

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **July 8, 2025** at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York 11050

Present:	Mayor	-	Robert Weitzner
	Trustees	-	Steven Cohen
		-	Matthew Kepke
		-	Michael Malatino
		-	Andrea Scheff
	Clerk	-	Angelique Melnyk
	Attorney	-	Christopher Prior
	Stenographer	-	Sheryl Fitzpatrick

Public Hearing – Bill 1 of 2025 Prohibiting Residential Construction on Weekends & Holidays

Mayor Weitzner opened the public hearing, duly advertised in the June 26, 2025 *Port Washington News*, to consider the adoption of Bill 1 of 2025, a proposed local law to amending § 116-2 ("Definitions"), and §116-3 ("Certain Noises prohibited; standards for determining Violations"), of Chapter 116, "Noise," of the Code of the Village of Port Washington North, to prohibit use of power equipment used or able to be used for construction work in residential districts in the Village on weekends and holidays except by owners and occupants. A stenographic transcript of the hearing was made and is one file with the Village Clerk. All those present wishing to speak having been heard, Trustee Kepke made a motion, seconded by Trustee Scheff, it was unanimously RESOLVED that the public hearing be closed. Whereupon the Mayor closed the public hearing. On motion of Trustee Malatino, seconded by Trustee Cohen, it was RESOLVED that Bill 1 of 2025 be and hereby is adopted as **LOCAL LAW 1 of 2025** to read as follows:

A local law amending § 116-2 ("Definitions"), and §116-3 ("Certain Noises prohibited; standards for determining Violations"), of Chapter 116, "Noise," of the Code of the Village of Port Washington North, to prohibit use of power equipment used or able to be used for construction work in residential districts in the Village on weekends and holidays except by owners and occupants

Section 1. Legislative Findings. The Board notes that Chapter 116, "Noise," of the Code of the Village of Port Washington North currently contains day and hour restrictions on outdoor operation upon private property or the public way within any residential

district of any power equipment used or able to be used for home or building construction or repair, or for grounds improvement or maintenance, other than between the hours of 8:30 a.m. and 6:00 p.m., on Mondays through Fridays, and 9:00 a.m. and 5:00 p.m. on Saturdays.

The current Code allows owners or occupants of private property within any such residential district to operate power equipment outdoors on any day between the hours of 9:00 a.m. and 7:00 p.m.

The current Code identifies types of power equipment subject to the restrictions to include the outdoor operation or use of lawn mowers, garden tools, snow-removal equipment, power saws, including chain saws, leaf blowers, lawn edgers, and wood, branch and leaf chippers.

The Board desires to clarify the definition of power equipment, and to maintain those restrictions and exceptions, but to extend the restrictions and exceptions to Saturdays and holidays.

The Board finds that the health, safety and welfare of Village residents is served by amending the Noise Chapter accordingly.

Section 2. § 116-2, "Definitions," of Chapter 116, "Noise," of the Code of the Village of Port Washington North, is hereby amended to include, in alphabetical order, the following definition, to read in its entirety as follows:

"POWER EQUIPMENT All tools, machines and items of equipment that are powered by an internal combustion engine or electric motor, including, without limitation, lawn mowers, garden tools, rototillers, lawn edgers, leaf blowers, wood, branch and leaf chippers, pressure washers, saws, including chain saws, drills, drivers, grinders, sanders, lathers, routers, and nail guns."

Section 3. Clause "(14)" of § 116-3, "Certain Noises prohibited; standards for determining Violations," of Chapter 116, "Noise," of the Code of the Village of Port Washington North, is hereby amended to read in its entirety as follows:

"(14) The outdoor operation upon private property or the public way within any residential district of any power equipment used or able to be used for home or building construction or repair, or for grounds improvement or maintenance, other than between the hours of 8:30 a.m. and 6:00 p.m., on Mondays through Fridays, but excluding all federal holidays and all New York State holidays. Notwithstanding the foregoing, owners or occupants of private property within any such residential district may themselves operate power equipment outdoors on any day between the hours of 9:00 a.m. and 7:00 p.m..."

Section 4. Effective Date. This local law shall take effect on January 1, 2026, after the filing hereof with the Secretary of State.

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 June 10, 2025 be waived and that they be and hereby are approved as prepared by Clerk Melnyk.

