

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **September 2, 2014** at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present:	Mayor	-	Robert S. Weitzner
	Trustees	-	Steven Cohen
		-	Matthew Kepke
		-	Sherman Scheff
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Jennifer Devlin

Excused: Trustee Malatino

1. Public Hearing - Bill 3 of 2014 Establishing a Building Department

A. Mayor Weitzner opened the Public Hearing, duly advertised in the August 20, 2014 *Port Washington News*, to consider the adoption of Bill 3 of 2014, Establishing a Building Department. 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.

B. Mayor Weitzner introduced the Short Environmental Impact Statement prepared by Attorney Besen. On motion of Trustee Cohen, seconded by Trustee Kepke, the following resolution was adopted:

WHEREAS, the Village has prepared and reviewed an environmental assessment form containing an explanation of the action and impacts and has conducted a public hearing with respect to Bill 3 of 2014, Establishing a Building Department; and

WHEREAS, the Village Board of Trustees has declared its intention to declare itself lead agency; and

WHEREAS, the Village Board of Trustees has reviewed the environmental assessment form, and pursuant to said review of the relevant environmental factors affected by the proposed action, and the Village Board of Trustees has determined that said action be classified as an unlisted action and be deemed a Negative Declaration, causing no significant adverse effect upon the environment, in accordance with the Environmental Conservation Law of the State of New York and its regulations thereon,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees, as Lead Agency, finds that it is not an action and is classified as exempt pursuant to SEQRA and that it be deemed to constitute a Negative Declaration. The deeming of this action as a Negative Declaration indicates that it would cause no significant adverse effect on the environment.

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

C. On motion of Trustee Scheff, seconded by Trustee Cohen, the following resolution was adopted:

WHEREAS, it has been determined that it is in the best interest of the Village to establish a Building Department under the supervision of the Superintendent of Buildings;

NOW, THEREFORE, BE IT RESOLVED that the Village of Port Washington North confirms the establishment of a Building Department to be under the supervision of a Superintendent of Buildings, and that all prior actions of the Building Inspector are hereby ratified and confirmed.

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

D. On motion of Trustee Cohen, seconded by Trustee Scheff, it was RESOLVED that Bill 3 of 2014 be and hereby is adopted as LOCAL LAW 3 of 2014 to read as follows:

Local Law 3 of 2014

CHAPTER 68

68-1.1 BUILDING DEPARTMENT.

A. There is hereby established a Building Department within the Incorporated Village of Port Washington North which is hereby designated as the Department to administer and secure compliance with and enforce the New York State Uniform Fire Prevention and Building Code (“New York State Uniform Code”) and the Municipal Code of the Incorporated Village of Port Washington North within the Village and which shall be supervised by the Superintendent of Buildings as defined below. **(Amended)**

B. There is hereby designated in the Village of Port Washington North a public official to be known as the Superintendent of Buildings who shall be a code enforcement officer and who shall be appointed by the Mayor with the approval of the Board of Trustees with a compensation to be fixed by it, the Superintendent of Buildings shall, at the time of the appointment, possess at a minimum the qualifications required of a code enforcement officer under the New York State Uniform Code. **(Amended)**

C. Except as otherwise specifically provided by law, rule or regulation or except as otherwise provided herein, the Superintendent of Buildings shall be charged with the duty of administering, securing compliance with and enforcing all provisions of the New York State Uniform Code, this code and all laws, rules and regulations applicable to housing, building, construction, alteration, repair, property maintenance, removal and demolition of buildings and structures including plumbing drainage work and the installation and use of materials and equipment therein and the location, use and maintenance thereof and related matters and securing compliance therewith. **(Amended).**

D. All references to Building Inspector in the Code of the Village of Port Washington North shall also refer to the Superintendent of Buildings as set forth elsewhere in the Chapters and Sections of the Port Washington North Village Code.

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

2. Clerk

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the minutes of the meetings of the Board of Trustees of July 1 and July 12, 2014 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

3. Treasurer

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the reading of the Abstract of Vouchers for the General Fund #153, totalling \$424,285.66, and the Trust & Agency Abstract of Vouchers #103, totalling \$1,384.25, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

4. Reports

A. Public Works

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Public Works Department report for the month of August 2014 be and hereby is accepted as submitted by Superintendent Novinski.

