

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Wednesday, **July 22, 2020** at 7:30 pm. Pursuant to the Governor's Executive Order 103 the meeting was 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
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Jennifer Devlin

1. Public Hearings

A. Bill 1A of 2019 – Amending Economic Development B Zone

Mayor Weitzner opened the Public Hearing, duly adjourned from June 24, 2020, to consider the adoption of Bill 1A of 2019, to amend Article XI – Economic Development B District, Section 176-106B, to include and allow a movie and sound studio as a permitted principal use in said zone, and additionally amending Section 176-114 to allow a height not to exceed 50 feet for only a movie and sound studio. A stenographic transcript of the hearing was made and is on file with the Village Clerk. All those at the video link and telephone dial-in conference call wishing to speak having been heard, on motion of Trustee Cohen, seconded by Trustee Kepke, it was

RESOLVED that the public hearing for Bill 1A of 2019 be closed.

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

B. Bill 1 of 2020 – Geese and Fowl on Public Property

Mayor Weitzner opened the Public Hearing, duly adjourned from June 24, 2020, to consider the adoption of Bill 1 of 2020 to prohibit any person from placing, depositing, spreading, distributing or otherwise disseminating, feeding on public property any type of food, including but not limited to corn, bread, wheat, grains, crackers, popcorn, chips, scraps or any other substance of food, as to make available to be eaten by goose, geese, or other types of fowl. A stenographic transcript of the hearing was made and is on file with the Village Clerk. All those at the video link and telephone dial-in conference call wishing to speak having been heard, on motion of Trustee Kepke, seconded by Trustee Cohen, it was RESOLVED that the public hearing for Bill 1 of 2020 be closed.

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

2. Clerk

On motion of Trustee Kepke, seconded by Trustee Malatino, it was RESOLVED that the reading of the minutes of the meeting of the Board of Trustees of May 27, 2020 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

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

3. Treasurer

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

RESOLVED that the reading of the Abstracts of General Fund Vouchers #223, totalling \$58,302.35, be waived and that it be and hereby is approved as presented by Treasurer Bella.

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

B. The Mayor reported that Trustee Scheff reviewed the bank statement reconciliations for June 2020.

4. Reports

A. Public Works

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

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

B. Building Department

1. On motion of Trustee Scheff, seconded by Trustee Kepke, it was RESOLVED that the Building Department reports for June/July 2020 be and hereby are accepted as submitted by Superintendent Barbach and Inspector Lauria.

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

2. On motion of Trustee Scheff, seconded by Trustee Cohen, it was RESOLVED that the Building Department permit fee for the stairs from the Stop & Shop parking lot to the sidewalk level of the crossing to Bay Walk Park be waived on a one-time basis as a public benefit.

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

C. Emergency Management & Traffic Safety

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

2. Commissioner Kaplan made the following suggestions: that a "No Trespassing" sign be erected on the private property at 101 Winners Circle; that motorized skateboards should be banned from Village roads; and that the use of gas-powered blowers should be banned.

D. Beautification Commission

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the Beautification reports for June 2020 be and hereby is accepted as presented by Commissioner Roth.

E. Justice Court

The Board accepted the Justice Court report for the months of March and April 2020.

5. Public Comment

Sam Glasser complained that landscapers are using gas-powered blowers to deposit yard debris in the streets.

6. Business

A. Appointment of Special Village Prosecutor

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the appointment by Mayor Weitzner of Lindsay Langella, Esq. of the law firm Milber Makris to the position of Special Village Prosecutor to fill the unexpired term of Alan Nelson, said term to expire April 2021, be and hereby is ratified; and that the rate of pay shall remain unchanged.

B. Road Repair Contract

Clerk Torrisi reported that the following is a summary of the bids received by 12:00 noon on July 17, 2020 for the Concrete Repair & Replacement contract:

<u>Bidder's Name</u>	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>
Stasi Industries Inc.	\$7.00	\$7.50	\$7.75
American Paving Inc.	\$3.50	\$3.50	\$3.50
Stasi Brothers Asphalt Corp.	\$3.65	\$3.75	\$3.85
John McGowan & Sons Inc.	\$4.95	\$4.95	\$4.95

Superintendent Novinski recommended American Paving Inc. as the lowest responsible bidder. On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that American Paving Inc., as the lowest responsible bidder, be and hereby is awarded the contract for Road Repairs for the term to begin September 1, 2020 and end August 24, 2021, upon the terms, conditions and prices set forth in the bid proposal and contract for Road Repairs.

