

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **March 5, 2013** at 7:30 pm 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
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Jennifer Devlin

1. Public Hearing – Bill 3 of 2013 – Expired Residential Building Permit Amnesty

Mayor Weitzner opened the Public Hearing, duly advertised in the March 1, 2013 *Port Washington News*, to consider the adoption of Bill 3 of 2013, Creating a Temporary Amnesty for Residential Property Owners with Expired Building Permits to Extend Their Time to Obtain a Certificate of Completion. 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.

Mayor Weitzner introduced the Short Environmental Impact Statement prepared by Attorney Besen. On motion of Trustee Schenkler, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS, the Village has prepared and reviewed an environmental assessment form containing an explanation of the action and impacts and has conducted a public hearing with respect to Bill 3 of 2013, Creating a Temporary Amnesty for Residential Property Owners with Expired Building Permits to Extend Their Time to Obtain a Certificate of Completion, and

WHEREAS, the Village Board of Trustees has declared its intention to declare itself lead agency; and

WHEREAS, the Village Board of Trustees has reviewed the environmental assessment form, and pursuant to said review of the relevant environmental factors affected by the proposed action, and the Village Board of Trustees has determined that said action be classified as an Unlisted Action and be deemed a Negative Declaration, causing no significant adverse effect upon the environment, in accordance with the Environmental Conservation Law of the State of New York and its regulations thereon,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees, as Lead Agency, finds that the Unlisted Action be classified as exempt pursuant to SEQRA and that it be deemed to constitute a Negative Declaration. The deeming of this action as a Negative Declaration indicates that it would cause no significant adverse effect on the environment.

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was RESOLVED that Bill 3 of 2013 be and hereby is adopted as LOCAL LAW 3 of 2013 to read as follows:

Local Law 3 of 2013

A LOCAL LAW CREATING A TEMPORARY AMNESTY FOR RESIDENTIAL PROPERTY OWNERS WITH EXPIRED BUILDING PERMITS TO EXTEND THEIR TIME TO OBTAIN A CERTIFICATE OF COMPLETION.

Section 68-23: Purpose and Intent

(a) A building permit and other permits are required in order to erect, alter, enlarge or structurally alter any building or other structure in the Village of Port Washington North. A Certificate of Completion is required once all work allowed by the building permit and other permits is completed and approved by the Building Department.

(b) There currently is an administrative fee pursuant to Chapter 91 of the Village Code to extend a Building Permit and penalties associated with expired Building Permits.

- (c) The Board of Trustees has knowledge that some residential property owners have failed to secure the required Certificate of Completion after obtaining a Building Permit and that said Building Permits have expired.
- (d) The Board of Trustees wishes to encourage compliance with the requirement that a property owner obtain a Certificate of Completion for all structures that are erected, altered, enlarged and required under the Village Code.

Section 68-24. Permit and Amnesty Program.

- (a) There is hereby established an Amnesty Program that shall apply to all residential property owners whose Building Permits have expired and have failed to obtain a Certificate of Completion.
- (b) For those applications under the Amnesty Program involving open expired Building Permits, the Building Inspector is authorized to renew said expired permit(s) and waive all fees associated with extending the Building Permit under Chapter 91 of the Village Code and all penalties associated with the Building Permit expiration.

Section 68-25. Amnesty Period

- (a) The Amnesty Program shall begin on the date the notice is sent out to the residential homeowner by certified mail and end four (4) months from said date. The Amnesty Program shall not be extended without Board of Trustee approval.
- (b) The Village of Port Washington North Building Department will begin processing applications to extend the time of expired Building Permits for residential buildings and/or structures for all past work and work in progress without assessing any fees or penalties associated with the Building permit. Commencement shall be the date notice is mailed out to the individual residential homeowner and expire four (4) months from said date.
- (c) All applicants that submit the application will receive extended Building Permits and shall have four (4) months from the date the notice is mailed to obtain a Certificate of Completion from the Village of Port Washington North without assessing fees or penalties associated with the Building Permit expiration.

Effective date of this local law shall take effect upon filing with the Secretary of State.

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

2. Clerk

A. Minutes

On motion of Trustee Schenkler, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meeting of January 8, 2013 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. Board of Assessment Review

The Board of Trustees and the Assessor, sitting as the Board of Assessment Review, dealt with applications for correction of assessment and for exemptions.

