

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **March 1, 2017** at 7:30 pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present:	Mayor	-	Robert Weitzner
	Trustees	-	Steven Cohen
		-	Sherman Scheff
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Danielle DeYoung

Excused: Trustees Kepke and Malatino

1. Public Hearings

A. Go Health Conditional Use Permit Application

Mayor Weitzner opened the public hearing, duly advertised in the February 15, 2017 *Port Washington News*, to consider the application of Anthony Gitto as owner and RMB Development Consultants, Inc., as applicant for the premises located at 81 Old Shore Road, Port Washington, New York for a conditional use permit to occupy space for an urgent care facility to service patients for walk-in primary care. The parcel of land is located in the Business District and is further described as Section 4, Block Q, Lot 244 on the Land and Tax Map of Nassau County. The conditional use permit requested is to approve the applicant for the occupancy of an urgent care facility to treat walk-in patients who seek primary urgent care. The use would be non-conforming to the present Business District Zone and applicant is seeking a conditional use permit for its facility. No changes are being proposed to the existing building, except for interior alterations. The conditional use permit is being considered pursuant to Business District Section 176-70 (H) (1) of the Code of the Village of Port Washington North.

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 Assessment Form prepared by Attorney Besen. On motion of Trustee Cohen, seconded by Trustee Scheff, 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 the application of Anthony Gitto, as owner, and RMB Development Consultants Inc. for a conditional use permit for a Go Health urgent care facility; 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 it is not an action and is 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 Scheff, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS, the conditional use permit requested is to approve the applicant for the occupancy of an urgent care facility to treat walk-in patients who seek primary

urgent care, and that use would be non-conforming to the present Business District Zone; and

WHEREAS, the conditional use permit is being considered pursuant to Business District Section 176-70 (H) (1) of the Code of the Village of Port Washington North, and no changes are being proposed to the existing building, except for interior alterations; now, therefore, be it

RESOLVED that the application of Anthony Gitto, as owner, and RMB Development Consultants Inc., as applicant, for the premises located at 81 Old Shore Road, Port Washington, New York, for a conditional use permit to occupy space for an urgent care facility to service patients for walk-in primary care is hereby granted in accordance with the application received on January 26, 2017 for that parcel of land located in the Business District and further described as Section 4, Block Q, Lot 244 on the Land and Tax Map of Nassau County.

B. Target Site Plan Review

Mayor Weitzner opened the public hearing, duly advertised in the February 15, 2017 *Port Washington News*, to consider the application of Transwestern, Senior Property Manager, as agent for LBUBS 2007-C7 Shore Road, LLC, c/o C-III Asset Management LLC, as owner and Nicholas Pophehn, Senior Development Manager, Target Corporation as applicant for the premises located at 101 Shore Road a/k/a Soundview Shopping Center, Port Washington, New York. The applicant/owner is seeking Site Plan Review pursuant to Chapter 137 of the Port Washington North Village Code. The parcel of land is located in the Business District and is further described as Section 4, Block 129, Lots 1, 10, 12 and 14C on the Land and Tax Map of Nassau County. The applicant/owner is seeking Site Plan approval for a Target shopping store with a Starbucks Coffee inside said store.

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 too March 15, 2017 at 7:30 p.m.

2. Clerk

A. Minutes

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meeting of January 4, 2017 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 21, 2017 from 10:00 a.m. to 2:00 p.m. at the Village Hall. On motion of Trustee Cohen, seconded by Trustee Scheff, 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 2017 Village Assessment Roll:

<u>Applications for Correction</u>	<u>of</u>	<u>2017</u>	<u>Property</u>	<u>Assess</u>	<u>ments</u>	
<u>Name</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Unit</u>	Tentative <u>Assessment</u>	Requested <u>Assessment</u>
Gerhard & Brigitta Clusener	4	J	37		18,000	4,500
Ilana Banks	4	J	43		5,090	1,273
75 Harbor Road LLC	4	J	735		19,570	1,957
75 Harbor Road LLC	4	J	750		30,430	3,043

