

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **September 12, 2023** at 7:30 pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

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

Excused: Trustee Malatino

Mayor Weitzner, after the Pledge of Allegiance, began the meeting with a moment of silence in tribute to past Village Superintendent of Public Works Ronald Novinski, who was recently deceased.

1. 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 July 18, 2023 and July 24, 2023 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

2. Treasurer

A. On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the Abstract of Vouchers for the General Fund #261, totalling \$355,736.17, and the Trust & Agency Abstract of Vouchers #191, totalling \$374.70, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

B. On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that Demelas & Sons Landscape Contractors Inc. invoice #4191 be and hereby is approved for payment in the amount of \$5,475.00.

C. It was reported that Trustee Scheff reviewed the bank statement reconciliations for July 2023.

3. Reports

A. Public Works

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

RESOLVED that the Public Works Department report for the month of August/September 2023 be and hereby is accepted as submitted by Superintendent Poole.

B. Building Department

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Building Department report for August/September 2023 be and hereby is accepted as presented by Superintendent Barbach.

C. Emergency Management & Traffic Safety

1. On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the August 2023 report of the Emergency Manager and Traffic Safety Commissioner be accepted as presented by Steven Kaplan.

2. It was the sense of the Board that Village officials would meet with Stop for Kids LLC to explore the possibility of installing stop sign enforcement cameras.

D. Beautification Commission

1. On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the August 2023 report of the Beautification Commission be accepted as presented by Howard Roth.

2. Mayor Weitzner offered praise and thanks to Ms. Caplan for her work on native species for the Bay Walk Park rain garden, for which project she received a Girl Scout gold medal.

E. Communication Commission

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the September 2023 report of the Beautification Commission be accepted as prepared by Lauren Summa.

F. Justice Court

The Board accepted the Justice Court report for July 2023.

4. Business

A. Conditional Use Extension – Bombay Kitchen, 85 Channel Drive

The Board considered the July 26, 2023 application of Sanjiv Mody as owner of Sara Mody Holdings for an extension of the Conditional Use Permit of Ethnic Foods Inc. d/b/a Bombay Kitchen, granted by the Board of Trustees on August 9, 2022, which expired on September 1, 2023, for the premises at 85 Channel Drive, Port Washington, New York (designated on the Nassau County Land & Tax Map as Section 4, Block 123, Lots 29 & 30). On motion of Trustee Scheff, seconded by Trustee Kepke, the following resolution was unanimously adopted:

DECISION ON THE APPLICATION OF ETHNIC FOODS, INC.
d/b/a/ BOMBAY KITCHEN FOR CONDITIONAL USE PERMIT FOR
85 CHANNEL DRIVE, PORT WASHINGTON, NEW YORK

APPLICATION – Ethnic Foods Inc., d/b/a/Bombay Kitchen 85 Channel Drive, Port Washington, New York 11050. Request for an extension of the conditional use permit, granted by resolution of the Board of Trustees on September 5, 2019, pursuant to Section 176-106(14) of the Port Washington North Village Code to permit applicant the conditional use of processing and manufacturing certain foods on premises at 85 Channel Drive, Port Washington, New York, more fully described as Section 4, Block 123, Lots 29 & 30. The Zoning District is Economic B, which does not permit as of right the processing and manufacturing of any foods.

The Board has determined after weighing the testimony that the application for a conditional use permit to process and manufacture certain foods at the premises is granted conditionally upon compliance with the following conditions:

Operation of delivery trucks: All delivery truck to and from the premises shall be from the hours of 7:00 a.m. to 4:00 p.m., Monday through Saturday. No other times for delivery shall be allowed. All deliveries shall be limited to the designated loading dock that is part of this application.

All refrigeration truck motors shall be turned off while parked at the premises. Applicant will be permitted to operate the cooling units in said truck(s) from the hours of 9:00 a.m. to 5:00 p.m. Thereafter applicant shall be permitted to operate the cooling unit in said truck(s) on Monday through Saturday from the hours of 5:01 p.m. to 8:59 a.m. and all of Sunday, but only in the loading dock and only plugged in to the building's electrical service. All other operation of the refrigerated trucks are prohibited at said premises.

The applicant is limited to processing and manufacturing the following foods: Roasted snack foods that include nuts, beans, dry foods, potatoes, seasoning and flour. Ice cream frozen yogurt, sorbets, cheeses and smoothies. All other products for processing and manufacturing are prohibited under this conditional use permit.

The Conditional Use Permit shall expire on September 12, 2024, and applicant shall appear before the Board of Trustees prior to said expiration for an extension to the Condition Use permit for a period of time as decided by the majority of the Board of Trustees.

B. Truck Purchase Authorization

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Board of Trustees of the Village of Port Washington North authorizes the Village Clerk to solicit a Request for Quotes for an Antimatter Blue Metallic Ford 2024 Super Duty F-250 XLT truck with features and add-ons as per the advice of Superintendent of Public Works Chuck Poole, pursuant to a New York State Office of General Services Vehicles Class 1-8 Contract, Award 23166.

C. PWFD LOSAP Firefly Engagement

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board of Trustees engages Firefly Admin Inc. to serve as administrator of the Port Washington Fire Department Length of Service Award Program (LOSAP), for Term Period 1 from January 1, 2024 to December 31, 2024 and for Term Period 2 from January 1, 2025 to December 31, 2025, as more particularly set forth in the proposal dated August 22, 2023.

5. Executive Session

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the regular meeting be recessed and the Board go into Executive Session to discuss potential litigation with the Village Attorney.

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Executive Session be adjourned and that the regular meeting be reconvened.

No action was taken in Executive Session.

6. Business – Street Light Maintenance Contract

Clerk Torrisi reported that the following proposals were received by the Village by 10:00 a.m. on Monday, September 11, 2023:

	<u>Eldor</u>	<u>Palace</u>	<u>NY Trenchless</u>
Street Light Maintenance (annual)	\$45,600	\$11,400	\$12,000
Coach Light Fixture with E26 medium socket	1,000	825	750
Aluminum Post for Coach Light Fixture	3,000	2,200	1,000
Black Steel Arm for Coach Light Fixture	750	780	350
Cobra Head Fixture wired with direct line Voltage E39 Mogul socket	2,000	1,100	400
Street light Cobra head replacement LED fixture	1,600	825	750
Arm for Cobra Head Fixture	1,100	750	1,200
Mark-outs (\$/ft.)	15.00	1.25	20.00
Directional Drilling/Horizontal Boring (\$/ft.)	210	55	30.00
Additional Labor (\$/hr.)	199	149	140

Traffic Safety Commissioner Kaplan recommended New York Trenchless Inc. as the lowest responsible bidder. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously

RESOLVED that the Street Light Maintenance 2023/2024 contract be and hereby is awarded to New York Trenchless Inc. as the lowest responsible bidder in accordance with its bid submitted September 11, 2023.

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 9:03 p.m.

Palma Torrisi, Village Clerk