B. Building Department

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Building Department reports for August 2014 be and hereby are accepted as submitted by Inspectors Barbach and Lauria.

C. Emergency Management & Traffic Safety

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

D. Beautification

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Beautification report for the month of August 2014 be accepted as presented by Commissioner Roth.

E. Justice Court

The Board accepted the Justice Court report for the month of July 2014.

5. Business

A. Park Maintenance Contract

Clerk Torrisi reported that the following bids were received by 12:00 noon on September 2, 2014 for the Park Maintenance 2014/15 & 2015/16 contract:

	<u>2014/15</u>	<u>2015/16</u>
R. Bonavitacola Landscaping	59,100.00	59,100.00
Bucky Demelas & Son	36,500.00	36,500.00
Dom's Lawnmaker	75,780.00	75,780.00

Superintendent Novinski recommended Bucky Demelas & Son Landscape Contractors Inc. as the lowest responsible bidder. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the contract for Park Maintenance, for the period from November 1, 2014 to October 31, 2015, be and hereby is awarded to Bucky Demelas & Son Landscape Contractor Inc., as more particularly set forth in its bid document dated August 29, 2014.

B. Nassau County Intermunicipal Agreement - CRP Funding

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

WHEREAS, the Village has prepared and reviewed an environmental assessment form containing an explanation of the action and impacts and has conducted an environmental review with respect to making crosswalk streetscape improvements; and

WHEREAS, the Village Board of Trustees has declared its intention to declare itself lead agency; and

WHEREAS, the Village Board of Trustees has reviewed the environmental assessment form, and pursuant to said review of the relevant environmental factors affected by the proposed action, and the Village Board of Trustees has determined that said action be classified as a Type II action and be deemed a Negative Declaration, causing no significant adverse effect upon the environment, in accordance with the Environmental Conservation Law of the State of New York and its regulations thereon,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees, as Lead Agency, finds that it is a Type II action and is classified as requiring no further action pursuant to SEQRA, and that it be deemed to constitute a Negative Declaration. The deeming of this action as a Negative Declaration indicates that it would cause no significant adverse effect on the environment.

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village of Port Washington North enter into an intermunicipal cooperation agreement with the County of Nassau, whereby the Village will undertake a project to make improvements to the streetscapes within the Village, including but not limited to repairs to crosswalks, curbs, ramps and work along roads such as Shore road, Mill Pond Road and Harbor Road, in the amount of \$20,000.00.

C. Bay Walk Park - SEQRA

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

WHEREAS, the Village has prepared and reviewed an environmental assessment form containing an explanation of the action and impacts and has conducted an environmental review with respect to Bay Walk Park - Phase 2; and

WHEREAS, the Village Board of Trustees has declared its intention to declare itself lead agency; and

WHEREAS, the Village Board of Trustees has reviewed the environmental assessment form, and pursuant to said review of the relevant environmental factors affected by the proposed action, and the Village Board of Trustees has determined that said action be classified as a Type II action and be deemed a Negative Declaration, causing no significant adverse effect upon the environment, in accordance with the Environmental Conservation Law of the State of New York and its regulations thereon,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees, as Lead Agency, finds that it is a Type II action and is classified as requiring no further action pursuant to SEQRA, and that it be deemed to constitute a Negative Declaration. The deeming of this action as a Negative Declaration indicates that it would cause no significant adverse effect on the environment.

D. Justice Court Grant

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the Village Justice Court is hereby authorized to submit an application to the New York State Court System for a Justice Court Assistance Program Grant in an amount not to exceed \$30,000.00.

E. Parking Regulations - Waterview Drive

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Board of Trustees will hold a public hearing on Tuesday, October 7, 2014 at 7:30 p.m. with respect to prohibiting the stopping of vehicles on the easterly side of Waterview Drive, from the intersection of Soundview Drive to a point 40 feet north of Soundview Drive; and to prohibiting the stopping of vehicles on the easterly side of Bay Drive, from the intersection of Cow Neck Road to a point 40 feet south of Cow Neck Road.

6. Executive Session

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board enter into executive session with respect to contact negotiations.

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

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

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 9:45 p.m.

Palma Torrisi, Village Clerk