A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Wednesday, **August 5, 2015** at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present:	Mayor	-	Robert Weitzner
	Trustees	-	Steven Cohen
		-	Michael Malatino
		-	Sherman Scheff
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Evelyn Klein

Excused: Trustee Kepke

1. Public Hearings

A. Bill 3 of 2015 - Snow Emergency Parking Restrictions

Mayor Weitzner opened the public hearing, duly adjourned from July 1, 2015, to consider the adoption of Bill 3 of 2015, Snow Emergency Parking Restrictions. A stenographic transcript of the hearing is on file with the Village Clerk. All those present wishing to speak having been heard, the Mayor adjourned the public hearing to September 2, 2015 at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

B. Establishing "No Parking" Restriction on Morgan Place

Mayor Weitzner opened the public hearing, duly advertised in the July 15, 2015 *Port Washington News*, to consider changing the parking restrictions on Morgan Place from "No Standing" to "No Parking". A stenographic transcript of the hearing is on file with the Village Clerk. All those present wishing to speak having been heard, the Mayor adjourned the public hearing to Wednesday, September 2, 2015 at 7:45 p.m.

2. Clerk

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously
RESOLVED that the reading of the minutes of the meeting of the Board of Trustees of June 3, 2015 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

3. Treasurer

A. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously
RESOLVED that the reading of the Abstracts of General Fund Vouchers #164, totalling $344,302.80, and the Trust & Agency Abstract of Vouchers #113, totalling $1,000.00, be waived and that they be and hereby are approved as presented by Treasurer Bella.

B. Trustee Scheff stated that he reviewed the bank statement reconciliations for June 2015.

C. Citibank N.A.

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

RESOLVED, that

1. Citibank (hereinafter referred to as 'Bank') be and is hereby designated as a provider of banking services to this Public Entity;
2. The following persons (Indicate below the full names, or the titles, of the signatories. If two or more are designated, then clearly indicate in what manner they are to sign, whether singly or jointly) _____

Mary Jo Bella, Treasurer; Robert S. Weitzner, Mayor; Steven Cohen, Deputy Mayor

are authorized:

a. To open deposit accounts at Bank;

~~b. To apply to Bank for credit, to borrow money, with or without security, and to access overdraft lines of credit;~~

c. To contract for any services offered by Bank, including (without limitation) electronic account access and management services;

d. To submit for deposit and/or collection for the account of this Public Entity all checks, drafts, notes or other instruments for the payment of money; and the bank is authorized to accept such instruments, whether or not endorsed by this Public Entity, without inquiry as to the circumstances of the endorsement or lack thereof, it being understood that each such instrument shall be deemed to be unqualifiedly endorsed by this Public Entity;

e. To make deposits of currency for the account of this Public Entity;

f. To sign checks, drafts or other orders with respect to any funds to the credit of this Public Entity, including checks, drafts or orders in favor of any individual designated above, and to issue stop payment instructions with reference to any of the above;

g. To make withdrawals or transfers of funds from accounts in the name of this Public Entity, and to transfer funds between such accounts, by any means authorized by Bank, including (without limitation) use of a negotiable instrument, withdrawal ticket, a debit card, a credit card, a terminal or other electronic or telephone device, including such as may cause overdrafts.

h. To conduct any and all other lawful business with Bank. Should any check drawn by this Public Entity result in an overdraft, interest may be charged each day on the amount of the overdraft at the maximum rate permitted by law.