William & Carolyn Belinsky	4	J	753	125	3,200	800
Life Est. of Patricia Montesana	4	J	753	233	3,200	1,060
Mary Barry	4	J	753	234	3,200	800
Michael Brass	4	J	753	333	3,900	975
Elsi Sander	4	J	753	392	3,900	975
Lena Armata	4	J	753	421	3,900	975
Gulfway Marine Service Inc.	4	N-1	321 & 322		52,250	13,062
84 Shore Rd. Development Realty	4	N-2	411		18,250	4,563
Bill Wolf Petroleum Corp.	4	N-2	412		21,500	2,150
Bill Wolf Petroleum Corp.	4	N-2	412		21,500	5,375
Stop & Shop Supermarket Co.	4	Q	10, 34, 128		67,632	6,763
Frederick Hehn	4	Q	31		1,620	405
Bernie Yatauro	4	Q	226		9,500	950
15 Smull Place LLC	4	Q	227		17,280	432
15 Smull Place LLC	4	Q	227	A	*	672
15 Smull Place LLC	4	Q	227	B	*	576
15 Smull Place LLC	4	Q	227	C	*	576
15 Smull Place LLC	4	Q	227	D	*	576
G. Ret. Annuity Trust of Amrit Sethi	4	Q	236		13,000	130
Diane Prudenti & Sal Spezio	4	Q	243		10,546	5,273
Delco Development Co. of P.W.	4	Q	244		150,000	15,000
Ayako Norton	4	Q	253		8,830	4,415
Saul Lieberman	4	28	66 & 67^		8,800	2,200
Stephen & Beverly Hazelkorn	4	28	72 & 73		8,520	4,260
Sidney Felsenstein	4	28	81		6,400	1,600
Richard LaPera	4	29	208		7,650	3,825
Steven Ostrer & Ave B Hldg LLC	4	29	224		8,400	4,200
Albert Bartkoski	4	29	225		8,760	2,190
Angela Goodwin	4	31	47		4,400	2,200
Mary Roper	4	31	86		7,000	1,750
Adriana Burcea	4	31	104		5,915	1,479
Dianne Kornahrens	4	31	108		5,075	1,269
Jennifer Banta & Frank Banta	4	32	8		10,447	1,060
Paul Cicchetti	4	32	114		2,200	550
Stop & Shop Supermarket Co.	4	48	8,27,34,35,36,37		93,124	9,312
Jack Santomauro	4	48	39		8,400	2,100
V & S Realty Corp.	4	48	40		10,000	2,500
MNK Management Corp.	4	48	41		25,250	253
15 Smull Place LLC	4	48	49	**	6,720	1,680
SK Foods Corp.	4	51	17		3,709	37
SK Foods Corp.	4	51	109		4,606	46
SK Foods Corp.	4	51	111		16,485	165
Craig Manzino	4	115	19		11,760	8,232
Evan Wollis	4	115	43		6,800	1,700
Lee & Naomi House	4	115	44 & 80		11,200	5,600
Anne Wheeler	4	115	45		8,250	2,063
Merle Colchamiro	4	115	60		9,600	4,800
Stephen Newman	4	115	72		9,737	4,869
Jason Leverfeld	4	116	29		7,900	1,975
Nora Gerstein	4	116	34		8,831	4,416
Elena Goloubeva	4	117	5		7,128	1,782
Andrew Hausspiegel+Shelly Goodman	4	117	9		7,968	797
Gerald Fine	4	117	12		6,200	1550
Benjamin Hurst	4	117	18		9,148	4,574
Gerald Stern	4	117	34		9,130	4,565
Gary & Margarita Litvak	4	118	10		8,370	4,185

