

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **November 1, 2011** at 7:30 p.m. at the Village Hall, 71 Old 3Shore Road, Port Washington, New York.

Present:	Mayor	-	Robert S. Weitzner
	Trustees	-	Steven Cohen
		-	Sherman Scheff
		-	Michael Schenkler
	Attorney	-	Stuart Besen
	Clerk	-	Palma Torrisi

Excused: Trustee Malatino

1. Clerk

A. On motion of Trustee Schenkler, seconded by Trustee Scheff, it was RESOLVED that the reading of the minutes of the Board of Trustees meetings of September 6, 2011 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

B. On motion of Trustee Cohen, seconded by Trustee Scheff, it was 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 20, 2012 for the following terms:

Trustee	- Two Years
Trustee	- Two Years

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

2. Treasurer

A. On motion of Trustee Scheff, seconded by Trustee Cohen, it was RESOLVED that the reading of the Abstract of General Fund Vouchers #119, totaling \$90,634.95, and the Abstract of Trust & Agency Vouchers #76, totaling \$612.40, be waived and that they be and hereby are approved as prepared by Treasurer Pisano.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

B. On motion of Trustee Scheff, seconded by Trustee Cohen, it was RESOLVED that the Budget Report as of October 31, 2011, and the modifications contained therein, showing the General Fund Balance to be \$2,325,450.57, and the Trust & Agency Fund Balance to be \$107,109.77, be and hereby is accepted as prepared by Treasurer Pisano.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

C. Chris Reino, of Cullen & Danowski LLP, addressed the Board with respect to the annual update document and independent audit report for the fiscal year commencing June 1, 2010 and ending on May 31, 2011. On motion of Trustee Scheff, seconded by Trustee Cohen, it was RESOLVED that the Audit Report and Annual Update Report for the General Fund, and the Audit Report and Annual Update Report for the Village Court, for the fiscal year commencing June 1, 2010 and ending on May 31, 2011, prepared by Cullen & Danowski LLP, be and hereby are accepted.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

The Board was presented with the Annual Report for the General Fund and the Annual Report and Management Letter for the Village Justice Court for the fiscal year commencing June 1, 2010 and ending May 31, 2011. On motion of Trustee Cohen, seconded by Trustee Scheff, the following resolution was adopted:

WHEREAS the Board of Trustees has been presented with the Annual Report for the General Fund and the Annual Report and Management Letter for the Village Court for the fiscal year commencing June 1, 2009 and ending May 31, 2010;
NOW, THEREFORE, BE IT RESOLVED that the Annual Report for the General Fund and the Annual Report and Management Letter for the Village Court, for the fiscal year commencing June 1, 2009 and ending May 31, 2010, be and hereby are accepted as prepared by Cullen & Danowski LLP.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

3. Reports

A. Building Department

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the Building Department report for October 2011 be and hereby is accepted as presented.

B. Public Works

On motion of Trustee Cohen, seconded by Trustee Scheff, it was RESOLVED that the Public Works report for the month of October 2011 be and hereby is accepted as submitted by Superintendent Novinski.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

C. Emergency Management

On motion of Trustee Scheff, seconded by Trustee Cohen, it was RESOLVED that the Emergency Management report for the month of October 2011 be and hereby is accepted as presented by Deputy Commissioner Kaplan.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

4. Business

A. Appointments

Clerk Torrisi reported that resignations have been received from Emergency Management Commissioner Alex Moschos and Deputy Emergency Management Commissioner Steven Kaplan. Mayor Weitzner appointed Steven Kaplan as Commissioner of Emergency Management, to fill the unexpired term of Alex Moschos, said term to expire April 2012. Mayor Weitzner appointed Alex Moschos as Deputy Commissioner of Emergency Management, to fill the unexpired term of Steven Kaplan, said term to expire April 2012.

Deputy Mayor Schenkler administered the oath of office to Commissioner Kaplan.

