

**THE MINUTES
FOR THE SEPTEMBER 6, 2016
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING
6:00 PM.**

Present: Mayor Doll, Trustees Maline, McMullen, Milligan and Tobin, Village Attorney Stuart Besen, Village Clerk Donna Koch, Village Treasurer Len Marchese, Village Police Chief Bill Ricca

Absent: Village Administrator Tim Brojer

ANNOUNCEMENTS: no announcements.

PRESENTATIONS:

The Board and Police Chief presented Lieutenant Cook Officer Cerar, Officer Bruckenthal and Officer Kerekes with departmental lifesaving medals for actions they took in saving a man who was choking at a local restaurant. We cannot be remiss to commend the actions of the Fire Department along with the paramedic.

Officer Cerar and Officer Kerekes together with the Suffolk County District Attorney's office. Over a two month period they investigated house in East Northport that was selling heroin out of it. They developed a very strong case and were able to arrest the individual from the house who was then charged with possession of heroin, intent to sell heroin, packing material and an imitation pistol and other drug paraphernalia. Both Officers were awarded the Excellent Police Duty Award.

During a recent a car stop Officer Cerar was able to make an arrest of an individual with over \$15,000 worth of heroin and other drug paraphernalia. In the car they seized 740 individual packets of heroin with intent to sell. That only amounted to about half of what was in the car. The individual was charged with an A-1 felony. Officer Cerar was awarded the Meritorious Police Service Award.

PUBLIC HEARINGS: POSTPONED TO 9/20/16 DUE TO ADVERTISING ERROR.

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 6th day of September 2016, to consider the following proposed local law:

LOCAL LAW “D” of 2016
A LOCAL LAW TO AMEND CHAPTER 47 OFFICERS AND EMPLOYEES
ARTICLE V OF CODE OF THE VILLAGE OF NORTHPORT
Criminal History Record Search for Certain Employment

Section 42-7. Conduct of records search

A. The Village may conduct certain investigations concerning the qualifications of any

Applicant, as are necessary to make an informative evaluation and determination as to the experience and character qualifications, for the following positions:

- (1) Code Compliance Director.
- (2) Assistant Code Compliance Director.
- (3) Building Inspector.
- (4) Northport Police Officer.
- (5) Police Dispatcher.
- (6) Court Clerk.
- (7) Deputy Court Clerk.
- (8) Village Administrator. (Amended 10-5-2010 by L.L. No. 8-2010)
- (9) Village Bay Constable.
- (10) Dockmaster.
- (11) Parking Meter Attendant.
- (12) Parking Meter Officer.
- (13) Highway Superintendent.
- (14) Senior Sewer Plant Superintendent.
- (15) Village Clerk.
- (16) Deputy Village Clerk.
- (17) Treasurer.
- (18) Deputy Treasurer.
- (19) Secretary of the Planning Board.
- (20) Secretary of the Board of Zoning Appeals.
- (21) Traffic Control Officer.
- (22) Traffic Control Specialist.
- (23) Harbormaster.
- (24) Paramedic.
- (25) Fire Marshal
- (26) Parking Meter Collector.

- B. Any applicant for employment for the above referenced positions may be fingerprinted by the New York State Division of Criminal Justice Services or its contractor (currently Morpoho Trust USA) for a full search in order to determine if the applicant has been convicted of any criminal offense.
(Amended by LL- 2016)
- C. Each applicant shall sign a release authorizing the Village to submit such applicant's fingerprints to the New York State Division of Criminal Justice Services and to receive the results or report of such criminal history record search. Such release, a copy of which shall be supplied to the applicant, shall also advise the applicant that a criminal history record search will be conducted concerning the applicant, and he or she may obtain a copy of his or her criminal history record.
- D. The New York State Division of Criminal Justice Services shall return such criminal history record information as may exist in its files or a statement that no such relevant information exists. Such report, when received, shall be marked confidential and securely stored and shall not be disclosed to any other person other than the applicant, although the contents of the report may be disclosed to the Village Board of Trustees, the Village Chief of Police and the Village Attorney, as it is necessary to determine character qualifications.
- E. Each case involving a criminal conviction shall be considered on its own merits. An applicant shall not automatically be disqualified or barred from employment solely on the basis of a criminal conviction unless otherwise mandated by law.
- F. All fingerprints supplied by the applicant shall be returned to the applicant upon denial of his or her employment in connection with which such fingerprints were obtained or upon termination.

