

**THE MINUTES
FOR THE JANUARY 16, 2018
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING
6:00 PM.**

Present: Mayor Doll, Trustees McMullen, Maline, Milligan, Village Attorney Stuart Besen, Village Clerk Donna Koch, Administrator Tim Brojer Village, Police Chief Bill Ricca.

Absent: Trustee Tobin, Treasurer Len Marchese

ANNOUNCEMENTS: no announcements.

PRESENTATIONS: no presentations.

PUBLIC HEARINGS:

The following Public Hearing was put on hold until further notice.

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 16TH day of January, 2018 to consider the following proposed local law:

**PROPOSED LOCAL LAW "F" OF 2017
A LOCAL LAW TO AMEND CHAPTER 306. ZONING ARTICLE X. BOARD OF
ZONING APPEALS
SECTION 306-39 (B) (2) (H) DRIVE THROUGH FACILITIES PERMITTED**

(h) Drive through facilities [Added 11-6-2006 by L.L. No. 10-2006]

[1] Drive-through facilities shall be permitted only in the Highway District that are fronting on a state highway on a parcel of land or plot in excess of ½ acre and cannot be adjoining from any residential property and upon a finding by the Board of Zoning Appeals that the general standards for the issuance of a special permit as set forth in Northport Village Code Section 306-39(B)(1) have been met.

[2] Delete

PUBLIC HEARING # 2

CONTINUATION OF PUBLIC HARING STARTED DECEMBER 19, 2017.

**LOCAL LAW "E" OF 2017
A LOCAL LAW TO AMEND CHAPTER 124:
"MARINE CONSERVATION AND REGULATION OF MARINE
STRUCTURES" LAW OF THE CODE OF THE VILLAGE OF
NORTHPORT.**

Chapter 124

**MARINE CONSERVATION AND REGULATION OF MARINE STRUCTURES
LAW**

Section 124-1 Intent.

It is the intent of the Village Board to protect the citizens of the Village of Northport by providing for the protection, preservation, proper maintenance and use of its watercourses, coastal wetlands and tidal marshes in order to minimize their disturbance, prevent damage from erosion, turbidity or siltation, salt water intrusion, loss of fish, shellfish or other beneficial marine organisms, aquatic wildlife and vegetation and the destruction of the natural habitat thereof, the dangers of flood and storm tide damage and pollution and to otherwise protect the quality of watercourses, coastal wetlands, tidal waters, marshes, shorelines and watersheds from mismanagement. Therefore the Village Board declares that regulation of the watercourses, coastal wetlands and tidal marshes of the Village of Northport is essential to the health, safety, economic and general welfare of the people of the Village of Northport and in their interest.

Section 124-2 Definitions; word usage.

(A) Definitions. For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

APPARENT HIGH WATER (AHW)

The observed location of high water recorded at a particular point or station on a particular date.

APPARENT LOW WATER (ALW)

The observed location of low water recorded at a particular point or station on a particular date.

ARMAMNT-STONE

The placement/installation of larger stones, including boulders, at the toe of a bulkhead/seawall to dissipate wave action.

BERTH

The water area a vessel occupies when made fast to a shoreline or structural installation.

BULKHEAD

A structure that is positioned parallel to the shore to retain upland soil

CERTIFICATION OF COMPLETION

A certificate issued by the Northport Village Building Department stating that a permitted project under this Chapter has been completed in compliance with approved plans, the Code of the Village of Northport and other applicable provisions of law.

COMMERCIAL MARINE STRUCTURE(S)

A marine structure designed to dock, berth or service vessels that function and/or serve as a component part of a marina, fuel dock, yacht club, barge, tanker terminal, commercial fishing loading/off-loading facility or as a structure designed to secure or make fast a vessel(s) engaged in commerce or to accommodate greater than four noncommercial vessels at a time.

CONSTRUCTION

The act or action of combining materials and parts to form a new permanent or temporary structure or to extend or reduce an existing structure.

DEPOSIT

Includes, but is not limited to, dump, bulldoze, shovel, pipe hydraulically or any other method of placing material on a site.

DOCK ASSEMBLY

A marine structure, components and assemblage that extends seaward consisting of a fixed pier, movable access ramp and float(s), intended to berth and secure a vessel(s).

