

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Thursday, **June 5, 2014** at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

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

Excused: Trustee Malatino

### 1. Clerk

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meeting of April 8, 2014 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

### 2. Treasurer

A. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the General Fund Abstract of Vouchers #150, totaling \$60,553.98, be waived and that it be and hereby are approved as presented by Treasurer Bella.

B. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Budget Report as of May 31, 2014, showing the General Fund Balance to \$1,234,150.88, and the Trust & Agency Balance to be \$7.20, be and hereby is accepted as prepared by Treasurer Bella.

### 3. Reports

#### A. Public Works

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the report of the Public Works Department for the month of May 2014 be accepted as presented by Superintendent Novinski.

#### B. Building Department

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Building Department report for May 2014 be and hereby is accepted as prepared by Building Inspector Barbach and Deputy Inspector Lauria.

#### C. Emergency Management & Traffic Safety

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Emergency Management & Traffic Safety reports for the month of May 2014 be and hereby are accepted as presented by Commissioner Kaplan.

#### D. Beautification

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the Beautification report for the month of May 2014 is accepted as delivered by Commissioner Roth.

4. Business

A. Bill 1 of 2014 – Requiring Carbon Monoxide Detectors

On motion of Trustee Cohen, seconded by Trustee Scheff, it was RESOLVED that Bill 1 of 2014 be and hereby is adopted as LOCAL LAW 2 of 2014 to read as follows:

**LOCAL LAW 2 of 2014**

**Chapter 94**

**FIRE PREVENTION**

**Section 94-2. Definitions**

**Carbon Monoxide Detector** –A device that has a sensor capable of detecting the presence of carbon monoxide and is equipped with a digital readout that can display carbon monoxide concentration levels when carbon monoxide is detected at or about the exposure limits established by the National Fire Protection Association Section 720-2012 (NFPA 720-2012).

**Building Inspector**-The Building Inspector of the Incorporated Village of Port Washington North.

**Section 94.8. Carbon Monoxide Detectors.**

A. Any building that is used for an office, restaurant, take out restaurant, entertainment, retail, house of worship, nursing home, assisted living facility, industrial, manufacturing, educational or amusement purposes shall comply with the following provisions:

1. All existing buildings that have the uses described in Section 173.10 (A) that have appliances, devices or systems that may emit carbon monoxide shall have properly operational Carbon Monoxide Detectors.
2. The installation and maintenance of such system shall be in full compliance with Carbon Monoxide Detection and Carbon Monoxide Detection Systems of the Nassau County Fire Prevention Ordinance and regulations promulgated by the Nassau County Fire Marshal.
3. Carbon Monoxide Detectors shall be installed and positioned in accordance with the manufacturer's recommendations relative to all actual or potential carbon monoxide sources located at the premises, and on each floor.
4. No carbon monoxide detector shall be removed or disabled, except for service, repair or replacement.

**Section 94-9 Certification.**

All building owners and/or tenants that occupy said building for the uses enumerated in Section 173.10 must provide a written certification to the Building Department that a properly functioning Carbon Monoxide Detector has been installed pursuant to the requirements of this law.

**Section 94-10. Enforcement.**

The provisions herein described shall be enforceable by the Incorporated Village of Port Washington North and failure of the Village to enforce any and all said regulations or provisions shall in no event be deemed a waiver of the right to do so.

**Section 94-11 Penalties.**

A. Any violation of the provisions of this chapter shall be punishable as follows:

1. For conviction of a first offense, by a fine not less than \$100.00 and not more than \$250.00.
2. For conviction of the second of two offenses which were committed within a period of one year, by a fine not less than \$250.00 and not more than \$500.00.
3. For conviction of a third or any subsequent offense, all of which were committed within a period of one year, by a fine not less than \$500.00 and not more than \$1000.00

**Section 94-12. Implementation.**

Effective date of this local law shall take effect upon filing with the Secretary of State, except that no violation of said section will be charged prior to January 1, 2015.

**Section 94-13. Severability**

If any provision of this chapter or the rules and regulations promulgated hereunder or any directive, order or instruction given by anyone authorized to enforce this chapter shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision, rule or regulation involved.

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

**B. Road Repairs (Asphalt) Contract**

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that bids for the Road Repairs 2014/5 – 2016/7 contract will be received at the Village Hall of the Village of Port Washington North, located at 3 Pleasant Avenue, Port Washington North, New York 11050, until 12:00 noon on June 30, 2014, at which time all bids will be publicly opened and read aloud.

**C. Sidewalk Replacement Contract**

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village of Port Washington North is hereby exercising its option to extend the term of the Sidewalk Replacement contract with Castle Industries Inc. for the third successive one-year period, commencing August 1, 2014 and ending July 31, 2015, in accordance with the terms of the original bid proposal, dated May 30, 2012.

**D. Snow Plowing, Sanding & Salting 2014/15-2016/17 Contract**

Clerk Torrisi reported that proposals were received by 12:00 noon on May 28, 2014 for the Snow Plowing, Sanding and Salting of Village Streets 2014/15 – 2016/17 contract from Dom’s Lawnmaker Inc. and Dejana Industries Inc., as follows:

	<u>2014/15 per Hr./Unit</u>		<u>2015/16 per Hr./Unit</u>		<u>2016/17 per Hr./Unit</u>	
	<u>Dom’s L.</u>	<u>Dejana</u>	<u>Dom’s L.</u>	<u>Dejana</u>	<u>Dom’s L.</u>	<u>Dejana</u>
20,000 lb Truck & Driver for plowing, sanding, salting	\$175.00	\$160.00	\$175.00	\$160.00	\$175.00	\$160.00
¾ ton pick-up truck & Driver for plowing,sanding,salting	\$175.00	\$160.00	\$175.00	\$160.00	\$175.00	\$160.00

Payloader with Operator for plowing	\$246.00	\$250.00	\$246.00	\$250.00	\$246.00	\$250.00
Payloader Laborer (not driver) for sanding & salting	\$ 60.00	\$ 58.00	\$ 60.00	\$ 58.00	\$ 60.00	\$ 58.00
Baywalk Park Path						
Per inch	\$237.00	\$230.00	\$237.00	\$230.00	\$237.00	\$230.00
Sand/Salt-Flat Rate	\$171.00	\$172.00	\$171.00	\$172.00	\$171.00	\$172.00
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Maximum Seasonal Fee	\$275,000.	\$249,000.	\$275,000.	\$249,000.	\$275,000.	\$249,000.

Attorney Besen recommended Dejana Industries Inc. as the lowest responsible bidder. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously

RESOLVED that the Snow Plowing, Sanding and Salting of Village Streets 2014/15 – 2016/17 contract be and hereby is awarded to Dejana Industries Inc. for the 2014/15 winter season, as more particularly set forth in the written bid proposal dated May 27, 2014.

#### E. Stormwater Management 2014 Annual Report

Mayor Weitzner reported that the MS-4 Stormwater Management annual report for 2014, prepared on behalf of the Village by H2M engineers, was filed with the New York State Department of Environmental Conservation on May 23, 2014.

#### 5. Executive Session

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board enter into executive session to discuss a legal proceeding with counsel.

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the executive session be adjourned and the regular meeting reconvened.

Mayor Weitzner reported that no action was taken in executive session.

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 10:00 p.m.

Palma Torrisi, Village Clerk