PUBLIC PARTICIPATION:

Several Beach Ave. homeowners addressed the Board regarding the conditions at the 20 Beach Ave. beach house and sewer project as well as the conditions at Steers Park. Mr. Mann who lives across the street stated the project has been going on for two years with no end in sight. He feels there is too much down time and feels the project should have been done long ago. He was told by Village officials that the job would be done by last fall. Trucks and equipment stayed there all last winter. The generator building was built and that looks nice. But nothing else has been done. Again, I was guaranteed the job would be completed by September 13th, of this year and without a 'band of angels

with shovels” I don’t think it’s going to be done. He asked for a date as to when the property would be complete. Trustee McMullen replied that Mr. Brojer has sent a letter putting the company on notice. The Mayor explained the first contractor failed to complete the project, so the Village hired another company that would do directional drilling. Trustee Tobin explained the changes that were made to the project. Mrs. Mann stated she heard a rumor that the Village plans to move offices down to the beach house. Trustee McMullen reported that has never been discussed.

Josephine Rizzio also of Beach Ave. again addressed the Board regarding the conditions at Scudder Park. She stated the Village has done very little to improve the conditions either at project site or at Scudder Park. She stated there is no routine maintaince schedule. Trustee Maline replied that is not true. She stated if there are perfectly good telephone poles in the back area why are there ones that are chewed up and dangerous lining the park area. Trustee Milligan stated he would look into it. Ms. Rizzo showed pictures of chained boats next to the bulk head. Kids are jumping all over them. They need to be removed. There are over 47 boats (dinghies) that are damaged and haven’t been used in years. The dumpster is a disgrace, and new dumpster with lids is needed. Trustee McMullen reported they have ordered a new dumpster. Mrs. Rizzo stated all the promises that have been made have not been kept. Trustee Maline commented that they have made improvements since the spring and they continue to make them.

BOARD APPROVAL OF WARRANT:

On the motion of Trustee Milligan and seconded by Trustee McMullen the following bills were approved.

Fiscal Year 2016/2017 General Fund bills in the amount of \$ 46,362.01

On the motion of Trustee Tobin and seconded by Trustee Maline the following bills were approved.

Fiscal Year 2016/2017 Sewer Fund bills in the amount of \$ 5,049.41

On the motion of Trustee McMullen and seconded by Trustee Maline the following bills were approved.

Fiscal Year 2016/2017 Capital Warrant bills in the amount of \$ 206,583.25

On the motion of Trustee McMullen and seconded by Trustee Milligan the following bills were approved.

Fiscal Year 2016/2017 Trust Fund bills in the amount of \$ 1,851.50

COMMISSIONER REPORTS: Trustee Maline reported the Village has done work down at Scudder and more needs to be done. The beach has been raked twice. There was a delay in the raking because of nesting Piping Plover. If more garbage cans are needed they will be put in. Maybe a garbage can over by the boat ramp would be helpful. A fifty

gallon can for bar-b-que ash will be installed. He also has a personnel item for executive session.

Trustee McMullen reported everything he had has already been discussed.

Trustee Tobin reported we have been promised the 1.5 million pass through grant from New York State to Suffolk County to upgrade the sewer lines and plant. It's been a very long saga. DASNY has issued the county contract. Once the County reviews the contract if everything is okay they will send it back to the state. Our Treasurer is already working on the form and content of what needs to be submitted for reimbursement with the County and the State. The grant money will cover most of the remaining balance of the loans from the EFC.

Trustee Milligan reported the waterfront weathered the storm well and the police boat assisted in the Huntington Lighthouse festival. We looking to better educate the commercial district to come up with ideas to do more recycling. We'd like to see the shop keepers to join in on the streamline recycling.