DOCK

A marine structure whose primary purpose is to berth and secure boats by itself or as part of a dock assembly.

EROSION

To wear away or diminish land by action of water or wind.

FILL

Il fill, including but not limited to backfill material, consisting of only clean and,

gravel or soil (not asphalt, slag, fly ash, broken concrete or demolition debris).

FIXED PIER

A marine structure, usually of open construction, that is stand-alone or is a component of a dock assembly, built for use as a means of accessing the shoreline from a boat.

FIXED PLATFORM ACCESS STRUCTURE

A marine structure, usually of open construction, that provides access to the shoreline over or around an erosion control structure, including but not limited to a bulkhead, seawall or rip-rap.

FLOATING DOCK

A buoyant marine structure usually of open construction, which extends seaward and is affixed and secured in place with the use of piles or anchors.

GABION WALL SYSTEM

A system of cage or box like structures filled with larger stones or concrete and placed in line and sometimes stacked on a shoreline area to act as erosion control.

HIGH WATER (HW)

Maximum height reached by a rising tide. The height may be solely due to the periodic tidal forces or it may have superimposed effects of prevailing meteorological conditions, also commonly known as high tide.

LITTORAL BOUNDARY

A boundary line extending seaward from adjoining upland parcels from a point at right angles to tangent to the mean high water (MHW) line, drawn at that point to where the property line intersects the MHW line. In situations where irregular shoreline features may cause the "littoral boundary" to inequitably divide the littoral areas of adjacent shoreline property owners, the "littoral boundary" will be located in such a manner as to equitably divide the adjacent littoral areas based upon shoreline frontage.

MARINA

A waterfront facility designed to berth, store, launch, repair, fuel or provision a vessel exclusive of a docking facility that services as a residential and/or recreational structure.

MAINTENANCE DREDGING

Dredging reasonably necessary to maintain the width and nominal depth of any harbor or inland harbor.

MARINE RESOURCE FLOATING PLATFORM

Any special purpose floating platform operated and regulated by the Village of Northport alone designed for and limited to propagation and grow-out of natural resources.

MARINE STRUCTURE

A structure either in the water or adjacent to the shoreline, that provides access to the water, the shoreline or protects property bordering the shoreline from erosion, including but not limited to a bulkhead, seawall, dock assembly, fixed pier, fixed platform access structure, floating dock, floating platform armament-stone, rip-rap, or gabion wall system.

MEAN LOW WATER or MEAN HIGH WATER

Respectively, the approximate average low water level or high water level for a given body of water at a given location, that distinguishes between predominantly aquatic and predominantly terrestrial habitat as determined, in order of use, by the following:

- (1) Available hydrologic data, calculations, and other relevant information concerning water levels (e.g. discharge, storage, tidal, and other recurrent water elevation data);
- (2) Vegetative characteristics (e.g., location, presence, absence or destruction of terrestrial or aquatic vegetation);
- (3) Physical characteristics (e.g., clear natural line impressed on a bank, scouring, shelving, or the presence of sediments, litter or debris);
- (4) Other appropriate means that consider the characteristics of the surrounding area.

MATERIAL

Includes, but is not limited to, soil, sand, gravel, clay, bog, mud, shells, or other aggregates, solid and liquid wastes and chemicals.

MINOR RECONSTRUCTION

Includes, but not limited to the replacement-in-kind, or reconstruction of less than fifty (50%) percent of a marine structure or subsystem of a marine structure in a twelve (12) month period.

OPERATION

The removal or depositing of material or a combination of both or the erection or reconstruction of any dam, impounding structure or other structure, including, but not limited to, any artificial obstruction, temporary or permanent, dock, pier, wharf or other structure, temporary or permanent, used as a landing place on water

or pile, spill or dolphin.

PIER

A marine structure usually of open construction projecting into a body of water for use as a landing stage or breakwater.

PILE

A long vertical substantial pole of wood, concrete, fiberglass or metal, driven into the earth or sea-bed to serve as support or protection.

REMOVE

Includes but is not limited to dig, dredge, such and bulldoze or any other method.