B. Bill 6 of 2011 – Extending the Moratorium on Subdivisions

On motion of Trustee Scheff, seconded by Trustee Cohen, it was RESOLVED that the Board of Trustees of the Village of Port Washington North will hold a Public Hearing at 7:45 p.m. on Tuesday, December 6, 2011, at the Village Hall, 71 Old Shore Road, Port Washington, NY 11050, to consider the adoption of Bill 6 of 2011, a proposed local law extending a moratorium on Planning Board subdivisions in the Village of Port Washington North.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-abstains, Mayor Weitzner-aye.

C. Landscaper License Fee

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was RESOLVED that the fee for a Landscaper License, pursuant to Local Law 4 of 2011, is hereby established at \$25.00 for one motor vehicle and \$5.00 for each additional motor vehicle.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

D. Fire Protection & Emergency Medical Service

On motion of Trustee Cohen, seconded by Trustee Scheff, it was RESOLVED that the Board of Trustees of the Village of Port Washington North will hold a public hearing on Tuesday, December 6, 2011 at 7:30 pm at the Village Hall, 71 Old Shore Road, Port Washington, New York, with regard to a proposed contract with the Port Washington Fire Department, Inc. for the furnishing of fire protection and emergency medical service within the Village for the period of January 1, 2012 through December 31, 2012 at a cost to the Village of \$384,832.00.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-aye, Mayor Weitzner-absent.

E. Site Plan Review – 85 Harbor Road

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously:

RESOLVED that the Village Board of Trustees designates itself as lead agency under SEQRA with respect to the environmental quality review of the Application, and determines based upon the materials submitted and recommendations that the proposed site plan will not have significant impact on the environment, and so the Village Board of the Village of Port Washington North adopts a negative declaration with respect to the application;

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

WHEREAS, the Board of Trustees of the Village of Port Washington North (Board of Trustees) pursuant to 137-2 (c) of the Village of Port Washington North Village Code referred the review of the application of Shake-N-Go-Fashion, Inc., (the Applicant) and Lawrence Talve as Trustee of Lawrence Talve Trust as owner of the premises located at 85 Harbor Road, Port Washington, New York and designated as Section 4, Block J, Lot 716 of the Land and Tax Map of Nassau County and located in the Village of Port Washington North Economic Development A Zoning District for the purposes of deciding whether or not to recommend to the Board of Trustees the approval of a site plan for the replacement of an existing one story office building with a new two story office building.

WHEREAS, the Planning Board has conducted a public hearing with respect to said application and has reviewed all materials submitted by, and testimony received from, persons in support of and in opposition to the application; and

WHEREAS, a public hearing was conducted over two nights September 13, 2011 and October 25, 2011 respectively and all people present at the hearing were heard or were given an

opportunity to be heard, and the Village of Port Washington North Planning Board unanimously recommended to the Village Board of Trustees pursuant to Section 137-2 (c) is as follows:

That the application of Shake-N-Go for site plan approval be approved on the following conditions:

1. That the existing chain linked fence be replaced along the front part(s) of the property that said fence exists;
2. That the applicant shall install a new fence and gate on the subject property located at 85 Harbor Road and the adjacent property 83 Harbor Road;
3. Install additional drywells for additional drainage in the rear of the property by the landscaped parking areas all subject to the approval of the Village Engineers, Cameron Engineering;
4. The trench drain width shall be 12” and subject to the approval of the Village Engineers, Cameron Engineering; and
5. All other matters subject to the approval of the Port Washington North Building inspector with approval of the Village Engineers, Cameron Engineering.

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Village of Port Washington North Planning Board, that the site plan application submitted by applicant Shake-N-Go is hereby approved by the terms and conditions as set forth above.

F. Tree Removal – 95 Radcliff Avenue

Upon complaint by Mario Truglio of 95 Radcliff Avenue and Steve Fenton of 21 Seagull Lane, Trustee Scheff made the motion, seconded by Trustee, and the following resolution was adopted:

RESOLVED that the Village shall remove: the curb tree to the right of the driveway in front of the home of Mario Truglio at 95 Radcliff Avenue; one curb tree in front of the home of Steve Fenton at 21 Seagull Lane; and one curb tree in front of the home of Andy Mayer at 19 Seagull Lane.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Scheff-aye, Trustee Schenkler-abstains, Mayor Weitzner-aye.

6. Executive Session

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

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

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

On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 8:50 p.m.

Palma Torrisi, Village Clerk