

**THE MINUTES
FOR THE APRIL 19, 2011
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
MEETING AT 6:00 P.M.**

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

Absent: Trustee Maline

ANNOUNCEMENTS: Mayor Doll announced the passing of Richard Manning. Mr. Manning was one of the founding members of Northport American Legion Post 694. Also Mr. Manning spent many years on the Northport East Northport Board of Education.

PRESENTATIONS: Sara Connor, a young Village resident presented the Board with an arborvitae plant. By selling lemon aid Sara has raised over \$3,000 in the last two years and is donating the money to the Village for the planting of trees along Main St.

PUBLIC HEARINGS:

The Mayor asked the clerk to read the notice of public hearing to wit:

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 19th day of April, 2011, to consider the following proposed local law:

**LOCAL LAW No. 20F 2011
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT TO
AMEND CHAPTER 89 "ALCOHOLIC BEVERAGES:
SOCIAL HOST RESPONSIBILITY LAW" AND
CHAPTER 147 FEES OF THE CODE OF
THE VILLAGE OF NORTHPORT**

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

Section 1. Statutory Authority and Supercession

This Local Law is adopted pursuant to New York State Village Law, Municipal Home Rule Law and State Environmental Quality Review Act and its implementing regulations and expressly supersedes the provisions of the Village Code as detailed below in Section 4 of this Local Law.

Section 2. Amendment to Chapter 89: Alcoholic Beverages: Social Host

Responsibility Law

§ 89-4. Penalties.

A violation of Section 89-3 of this local law shall constitute a violation and be punishable in the manner as follows:

- A. First Offense: ~~Two~~ Five hundred and fifty dollars.
- B. Second Offense: ~~Five hundred~~ One thousand dollars.
- C. Third and Subsequent Offenses shall constitute an unclassified misdemeanor with penalties as follows: either: (1) One thousand five hundred dollars (2) A term of imprisonment not to exceed one year, or (3) Both one thousand five hundred dollars and a term of imprisonment not to exceed one year.

Section 3. Amendment to Chapter 147 Fees

Chapter 277, Trees

§ 277-5 Permit Fee per application \$25.00

Section 4. 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 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. Effective Date

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

On the motion of Trustee McMullen and seconded by Trustee Tobin the Public Hearing was opened.

No persons from the public spoke.

Trustee Kehoe emphasized that this was to bring the Villages fines in balance with the counties fines.

PUBLIC PARTICIPATION: Peter Heffern and Brian Whithead, two residents from Centerport questioned the Board as to what the Village is doing and where the Board stands on the issues regarding the water quality of the Harbor. A lengthy discussion ensued.

BOARD APPROVAL OF WARRANT:

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

Fiscal Year 2010/2011 General Fund bills in the amount of \$ 2,732.38

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

Fiscal Year 2011/2012 General Fund bills in the amount of \$ 104,829.73

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

Fiscal Year 2011/2012 Capital Fund bills in the amount of \$ 8616.50

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

Fiscal Year 2010/2011 Fire Department bills in the amount of \$ 2,876.36

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

Fiscal Year 2011/2012 Fire Department bills in the amount of \$ 37,755.33

COMMISSIONER REPORTS:

CHIEF OF POLICE REPORT: In the interest of time no Police report was received.

ADMINISTRATOR'S REPORT: Mr. Guido reported that the Board needs to pass a resolution to allocate money to Gannett Fleming for the archeology study for SEQRA in regards to the sewer pipe re-lining along the Woodbine Ave shore.

NEW BUSINESS: In the interest of time no new business was discussed.

OLD BUSINESS: In the interest of time no old business was discussed.

CORRESPONDENCE: no correspondence was received.

REQUESTS: no requests were received.

RESOLUTIONS:

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

RESOLUTION 2011- 64 ~ APPROVAL OF THE MARCH 15, 2011 MINUTES

WHEREAS: Copies of the minutes of the March 15, 2011, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

The following resolution was put on hold until the next meeting.

RESOLUTION 2011- 65 ~ APPROVAL OF THE APRIL 5, 2011 MINUTES

WHEREAS: Copies of the minutes of the April 5, 2011, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

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

RESOLUTION 2011- 66 LOCAL LAW NO. 2 OF 2011

WHEREAS: a Public Hearing of the Village Board of Trustees was held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 19th day of April, 2011, to consider the following proposed local law:

**LOCAL LAW No. 2 OF 2011
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT TO
AMEND CHAPTER 89 "ALCOHOLIC BEVERAGES:
SOCIAL HOST RESPONSIBILITY LAW" AND CHAPTER 147 FEES OF THE CODE**

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

RESOLUTION 2011- 67 ~ GRANTING THE APPEALS FOR ADJUSTMENTS OF SEWER RENTS FOR FISCAL YEAR 2010-2011 TO THE EXTENT SET FORTH IN SCHEDULE "A" 4/19/11 ATTACHED. TO BECOME FINAL APRIL 30TH 2011 UNLESS OTHER DOCUMENTATION IS SUPPLIED.

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

RESOLUTION 2011-67 ~ FIRE DEPARTMENT AMBULANCE

BE IT RESOLVED: The Northport Fire Department is hereby authorized to purchase an ambulance in an amount not to exceed \$190,000.00. from Specialty Vehicle Sales 180 Dupont Ave Plainview, NY Said purchase to be funded out of the Emergency Equipment Capital Fund and

BE IT FURTHER RESOLVED: That the department is also authorized to prepay \$41,431.00 for the chassis, (saving the Village approximately \$10,000).

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

RESOLUTION 2011-68 GANNETT FLEMING

BE IT RESOLVED: The Village Board hereby authorizes the sum of \$6700. To Gannett Fleming for the Archeology portion of the SEQRA review for the shore line re-lining.

REQUESTS:

The next regular meeting of the Board of Trustees will be on May 10, 2011 at 6:00 p.m.

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

Respectfully submitted,

Donna M. Koch
Village Clerk

