

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Monday, **August 22, 2005** 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

1. Appointment

Mayor Weitzner appointed Michael Malatino as a Trustee of the Village of Port Washington North, to fill the vacancy created by the resignation of Robert Weitzner from his position as Trustee, said term to expire April 2006.

2. Public Hearing – Bill 7B of 2004

Mayor Weitzner opened the public hearing, duly adjourned from July 25, 2005, to consider the adoption of **Bill 7B of 2004**, to amend §173-3, Boundaries established, of Chapter 176, Zoning, of the Code of the Village of Port Washington North, **to re-zone certain premises**. The Mayor adjourned the public hearing to September 26, 2005 at 7:30 p.m. at the Village Hall. On motion of Trustee Schenkler, seconded by Trustee Hoffman, the following resolution was unanimously adopted:

WHEREAS Bill 7B of 2005, to amend §173-3, Boundaries established, of Chapter 176, Zoning, of the Code of the Village of Port Washington North, to re-zone certain premises, 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 26th day of September 2005 at 7:30 p.m. at the Village Hall, 71 Old Shore Road, Port Washington, New York.

3. Clerk

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the reading of the minutes of the meetings of the Board of Trustees of June 27, 2005 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

4. Treasurer

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

RESOLVED that the reading of the Abstract of Vouchers #41, totaling \$73,359.10, and the Abstract of Trust & Agency Vouchers #8, totaling \$5,464.57, 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 RESOLVED that the Budget Report as of June 30, 2005, showing the General Fund Balance to be \$1,397,916.00, and the Trust & Agency Cash Balance to be \$102,628.00, be and hereby is accepted as prepared by Treasurer Stack.

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

C. On motion of Trustee Schenkler, seconded by Trustee Cohen, it was RESOLVED that the Budget for fiscal year 2005/2006 be and hereby is revised to conform to the Budget Report dated July 31, 2005.

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

D. On motion of Trustee Schenkler, seconded by Trustee Cohen, the following resolution was unanimously adopted for **North Fork Bank**:

Notwithstanding anything to the contrary set forth in the foregoing Bank Resolution, it is hereby agreed that the Bank shall honor the following requirements of the Village with regard to each Account:

1. All Bank transactions shall require two signatures.
 - (a) One of said signatures must be the Village Treasurer AND
 - (b) The other shall be either that of the Village's Mayor or Deputy Mayor.
2. No ATM cards shall be issued.
3. Instructions bearing facsimile signatures are acceptable only if both of the following obtain:
 - (a) The facsimile signatures are of authorized signatories, one of which is the Village Treasurer, AND
 - (b) The beneficiary of the transaction is the either the Village or the Depository Trust Corporation.
4. Bank shall follow no oral directions for any transactions apart from providing the Village's Treasurer, Mayor, or Deputy Mayor with balance information.
5. No signatory nor group of signatories can delegate to other persons the authority to perform transactions.
6. All bank transactions must be directed to the Port Washington Branch located at 1020 Port Washington Boulevard, Port Washington.

and be it further resolved with regard to the **Bank of Smithtown**,

Notwithstanding anything to the contrary set forth in any Village Bank Resolution executed simultaneously herewith or hereafter, it is hereby agreed that the Bank shall honor the following requirements of the Village with regard to each Village Account:

1. All Bank transactions shall require two signatures.
 - (a) One of said signatures must be the Village Treasurer AND
 - (b) The other shall be either that of the Village's Mayor or Deputy Mayor.
2. No ATM cards shall be issued.
3. Instructions bearing facsimile signatures are acceptable only if both of the following obtain:
 - (a) The facsimile signatures are of authorized signatories, one of which is the Village Treasurer, AND
 - (b) The beneficiary of the transaction is the either the Village or the Depository Trust Corporation.
4. Bank shall follow no oral directions for any transactions apart from providing the Village's Treasurer, Mayor, or Deputy Mayor with balance information.

5. Neither signatory nor group of signatories can delegate to other persons the authority to perform transactions.

5. Reports

A. Building Department

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the Building Department report for the month of July 2005 be and hereby is 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 July 2005 be and hereby is accepted as submitted.

C. Environmental Commission

Commissioner Keane reported to the Board on the Village's MS4 Storm Water Permit status, the activities of the Manhasset Bay Protection Committee, the Town of North Hempstead's regatta, and a report on the water quality in Manhasset Bay.

6. Public Comment

A. Agnes Lasetchuk, Executive Director of the Port Counseling Center, addressed the Board requesting that the Village renew its contract with the social services agency and distributed copies of its independent auditor's report.