2. Treasurer

A. On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the Abstracts of General Fund Vouchers #283, totaling \$79,145.86, and Trust & Agency Vouchers #212, totaling \$103.43, be waived and that they be and hereby are approved as presented by Treasurer Bella.

B. Treasurer Bella stated that Trustee Scheff reviewed the bank statement reconciliations for May 2025.

3. Reports

A. Public Works

On motion of Trustee Malatino, seconded by Trustee Scheff, it was unanimously RESOLVED that the Public Works Department report for the month of June/ July 2025 be and hereby is accepted as prepared by Chuck Poole and presented by Ray Ross.

B. Building Department

On motion of Trustee Coehn, seconded by Trustee Scheff, it was unanimously RESOLVED that the Building Department report for June/July 2025 be and hereby are accepted as submitted by Superintendent Barbach.

Mayor Weitzner and the Board denied a request to allow Port Washington School buses to use the Safavieh's parking lot for school buses to idle and/or use as a resting spot.

C. Beautification Commission

Commissioner Cirker was not present and no Beautification Report was submitted.

D. Communications Commission

On motion of Trustee Cohen seconded by Trustee Kepke, it was unanimously RESOLVED that the Communications report for June/July 2025 be and hereby is accepted as presented by Mayor Weitzner on behalf of Commissioner Summa.

5. Public Comment – There were no comments from the public.

6. Business

A. Together We Play – Logo Design

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village of Port Washington North approve the proposal submitted by Together We Play in the amount not to exceed \$1,450 to establish and design a graphic logo that will represent the Village's future all-inclusive playground.

B. Road Repair (Asphalt) Contract Extension

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village of Port Washington North hereby exercises its option to extend the Road Repair contract with John McGowan & Sons, Inc., for the period September 1, 2025 through August 31, 2026, upon the terms, conditions and prices set forth in the bid proposal and contract received July 8, 2024.

C. Snow Removal/ Salting Contract Extension

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village is hereby exercising its option to extend the contract for Snow Plowing, Sanding & Salting with Creative Snow by Cow Bay, Inc. for the period September 1, 2025 through August 31, 2026, upon the terms, conditions and prices set forth in the bid proposal and contract received July 18, 2023.

D. Part-Time Laborer

On motion of Trustee Malatino seconded by Trustee Kepke, it was unanimously RESOLVED that the Board of Trustees, hereby appoints Charles E. Poole as a part-time Laborer, at a rate of pay of \$55.00 per hour, subject to Nassau County Civil Service Commission approval.

E. Village Hall Lease Extension

Attorney Prior reported ongoing correspondence with Attorney Robert Carpentier, regarding renewal of its lease for the Village Hall premises at 3 Pleasant Avenue, Port Washington, New York 11050, with Pleasant Avenue Realty LLC, with offices at 1 Pleasant Avenue, Port Washington, New York 11050.

F. USGS New York Water Science Center

Kaitlyn Cunningham and Reanna Morra on behalf of USGS gave a brief presentation on the importance of water elevation gages and requested use of the Bay Walk Park pier to relocate a gage currently installed in Glen Cove. A lengthy discussion on the pros and cons of these water gages ensued. The Board tabled their decision until the August 14, 2025 Board Meeting.

G. MS4 Mapping Grant

On motion of Trustee Kepke seconded by Trustee Malatino, it was unanimously RESOLVED that the Board of Trustees, hereby approves increasing the Technical Assistance Budget under our existing agreement (LP241292) by \$2,830 in order for H2M to prepare the Comprehensive Mapping Worksheet, the NPG Budget Worksheet and a Village Map required to submit for the Department of Environmental Protection MS4 Mapping Grant. This grant, in the amount of \$30,000, would be for mapping which will become mandatory in 2026; and be it further RESOLVED that should the Village not be awarded the grant funding, H2M will resubmit next year at H2M's expense, assuming no major changes will be reflected in the grant application.

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board enter into Executive Session at 8:84 p.m. to discuss pending and actual litigation.

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Board reconvene the regular meeting at 9:20 p.m. Mayor Weitzner reported that no action had been taken.

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 9:20 p.m.

Respectfully Submitted,

Angelique Melnyk, Clerk

