

**THE MINUTES
FOR THE JANUARY 11, 2011
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
MEETING AT 6:00 P.M.**

Present: Mayor Doll, Trustees, McMullen and Tobin, Village Attorney James Matthews, Village Clerk Donna Koch, Village Administrator Gene Guido.

Absent: Trustee Maline and Trustee Kehoe.

ANNOUNCEMENTS: no announcements.

PUBLIC HEARING(S) no public hearings.

PUBLIC PARTICIPATION: no one from the public spoke.

BOARD APPROVAL OF WARRANT:

On the motion of Trustee Tobin and seconded by Trustee McMullen the following bills were approved for payment.

Fiscal Year 2010/2011 General Fund bills in the amount of \$ 18,521.85

RESOLUTIONS:

On the motion of Trustee McMullen and seconded by Trustee Tobin the following resolution was unanimously approved.

RESOLUTION 2011 – 7 RE - SCHEDULE PUBLIC HEARING

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 18th day of January, 2011 to consider the following proposed local law:

**PROPOSED LOCAL LAW "A" OF 2011
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT
TO AMEND CHAPTER
239-29, SEWER RENTS OF THE CODE OF
THE INCORPORATED VILLAGE OF NORTHPORT**

BE IT ENACTED: By the Board of Trustees of the Village of Northport as follows:

Section 1. Legislative Intent

The Board of Trustees finds that amending the Code of the Village to allow the Board of Trustees the flexibility to set the dates by which Sewer Rent bills may be rendered and on which payment is due will allow for greater efficiency and accuracy in billing and collection.

Section 2. Statutory Authority and Supersession

This Local Law is adopted pursuant to New York State Village Law, Municipal Home Rule Law, Article 14-F of the New York State General Municipal Law and the State Environmental Quality Review Act and its implementing regulations and expressly supersedes inconsistent provisions of the Village Code.

Section 3. Applicability

The provisions of this Local Law shall apply as set forth in the amendments.

Section 4. Amendments

The code of the Incorporated Village of Northport shall be amended as follows:

Explanation of notations:

- Existing zoning text is reproduced in regular type
- Text to be added is indicated in *italics*.
- Text to be deleted is indicated in with a ~~Strikethrough~~.
- * * * Existing text to remain-

* * *

§239-37 Calculations; Bills and Payments; Penalty for late payment; Liens and collection.

- A. The sewer rents shall be billed annually on the first of October of each *fiscal* year.
- B. Bills and payments.
 - (1) Residential: Bills for the sewer rent will be mailed to the residential owners of all Village sewer connections on an annual basis.
 - (2) Commercial: Bills for the sewer rent will be mailed to the commercial owners of all Village sewer connections on an annual basis.
 - (3) All bills shall be due and payable without penalty within thirty (30) days of rendering.
- C. A penalty will be levied against the unpaid sewer rents and shall be added to the delinquent amount.

- (1) One and one-half percent charge per month on sewer rent bill, beginning thirty-one (31) days after the date of the bill. The penalty shall be added for each succeeding month or any portion of a month in which the sewer rent is not paid.
- (2) Notwithstanding the foregoing, for good cause shown the Board of Trustees may waive or reduce the penalty for the late payment of 2010-2011 sewer rents, provided payment is made no later than December 1, 2010.

D. Liens and collections.

- (1) In accordance with New York State General Municipal Law Section 452, unpaid sewer rents, penalties and interest shall become a lien upon the real property.
- (2) Delinquent accounts shall be collected in a manner provided for in the General Municipal Law and this article.

E. The Board of Trustees may by resolution change the dates specified herein on which the sewer rents are billed and due and when penalties for late payment start to accrue provided that the bills for each fiscal year must be rendered no later than January 27 of the fiscal year in which they are due.

* * *

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 6. SEQRA

The Board of Trustees has determined that pursuant to §617.5(c) 20 and 27 of the SEQRA regulations this action of the Village of Northport is "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "adoption of regulations, policies, procedures and local legislative decisions in connection with any Type II action . . ." and therefore, the proposed action of the Village of Northport in this matter is a Type II action and requires no further action pursuant to SEQRA.

Section 7. Effective Date

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

A RESOLUTION FOR AN EXECUTIVE SESSION: if necessary, for personnel and/or litigation matters.

The next regular meeting of the Board of Trustees will be Tuesday January 18th at 6:00 PM, Northport Village Hall 224 main Street Northport, NY 11768

Meeting adjourned: 6:10PM.

Respectfully submitted,

Donna M. Koch,
Village Clerk