7. Old Business

A. Local Safe Streets & Traffic Calming Grant

On motion of Trustee Schenkler, seconded by Trustee Hoffman, the following resolution, authorizing the implementation, and funding in the first instance 100% of the federal aid-eligible costs, of a transportation federal-aid project, to fully fund the local share of federal-aid eligible and ineligible project costs, and appropriating funds therefore, was unanimously adopted:

WHEREAS, a Project for the Implementation of Traffic Calming Effects and Pedestrian Enhancements on Shore Road (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 90% Federal funds and 10% non-federal funds; and

WHEREAS, the Village of Port Washington North desires to advance the above project by making a commitment of 100% of the federal and non-federal share of the costs of Preliminary Engineering & Design and Construction, Construction Inspection & Construction Supervision;

NOW, THEREFORE, the Board of Trustees of the Village of Port Washington North, duly convened, does hereby

RESOLVE that the Village of Port Washington North hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village of Port Washington North hereby authorizes the sum of \$333,833.00 to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering & Design and Construction, Construction Inspection & Construction Supervision work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$333,833.00 is hereby appropriated pursuant to this resolution and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village of Port Washington North shall convene as soon as possible to appropriate said excess amount immediately upon the notification to the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the Village of Port Washington North be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the Village of Port Washington North with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

B. Hollywood Video –Drop Box Permit

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

RESOLVED that the drop-box permit of Hollywood Video be extended to September 26, 2005.

C. Appraisals for Village-Owner Properties

Clerk Torrisi reported that the following proposals had been received for appraisals of Village-owned properties:

	<u>p/o 4/J/754</u>	<u>4/N1/330</u>	<u>TOTAL</u>
Breslin Appraisal Co., Inc.	\$ 3,750.00	\$ 2,250.00	\$ 6,000.00
Cushman & Wakefield of New York, Inc.	--	--	\$11,000.00
Ford Valuation Services, Inc.	--	--	\$ 6,000.00
Goodman-Marks Associates, Inc.	\$ 3,000.00	\$ 3,500.00	\$ 6,500.00
Fitzgerald Valuation Services, Inc.	--	--	\$ 5,750.00
Brunswick Appraisal Corp.	--	\$ 1,750.00	--

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village engage the services of Breslin Appraisal Co., Inc. to appraise those parcels designated on the Nassau County Land & Tax Map as Section 4, Block J, p/o Lot 754 and Section 4, Block N-1, Lot 330 at a cost not to exceed \$6,000.00, and the services of Brunswick Appraisal Corp. for a second appraisal of Section 4, Block N-1, Lot 330 at a cost not to exceed \$1,750.00.

8. New Business

A. Snow Removal Winter 2005/6 Contract

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

RESOLVED that the invitation for bids for the Snow Plowing, Sanding and Salting of Village Streets Winter 2005/6 contract be advertised in the September 15, 2005 Port Washington News and that the bids be received at the Village Hall by Noon on Thursday, October 6, 2005.

B. Bill 4 of 2005 – Demolition Permits

Mayor Weitzner introduced Bill 4 of 2005, a proposed local law amending certain provisions of the Code of the Village of Port Washington North with regard to Demolition Permits. A copy of the bill was delivered to each of the members of the Board of Trustees. The Mayor also presented a short environmental assessment form prepared by the Village Attorney. On motion of Trustee Schenkler, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS Bill 4 of 2005, amending certain provisions of the Code of the Village of Port Washington North with regard to Demolition Permits, 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, and sets a public hearing with regard to the proposed adoption of this local law for the 26th day of September 2005 at 7:30 p.m. at the Village Hall, 71 Old Shore Road, Port Washington, New York.

C. Bill 8A of 2005 – Establishing a Village Court

Mayor Weitzner introduced Bill 8A of 2005, a proposed local law creating the Offices of Village Justice and Acting Village Justice in the Village of Port Washington North. A copy of the bill was delivered to each of the members of the Board of Trustees. 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 8A of 2005, creating the Offices of Village Justice and Acting Village Justice in 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 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, and sets a public hearing with regard to the proposed adoption of this local law for the 26th day of September 2005 at 7:30 p.m. at the Village Hall, 71 Old Shore Road, Port Washington, New York.

D. Bill 9A of 2005 – Private Waste Receptacles

Mayor Weitzner introduced Bill 9A of 2005, a proposed local law requiring the screening of Private Waste Receptacles in the Village of Port Washington North. A copy of the bill

was delivered to each of the members of the Board of Trustees. The Mayor also presented a short environmental assessment form prepared by the Village Attorney. On motion of Trustee Malatino, seconded by Trustee Hoffman, the following resolution was unanimously adopted:

WHEREAS Bill 9A of 2005, requiring the screening of Private Waste Receptacles in 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 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, and sets a public hearing with regard to the proposed adoption of this local law for the 26th day of September 2005 at 7:30 p.m. at the Village Hall, 71 Old Shore Road, Port Washington, New York.

E. Bill 11 of 2005 – Illegal Over Occupancies

The Board directed Attorney Limmer to draft a Bill 11 of 2005 to address illegal over-occupancies within the Village.

9. Executive Session

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board adjourn into executive session to discuss contract negotiations.

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

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

On motion of Trustee Hoffman, seconded by Trustee Schenkler, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 12:15 a.m.

Palma Torrisi, Village Clerk