1. Assessor Torrisi reported that **Grievance Day** was held on February 19, 2013 from 10:00 a.m. to 2:00 p.m. at the Village Hall. On motion of Trustee Cohen, seconded by Trustee Schenkler, it was

RESOLVED that the following applications for Correction of Property Assessments be and hereby are denied and that the tentative assessments remain unchanged on the 2013 Village Assessment Roll:

<u>Applications for Correction</u>	<u>of</u>		<u>Property</u>	<u>2013 Assessments</u>		
<u>Name</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Unit</u>	<u>Assessment Roll</u>	<u>Requested Assessment</u>
Gerhard & Brigitta Clusener	4	J	37		18,000	4,500
Two Channel Drive LLC	4	J	690		9,335	933
Shake-n-Go	4	J	716		100,000	1,000
75 Harbor Road LLC	4	J	735		19,570	1,957
75 Harbor Road LLC	4	J	750		30,430	3,043
Catherine Yuva	4	J	753	247	3,200	640
Gulfway Marine Service Inc.	4	N-1	321 & 322		52,250	13,062
84 Shore Road Development Realty	4	N-2	411		18,250	4,563
84 Shore Road Development Realty	4	N-2	411		18,250	1,825
Bill Wolf Petroleum Corp.	4	N-2	412		21,500	4,300
Old Shore Realty LLC	4	Q	1		30,000	6,000
Stop & Shop Supermarket Company	4	Q	10, 34, 128		122,550	12,255
Barbara Wayne	4	Q	134		1,970	56
Bernie Yatauro	4	Q	226		12,500	1,250
15 Smull Place LLC	4	Q	227 & 4 - 48 - 49	A	6,720	672
15 Smull Place LLC	4	Q	227 & 4 - 48 - 49	B	5,760	576
15 Smull Place LLC	4	Q	227 & 4 - 48 - 49	C	5,760	576
15 Smull Place LLC	4	Q	227 & 4 - 48 - 49	D	5,760	576
Grt. Ret. Annuity Trust of Amrit Sethi	4	Q	236		13,000	130
Delco Develop/Port Washington	4	Q	244		150,000	37,500
Stop & Shop Supermarket Company	4	Q	244		150,000	15,000
Ann McQuade	4	Q	247		6,533	1,633
Ann McQuade	4	Q	247		6,533	1,050
Dennis Brown	4	29	205		8,000	2,000
Richard A. LaPera	4	29	208		7,650	765
Edward Conlon	4	31	31		4,100	1,025
John Fico	4	31	99		6,700	1,675
Jennifer & Frank Banta	4	32	8		12,225	1,050
Eleanor Darienzo	4	32	11		3,350	838
Paul Cicchetti	4	32	114		2,200	550
Stop & Shop Supermarket Company	4	48	8,27,34,35,36,37		108,743	10,874
Jack Santomauro	4	48	39		8,400	2,100
V & S Realty Corp.	4	48	40		10,000	2,500
Vittorio Raimondo	4	48	42		2,050	513
SK Foods Corp/RBS LLC/IB Restaurant Assoc	4	51	17		3,709	37
SK Foods Corp/RBS LLC/IB Restaurant Assoc	4	51	109		4,606	46
SK Foods Corp/RBS LLC/IB Restaurant Assoc	4	51	111		16,485	165
Thomas Colligan	4	115	17		6,550	1,638
Yoram Greener	4	115	25		9,120	2,280
Stanley Wollis	4	115	43		7,690	1,923
Elaine Sands	4	115	51		10,400	2,600
Michael Vaitzman	4	115	73		10,535	2,634
Tonia Finkelstein	4	115	74		7,950	1,988
Philip Ninan	4	115	88		9,700	2,425
Debra Meo	4	116	1		9,210	2,303
Gail Whelan	4	116	13		6,550	1,638