REPAIR

To restore to sound condition after damage or wear by means of replacement of any part of portion of an existing marine structure or sub-system with like or similar type materials.

RESIDENTIAL AND/OR RECREATIONAL MARINE STRUCTURES

A pier, ramp and float(s) structure operated for recreational purposes permit the docking of no greater than three vessels per single residence.

RIP-RAP

The placement or stacking of larger stones, including boulders and slab, on a shoreline area to act as control erosion.

ROUTINE MAINTENANCE

The customary minor repairs required to preserve and sustain a marine structure in satisfactory operating condition, provided that the minor repair is not submerged in tidal water. Routine maintenance shall not include the enlargement of or increase in capacity in a portion of a permitted marine structure. Any form of dredging or depositing of material shall not be considered routine maintenance and shall require a permit under this chapter.

SEAWALL

A wall or embankment to protect the shore from erosion or to act as a breakwater.

SHORELINE

The land at the edge of a body of water, such as an ocean, sound, bay, sea, lake, cove, bight, canal or harbor.

SUBSTANTIAL RECONSTRUCTION

Refers to any repair, replacement or reconstruction of fifty percent (50%), by area, or more of a marine structure or sub-system of a marine structure in a twelve (12) month period.

SWIM FLOAT

A floating structure positioned and anchored in town waters that is designed specifically to serve as a diving platform and to assist or support swimmers during recreational water contact activities.

TIDAL WATERS

Includes all waters bordering on or within the village boundaries subject to fluctuations in depth from storm, peak lunar or normal tidal action and shall include but not be limited to all brackish and salt waters of streams, ponds, creeks, estuaries, bays, sounds and inlets and may include certain fresh waters.

VILLAGE

The Village Board of the Village of Northport or the Village of Northport Board of Trustees or their successors as provided by law, or both, as the case may be.

UPLAND

All that land or area not containing wetlands as defined herein and which is above the ten foot contour measured from mean sea level datum as established by the United States Coast and Geodetic Survey.

WATERCOURSES

Any waterway or other body of fresh, brackish or salt water having reasonably well defined banks including but not limited to sounds, bays, rivers, creeks, rivulets, lakes, ponds and streams.

WETLANDS

Lands generally covered or intermittently covered with fresh, brackish or salt water, including but not limited to tidal marsh, thicket meadows, out-marshes, salt meadows, swamps and bogs.

(B) Word usage. When not inconsistent with the context, words used in the present tense include the future; words used in the plural number include the singular number; any words

Used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

Section 124-3 – Design and engineering documentation required; application.

For the purposes of this chapter, any applicant for a permit under this chapter shall submit design drawings and supporting engineering documents prepared by a professional engineer licensed by the State of New York to the Northport Village Building Department that include, but are not limited to the following information, as applicable, regarding the structures set forth below that are proposed to be constructed and/or reconstructed:

(A) Bulkheads, Groins, Jetties and Breakwaters.

- (1) The type of hardware proposed to be used, including, dimensions, sizing, material and coatings;
- (2) The dimensional lumber (e.g., wales, caps, sheathing) proposed to be used, Including sizing, wood type and classification, treatment, spacing, joining details (e.g. wale scarf joint);
- (3) The type of sheathing proposed to be used, including but not limited to, the dimensions, material, manufacturers specifications, if appropriate (e.g. steel, vinyl, fiberglass);
- (4) The in-situ soils, including but not limited to the elevation of hardpan, bearing capacity;
- (5) The piles proposed to be used, including the type of material, length, class, tip, butt, treatment, if timber, and manufacturers specifications, if appropriate (e.g. steel, fiberglass);
- (6) Splice details. Depiction of how proposed structure is to meet with existing adjacent structure;
- (7) Deadman system, including anchor details (e.g. timber, poured concrete, engineered);
- (8) Fill; backfill material. The classification of backfill material, whether the backfill material is well graded and/or well draining, and proof of origin of the backfill material;
- (9) Geotextile filter fabric. The manufacturers specifications for the geotextile filter fabric; and
- (10) Structural calculations that support the choice of materials and
(e.g. free earth support method for bulkheads).

design

(B) Seawalls (Stone, Concrete, Masonry).

