 to read as follows:

( insert Local Law 7 of 2003 )

Vote was recorded as follows: Trustee Ilberg-aye, Trustee Levi-aye, Trustee Orloff-aye, Trustee Weitzner-aye, Mayor Pellegrino-aye. Motion carried.

## 2. Clerk

A. On motion of Trustee Levi, seconded by Trustee Ilberg, it was unanimously  
RESOLVED that the reading of the minutes of the Board of Trustees meetings of July 23, 2003, September 4, 2003 and September 8, 2003 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. On motion of Trustee Levi, seconded by Trustee Orloff, it was unanimously  
RESOLVED that the Board of Trustees designates the following offices as vacant at the end of the current official year, to be filled at the **Village Election** to be held on March 16, 2004 for the following terms:

Trustee	- Two Years
Trustee	- Two Years

## 3. Treasurer

A. On motion of Trustee Ilberg, seconded by Trustee Levi, it was  
RESOLVED that the abstract of vouchers #19, totaling \$171,539.33, be and hereby is approved as presented by Treasurer Stack.

B. On motion of Trustee Ilberg, seconded by Trustee Weitzner, it was unanimously  
RESOLVED that the payment of \$1,019.75 to Dejana Industries Inc. be and hereby is approved in settlement of the balance of claim #5288.

C. On motion of Trustee Levi, seconded by Trustee Ilberg, it was unanimously  
RESOLVED that the Budget Report as of September 30, 2003, showing the ending cash balance to be \$849,904, be and hereby is accepted as prepared by Treasurer Stack.

D. On motion of Trustee Ilberg, seconded by Trustee Weitzner, it was unanimously  
RESOLVED that the Board of Trustees hereby accepts the **Annual Financial Report** of the Treasurer of the Village of Port Washington North, Nassau County, New York, for the fiscal year commencing on **June 1, 2002 and ending on May 31, 2003**, as submitted by Treasurer Stack and as same has been filed with the Village Clerk, and states that said statement is available for inspection at the Village Hall, One Soundview Drive, Port Washington, New York.

E. The Board directed the Treasurer to determine the permissible percentage for a fund balance.

## 4. Reports

### A. Building Department

1. On motion of Trustee Levi, seconded by Trustee Ilberg, it was unanimously  
RESOLVED that the Building Department report for the month of September 2003 be and hereby is accepted as submitted.

2. The Board directed that Mill Pond Acres be apprised of the hours when construction noise is prohibited under the Noise Ordinance.

B. Public Works Department

1. On motion of Trustee Levi, seconded by Trustee Weitzner, it was unanimously RESOLVED that the Public Works report for the month of September 2003 be and hereby is accepted as submitted.

2. Superintendent McDonough stated that he will speak with Roslyn Savings Bank regarding the lights in its parking lot so that they remain on at night.

3. Superintendent McDonough stated that he will inspect to see that the appropriate signs are posted on Mill Pond Road regarding the prohibition on overnight parking of vehicles.

5. Old Business

A. Clerk Torrisi reported that the following bid was the only bid received by 12 noon on October 9, 2003 for the **Leaf Removal** from Village Streets during the Fall of 2003 and 2004 contract:

	<u>2003</u>	<u>2004</u>
Dom's Lawnmaker Inc.	\$27,986.50	\$27,986.50

On motion of Trustee Ilberg, seconded by Trustee Levi, it was RESOLVED that all bids received by 12 noon on October 9, 2003 for the Leaf Removal from Village Streets during the Fall of 2003 and 2004 contract are rejected in the best interests of the Village.

Vote was recorded as follows: Trustee Ilberg-aye, Trustee Levi-aye, Trustee Orloff-aye, Trustee Weitzner-abstains, Mayor Pellegrino-aye. Motion carried.

B. Pellegrino Park Benches

Mayor Pellegrino reported that the three six-foot benches that the Greater Port Washington Business Improvement District ordered for the Village should arrive in about six weeks.

C. Lewis Oil

The Board discussed environmental insurance and shoreline restoration. Deb Colton, Stop & Shop representative, stated that she would tell Cow Bay to stop storing their trucks on the waterfront property.

D. Radcliff Community Garden

Trustee Weitzner announced that the groundbreaking at the Community Garden will be at 9:30 a.m. on Monday, October 20<sup>th</sup>.

E. Stop & Shop

Attorney Limmer stated that Board is awaiting the responses of the Building Inspector and Village Engineer regarding the proposed amended site plan.