Robert Lorenzini	4	116	32	7,030	1,758
Sally Schneider	4	117	2	7,521	1,880
Glenn Kustal	4	117	4	7,760	1,940
Janet Orloff	4	117	7	6,812	1,703
Andrew Hausspiegel & Shelly Goodman	4	117	9	7,968	797
Gerald Fine	4	117	12	6,790	1,698
Susan Hirsch	4	117	36	12,200	3,050
Jordan Fensterman	4	118	9	10,160	2,540
Sondra Winder	4	119	1	7,570	1,893
Andrew Hollander	4	119	17	11,640	2,910
Phyllis & Jouis Bordonaro	4	119	21	7,680	1,920
John Devita	4	120	20	7,900	1,975
Michael Galluccio	4	120	27	7,520	1,880
ALK Abbello Inc.	4	123	4	70,000	14,000
Two Channel Drive LLC	4	123	8 & 44A	250,000	25,000
Thomas E. Hoar, Inc.	4	123	15	35,000	7,000
Steven Klein	4	123	16 & 26	25,000	2,500
Publishers Clearing House	4	123	18, 20, 23, 24, 43	350,000	70,000
Pleasant Avenue Realty LLC	4	123	21	25,000	2,500
Albert Oswald Realty Holding Corp.	4	123	27	43,000	10,750
Fab-Con Machinery Development Corp.	4	123	28	37,000	7,400
Channel Drive Inc.	4	123	29 & 30	50,000	10,000
Publishers Clearing House	4	123	50	60,000	12,000
Two Channel Drive LLC	4	123	51	2,020	202
Dana Maiman	4	124	3	9,374	2,344
James Vanderbilt	4	124	18	8,360	1,672
James & Dinorah Fearn	4	124	24	8,284	4,142
Arlene Cummings	4	124	26	7,370	1,843
Nina Dioguardi	4	124	28	7,760	1,940
Florence Werner	4	124	30	7,370	1,843
Josephine Iammatteo	4	124	37	8,520	1,050
Brian & Annamarie Stoddard	4	125	2	9,592	959
Shahin Farahan	4	125	9	7,660	1,915
New York Community Bank	4	125	19	1,560	390
New York Community Bank	4	125	22	16,670	4,168
New York Community Bank	4	125	23	1,770	442
Robert Davis	4	126	7	7,900	1,975
Rhoda Cahn	4	128	1	7,370	1,843
Franco Petruzzello	4	128	12	7,370	1,843
Soundview Gardens, Inc.	4	128	17	134,000	26,800
Spivak Realty Co.	4	128	21	96,000	19,200
Spivak Realty Co.	4	128	23	103,800	20,760
Spivak Realty Co.	4	128	24	100,200	20,040
ACI Soundview LLC	4	129	1	108,100	27,025
HSBC Bank	4	129	1	108,100	10,810
ACI Soundview LLC	4	129	10, 12, 14C	291,900	72,975
HSBC Bank	4	129	10,12, 14C	291,900	29,190
Jack Obadia	4	134	12	10,950	2,738
Carole Corbo	4	134	31	8,250	56
Jon Weinstein	4	134	40	11,450	2,863
Richard Gallucci	4	134	41	8,970	2,243
Bong Oh	4	135	2	7,800	1,950
Adam & Karen Finkelstein	4	135	5	7,575	1,894

Linda Lejman	4	135	17	8,250	56
David Goh	4	135	24	8,250	2,063
Kenneth & Lisa Roedel	4	135	25	7,872	787
Chung Wu	4	135	30	10,400	2,600
Hans Weiss	4	135	39	8,372	2,093
Elaine Berman	4	136	10	8,250	2,063
Jane W. Mason	4	136	15	7,590	1,898
Maxine Felsen	4	136	29	8,250	2,063
Adam & Ilyse Wofse	4	137	2	7,680	1,920
Louis McDavid	4	137	8	7,902	1,976
Vasilios Petratos	4	137	26	7,280	1,820
Marsha Javer	4	137	33	9,100	2,275
Marvin Mersack	4	137	34	8,540	2,135
Ora Geiringer	4	137	37	8,540	2,135
Sheldon Greenbaum	4	137	47	8,540	2,135
Harold Ratner	4	138	25	7,860	1,965
Adriana Llewellyn	5	2	4	4,100	1,025
Jeffrey & Carol Hafer	5	2	7	6,150.00	1,050.00

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

2. On motion of Trustee Schenkler, seconded by Trustee Malatino, it was unanimously RESOLVED that the following applications for **Veteran Exemptions** for the 2013 Assessment Roll, totaling \$12,421.00, be and hereby are approved:

<u>Name</u>	<u>Section-Block-Lot-Unit</u>				<u>Additional \$ Amount</u>
Sonia McKenna	4	J	753	213	480.
Lucille Rabinowitz	4	J	753	320	585.
James & Joanne Stipp	4	J	753	433	585.
Vito & Melissa Derasmo	4	117	19		6,208.
Nicholas & Maryann Veljacic	4	117	28		2,760.
Arline & Stephen Frangos	4	135	22		1,803.

