

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held on Thursday, **June 3, 2015** at 7:30pm at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

Present:	Mayor	-	Robert Weitzner
	Trustees	-	Steven Cohen
		-	Matthew Kepke
		-	Michael Malatino
		-	Sherman Scheff
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	James Gill

## 1. Public Hearings

### A. Bill 1 of 2015 - Electric Vehicle Charging Stations

Mayor Weitzner opened the public hearing, duly advertised in the May 20, 2015 *Port Washington News*, to consider the adoption of Bill 1 of 2015, Electric Vehicle Charging Stations. A stenographic transcript of the hearing was made and is on file with the Village Clerk. All those present wishing to speak having been heard, the Mayor closed the public hearing.

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 1 of 2015, Electric Vehicle Charging Stations; 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.

On motion of Trustee Kepke, seconded by Trustee Scheff, it was RESOLVED that Bill 1 of 2015 be and hereby is adopted as LOCAL LAW 2 of 2015 to read as follows:

## LOCAL LAW 2 of 2015

### Chapter 176 ZONING

#### **Section 176-213 ELECTRIC VEHICLE CHARGING SYSTEMS**

##### **Section 176-213.1 Definitions**

##### **ELECTRIC VEHICLE CHARGING STATION**

A system for the charging of an electric vehicle. Components typically include a charging kiosk and transformer.

## **ELECTRIC VEHICLE CHARGING**

The use of an electric vehicle charging station by which electric vehicles are fuelled through the transfer of electricity into the vehicle battery.

### **Section 176-213.2 Permit Required.**

A. No person shall install an electric vehicle charging station within the Village of Port Washington North without a permit issued from the Building Department. Charging Station permits shall become invalid unless the authorized installation is completed within six months of the date of the submitted application. Upon completion of the installation, the permittee must contact the Building Department, and arrange for an inspection of the charging station to ensure compliance with all federal, state and local laws.

B. It is the intention of the Port Washington North Village Board to encourage and streamline the permit process with regard to electric vehicle charging station permits. To that effect the application shall consist of the following requirements:

1. All installations must comply with National Electrical Code, NFPA 70;
2. All installations must comply with the New York State Building Code, New York Residential Code, New York State Fire Code and New York State Plumbing Code;
3. Any person installing a charging station shall, prior to installation, notify the utility providing electric power to the property;
4. Each electric vehicle charging station shall include vehicle impact protection (bollards) or a similar structure;
5. Components for electric vehicle charging station shall adhere to all of the setback requirements of the Village Code of the Village of Port Washington North;
6. No more than one charging station may be installed on any parcel of property;
7. Notwithstanding any district or zoning regulation in the Village of Port Washington North, electric vehicle charging station shall be a permitted accessory use in all zoning districts.

### **Section 176-213.3 Waiver of Fees**

A. All permit application fees for the charging station shall be waived, provided the installation has not been commenced or completed before a permit has been applied for or issued.

Effective date of this local law shall take effect upon filing with the Secretary of State.

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

### **B. Bill 2 of 2015 - Expediting Installation of Solar Energy Panels**

Mayor Weitzner opened the public hearing, duly advertised in the May 20, 2015 *Port Washington News*, to consider the adoption of Bill 2 of 2015, Expediting Installation of Solar Energy Panels. A stenographic transcript of the hearing was made and is on file with the Village Clerk. All those present wishing to speak having been heard, the Mayor closed the public hearing.

Mayor Weitzner introduced the Short Environmental Impact Statement prepared by Attorney Besen. On motion of Trustee Cohen, seconded by Trustee Scheff, 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 2 of 2015, Expediting Installation of Solar Energy Panels; 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 bill 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.

On motion of Trustee Scheff, seconded by Trustee Kepke, it was RESOLVED that Bill 2 of 2015 be and hereby is adopted as LOCAL LAW 3 of 2015 to read as follows:

### **LOCAL LAW 3 of 2015**

#### **CHAPTER 68 BUILDING CONSTRUCTION EXPEDITING INSTALLATION OF SOLAR ENERGY PANELS**

##### **Section 68-23: Legislative Intent**

It is the intention of the Port Washington North Village Board as part of its goal to limit America's dependence on imported sources of fossil energy, cut green-house gas emissions and reduce the cost of energy for our residents to enact the Unified Solar Permit Process. It is important to establish a process which establishes a standardized permit for use by all New York municipalities that simplifies and streamlines the permitting of small scale photovoltaic systems and fast tracks the permit process. The fast track process is modelled on the guideline recommendations of the Long Island Unified Solar Permitting Initiative, whereby the installation of standard solar energy systems can be standardized, simplified and accelerated in towns and villages across Long Island.

##### **Applications and Permit**

A. All building permit applications for installation of photovoltaic systems on residential and non-residential buildings shall be expedited by the Port Washington North Village Building Department. Applications for standard installations on residential and non-residential property shall be determined within fourteen (14) business days of the filing of a completed application. If the application is incomplete or deficient it shall be returned to the applicant within seven (7) days of receipt by the Village of Port Washington North Building Department.