Mayor Doll reported the highway has been resetting the cobblestone curbs up along Main Street and have really done a good job. They have been out with the jet-vac and continue to mow. They are also preparing for Cow Harbor Day.

CHIEF OF POLICE REPORT: the Department responded to 517 calls for service, issued 288 summonses and made 21 arrests. Eight of the arrests were narcotics related. The department applied for a grant from the NYS Governor's Traffic Safety Committee for FY 2017 and was awarded \$8,625.00 to be used to pay for overtime for traffic enforcement.

TREASURER REPORT: Mr. Marchese reported they had met with the Town of Huntington to go over the district one fire protection to increase their contribution to help offset the costs of the paramedic program. Mr. Marchese ask to see the board during executive session to discuss the LOSAP program with action might being taken.

ADMINISTRATOR'S REPORT: no report this evening.

NEW BUSINESS: Mayor Doll reported that he has met with a couple of engineering firms for storm water management. There is a proposal from Nelson & Pope and the Mayor would like the board to pass the resolution tonight. Trustee Milligan stated it is a study to see where the water comes from and where the water goes to. Part of the agreement is that the village would own all the data and study. The Mayor went on to explain that from past administrations the village has put in over \$500,000 worth of storm drains. He did not know how the areas were selected. They have had little effect stopping the flooding on Main St.

OLD BUSINESS: Effie Huber asked if the Village has been in touch with the Cow Harbor Race Committee to move any stragglers at the end of the race onto the sidewalk. Last year the roads were closed for longer than necessary because of people with strollers walking in the road. Chief Ricca reported he has spoken to Rich Boziwick and they are going to keep the stragglers on the side maybe a police cars width of the road to allow other cars to pass.

CORRESPONDENCE: a letter of thanks from the Chamber for Tuesday Night Happenings.

REQUESTS:

1. Request from Visiting Nurse to hold a dog walk Sunday October 30, 2016. The Village Board approved this request.

RESOLUTIONS:

On the motion of Trustee Tobin and seconded by Trustee Milligan with Trustee Maline abstaining the following resolution was approved.

RESOLUTION 2016- 137 ~ APPROVAL OF THE AUGUST 2, 2016 MINUTES

WHEREAS: Copies of the minutes of the August 2, 2016, 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 McMullen and seconded by Trustee Tobin the following resolution was unanimously approved.

RESOLUTION 2016- 138 ~ APPROVAL OF THE AUGUST 16, 2016 MINUTES

WHEREAS: Copies of the minutes of the August 16, 2016, 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 not voted on due to postponement of hearing.

RESOLUTION 2016 - 139 ~ LOCAL LAW No. 5 OF 2016

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 6th day of September 2016, to consider the following local law, now

THEREFORE BE IT RESOLVED: That the Board of Trustees of the Village of Northport hereby adopts the following:

LOCAL LAW No. 5 OF 2016
A LOCAL LAW TO AMEND CHAPTER 47 OFFICERS AND EMPLOYEES
ARTICLE V OF CODE OF THE VILLAGE OF NORTHPORT
Criminal History Record Search for Certain Employment

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

RESOLUTION 2016 – 140 ~ SERVICE AGREEMENT/ CONTRACT WITH LECSA (EMPLOYEE ASSISTANCE PROGRAM)

BE IT RESOLVED: the Mayor is hereby authorized to sign a two year service agreement with LECSA (employee assistance program) not to exceed the sum of \$3,000. To be paid in two installments September, 2016 and September, 2017.

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

RESOLUTION 2016 –141 ~ BUDGET TRANSFER

BE IT RESOLVED: The Village Treasurer is hereby authorized to make the following budget transfers; see Schedule “A”

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

RESOLUTION 2016-142 ~ STORMWATER MANAGEMENT PLANNING PROPOSAL

BE IT RESOLVED: The Mayor is hereby authorized to sign a proposal for Stormwater Management Planning Sub Water Shed Assessment dated March 14, 2016 revised August 10th, 2016 with Nelson, Pope & Voorhis, LLC in an amount not to exceed \$12,000.00 for Phase I and not to exceed \$18,000.00 for Phase II.