3. On motion of Trustee Schenkler, seconded by Trustee Malatino, it was unanimously RESOLVED that the following applications for **Senior Citizens Exemption**, totaling \$22,990.00, for the 2013 Assessment Roll be and hereby are approved:

<u>Name</u>	<u>Section-Block-Lot-Unit</u>				<u>Amount</u>
Mario & M. Bertha Catu	4	J	11	--	\$ 937.00
Nicoletta Chimienti	4	J	40	--	4,778.00
Joan Byrne	4	J	753	200	960.00
Diana Tadler	4	J	753	205	640.00
Irma Guevrekian	4	J	753	368	1,950.00
Mary Roper	4	31	86	--	1,400.00
Frances Grobasky	4	32	13	--	1,925.00
Takashi & Kazuko Yoshida	4	120	3	--	375.00
Alan Lowell	4	124	19	--	4,100.00
Joseph & Bernice Keller	4	126	24	--	2,100.00
Lucille Abelman	4	134	2		3,825.00

On motion of Trustee Schenkler, seconded by Trustee Scheff, it was unanimously RESOLVED that the application of Ms. Shakridge for a Senior Citizens Exemption for the 2013 assessment, for the premises designated as Section 4, Block J, Lot 753, Unit 121, be and hereby is denied because her income exceeds the permitted limit.

4. Assessment Roll Completed

Assessor Torrasi reported that the Assessment Roll for the year 2013 was finally completed and filed in the office of the Village Clerk.

C. Annual Meeting & Budget Hearing

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the Board of Trustees will hold the Annual Meeting of the Village of Port Washington North at the Port Washington North Village Hall, 71 Old Shore Road, Port Washington, New York, on Wednesday, April 3, 2013 at 7:30 p.m.; and be it further

RESOLVED that the Board of Trustees of the Village of Port Washington North will hold a Public Hearing at 8:00 p.m. on Wednesday, April 3, 2013 at 71 Old Shore Road, Port Washington, New York 11050, with respect to the Tentative Budget of the Village for the fiscal year June 1, 2013 to May 31, 2014. The Tentative Budget provides an annual salary of \$2,500 for the Mayor and an annual salary of \$1,500 for each Trustee.

3. Treasurer

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

RESOLVED that the reading of the General Fund Abstract of Vouchers #135, totaling \$30,821.66, and Trust & Agency Abstract of Vouchers #89, totalling \$977.50, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

B. On motion of Trustee Schenkler, seconded by Trustee Malatino, it was unanimously

RESOLVED that the Budget Report as of February 28, 2013, showing the General Fund Balance to be \$1,432,117.37 and the Trust & Agency Fund Balance to be \$5.29, and the modifications contained therein, be and hereby are accepted as presented by Treasurer Bella.

4. Reports

A. Public Works

On motion of Trustee Malatino, seconded by Trustee Schenkler, it was unanimously RESOLVED that the Public Works report for February 2013 be and hereby is accepted as submitted by Superintendent Novinski.

B. Building Department

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Building Department report for February 2013 be and hereby is accepted as submitted by Building Inspector Barbach and Deputy Inspector Lauria.

C. Emergency Management & Traffic Safety

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the Emergency Management & Traffic Safety reports for the month of February 2013 be and hereby are accepted as presented by Commissioner Kaplan.

D. Justice Court

The Board accepted the Justice Court report for January 2013 submitted by Court Clerk Kropacek.

5. Business - Street Light Maintenance

Clerk Torrisi reported that the following proposals were received by 11:00 a.m. on February 28, 2013 for the Street Light Maintenance contract:

	<u>1-Year Fee</u>	<u>Each Luminary</u>
Anker's Electric	\$ 3,690.00	\$ 615.00
New York Trenchless	\$ 9,000.00	\$ 1,500.00

6. Executive Session

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

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

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

On motion of Trustee Cohen, seconded by Trustee Schenkler, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 9:15 p.m.

Palma Torrisi, Village Clerk