3. (Applicable to Public Entities designating joint signing authority)
The Public Entity acknowledges that the above joint signatory designation is a statement of its own internal policy and not a service offered by Bank. Further, the Public Entity has been offered Bank's CitiBusiness® Online service that can provide the Public Entity with a systemic method of controlling the signature limitation.
The Public Entity agrees that Bank assumes no responsibility for the payment of a check, draft, or other item drawn on any Public Entity account or for any withdrawal from any account which is honored and bears only a single authorized signature of one of the individuals designated above.
4. The designated authorized person(s) in this Resolution are individually empowered to delegate to other persons the authority to perform transactions with respect to the accounts of this Public Entity and to change and revoke such delegations from time to time; the bank is entitled to rely upon such delegations of authority and to accept instructions from such other persons as being fully authorized by this Public Entity.
5. The Bank is hereby authorized to accept for deposit, for credit, for discount, for collection, or otherwise, any and all instruments deposited by or on behalf of the Public Entity, whether or not endorsed by any person or by stamp or other impression in the name of the Public Entity, without inquiry as to the circumstances of the endorsement or lack of endorsement or the disposition of the proceeds.
6. The Bank is authorized to pay any check, draft or other instrument for the payment of money drawn on any account of this Public Entity which bears or appears to bear the facsimile signatures provided below or such other facsimile signature later certified by an authorized representative of the Public Entity to be authorized, if the facsimile signature, regardless of how or by whom affixed, resembles a specimen facsimile signature provided to and filed with Bank.
7. The Public Entity agrees to be bound by all of the rules, regulations, charges and fees of Bank contained in the CitiBusiness Client Manual and Schedule of Fees and Charges and any other account agreements it receives, and any modification(s) or amendment (s) of same, with the same effect as if each and every term thereof were set forth in full herein.
8. The Public Entity agrees that by opening any deposit account, Business Credit Account or Business Checking Plus Account with Bank or accepting any of the services connected with such accounts, either Bank or the Public Entity may elect to require any dispute between us concerning the aforementioned accounts or any other Bank deposit account, Business Credit Account, or Business Checking Plus Account be resolved by binding arbitration. In the event of any litigation in which the Bank and the Public Entity are adverse parties, the right to a trial by jury and to interpose any defense based upon any Statute of Limitations or any claims of laches, and any offset or counterclaim of any nature or description, is hereby waived by the Public Entity. The Public Entity agrees that if an attorney is used by the Bank to enforce, declare or adjudicate any of the provisions herein or any of the rights herein granted to the Bank or to obtain payment of any obligations owed to the Bank, reasonable attorney's fees shall be payable by the Public Entity. The Bank shall not, by any act, delay, omission or otherwise, be deemed to have waived any of its rights or remedies hereunder unless such waiver be in writing, signed by the Bank, and then only to the extent therein set forth.
9. Any notice to the Bank shall be deemed effective only if sent to and received at the branch, division or department of the Bank designated as the location for receipt of such notice conducting the transaction or transactions affected. Any notice to the Public Entity shall be deemed sufficient if sent to the last known address of this Public Entity appearing on the records of the Bank.
10. The Public Entity ratifies and confirms any and all transactions with Citibank prior to the date of this Resolution.
11. The authority granted herein shall remain in full force and effect until revoked or modified by a properly executed new Resolution adopted by the Board of Trustees (or such other governing body as is authorized to designate depositories and to transact, or delegate the authority to transact, the business of the Public Entity) delivered to the Bank at the location wherein the account(s) of the Public Entity is then maintained and the Bank has a reasonable opportunity to act on it. Any such notice shall not affect the validity of any transaction in process at the time the notice is received.
12. The Public Entity certifies that the provisions in this Resolution are in conformity with the statutes applicable to, or organizational documents of the Public Entity. Any provision hereof which may prove unenforceable under any law shall not affect the validity of any specimen facsimile signature provided to and filed with Bank.

4. Reports

A. Public Works

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the Public Works Department report for the month of July 2015 be and hereby is accepted as submitted by Superintendent Novinski.

B. Building Department

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the Building Department reports for the month of July 2015 be and hereby are accepted as submitted.

C. Emergency Management & Traffic Safety

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the July 2015 report of the Emergency Manager and Traffic Safety Commissioner be accepted as presented by Steven Kaplan.

D. Justice Court

The Board accepted the Justice Court report for the month of June 2015.