- (1) In-situ soils, including but not limited to the elevation of hardpan and the

- bearing capacity;
 - (2) Splice details. A depiction of how proposed structure is to meet with existing adjacent structure;
 - (3) Deadman System. The anchor details, including timber, poured concrete, engineered;
 - (4) Fill; backfill material. The classification of backfill material, whether the backfill material is well graded and/or well draining, and proof of origin of the backfill material;
 - (5) Geotextile filter fabric. Submission of the manufacturers specifications;
 - (6) Concrete/masonry design:
 - (a) Protection from sea water;
 - (b) Reinforcement; and
 - (c) Joints.
 - (7) Structural calculations that support the choice of materials and design:
 - (a) Factor of safety against overturning;
 - (b) Factor of safety against sliding; and
 - (c) Maximum soil pressure under the base.
- (C) Piers and Docks.
 - (1) The type of hardware proposed to be used, including the dimensions, sizing, material, coatings;
 - (2) The dimensional lumber proposed to be used (e.g., posts, girders, stringers, decking), including the sizing, wood type and classification, treatment, spacing, and joining details (e.g., fasteners, strapping, frequency, spacing);
 - (3) In-situ soils, including but not limited to the elevation of hardpan and bearing capacity;
 - (4) The piles proposed to be used, including the type of material, length, class, tip, butt, treatment, if timber, and manufacturers specifications, if appropriate (e.g., steel, fiberglass); and
 - (5) Splice Details. A depiction of how the proposed structure is to meet with existing adjacent structure.
- (D) Floating docks.
 - (1) The type of hardware proposed to be used, including the dimensions, sizing, material, coatings;
 - (2) The dimensional lumber proposed to be used (e.g., posts, girders, stringers, decking), including the sizing, wood type and classification, treatment, spacing and joining details;

- (3) Piles. The piles proposed to be used, including the type of material, length, class, tip, butt, treatment, if timber, and manufacturers specifications, if appropriate) e.g., steel fiberglass);
 - (4) Floatation material. The type of foam or floatation material.
 - (5) Gangways including connection details to bulkhead or pier, handrails and Americans with Disability Act ramps;
 - (6) Anchorage system;
 - (7) Utility hangar and access system; and
 - (8) Decking material, cleat system and connection.
- (E) Boat Ramps.
- (1) Cofferdam and dewatering preliminary design sketches;
 - (2) Scour protection;
 - (3) Concrete slab design;
 - (4) Load transfer;
 - (5) Base course for the concrete slab;
 - (6) Fill; backfill material. The classification of backfill material, whether the backfill material is well graded and/or well draining, and proof of origin of the backfill material;
 - (7) Geotextile filter fabric. Submission of manufacturers specifications.
 - (8) Proposed slope. The recommended slope for the boat ramp is 14% recommended; and
 - (9) Traction grooves in the concrete.

Section 124-4 ENVIRONMENTAL PROTECTION STANDARDS FOR RESIDENTIAL AND RECREATIONAL MARINE STRUCTURES

- (A) Fixed pier, ramp and floating dock(s). The following standards and regulations shall apply to the design, construction and operation of a residential and/or recreational fixed pier, ramp and float as permitted under this chapter:
- (1) The maximum overall length of a fixed pier, ramp and float dock structure shall be limited to a distance not to exceed 100 feet extending from the mean high water(MHW) mark to littoral property subject to the rights of the public to provide access for the use of underwater lands to obtain natural resources, including finfish and shellfish, and use of waterways for navigation, recreation and swimming. Measurements shall be

taken from the mean high water (MHW) line to extend seaward.

- (2) The underside of joists supporting a fixed pier that extends seaward shall be elevated no less than four feet above mean high water.
- (3) The deck of a fixed pier shall have a maximum surface width of 48 inches.