5. New Business

A. Mayor Pellegrino introduced Bill 9A of 2003, a proposed law to adopt a temporary moratorium on all subdivisions of real property within the Village of Port Washington North. A copy of the bill was placed on the desks each of the members of the Board of Trustees present this evening. On motion of Trustee

Levi, seconded by Trustee Weitzner, the following resolution was unanimously adopted:

WHEREAS **Bill 9A of 2003**, to adopt a temporary **moratorium on all subdivisions** of real property within the Village of Port Washington North, 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 a Type 2 action as determined by the Commissioner of the Department of Environmental Conservation, and that it will not have an adverse impact on the environment, and sets a public hearing with regard to the proposed adoption of this local law for the 10<sup>th</sup> day of November 2003 at 7:30 pm at the Village Hall, One Soundview Drive, Port Washington.

B. Mayor Pellegrino introduced Bill 10 of 2003, a proposed law prohibiting aboveground exterior oil tanks within the Village of Port Washington North. A copy of the bill was placed on the desks each of the members of the Board of Trustees present this evening. On motion of Trustee Ilberg, seconded by Trustee Weitzner, the following resolution was unanimously adopted:

WHEREAS **Bill 10 of 2003, prohibiting aboveground exterior oil tanks** within the Village of Port Washington North, 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 an unlisted action as determined by the Commissioner of the Department of Environmental Conservation, and that it will not have an adverse impact on the environment, and sets a public hearing with regard to the proposed adoption of this local law for the 10<sup>th</sup> day of November 2003 at 7:30 pm at the Village Hall, One Soundview Drive, Port Washington.

#### C. Port Washington Police District Request

The Board directed Clerk Torrisi to further question Stephen Ressa, the attorney for the Port Washington Police District, as to the necessity for the Police District to have a Board of Trustees resolution requesting the Police District's services on a calendar year basis.

#### D. Engineering and Inspection Services – Sidney B. Bowne

The Mayor stated that he will research the engineering and inspection services being provided by Village Engineers, Sidney B. Bowne & Son, at Stop & Stop and Mill Pond Acres.

#### E. General Code Publishers - Internet Code & Quarterly Updates

On motion of Trustee Levi, seconded by Trustee Weitzner, it was unanimously

RESOLVED that the Village enter into an agreement with General Code Publishers Corp. to provide and maintain the Village's Code in electronic form for use on the internet at a cost not to exceed \$500.00 for the first year and \$300.00 for each subsequent year, as set forth more particularly in its proposal dated September 17, 2003.

#### F. Historic District

The Board agreed that it would meet with the members of the Landmark Preservation Commission and the residents within the boundaries of the historic district to discuss the status of landmark preservation in the Village.

G. Mayor Pellegrino announced that the Pride in Port 2003 Celebration will take place on October 18<sup>th</sup>.

H. Mayor Pellegrino announced that the Landmark on Main Street 2003 Gala will be held on December 6<sup>th</sup>.

I. On motion of Trustee Ilberg, seconded by Trustee Levi, it was unanimously  
RESOLVED that the position of **Newsletter Commissioner** be established, without compensation, to continue at the pleasure of the Mayor, with regard to the overall writing, editing and publishing of the Village newsletter.

Thereupon, Mayor Pellegrino appointed Michael Schenkler to serve as Newsletter Commissioner. On motion of Trustee Levi, seconded by Trustee Ilberg, it was unanimously  
RESOLVED that the appointment of Michael Schenkler Newsletter Commissioner made by Mayor Pellegrino is approved by the Board of Trustees.

J. On motion of Trustee Weitzner, seconded by Trustee Levi, it was unanimously  
RESOLVED that Section 176-1 of the Village Code shall apply as to the definition of commercial vehicle for the purpose of traffic regulatory signs for the stopping, standing and parking of commercial vehicles within the Village of Port Washington North.

#### 8. Executive Session

On motion of Trustee Ilberg, seconded by Trustee Weitzner, it was unanimously  
RESOLVED that the Board enter into executive session for advice of counsel.

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

Mayor Pellegrino announced that no action was taken during the Executive Session.

#### 9. New Business (continued)

A. On motion of Trustee Weitzner, seconded by Trustee Levi, the following resolution was adopted:

( insert Estate of Schaefer tax cert settlement)

B. On motion of Trustee Levi, seconded by Trustee Weitzner, the following resolution was adopted:

( insert Soundview Gardens tax cert settlement)

On motion of Trustee Levi, seconded by Trustee Weitzner, it was unanimously **RESOLVED** that the meeting be and hereby is adjourned at 11:45 pm.

Palma Torrisi, Village Clerk