

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Thursday, **November 6, 2014** at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

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

## 1. Clerk

A. On motion of Trustee Cohen, seconded by Trustee Scheff, it was RESOLVED that the reading of the minutes of the Board of Trustees meeting of September 2, 2014 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

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

B. On motion of Trustee Kepke, seconded by Trustee Cohen, it was RESOLVED that the annual general Village election shall be held on March 18, 2015; and it is further 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 18, 2015 for the following terms:

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

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

## 2. Treasurer

A. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the Abstract of General Fund Vouchers #155, totaling \$86,092.79, and the Abstract of Trust & Agency Vouchers #105, totaling \$8,988.00, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

B. 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, 2013 and ending on May 31, 2014. On motion of Trustee Cohen, seconded by Trustee Scheff, 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, 2013 and ending on May 31, 2014, prepared by Cullen & Danowski LLP, be and hereby are accepted.

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

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, 2013 and ending May 31, 2014. On motion of Trustee Scheff, seconded by Trustee Malatino, 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, 2013 and ending May 31, 2014;  
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, 2013 and ending May 31, 2014, be and hereby are accepted as prepared by Cullen & Danowski LLP.

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

C. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously  
RESOLVED that the Budget Report as of October 31, 2014, showing the General Fund Balance to be \$1,970,723.51, and the Trust & Agency Fund Balance to be \$8.97, and modifications be and hereby are accepted as prepared by Treasurer Bella.

### 3. Reports

#### A. Public Works

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously  
RESOLVED that the Public Works report for the month of October 2014 be and hereby is accepted as presented by Superintendent Novinski.

#### B. Building Department

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously  
RESOLVED that the Building Department reports for October 2014 be and hereby are accepted as submitted by Superintendent Barbach and Inspector Lauria.

#### C. Emergency Management

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously  
RESOLVED that the Emergency Management report for the month of October 2014 be and hereby is accepted as presented by Emergency Manager Kaplan.

### 4. Business

#### A. Building Inspector Appointment

Mayor Weitzner appointed Fred Lauria as Building Inspector, to fill the unexpired term of Robert Barbach, said term to expire April 2015, at the salary rate of \$44.41 per hour.

#### B. Fire Protection & Emergency Medical Service

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously  
RESOLVED that the Board of Trustees of the Village of Port Washington North will hold a public hearing on Tuesday, December 2, 2014 at 7:30 pm at the Village Hall, 3 Pleasant Avenue, 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, 2015 through December 31, 2015 at a cost to the Village of \$382,416.05.

#### C. Conditional Use Permit - 2 Channel Drive

The Board considered the application of Steven Panetta on behalf of Alk Inc., formerly known as Alk Abello, for a Conditional Use Permit for 2 Channel Drive, Port Washington, NY (premises designated on the Nassau County Land & Tax Map as Section 4, Block 123, Lots 8, 44A & 51 and Section 4, Block J, Lot 690), for the renovation of space leased by Alk Inc. and owned by Kevin Yaraghi. On motion of

Trustee Malatino, seconded by Trustee Cohen, the following resolution was unanimously adopted:

**RESOLUTION AMENDING CONDITIONAL USE PERMIT TO ADD ADDITIONAL  
SQUARE FEET FOR ALK INC. FOR THE PREMISES KNOWN AS  
2 CHANNEL DRIVE SUBJECT TO CONDITIONS**

WHEREAS, the applicant ALK INC., formerly known as ALK Abello, and the Owner of the premises Two Channel Drive LLC sought and was granted a conditional use permit on January 8, 2013, to occupy 40,000 square feet for the following uses; office space, warehouse space, light manufacturing and for packaging 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 the above requested uses without a resolution by the Board of Trustees granting a Conditional use Permit.

WHEREAS, the applicant is a pharmaceutical manufacturer with long standing offices in the Village of Port Washington North at 35 Channel Drive, Port Washington, New York. The applicant seeks to amend the resolution to include additional space. Specifically, 1314 square feet and 2697 square feet, respectively. The Board of Trustees finds that that this is an amendment to the January 8, 2013, Decision by this Board and that the additional leased space is de minimis. Additionally, the amended conditional use application if not granted the applicant would suffer undue hardship especially as compared to the minimal impact to the surrounding neighborhood and community for this additional leased space. That the Board of Trustees finds that the amended conditional use permit is needed by the applicant in order that they may maintain their offices in the Village of Port Washington North.

WHEREAS, a public hearing was already conducted on this conditional use permit on February 5, 2013, where the applicant and owner presented testimony that the conditional use permit they were seeking to obtain would not change or alter the exterior structure of the building and would not increase the amount of traffic and the granting of the conditional use permit would not interfere with the quiet enjoyment of the Village of Port Washington North.

WHEREAS, at that public hearing it was determined that the following conditions shall be met by the applicant and owner in order to be issued a conditional use permit:

- (a) That all spaces in the parking lot be provided pursuant to the presented site plan;
- (b) That all deteriorated parking spaces be repaired;
- (c) That all parking spaces be appropriately aligned;
- (d) That required number of handicap spaces be appropriately located and designated;
- (e) That no parking areas be properly marked and designated; and
- (f) That applicant submits a final parking plan to the Village Building Department and Port Washington Fire Department.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Port Washington North hereby authorizes the applicant ALK INC. to amend its conditional use permit to occupy the additional space of 1314 square feet and 2697 square feet at 2 Channel Drive under the same limitations and conditions as stated above and pursuant to the Decision dated January 8, 2013, but the approval of the amended conditional use is subject to the Board of Zoning Appeals granting applicant a parking variance from the additional parking spaces needed pursuant to The Code of the Village of Port Washington North.

**D. Port Washington Fire Department - Length of Service Awards Program**

Mayor Weitzner and Attorney Besen reported on the status of the litigation the Village is involved in regarding the Port Washington Fire Department's Length of Service Awards Program (LOSAP). They projected that, based on the total assessed

valuation of property within the Village, the Village is liable for 9.78% of the entire settlement, which would come to approximately \$32,972 being due from the Village in liquidated damages and an equal amount in compensatory damages, which the Port Washington Fire Department has agreed to fund.

On motion of Trustee Scheff, seconded by Trustee Malatino, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 10:00 p.m.

Palma Torrisi, Village Clerk