

A Regular Meeting of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **December 14, 2021** at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York

Present:	Mayor	-	Robert Weitzner
	Trustees	-	Steven Cohen
		-	Michael Malatino
		-	Sherman Scheff
	Attorney	-	Stuart Besen
	Deputy Clerk	-	Linda Kropacek
	Court Reporter	-	Jennifer Devlin

Excused: Trustee Kepke

1. Public Hearings

A. Fire & Emergency Medical Service 2022 Contract

Mayor Weitzner opened the Public Hearing, advertised in the November 19, 2021 *Port Washington Times*, to consider the Fire Protection & Emergency Medical Services 2020 contract with the Port Washington Fire Department Inc. at a cost of \$287,974.00. 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 Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the public hearing be closed. On motion of Trustee Malatino, seconded by Trustee Scheff, 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, 2022 through December 31, 2022 at a cost to the Village of \$287,974.00, 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 Malatino-aye, Trustee Scheff-aye, Mayor Weitzner-aye. Motion carried.

B. Bill 1 of 2021 – Amending Business District Food Establishments

Mayor Weitzner opened the Public Hearing, duly adjourned from November 9, 2021, to consider the adoption of Bill 1A of 2021, a proposed local law Amending Business District Food Establishments. A stenographic transcript of the hearing was made and is on file with the Village Clerk. On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the public hearing be adjourned to January 11, 2022 at 7:30 pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York. All those present wishing to speak having been heard, the Mayor adjourned the public hearing.

C. Bill 3 of 2021 – Opting Out of Allowing Cannabis Retail Dispensaries and On-site Cannabis Consumption

Mayor Weitzner opened the Public Hearing, duly adjourned from November 9, 2021, to consider the adoption of Bill 3 of 2021, a proposed local law Opting Out of Allowing Cannabis Retail Dispensaries and On-site Cannabis Consumption. A stenographic transcript of the hearing was made and is on file with the Village Clerk. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously

RESOLVED that the public hearing be closed. All those present wishing to speak having been heard, the Mayor closed the public hearing. On motion of Trustee Cohen, seconded by Trustee Malatino, it was

RESOLVED that Bill 3 of 2021 be and hereby is adopted as LOCAL LAW 2 OF 2021 to read as follows:

**Local Law 1 OF 2022**

**Opting Out of Allowing Cannabis Retail Dispensaries and On-site Cannabis Consumption**

Section 1. Legislative Intent.

It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Incorporated Village of Port Washington North that would be otherwise allowed under the Cannabis Law.

Section 2. Authority.

This Local Law is adopted pursuant to Cannabis Law Section 131, which expressly authorizes a Village to opt out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within its boundaries.

Section 3. Local Cannabis Opt-Out

The Port Washington North Village Board of Trustees hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Jurisdiction of the Incorporated Village of Port Washington North.

Section 4. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, corporation, or circumstance, shall be invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the

person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### Section 5 Effective Date; Permissive Referendum.

This Local Law shall take effect immediately upon filing with the Secretary of State. Pursuant to Cannabis Law Section 131, this Local Law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition, or a referendum has been conducted approving this Local Law.

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

#### 2. Clerk

A. 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 October 12, 2021 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

#### 3. Treasurer

A. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the Abstract of General Fund Vouchers #240, totalling \$182,526.66, and Abstract of Trust & Agency Fund Vouchers #178, totalling \$27.00, be waived and that they be and hereby are approved as submitted by Treasurer Bella.

B. Trustee Scheff stated that he reviewed the bank statement reconciliations for October 2021.

#### 4. Reports

##### A. Public Works

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Public Works report for the month of November/December 2021 be and hereby is accepted as presented by Superintendent Novinski.

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Board enter into Executive Session to discuss contract negotiations.

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

B. Building Department

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Building Department report for November/December 2021 be and hereby is accepted as submitted by Superintendent Barbach.

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 8:30 p.m.

Linda Kropacek, Deputy Clerk