All

below,

Environmental

proposed decking shall permit the passage of light and water to the area unless otherwise authorized by the New York State Department of Conservation (NYSDEC).

dock shall

- (4) The areas of the fixed platform/deck shall not exceed 100 square feet. A not exceed 100 feet in length and shall not exceed 4 feet in width.
- (5) The seaward terminus of a fixed pier, ramp and float(s) structure shall not extend within a distance of 50 feet of any federally or locally designated channel, vessel access way, fairway or anchorage.
- (6) No fixed pier, ramp or float(s) structure shall hinder or impede public use of the water, vessel navigation or adjacent littoral areas nor prevent lateral access along the shoreline below the MHW mark.
- (7) Float(s) may be oriented either in-line with the ramp or in an "L" or "T" configuration. No more than a total length of 40 feet of six-foot-wide floats shall be used at the terminus of the fixed pier or dock assembly.

to the

structure:

(B) Access structures. The following standards and regulations shall apply design and operation of a bulkhead wall and fixed platform access

- (1) A fixed platform shall be constructed of planking that shall run perpendicular or diagonal to the frame. Planking shall be spaced with one-half-inch gaps. No solid decks shall be permitted.
- (2) A fixed platform, if greater than six feet in width, shall not cover or shade any Supratidal, intertidal or tidal vegetation.

Section 124-5 ENVIRONMENTAL PROTECTION STANDARDS FOR COMMERCIAL MARINE STRUCTURES

- (1) Marinas shall be classified into two categories:
 - (a) Private/club, directed to the social and boating activities of its members and guests.
 - (b) Commercial, providing berthing space and/or interests in sales, boat repair and storage facilities.

- (2) The following standards shall apply to the design and operation of a marina:
 - (a) Any new commercial marine structure shall be located on a parcel with shorefront footage having specific zoning/land use regulations to permit construction of said structure.
 - (b) No marina shall extend seaward more than 200 feet in length from the MHW line.
 - (c) The deck of a fixed pier shall have a maximum surface width of 72 inches. All proposed decking shall permit the passage of light and water to the area below, unless otherwise authorized by the New York State Department of Environmental Conservation.
 - (d) The underside of joists supporting a fixed pier that extends seaward shall be elevated no less than four feet above mean high water.
 - (e) No marina shall extend within a distance of 50 feet of any federally or locally designated channel, vessel access way, fairway or anchorage.
 - (f) No marina shall extend within ten (10) feet of the littoral boundary
 - (g) Any proposed new commercial marina or any existing commercial marina proposing to expand or increase docking facilities or services shall be required to:
 - (1) Install a marine sanitation pump out device, so designed as to accommodate all vessels in the marina.
 - (2) Install a potable water supply with proper backflow prevention.
 - (3) Provide for the collection and proper disposal of domestic sewage, solid waste (garbage, trash, etc.), grease, oil and gasoline.
 - (4) Provide for proper storm water management of upland storm water within the marina complex.
 - (h) Any commercial marina permitted to dispense

gasoline, diesel

fuel, mixed oils and similar supplies shall maintain sufficient material for the collection and absorption of spilled petroleum products.

- (i) No float(s) shall rest on any underwater lands during ebb or mean low water (MLW) or on any intertidal, tidal or subtidal vegetation, unless otherwise authorized by the New York State Department of Environmental Conservation.

(A) Floating platform. A floating platform(s) is a structure intended for commercial application and use pursuant to Village of Northport Code Section 120-4, Free-standing Floats. The following standards and regulations shall apply to the design and operation of a floating platform:

- (1) No floating platform(s) shall rest on any underwater lands during ebb or mean low water (MLW) or on any intertidal, tidal or subtidal vegetation, unless otherwise authorized by the New York State Department of Environmental Conservation.
- (2) No floating platform(s) shall hinder public or private owner use of the water, navigation or littoral areas.
- (3) No floating platform(s) shall be placed within 50 feet of any federally or locally designated navigational channel, vessel accessway, fairway or channel.

Section 124-6 Maintenance of structures.

It shall be the responsibility of the permit holder(s) and/or the property owner(s) of marine structures governed by this Chapter to provide maintenance, repair and service of said structure(s). Failure to comply with this requirement shall subject the permit holder(s) and/or property owners to fines, penalties and/or other enforcement action authorized by this chapter.

Section 124-7 General Requirements for Applications for Permits for Marine Conservation and Regulation of Marine Structures.

No marine conservation and regulation of marine structures permit shall be issued or released until the non-refundable application fees established in this section have been

paid to the Northport Village Clerk.

Section 124-8 Computation of Application fee.

