

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held at 3 Pleasant Avenue, Port Washington, New York, on Wednesday, **September 23, 2020** at 7:30pm. Pursuant to the Governor's Executive Order 103 the meeting was also held via video conference. The public was able to hear and participate in the meeting by computer link, telephone dial-in and, additionally, the public was able to ask any questions through email.

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

A. Offices

1. Mayor Weitzner administered the Oath of Office to Trustees-Elect Steven Cohen and Michael Malatino

2. On motion of Trustee Scheff, seconded by Trustee Malatino, it was **RESOLVED** that Mayor Weitzner's appointment of Steven Cohen as Deputy Mayor for one official year, said term to expire April 2020 be approved.

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

3. On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously **RESOLVED** that the following appointments made by Mayor Weitzner for a term of one official year, term to expire April **2020**, be approved:

- a. Palma Torrisi as Assessor
- b. Palma Torrisi as Receiver of Taxes
- c. Mary Jo Bella as Budget Officer
- d. Robert Barbach as Superintendent of Buildings
- e. Fred Lauria as Building Inspector
- f. Ronald Novinski as Superintendent of Public Works
- g. Steven Kaplan as Emergency Manager
- h. Alex Moschos as Alternate Emergency Manager
- i. Steven Kaplan as Traffic Safety Commissioner
- j. Howard Roth as Beautification Commissioner
- k. Alex Moschos as Planning Board Chair
- l. Paul Joseph as Board of Appeals Chair
- m. Richard Gallucci as Board of Appeals Vice Chair
- n. Howard Krebs as Associate Village Justice
- o. Linda Kropacek as Clerk to the Village Justice
- p. Lindsay Langella as Village Special Prosecutor

4. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously

RESOLVED that Mayor Weitzner's appointment of Scott Baxter for a term of seven years, term to expire April 2027, as a member of the **Planning Board** is approved; and be it further

RESOLVED that Mayor Weitzner's appointment of Nick Miscioscia for a term of five years, term to expire April 2025, as a member of the **Board of Appeals** is approved.

B. Clerk

On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the minutes of the meeting of the Board of Trustees of July 22, 2020 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

C. Treasurer

1. On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the reading of the Abstract of Vouchers for the General Fund #225, totalling \$102,636.40 and the Trust & Agency Abstract of Vouchers #165, totalling \$3,321,50, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

2. Trustee Scheff stated that he reviewed the bank statement reconciliations for August 2020.

D. Reports

1. Public Works

On motion of Trustee Cohen, seconded by Trustee Kepke, it was RESOLVED that the Public Works Department report for the month of September 2020 be and hereby is accepted as submitted by Superintendent Novinski.

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

2. Building Department

On motion of Trustee Cohen, seconded by Trustee Scheff, it was RESOLVED that the Building Department report for August/September 2020 be and hereby is accepted as submitted by Superintendent Barbach.

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

3. Emergency Management & Traffic Safety

On motion of Trustee Kepke, seconded by Trustee Cohen, it was RESOLVED that the August 2020 report of the Emergency Manager and Traffic Safety Commissioner be accepted as presented by Steven Kaplan.

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

4. Beautification Commission

Commissioner Roth reported that the steps from Stop & Shop to the park level have been built and are awaiting signage and railing. On motion of Trustee Scheff, seconded by Trustee Cohen, it was

RESOLVED that the August 2020 report of the Beautification Commission be accepted as presented by Howard Roth.

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

5. Justice Court

Associate Justice Krebs gave the Justice Court report for the month of July 2020, including a recognition of Village Prosecutor Alan Nelson upon his departure.

On motion of Trustee Kepke, seconded by Trustee Scheff, it was RESOLVED that the Justice Court report be accepted as presented by Associate Justice Howard Krebs.

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

E. Public Comment

Upon complaint by Sam Glasser that homeowners need to allow utility companies to clear trees from their lines, Mayor Weitzner stated that he and Emergency Manager Kaplan have been in dialogue with PSEG-LI about tropical storm Isaias and improving energy performance.

F. Business

A. Snow Removal Contract

Clerk Torrisi reported that bids were received by 12:00 noon on August 28, 2020 for the Snow Plowing, Sanding and Salting of Village Streets for the 2020/21 – 2022/23 contract, with the following proposed maximum seasonal fees:

	<u>Maximum Seasonal Fee</u>		
	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>
B & B Maintenance Services	\$200,000.	\$200,000.	\$200,000.
Dejana Industries LLC	225,000.	---	---
Creative Snow by Cow Bay	87,500.	87,500.	87,500.
Dom's Lawnmaker Inc.	200,000.	200,000.	200,000.
American Paving Inc.	220,000.	220,000.	220,000.

Superintendent Novinski stated that Creative Snow by Cow Bay Inc. was the lowest responsible bidder. On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Board of Trustees finds the lack of a salt permit to be an insignificant informality on account of the Village of Port Washington intermunicipal agreement with the Town of North Hempstead whereby salt will be stored at the Town's Port Washington site; and be it further RESOLVED that the Snow Plowing, Sanding and Salting of Village Streets 2020/2021 contract be and hereby is awarded to Creative Snow by Cow Bay Inc., as the lowest responsible bidder, in accordance with its bid submitted August 28, 2020.