B. For the purpose of this Article the term standard installation shall mean those installations that meet the following criteria and any subsequent amendment thereto:

- (1) Are not subject to architectural review;
- (2) Are proposed for installation on a roof with a single layer of roof covering;
- (3) Are to be flush-mounted parallel to the roof surface and no more than six (6) inches above the surface;
- (4) Have an eighteen (18) inch clearing at one side of the roof ridge and at least an eighteen (18) inch clearing path to the ridge;
- (5) Add a gravity roof load of no more than five (5) pounds per square foot for photovoltaic (PV) and six (6) pounds per square foot for residential solar hot water (RSHW);
- (6) Be installed by contractors which are on LIPA's pre-screened solar contractor list;
- (7) Use PV panels that have been certified by a nationally-recognized testing laboratory as meeting the requirements of the Underwriters Laboratory (UL) Standard 1703 and inverters must be on a list of New York State Public Service Commission type tested inverters which are tested by UL or other nationally recognized laboratories to conform with UL 1741;

- (8) Use RSHW equipment that has been certified by the Solar Rating and Certification Corporation under its OG-100 standard for solar collectors;
- (9) Use other equipment such as modules, combiner boxes and a mounting system that have been approved for public use; and
- (10) Be in full compliance with all current National Electrical Code (NEC) requirements.

C. The application for the installation of photovoltaic system shall be in substantial conformity with the requirements of the Long Island Unified Solar Permit Initiative and its solar energy fast track permit application.

#### **Waiver of Fees**

D. All building permit application fees for small scale photovoltaic systems on residential and non-residential structures shall be waived, provided the installation has not been commenced or completed before a permit has been applied for or issued.

#### **Issuance of Certificate of Completion**

E. Prior to the issuance of a certificate of completion or compliance, a sign (or decal) shall be affixed by the property owner to the utility meter and at any alternating current (AC) disconnect switch indicating the existence of an operating solar electric co-generation system on site.

Effective date of this local law shall take effect upon filing with the Secretary of State.

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

#### **2. Clerk**

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the minutes of the Board of Trustees meeting of April 1, 2015 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 General Fund Abstract of Vouchers #162 totaling \$63,156.24, and the Trust & Agency Abstract of Vouchers #111 totalling \$891.70, be waived and that they 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, 2015 for the General Fund and Trust & Agency, and the modifications contained therein, be and hereby is accepted as prepared by Treasurer Bella.

C. Trustee Scheff stated that he reviewed the bank statement reconciliation for April 2015.

#### **4. Reports**

##### **A. Public Works**

On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously RESOLVED that the report of the Public Works Department for the month of May 2015 be accepted as presented by Superintendent Novinski.

## B. Building Department

1. On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Building Department report for May 2015 be and hereby is accepted as prepared by Superintendent Barbach and Inspector Lauria.

2. The Board directed the Building Superintendent to send a letter to the owner and occupant of 31 Mill Pond Road requesting that the bushes on their premises be trimmed back from the corner of Morgan Place and Mill Pond Road.

3. Sign Applications: Rite Aid, 14 Soundview Marketplace

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

WHEREAS Rite Aid has submitted applications for permits for two signs to be erected at 14 Soundview Marketplace, Shore Road, Port Washington, New York 11050 (premises designated on the Nassau County Land & Tax Map as Section 4, Block 119, Lots 1, 10, 12 & 14C); now, therefore, be it

RESOLVED that Sign Permit application PA2015-88 to erect a 3-foot high by 17-foot 3 11/16-inch long by 5-inch deep store front advertising sign at the aforesaid premises be and hereby is approved in accordance with the plans submitted on May 26, 2015; and be it further

RESOLVED that Sign Permit application PA2015-89 to erect a 6-inch high by 5-foot 11 7/8-inch long by 1/2-inch deep store front advertising sign at the aforesaid premises be and hereby is approved in accordance with the plans submitted on May 26, 2015.

## C. Emergency Management & Traffic Safety

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Emergency Management & Traffic Safety reports for the month of May 2015 be and hereby are accepted as presented by Commissioner Kaplan.

## D. Beautification

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Beautification report for the month of May 2015 is accepted as presented by Commissioner Roth.

## E. Justice Court

The Board accepted the Justice Court report for April 2015 submitted by Court Clerk Kropacek.

## 5. Business

### A. Concrete Repair & Replacement Work Contract

Clerk Torrisi reported that the following is a summary of the bids received by 12:00 noon on May 28, 2015 for the Concrete Repair & Replacement Work 2015/16 to 2017/18 contract from Castle Industries Inc and E. Cook Industries Inc.:

<u>Name of Bidder</u>	<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>	<u>3 Year Total</u>
Castle Industries	\$46,890.00	47,250.00	47,610.00	\$141,750.00
E. Cook Industries	46,982.65	46,982.65	47,112.60	141,077.90

Superintendent Novinski recommended E. Cook Industries Inc. as the lowest responsible bidder. On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously

RESOLVED that E. Cook Industries be and hereby is awarded the contract for Concrete Repair and Replacement work for the term to begin August 1, 2015 and end July 31, 2016, upon the terms, conditions and prices set forth in the bid proposal and contract for Concrete Repair and Replacement Work.

B. Stormwater Management 2015 Annual Report

Mayor Weitzner reported that the MS-4 Stormwater Management annual report for 2015, prepared on behalf of the Village by H2M engineers, was filed with the New York State Department of Environmental Conservation on May 27, 2015. The report is available to the public for inspection at the Village Hall.

C. Bill 3 of 2015 Regulating the Parking of Vehicles in a Snow Emergency

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board of Trustees will hold a public hearing to consider the adoption of Bill 3 of 2015, Regulating the Parking of Vehicles during a Snow Emergency, on Wednesday, July 1, 2015 at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York.

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

Palma Torrisi, Village Clerk