

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Wednesday, **December 16, 2020** at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York. 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 Weitzner
	Trustees	-	Steven Cohen
		-	Matthew Kepke
		-	Michael Malatino
		-	Sherman Scheff
	Village Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Jennifer Devlin

## 1. Public Hearings

### A. Fire & Emergency Medical Service 2021 Contract

Mayor Weitzner opened the Public Hearing, advertised in the December 4, 2020 *Port Washington Times*, to consider the Fire Protection & Emergency Medical Services 2020 contract with the Port Washington Fire Department Inc. at a cost of \$281,704.00. 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. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the public hearing be closed. On motion of Trustee Scheff, seconded by Trustee Malatino, it was unanimously

RESOLVED that the Village 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, 2021 through December 31, 2021 at a cost to the Village of \$281,704.00, and that the Mayor is hereby authorized to execute such contract on behalf of the Village.

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

### B. Bill 2A of 2020 – Restricting the Commercial Use of Power Leaf Blowers

Mayor Weitzner opened the Public Hearing, duly adjourned from November 18, 2020, to consider the adoption of Bill 2A of 2020, a proposed local law Restricting the Commercial Use of Gas or Diesel Powered Leaf Blowers. A stenographic transcript of the hearing was made and is on file with the Village Clerk. All those present wishing to speak having been heard, the Mayor closed the public hearing. On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the public hearing be closed. On motion of Trustee Scheff,

seconded by Trustee Malatino, it was RESOLVED that Bill 2A of 2020 be adopted as LOCAL LAW 2 of 2020 to read as follows:

**Local Law 2 of 2020**

**Chapter 69**

Section 69-8 General Regulations.

No gardener or any employee of a gardener shall perform, or cause, suffer or permit any person to perform, any of the following:

- A. Operate any power or manual lawn mower or any other power equipment Monday through Friday, before 8:30 a.m. or after 6:00 p.m. The operating of any power tools and equipment are strictly prohibited on Saturday and Sunday and legal holidays. Landscaping activities that do not involve power tools and equipment are permitted Saturday and Sunday from 9:00 a.m. to 5:00 p.m.
  1. *Notwithstanding the foregoing, it shall be prohibited for commercial landscapers performing landscaping services to operate and use any gas-powered or diesel-powered leaf blowers between the dates of June 15 to September 15.*
    - (i) *For purposes of this section a gasoline or diesel leaf blower shall be defined as any device which is used, designed, or operated to produce a current of air for the purpose of pushing, propelling, or blowing leaves, dirt, gardening and grass clippings and cuttings, refuse or debris.*
    - (ii) *During the time period that commercial landscapers are permitted to perform landscaping service with a gasoline or diesel leaf blower the operation of said leaf blower shall be only permitted from Monday through Friday between the hours of 8:30 a.m. and 6:00 p.m. Saturday, Sunday and legal holidays are strictly prohibited.*
    - (iii) *No gasoline or diesel powered leaf blower may be used unless it meets the current Environmental Protection Agency (EPA) exhaust standards and is operated and maintained in accordance with manufacturer's instructions and specifications.* [Amended 12-16-2020 by L.L. 2-2020(A).

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

2. Clerk

A. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meeting of October 28, 2020 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village Clerk be and hereby is directed to publish in the official newspaper of the Village at least ten days prior to the General Village Election to be held on Tuesday, March 16, 2021 a notice that shall state:

- The polling place in each election district, to wit, Village Hall, 3 Pleasant Avenue, Port Washington, New York;
- The hours during which the polls shall be open, to wit, from noon to nine o'clock in the evening;
- The names and addresses of those who have been duly nominated in accordance with the provisions of the election law for the Village office whose petitions have been duly filed with the Village Clerk, and the offices and terms of said office for which they have been so nominated.

### 3. Treasurer

A. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the reading of the Abstract of General Fund Vouchers #228, totalling \$75,692.25, and Abstract of Trust & Agency Fund Vouchers #167, totalling \$11,470.00, be waived and that they be and hereby are approved as submitted by Treasurer Bella.

B. On motion of Trustee Scheff, seconded by Trustee Malatino, it was unanimously RESOLVED that the Budget Report as of November 30, 2020, showing total assets in the General Fund to be \$2,720,346.54 and in the Trust & Agency Fund to be \$27,668.40, and the modifications contained therein, be and hereby are accepted as submitted by Treasurer Bella.

