

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Monday, **October 5, 2010** 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	-	Stuart Besen
	Clerk	-	Palma Torrisi

1. Clerk

A. 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 August 3, 2010 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. On motion of Trustee Schenkler, seconded by Trustee Malatino, 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 15, 2011 for the following terms:

Mayor	- Two Years
Trustee	- Two Years
Trustee	- Two Years

2. Treasurer

A. On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the Abstract of Vouchers for the General Fund #104, totalling \$26,274.58, and for the Trust & Agency Fund #68, totalling \$3,544.61, be waived and that they be and hereby are approved as prepared by Treasurer Pisano.

B. On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Budget Report, and the modifications contained therein, as of July 31, 2010, showing the General Fund Balance to be \$3,012,372.76, and the Trust & Agency Balance to be \$53,580.94, be and hereby is accepted as prepared by Treasurer Pisano.

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Budget Report as of August 31, 2010, and the modifications contained therein, showing the General Fund Balance to be \$2,917,545.12, and the Trust & Agency Fund Balance to be \$67,263.25, be and hereby is accepted as prepared by Treasurer Pisano.

3. Reports

A. Building Department

On motion of Trustee Schenkler, seconded by Trustee Malatino, it was unanimously RESOLVED that the Building Department reports for September 2010 be and hereby are accepted as presented by Inspector Barbach.

B. Public Works Department

On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously RESOLVED that the Public Works report for the month of September 2010 be and hereby is accepted as submitted by Ron Novinski.

C. Environmental Commission

On motion of Trustee Scheff, seconded by Trustee Schenkler, it was unanimously RESOLVED that the Environmental Commission report for the month of September 2010 be and hereby is accepted as presented by Commissioner Keane.

D. Justice Court

The Board accepted the Justice Court report for the months of August 2010 submitted by Court Clerk Kropacek.

4. Business

A. Street Light Maintenance 2010/11 Contract

Clerk Torrisi reported that the following proposals were received by September 30, 2010 for the Street Light Maintenance 2010/11 contract:

	<u>1-Year Fee</u>	<u>Each Luminary</u>
Anker's Electric	\$15,000.00	\$ 295.00
New York Trenchless	4,500.00	250.00
Wellsbach Electric	no response	no response

Superintendent Novinski recommended New York Trenchless as the lowest responsible bidder. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Street Light Maintenance contract be and hereby is awarded to New York Trenchless Inc., as the lowest responsible bidder, for the term of November 1, 2010 to October 31, 2011 and as more particularly set forth in a written agreement between the parties.

B. Shore Road Traffic Calming & Pedestrian Safety Improvements

On motion of Trustee Scheff, seconded by Trustee Schenkler, it was unanimously RESOLVED that the Village of Port Washington North will receive bids for the Shore Road (Phase II) Traffic Calming & Pedestrian Improvements Project, PIN 0759.11, at the Village Clerk's Office at the Village Hall of the Village of Port Washington North, located at 71 Old Shore Road, Port Washington, New York, until 12:00 noon (local time) on Tuesday, November 30, 2010, at which time and place bids will be publicly opened and read aloud.

C. Pleasant Avenue Reconstruction & Sidewalk Repairs: Committed Funding

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

WHEREAS, a Project for the Reconstruction of Pleasant Avenue (the "Project") is eligible for funding under the Community Capital Assistance Program of the Dormitory Authority of the State of New York (#4602); and

WHEREAS, the Village of Port Washington North desires to advance the above project by making a commitment of 100% of the State and non-State share of the costs of Construction, Construction Inspection and 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 \$539,842.10 to pay in the first instance 100% of the State and non-State share of the cost of Construction, Construction Inspection and Construction Supervision work for the Project or portions thereof; and it is further  
RESOLVED that the sum of \$539,842.10 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 State and non-State share costs of the Project exceed the amount appropriated above, the Board of Trustees of the Village of Port Washington North shall convene as soon as possible to appropriate said excess amount immediately; and it is further  
RESOLVED that the Mayor of the Village of Port Washington North be and is hereby authorized, subject to the approval of all terms by counsel, to execute all necessary Agreements, certifications or reimbursement requests for funds from the Community Capital Assistance Program on behalf of the Village of Port Washington North with the Dormitory Authority of the State of New York in connection with the advancement or approval of the Project; and it is further  
RESOLVED that a certified copy of this resolution be filed with the Dormitory Authority of the State of New York in connection with the Project; and it is further  
RESOLVED that this resolution shall take effect immediately.

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

WHEREAS, a Project for Sidewalk Repairs (the "Project") is eligible for funding under the Community Capital Assistance Program of the Dormitory Authority of the State of New York (#4603); and  
WHEREAS, the Village of Port Washington North desires to advance the above project by making a commitment of 100% of the State and non-State share of the costs of Construction, Construction Inspection and 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 \$90,072.86 to pay in the first instance 100% of the State and non-State share of the cost of Construction, Construction Inspection and Construction Supervision work for the Project or portions thereof; and it is further  
RESOLVED that the sum of \$90,072.86 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 State and non-State share costs of the Project exceed the amount appropriated above, the Board of Trustees of the Village of Port Washington North shall convene as soon as possible to appropriate said excess amount immediately; and it is further  
RESOLVED that the Mayor of the Village of Port Washington North be and is hereby authorized, subject to the approval of all terms by counsel, to execute all necessary Agreements, certifications or reimbursement requests for funds from the Community Capital Assistance Program on behalf of the Village of Port Washington North with the Dormitory Authority of the State of New York in connection with the advancement or approval of the Project; and it is further  
RESOLVED that a certified copy of this resolution be filed with the Dormitory Authority of the State of New York in connection with the Project; and it is further  
RESOLVED that this resolution shall take effect immediately.

D. Justice Court Assistance Program Grant

On motion of Trustee Cohen, seconded by Trustee Scheff, 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 improvements for the Village Court, said request not to exceed \$30,000.00.

E. T-Mobile Northeast LLC - Telecommunication Tower Application

Mayor Weitzner stated that an application was received on October 29, 2010 from by Phillips Lytle LLP, attorney for T-Mobile Northeast LLC, to erect a 105-foot high monopole stealth telecommunications tower in the rear of 26 Valley Road, Port Washington, NY 11050, said premises designated on the Nassau County Land & Tax Map as Section 4, Block J, Lot 37, for which Village records show the owners to be Gerhardt and Brigitta Clusener.

5. Executive Session

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the regular meeting be adjourned and that the Board enter into executive session to discuss current litigation with counsel.

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

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

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 9:50 p.m.

Palma Torrisi, Village Clerk