5. Business

A. Street Light Maintenance Contract

Clerk Torrisi reported that proposals for the Street Light Maintenance contract were solicited on the Village website and from Anker's Electric, Bancker Construction, Dom's Lawnmaker, Eldor Contracting, Hinck Electrical Contractor, New York Trenchless, Palace Electrical Contractors and Welsbach Electric, and that the quotes received by the Village by 12:00 noon on Tuesday, August 4, 2015 are as follows:

	Anker's	Palace
Street Light Maintenance (annual)	$7,740	$9,996
Coach Light Fixture	595	475
Aluminum Post for Coach Light Fixture	890	1,200
Black Steel Arm for Coach Light Fixture	340	360
Cobra Head Fixture	455	685
Arm for Cobra Head Fixture	795	495
Directional Drilling/Horizontal Boring (/ft.)	26	75
Mark-outs (/ft.)	0.90	1

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the Street Light Maintenance contract, for the term of September 1, 2015 to August 31, 2016, be and hereby is awarded to Anker's Electric Services Inc., in accordance with its proposal, received August 4, 2015.

B. Nassau County CRP Grant - Bay Walk Park

On motion of Trustee Scheff, seconded by Trustee Cohen, the following resolution was unanimously adopted:
WHEREAS, the Village of Port Washington North has prepared and reviewed an environmental assessment form containing an explanation of the action and impacts and has conducted an environmental review with respect to Phase II of Bay Walk Park, including the pavilion and children's play area;
NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees, as Lead Agency, finds that it is a Type II action and is classified as requiring no further action 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 Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village of Port Washington North enter into an intermunicipal cooperation agreement with the County of Nassau County for a Community Revitalization Program for the pavilion and children's play area of Bay Walk Park Phase II; and
BE IT FURTHER RESOLVED that Mayor Weitzner is hereby authorized to execute said agreement with the County of Nassau.

C. LOSAP Referendum Results

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

WHEREAS, pursuant to the General Municipal Law and Resolutions duly adopted by this Board at its meeting held on May 20, 2015, a special election of qualified voters of the Port Washington Fire Protection District (the "District") was held on June 25, 2015 (the "Special Election"); and

WHEREAS, the purpose of the Special Election was to ask such qualified voters (i) whether the Defined Benefit Length of Service Award Program (the "LOSAP Program") for volunteer firefighters of the Port Washington Fire Department (the "Fire Department") should be amended, effective January 1, 2016, to allow any eligible member of the Fire Department who reaches the age of sixty five (65) to earn credit toward the forty (40) year service maximum (the "Amendment"); and (ii) whether a joint municipal sponsoring board to jointly sponsor the LOSAP Program for volunteer firefighters of the Fire Department should be established ("Joint Sponsoring Board"); and

WHEREAS, based upon a certification, dated June 25, 2015, of the vote tabulation of the Special Election, issued by Inspectors Margaret Malanga and Eric Mohr, stating the results of the Special Election, the Amendment was approved by qualified voters of the District casting ballots in the Special Election by a vote of 43 Ayes and 5 Nays, and the Village's authority to participate in the Joint Sponsoring Board was approved by qualified voters of the District casting ballots in the Special Election by a vote of 43 Ayes and 5 Nays; and

WHEREAS, the results of the Special Election must be officially accepted by the Village Clerk; and

WHEREAS, it is in the public interest to acknowledge the filing of the Certificate of Referendum with the Village Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the Village Clerk is hereby directed to accept and file the certificate of referendum dated June 25, 2015, stating the results of the special election of qualified voters of the District, held on June 25, 2015, (i) to amend the District's LOSAP Program for volunteer firefighters of the Fire Department, effective January 1, 2016, to allow any eligible member of the Fire Department who reaches the age of sixty five (65) to earn credit toward the forty (40) year service maximum; and (ii) to establish a joint municipal sponsoring board to jointly sponsor the LOSAP Program for volunteer firefighters of the Fire Department; and be it further

RESOLVED, that the Village Clerk is hereby authorized to undertake such related action as may be necessary to effectuate the results of the Special Election.

The vote on the foregoing resolution was recorded as follows: Trustee Cohen-aye, Trustee Malatino-aye, Trustee Scheff-aye, Mayor Weitzner-aye. Motion carried.

D. Bill 4 of 2015 - Establishing Film Permits

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 with respect to the proposed adoption of Bill 4 of 2015, Establishing Film Permits, on Wednesday, September 2, 2015 at 8:00 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 8:45 p.m.

Palma Torrisi, Village Clerk