Bruce & Carol Barron	4	118	48	10,010	5,005
Maryann DiMaggio	4	119	4	8,400	4,200
Andrew Hollander	4	119	17	9,720	2,430
Phyllis & Louis Bordonaro	4	119	21	6,900	1,725
Adam & Tracy Milner	4	119	23	10,840	5,420
Brienna Kolomer	4	119	31	9,072	2,268
Lawrence & Stefanie Silverstein	4	120	13	9,900	4,950
Christopher Keen	4	120	24	6,000	3,000
Yasuko Onizawa	4	120	25	8,350	2,088
Sandra Correale	4	120	31	9,187	2,297
Thomas E. Hoar, Inc.	4	123	15	35,000	7,000
Steven Klein	4	123	16 & 26	25,000	2,500
Parviz Farahzad	4	123	18, 20, 23,24, 43	350,000	35,000
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	4	123	27	43,000	10,750
Fab-Con Machinery Development	4	123	28	37,000	7,400
Channel Drive Inc.	4	123	29 & 30	50,000	10,000
Parviz Farahzad	4	123	50	60,000	6,000
Publishers Clearing House	4	123	50	60,000	12,000
Carole Altman	4	124	10	8,400	4,200
Caryn Paillex	4	124	14	7,920	1,980
Neil Edson	4	124	19	8,300	4,150
Brian & Annamarie Stoddard	4	125	2	9,592	959
Richard & Maria Drazal	4	125	4	9,240	4,620
William McFadden	4	125	15	8,300	4,150
Giovanni Cerroni	4	125	16	8,940	2,235
Arthur & Rhonda Kaplan	4	125	17	8,600	4,300
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
Bonnie Kline	4	126	16	8,000	2,000
Penelope Moroney	4	126	25 & 27	7,704	3,852
Claude Hausmann	4	127	26	8,800	7,646
Franco Petruzzello	4	128	12	7,000	1,750
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
Genovese Drugs, Rite Aid, HSBC, et al	4	129	1	108,100	10,810
Soundview Shopping Center NY Ptrns.	4	129	1	108,100	10,810
99 Shore Road LLC	4	129	7	4,340	434
99 Shore Road LLC	4	129	7	4,340	1,085
Soundview Shopping Center NY Ptrns.	4	129	10, 12, 14C^	291,900	29,190
Genovese Drugs, Rite Aid, HSBC, et al	4	129	10, 12, 14C	291,900	29,190
Soundview Shopping Center NY Ptrns.	4	129	10, 12, 14C^	291,900	29,190
Soundview Shopping Center NY Ptrns.	4	129	10, 12, 14C^	291,900	29,190
99 Shore Road LLC	4	129	15A & 15C***	15,660	3,915
99 Shore Road LLC	4	129	15A & 15C***	15,660	1,566
Howard Fleischman	4	134	5	10,510	2,628
Steven Park & Carol Son	4	134	15	9,460	4,370
Sam Chiu	4	134	25	8,316	1,060
James Moroney & Cindy Jan	4	134	34	8,748	4,374
Doug & Tracy Lehrer	4	134	37	10,200	2,550
Adam & Karen Finkelstein	4	135	5	7,440	1,860
Zoya Kapoor	4	135	16	8,934	4,467

Linda Lejman	4	135	17	7,750	1,938
Mona Davis	4	135	20	8,750	875
Kenneth Roedel & Lisa Roedel	4	135	25	7,100	710
Robert & Rita Marcus	4	135	37	9,700	4,850
Keivan & Thea Faarhadian	4	135	38	10,560	5,280
Michael Fried & Patricia Fried	4	135	40	10,420	5,210
Nancy Klein	4	136	13	10,250	2,563
Howard Kingsley	4	136	14	9,790	1,060
Steven & Alyssa Cohen	4	136	21	10,500	2,625
Lawrence Barr	4	136	34	8,532	2,133
Jeffrey Goldstein	4	136	37	8,498	2,124
Joseph Visco	4	137	1	10,090	101
Adam Wofse & Ilyse Wofse	4	137	2	7,200	1,800
Mario & Danna Truglio	4	137	19	9,350	4,675
Ruth Pleines	4	137	27	8,900	2,225
Alexander Khaykin	4	137	35	11,220	5,610
Burton & Sharyn Falkenstein	4	138	2	10,550	5,275
Adrienne Lieberman	4	138	9	11,880	5,940
Benjamin & Shlomit Eisner	4	138	14	10,780	5,390
Ivan & Betty Debel	4	138	24	10,010	5,005
Shao Hong Zheng	5	2	5	10,020	2,505
Marianne Clemett	5	2	6	3,380	1,060
Jeffrey Hafer & Carol Hafer	5	2	7	5,670	1,060

- * No unit; subdivision not perfected.
- ^ Application was for lot 66 only.
- ** No unit A; subdivision not perfected.
- ^^ Filed individually for joined lots 10,12&14C.
- *** Lot 15C is not in the Village.

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

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that, pursuant to the New York State Department of Taxation and Finance Office of Real Property Tax Services notice of Telecommunications Ceilings, dated February 14, 2017, the utility assessment of **Verizon** be changed from \$6,624.00 to \$6,224.00 upon the Village's 2017 Assessment Roll.

2. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the following applications for **Veteran Exemptions** for the 2017 Assessment Roll, in the net amount of \$5,677.00, be and hereby are approved:

<u>Name</u>	<u>Section-Block-Lot-Unit</u>			<u>Additional \$ Amount</u>
Janet G. & Donald P. Wefer	4	J	753 398	585.
Antonetta Perfetto	4	J	753 442	585.
Di Wen Jin & Qun Ma	4	Q	16+229	3,922.
Joan M. Brakman	4	J	753 380	585.

3. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the following applications for **Senior Citizens Exemption**, totaling \$11,534.00, for the 2017 Assessment Roll be and hereby are approved:

<u>Name</u>	<u>Section-Block-Lot-Unit</u>			<u>Amount</u>
Nicoletta Chimienti	4	J	40 --	4,777.00
Joan Byrne	4	J	753 200	1,600.00

Melvyn Kimmel	4	115	71	--	2,637.00
Joseph & Bernice Keller	4	126	24	--	2,520.00

4. Assessment Roll Completed

Assessor Torrisi reported that the Assessment Roll for the year 2017 was finally completed and filed in the office of the Village Clerk.