C. Snow Removal & Salting 2020/21-2022/23 Bid

On motion of Trustee Kepke, seconded by Trustee Cohen, it was RESOLVED that the invitation for bids for the Snow Plowing, Sanding and Salting of Village Streets and Bay Walk Park 2020/21 to 2022/23 contract be advertised in the *Port Washington Times* and that the bids be received at the Village Hall by 12:00 noon on Friday, August 28, 2020, at which time all bids will be publicly opened and read aloud.

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

D. Change to Contract with 101 Channel Drive LLC

On motion of Trustee Scheff, seconded by Trustee Malatino, it was unanimously RESOLVED that the Mayor is hereby authorized to execute an amendment to the contract between the Village of Port Washington North and 101 Channel Drive LLC for the sale of vacant land, known as Section 4, Block 123, Lot 50, to extend the closing date between the parties.

E. Accepting Port Washington Water District Road Work Funds

On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the Village of Port Washington North accept \$51,936.00 in funds from the Port Washington Water District to perform a full-width asphalt top course roadway restoration of locations disturbed by the Water District's Soundview Water Main Project within the Village; and that the Mayor is authorized to execute the agreement.

F. Resolution Supporting the Adoption of a Negative Declaration for Purposes of Completing SEQRA for Chapter 176, Article XI Zoning Code Amendments and Movie/Film Studio Redevelopment

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

WHEREAS, the Incorporated Village of Port Washington North is considering the adoption of amendments to Chapter 176, Article XI of the Village of Port Washington North ("Village") Zoning Code to permit movie and film studio use and amendments to Chapter 176-114 (Building Height) to permit building height up to a maximum of 50 feet for a movie and/or film studio building on a parcel with a minimum lot area of ten acres (no more than one newly constructed building per parcel may qualify for the 50' height limit) in the Village's Economic Development B ("ED-B") Zoning District. The zoning amendments would facilitate the redevelopment of a 13.65 acre property located at 101 and 383 Channel Drive (NCTM No: Section 4; Block 123; Lots 18, 20, 23, 24, 43; hereafter the "subject property"), with a use that is consistent with the purpose and intent of the ED-B District (hereafter the "Proposed Action"); and

WHEREAS, the redevelopment of the subject property would involve the removal of the existing 105,338 square foot ("SF") vacant office building and a new (105,338 SF) one-story film production facility with a maximum height of 49'6" is considered in its place. Much of the remaining site features, including the three-story office building (50,522± SF of gross floor area) on the southwestern portion of the site, a 410-space parking lot with internal driveways and sidewalks, reflecting pond and landscaping would remain and be supplemented with additional landscape buffering as shown by the Conceptual Site Plan prepared by Nelson & Pope Engineers and Surveyors and site sections, renderings, Landscape Plan and photosimulations contained in the May 27, 2020 Presentation by bld architecture, dpc; and

WHEREAS, the proposed action is classified as an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA") for which the Village Board of Trustees is the lead agency for the purposes of environmental review; and

WHEREAS, the Village Board of Trustees, in performing the lead agency function for environmental review in accordance with Article 8 of the New York State Environmental Quality Review Act (SEQRA), retained Nelson, Pope & Voorhis, LLC to assist in the preparation of a Long Environmental Assessment Form Parts 1, 2 and 3 and a Supplemental Report to assess the potential for significant environmental impacts associated with the Proposed Action; and

WHEREAS, the Village Board of Trustees has reviewed the information contained in the SEQRA documentation and the provisions of SEQRA as related to the Proposed Action, and the potential impacts and the magnitude and importance of potential impacts and benefits have been considered. Based on this record, a Negative Determination was recommended as the Proposed Action will not have a significant adverse environmental impact requiring the preparation of a Draft Environmental Impact Statement ("DEIS"); and

WHEREAS, the Village Board of Trustees, hereby determines that the Proposed Action is desirable, and in the public interest.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby declares itself lead agency and adopts the annexed SEQRA Negative Declaration pursuant to the State Environmental Quality Review Act.

On motion of Trustee Scheff, seconded by Trustee Malatino, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 8:56 p.m.

Palma Torrisi, Village Clerk