C. Trustee Scheff stated that he reviewed the bank statement reconciliations for November 2020.

D. The Board reviewed the Annual Update Document for the fiscal year commencing June 1, 2019 and ending May 31, 2020 that was filed with the New York State Comptroller's Office. On motion of Trustee Kepke, seconded by Trustee Scheff, the following resolution was adopted:

WHEREAS the Board of Trustees has been presented with the Annual Update Document for the fiscal year commencing June 1, 2019 and ending May 31, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Annual Update Document for the fiscal year commencing June 1, 2019 and ending May 31, 2020, be and hereby is accepted as filed with the New York State Comptroller's Office.

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

The Board reviewed the Audited Financial Statement for the General Fund and the Audited Financial Statement and Management Letter for the Village Justice Court for the fiscal year commencing June 1, 2019 and ending on May 31, 2020, prepared by independent auditors Cullen & Danowski LLP. On motion of Trustee Malatino, seconded by Trustee Cohen, it was

RESOLVED that the Audited Financial Statement for the General Fund, and the Audited Financial Statement and Management Letter for the Village Court, for the fiscal year commencing June 1, 2019 and ending on May 31, 2020, 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.

#### 4. Reports

##### A. Public Works

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

RESOLVED that the Public Works report for the month of December 2020 be and hereby is accepted as presented by Superintendent Novinski.

2. It was the sense of the Board that a warning will be issued upon the first instance of car being parked on the street during a declared Snow Emergency, and that thereafter the Port Washington Police District will be requested to issue a ticket.

##### B. Building Department

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

##### C. Emergency Management & Traffic Safety

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Emergency Management and Traffic Safety report for December 2020 be and hereby is accepted as presented by Commissioner Kaplan.

D. Beautification Commission

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Beautification Commission report for December 2020 be and hereby is accepted as presented by Commissioner Roth.

5. Business

A. Street Sweeping Contract

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Village of Port Washington North hereby is hereby exercising its option to extend the Sweeping and Cleaning of Village Streets during the Spring, Summer and Fall contract with John McGowan & Sons Inc. for the year 2021, in accordance with the terms of the original contract, dated January 2020.

B. Park Maintenance Contract

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Village of Port Washington North is hereby exercising its option to extend the Park Maintenance contract with Bucky Demelas & Son Landscape Contractors Inc. for a period of one year from March 1, 2021 to February 28, 2022, in accordance with the terms of the original contract, dated January 2019.

C. Hummingbird Web Design

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village engages the information technology services of Hummingbird Web Design to completely revamp the Village website and to link it to social media platforms, at a cost not to exceed \$9,000.00, plus out-of-pocket expenses including, without limitation, stock images and copywriting services; and that the Mayor is authorized to execute an agreement subject to review by the Village Attorney.

D. NYS Department of Transportation PIN# 0761.90.301 (OSC #D040196)

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

WHEREAS, a Project for the *Pavement of Village Roadways Including, But Not Limited to, Pleasant Avenue*, PIN# 0761.90.301 (the "Project") is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and  
WHEREAS, a sum not to exceed \$125,000.00 in Program Funding is available to progress the project; and

WHEREAS, the Village of Port Washington North desires to advance the Project by making a commitment of 100% of the State share of the costs of the *Pavement of Village Roadways Including, But Not Limited to, Pleasant Avenue*;

NOW, THEREFORE, the Board of Trustees of the Village of Port Washington North, duly convened, does hereby

RESOLVE, that the Village of Port Washington North Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Village of Port Washington North Board hereby authorizes the sum of \$125,000.00 to pay in the first instance 100% of the cost of the Highway Reconstruction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$125,000.00 is hereby appropriated from the General Fund of the Village of Port Washington North and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full State share costs of the Project exceeds the amount appropriated above, the Village of Port Washington North Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification to the New York State Department of Transportation thereof; and it is further

RESOLVED, that the Mayor of the Village of Port Washington North be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the Village of Port Washington North with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's/Sponsor's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a Certified Copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project between the Village of Port Washington North and the State of New York; and it is further

RESOLVED, that this Resolution shall take effect immediately.

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 9:11 p.m.

Palma Torrisi, Village Clerk