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

B. Street Light Maintenance Proposals

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village Clerk is hereby directed to solicit three written price quotes, pursuant to the purchasing policy for public works contracts, for the Street Light Maintenance 2020/2021 contract.

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

C. Bill 1A of 2019 – Amending Economic Development B District

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

WHEREAS, the Board of Trustees of the Village of Port Washington North retained Nelson & Pope, on November 20, 2019, to conduct an Environmental Assessment Study on the proposed zoning amendments to Chapter 176, Article XI of the Village of Port Washington North Village Zoning Code; and

WHEREAS, the Board of Trustees of the Village of Port Washington North on July 22, 2020 declared itself lead agency and made a determination based on the Full Environmental Assessment Form and Report, including all supplements, dated June 10, 2020, that the proposed action is desirable and in the best interest of the public and adopted a negative declaration pursuant to the State Environmental Quality Review Act and found that there would be no significant environmental impact associated with the proposed action; now, therefore, be it

RESOLVED that Bill 1A of 2019 be and hereby is adopted as Local Law 1 of 2020, subject to the determination of the Nassau County Planning Commission that said local law is designated as "local determination", to read as follows:

LOCAL LAW 1 of 2020

ARTICLE XI

Economic Development B District

§ 176-106. Purposes; Permitted Uses

B. Uses permitted. A building may be erected, altered, or used, and a lot or premises may be used, for any of the purposes set forth in this section and for no other:

- (1) Offices for executive, administrative, or professional purposes;
- (2) Scientific and/or research laboratories, limited to areas of research, the performance of which will have no potential detrimental impact upon the health or the environment of the Village and its residents;
- (3) Assembly, fabrication, and finishing of articles of small compass and high value, such as cameras, watches, precision instruments, Electronic instruments, business machines, and the like;
- (4) Storage facilities, provided there shall be no outside storage of any nature and no warehousing or storage of building materials or other heavy products;
- (5) Telephone exchanges and other similar public utility facilities;
- (6) Facilities for organizations which provide fire protection and ambulance services to the Village and the residents;
- (7) Establishments for printing, book binding, lithographing, and similar reproduction processes;
- (8) Libraries, educational, and cultural centers;
- (9) Food establishments serving the general public, as conditionally permitted uses when authorized by the Board of Appeals pursuant to the provisions of § 176- 149 of this chapter;
- (10) Food establishments incidental to any other uses permitted within an ED-B District, as conditional uses when authorized by the Board of Appeals pursuant to the provisions of § 176-149 of this chapter;
- (11) Houses of worship, when permitted as a special exception by the Board of Trustees upon proper written application therefor and after a public hearing on Published notice, in accordance with the following provisions:
 - (a) Such application shall show and be accompanied by appropriate documents and plans sufficient to indicate the size, location, and use of all

buildings, facilities, and open areas, including the provisions to be made for screening, traffic flow, fencing, parking, and lighting.

(b) The Board of Trustees shall approve said application only upon finding that the proposed layout and improvements will be free of health, safety, and fire hazards; will limit the height of building and provide adequate and sufficient setbacks, screening, fencing, off-street parking, safe traffic flow, and adequate and sufficient safeguards to insure, protect, and secure the use and enjoyment of neighboring properties and the general area in which the subject premises are located, without unreasonable interference.

(c) The Board of Trustees, in approving said application, may impose such additional regulations and restrictions as it feels proper in the particular circumstances to assure the safeguards hereinabove described, and, in any event, shall require and provide that the applicant meets all of the building, site, area, yard, screening, parking and other standards set forth in this article.

(d) Such conditions and requirements shall in all cases include limitations of the number of persons who may safely occupy the premises and any part or parts thereof at one time, ways and means of reducing noise and disturbance to the neighborhood, including limitations of hours and days during which social or nonreligious functions may be conducted, and use of such structural materials and procedures and implements, equipment and appliances as shall be necessary or appropriate to safeguard against fire, health and safety hazards and panic and shall prescribe the height, location and type of fencing.

(12) Village government and Village municipal purposes, including, but not limited to, Village halls, Village clubs, the Village Department of Public Works and Village parks.

(13) Health clubs, spas, gymnasiums, physical fitness centers, physical training centers, physical therapy centers, and similar establishments.

(14) Movie and film studio which is defined as a facility that is used for the production of theatrical film making and television productions located in a soundproof structure or building.

§ 176-114 Building Height

No building shall exceed two stories or 25 feet in height except for under § 176-106(14) a movie and/or film studio may exceed the height requirement under this section but shall not exceed a height of 50 feet. The 50 foot height allowance for soundproof movie and

film studio is limited to a parcel of property that has a minimum lot size of not less than 10 acres and only one building per 10 acre parcel may exceed the 25 foot height requirement unless there was a pre-existing building already existing when this local law was enacted which exceeded 25 feet on the parcel.

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

On motion of Trustee Cohen, seconded by Trustee Scheff, it was RESOLVED that the meeting be and hereby is adjourned at 9:16 p.m.

Palma Torrisi, Village Clerk