C. Annual Meeting & Budget Hearing

On motion of Trustee Scheff, seconded by Trustee Cohen, 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, 3 Pleasant Avenue, Port Washington, New York, on Tuesday, April 5, 2017 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 Tuesday, April 5, 2017 at 3 Pleasant Avenue, Port Washington, New York 11050, with respect to the Tentative Budget of the Village for the fiscal year June 1, 2017 to May 31, 2018. 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 Cohen, seconded by Trustee Scheff, it was unanimously

RESOLVED that the reading of the General Fund Abstract of Vouchers #183, totaling \$63,687.41, and Trust & Agency Abstract of Vouchers #129, totalling \$2,135.30, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

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

RESOLVED that the Budget Report as of February 28, 2017, showing the General Fund Balance to be \$1,079,350.66 and the Trust & Agency Fund Balance to be \$0.00, be and hereby is accepted as presented by Treasurer Bella.

C. Trustee Scheff stated that he reviewed the bank statement reconciliations for January 2017.

4. Reports

A. Public Works

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Public Works report for February 2017 be and hereby is accepted as submitted by Superintendent Novinski.

B. Building Department

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

RESOLVED that the Building Department report for February 2017 be and hereby is accepted as submitted by Superintendent Barbach and Inspector Lauria.

2. Sign Permit Application - Mr. Sud's Car Wash, 80 Old Shore Road

The Board considered the application of Mr. Sud's Carwash for an 8-foot high ground sign at the rear of the store at 80 Old Shore Road (premises designated on the Nassau County Land & Tax Map as Section 4, Block N-2, Lot 412). The Board reserved decision.

3. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that ALK-Abello is hereby granted permission to commence demolition and construction work at the site of 5 Channel Drive at 7:30 a.m., in contraction to the provisions set forth in the Village Code, for a period of one year, from the present day until March 1, 2018.

C. Justice Court

The Board accepted the Justice Court reports for December 2016 and January 2017 submitted by Court Clerk Kropacek.

5. Business

A. Park Maintenance 2017-2018 Contract

Clerk Torrisi reported that the following bids were received by 12:00 noon on February 23, 2017 for the Park Maintenance 2017/18 & 2018/19 contract:

	<u>2017/18</u>	<u>2018/19</u>
Bucky Demelas & Son	42,000.00	42,000.00
Dom's Lawnmaker	71,120.00	72,120.00

Superintendent Novinski recommended Bucky Demelas & Son Landscape Contractors Inc. 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 March 1, 2017 to February 28, 2018, be and hereby is awarded to Bucky Demelas & Son Landscape Contractor Inc., as more particularly set forth in its bid document dated February 23, 2017.

B. Cablevision DVR Revenue Settlement

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that Municipal Audit Services LLC is hereby authorized to enter into a settlement agreement with CCS Acquisition-MA, Inc. (also known as Cablevision Systems Long Island Corporation) in the amount of \$16,921.15 for DVR Revenue for the period April 1, 2010 through March 31, 2016, on behalf of the Village of Port Washington North.

C. Lauri Strauss Leukemia Foundation Annual Ride for Research Bike Tour

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board of Trustees hereby approves the course of the Lauri Strauss Leukemia Foundation Annual Ride for Research Bike Tour, which will pass within the Village of Port Washington North, on the conditions that the Port Washington Police District will be providing security for the bike tour and that the Village is listed as an additional insured on the foundation's insurance certificate.

D. DEC MS-4 Stormwater Management Report – H 2 M Consulting Engineers

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village hereby engages the professional engineering services of H 2 M to prepare the Village's NYS DEC MS-4 Stormwater Management 2016-2017 report for a cost not to exceed \$7,800.00, as more particularly set forth in the proposal dated February 20, 2017.

E. New York Municipal Insurance Reciprocal Renewal

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

RESOLVED that the Village of Port Washington North hereby authorizes Risk Strategies Company to place the following insurance for a total cost of \$25,884.50:

NYMIR Municipal Property & Liability	\$14,629.20
NYMIR Public Officials Liability	5,494.50
NYMIR Excess Catastrophe Liability	3,495.80
NYMIR Municipal Automobile	1,143.00
NYMIR Municipal Inland Marine	1,122.00

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 10:30 p.m.

Palma Torrisi, Village Clerk