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

RESOLUTION 2016- 143 ~ DASNY GRANT

BE IT RESOLVED, the Mayor is hereby authorized to execute all documents related to the 1.5 million NYS RED grant funding agreement being pass through Suffolk County via the DASNY project ID # 6377 FMS # 149396

On the motion of Trustee Maline and seconded by Trustee Milligan the Board moved into executive session.

On the motion of Trustee Maline and seconded by Trustee McMullen the Board moved out of executive session.

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

RESOLUTION 2016-144 Termination of Hometown Firefighters Services and retaining of Penflex, Inc., to perform administrative services for Northport's Length of Service Awards Program (LOSAP)

BE IT RESOLVED: The Mayor is hereby authorized to sign all necessary documents in relation to the termination of Hometown Firefighters Services subject to attorney approval to form and content and the Mayor is hereby authorized to sign all necessary documents in relation to retaining Penflex, Inc., 50 Century Hill Drive, Suite 3 Latham, New York 12110 to perform and take over the administrative services for Northport Village's Length of Service Awards Program (LOSAP) subject to village attorney approval to form and content.

BE IT FURTHER RESOLVED: That the service agreement with Penflex shall be for two years covering the years 2016 and 2017, for a fee not to exceed the sum of \$6300.00 annually.

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

RESOLUTION 2016-145 Retaining FCE Group for investment services with regard to Northport Village's Length of Service Program Fund (LOSAP)

BE IT RESOLVED: The Mayor is hereby authorized to sign all necessary documents with FCE Group, 3 Dakota Drive, Suite 310 Lake Success, New York 11042 for investment services with regard to the Village of Northport's Length of Service Awards Program (LOSAP) subject to village attorney approval to form and content.

On the motion of Trustee Maline and seconded by Trustee McMullen the Board moved into executive session.

On the motion of Trustee Tobin and seconded by Trustee Maline the Board moved out of executive session

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

RESOLUTION 2016-146 ~ RETAINING COUNSEL

BE IT RESOLVED: The Mayor is hereby authorized to sign documents in relation to retaining counsel to advise and recommend with regard to personnel issues not to exceed the sum of \$1500.00.

The next regular meeting of the Board of Trustees will be on September 20th, 2016 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

Budget Transfers

| 9/2/2016 AMOUNT | 2016-2017 APPROPRIATION LINE FROM | APPROPRIATION LINE TO | AMOUNT |
|----------------------------|--|--|---------------|
| \$3,000.00 | A.1325.0400.0000 TREASURER EXPENSES | A.1380.0400.0000 BANK FEES | \$3,000.00 |
| \$2,000.00 | A.1620.0401.0000 VILLAGE HALL UTILITIES | A.1620.0409.0000 VILLAGE HALL BLDG. MISC. | \$2,000.00 |
| \$6,995.57 | A.1910.0400.0000 UNALLOCATED INSURANCE | A.1680.0200.0000 COMPUTER EQUIPMENT | \$6,995.57 |
| \$2,696.76 | A.1325.0400.0000 TREASURER EXPENSES | A.1680.0200.0000 COMPUTER EQUIPMENT | \$2,969.76 |
| \$3,571.50 | A.1990.0400.0000 CONTINGENCY | A.1680.0400.0000 COMPUTER MISC | \$3,571.50 |
| \$800.00 | A.3310.0200.0000 TRAFFIC CONTROL EQUIPMENT | A.3310.0400.0000 TRAFFIC CONTROL EXPENSES | \$800.00 |
| \$1,000.00 | A.5110.0407.0000 HIGHWAY ATREET SIGNS | A.5110.0409.0000 HIGHWAY MISC | \$1,000.00 |
| \$60.00 | A.7140.0420.0000 PARKS AUTO INSURANCE | A.7140.0413.0000 PARKS BEACH EXPENSES | \$60.00 |
| \$20.00 | G.8120.0403.0000 SEWER GAS, DIESEL | G.1380.0400.0000 SEWER BANK FEES | \$20.00 |
| \$3,900.00 | G.8120.0419.0000 SEWER PUMP STA. MAINTENANCE | G.8120.0400.0000 SEWER LINE REPAIRS | \$3,900.00 |

