

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **September 4, 2012** at 7:30pm at the Village Hall, 71 Old Shore Road, Port Washington, New York.

Present:	Deputy Mayor	-	Michael Schenkler
	Trustees	-	Steven Cohen
		-	Sherman Scheff
		-	Michael Schenkler
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen

Excused: Mayor Weitzner, Trustee Malatino

#### 1. Clerk

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the minutes of the meetings of the Board of Trustees of July 10, 2012 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

#### 2. Treasurer

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the Abstract of Vouchers for the General Fund #129, totalling \$27,846.58, and the Trust & Agency Abstract of Vouchers #83, totalling \$782.00, be waived and that they be and hereby are approved as prepared by Treasurer Gribbins.

#### 3. Reports

##### A. Building Department

1. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Building Department report for August 2012 be and hereby are accepted as submitted by Inspector Barbach.

2. Upon complaint by Joan Biscaro, the Board directed the Building Department to inspect the La Piccola Liguria restaurant on Shore Road to determine whether present conditions at the premises, with respect to such items as valet parking signage, planters and arborvitae, are in compliance with the Board of Trustees resolution and Village ordinances.

3. Upon complaint by Joan Biscaro, the Board directed the Building Department to inspect Diwan restaurant on Shore Road to determine whether present circumstances, more particularly the condition of the stockade fence and the bicycles chained thereto, the grass both on the premises and in the utility strip, and the valet parking sign on the sidewalk, are in compliance with the Village's Property Maintenance and Valet Parking ordinances.

4. Upon complaint by Joan Biscaro, the Board directed the Building Department to inspect 45 Shore Road, owned by Daniel Donatelli, to determine whether present conditions, more specifically the valet parking sign on the sidewalk and the bicycles along the wall and chained to the Stop Sign, are in compliance with the Village's Property Maintenance and Valet Parking ordinances.

5. Upon complaint by Joan Biscaro, the Board directed the Building Department to inspect Sisina restaurant on Shore Road to determine whether the valet parking sign on the sidewalk is in compliance with the Village's Valet Parking ordinance.

##### B. Public Works

1. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously  
RESOLVED that the Public Works Department report for the month of August 2012 be and hereby is accepted as submitted by Superintendent Novinski.

2. Upon complaint by Erin Conlon, the Board directed that a removal notice be posted on the curb tree in front of 33 Avenue B, that the three neighboring homeowners receive notice of the tree's removal, and that, upon waiting one week for responses, the tree be removed.

3. Upon complaint by Paul Joseph that tree berries are staining his cars, the Board directed Superintendent Novinski to inspect the curb tree in front of 11 Schooner Lane to determine whether it should be cut back or removed.

#### C. Emergency Management & Traffic Safety

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Emergency Management and Traffic Safety report for the month of August 2012 be and hereby is approved as presented by Deputy Commissioner Kaplan.

#### D. Justice Court

The Board accepted the Justice Court report for the month of July 2012.

### 4. Business

#### A. Park Maintenance Contract

The following bids were received by 11:00 a.m. on August 30, 2012 for the Park Maintenance 2012/13 & 2013/14 contract:

	<u>2012/13</u>	<u>2013/14</u>
Brickman Group	28,012.00	29,132.00
Bucky Demelas & Son	41,000.00	41,000.00
Dom's Lawnmaker Inc.	61,200.00	61,200.00
E. Cook Industries Inc.	65,000.00	65,000.00
Pascarella's Landscaping	55,000.00	55,000.00

Superintendent Novinski recommended the Brickman Group as the lowest responsible bidder. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously

RESOLVED that the contract for Park Maintenance, for the period from November 1, 2012 to October 31, 2013, be and hereby is awarded to the Brickman Group, as more particularly set forth in its bid document dated August 28, 2012.

#### B. Conditional Use Permit – Safavieh, 2 Channel Drive

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

**RESOLUTION AUTHORIZING Safavieh  
Glen Cove LLC a Conditional Use Permit to  
conduct retail sales limited exclusively to the  
trade only for three (3) months**

WHEREAS, the applicant Safavieh Glen Cove LLC seeks a conditional use permit to conduct retail sale limited to the trade only at the premises located at 2 Channel Drive, Port Washington, New York, specifically designated on the Nassau County Land and Tax Map as Section 4, Block J, Lot 690 and Section 4 Block 123 Lots 8, 44A and 51 which is zoned Maritime Business District which does not permit retail sale without a resolution by the Board of Trustees granting a Conditional Use Permit.

WHEREAS, a public hearing was conducted on August 7, 2012, where the applicant presented testimony that retail sale would exclusively be limited for people in the trade and they would not sell or be open to the general public for retail sale.

WHEREAS, the applicant agreed and the conditional use permit is conditioned upon that members of the trade and all employees would only park in parking spots and that no one would be permitted to park in any grass or dirt or unpaved area and that applicant would make sure and commit to the Village of Port Washington North that all parking would be done in designated parking spots.

WHEREAS, at the public hearing it was determined that the following conditions shall be met by the applicant and owner in order to conduct said retail sale:

a. That Safavieh Glen Cove LLC shall be permitted to sell retail exclusively to people in the trade and that Safavieh Glen Cove LLC, will not be permitted to sell retail to anyone not in the trade;

b. There will be no parking on the grass, dirt or unpaved area only in the designated paved parking lot spots;

c. That the conditional use permit shall be limited to three months from the date of the resolution and that Safavieh Glen Cove LLC, shall have the opportunity to reapply for the conditional use permit.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Port Washington North hereby grants the applicant Safavieh Glen Cove LLC a conditional use permit limited to the sale to the trade exclusively for the premises known as 2 Channel Drive, Port Washington, New York for three (3) months with the above stated conditions and authorizes the building inspector to issue a conditional use permit conditioned on the above stated conditions.

#### 5. Executive Session

On motion of Deputy Mayor Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board enter into executive session to discuss real estate negotiations 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.

Deputy Mayor Schenkler stated that no action was taken in executive session.

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 8:30 p.m.

Palma Torrisi, Village Clerk