- (A) An application for a Marine Conservation and Regulation of Marine Structures permit shall include payment of an initial minimum non-refundable fee in addition to a sum based upon the estimated costs of construction, dredging, and/or deposition of material,
as follows:
- (1) For residential uses, the minimum fee shall be one hundred (\$100) dollars.
 - (2) For non-residential uses, the minimum fee shall be five hundred (\$500) dollars.
 - (3) In addition to the minimum fee, a fee of seven (\$7) dollars shall be charged for each one thousand (\$1,000) dollars of estimated costs of construction costs, dredging and/or costs of deposition of material, or fraction thereof.
- (B) For the purposes of this section, the estimated costs of construction, dredging, and/or disposition of material shall be prepared by a professional engineer licensed by the State of New York and be submitted to the Northport Village Building Department
in writing as part of the application for a Marine Conservation and Regulation of Marine Structures permit set forth in this chapter.

Section 124-9 Compliance with other governmental agencies

Where the Village of Northport has concurrent jurisdiction with other local governments and governmental agencies over proposed marine structures, primary consideration shall be given to DEC regulatory requirements. The applicant must seek a permit, variance or other relief from the Village of Northport before or concurrently with submitting an application to DEC. It is the applicant's responsibility to ensure that all involved agencies and local governments have all information necessary in order for the Village of Northport to make a decision on the respective application and that each agency and local government involved is made aware of the applicant's application to the other agency and local government involved.

Section 124-10 Effect on existing Marine Structures

Any marine structure presently existing or an applicant that currently has a permit from the Village of Northport to build a marine structure prior to the effective date of this

Article shall be exempt from the requirements of this Local Law.

Section 124-11 Severability

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

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

PUBLIC PARTICIPATION:

Thomas DeMaio asked the Board to consider increasing the minimum front yard set back to 50 feet when the property has a great than 50% slope. The Mayor said they would look into it and asked if Mr. DeMaio had other municipal law to back up his request. Mr. DeMaio had none but would look into it.

BOARD APPROVAL OF WARRANT:

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

Fiscal Year 2017/2018 General Fund bills in the amount of \$ 23,877.62

On the motion of Trustee Maline and seconded by Trustee Milligan the following bills were approved for payment.

Fiscal Year 2017/2018 General Fund bills #2 in the amount of \$ 2,442.30

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

Fiscal Year 2017/2018 Sewer Fund bills in the amount of \$ 3,839.96

On the motion of Trustee Milligan and seconded by Trustee Maline the following bills were approved for payment.

Fiscal Year 2017/2018 Capital Fund bills in the amount of \$ 44,757.50

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

Fiscal Year 2017/2018 Fire Department bills in the amount of \$23,578.48

COMMISSIONER REPORTS:

Trustee McMullen reported the Village is looking into additional funding opportunities to help pay for the laterals in regards to the Northport Bay Estates sewer project. Right now, it would be up to each individual homeowner the bear the costs of the hook – up. He did not have preliminary costs.

Trustee Milligan reported there is a resolution to extend the garbage contract with Total Collections. The contract price will remain the same and the Village has a good working relation with the company. Also, the Village is looking to replace our 12-yearold pump-out boat (most having a five or six-year life span) and has received grants from the New York State Clean Vessels Program to offset part of the costs.

Mayor Doll reported highway has been busy with snow removal, sanding, picking up Christmas trees and clearing drains.

CHIEF OF POLICE REPORT: Chief Ricca had nothing to report this evening.

ADMINISTRATOR’S REPORT: Mr. Brojer reported the owners of 451 Main Street have asked for temporary parking relief due to a compromised veneer wall that needs to be replaced. The board put a resolution granting this request.

TREASURER’S REPORT: Mr. Marchese was not available this evening.

NEW BUSINESS:

1. Excavation and Construction. The Board approved scheduling a public hearing to amend the chapter of Streets and Sidewalks to make it mandatory any utility doing street work where the road is to be excavated has to restore the road to its nearest construction joint. Also, any utility will have to wait three years to open a road that has been newly paved unless its an emergency.

OLD BUSINESS: no old business was discussed.

CORRESPONDENCE: no correspondence this evening.

REQUESTS: no requests this evening.

RESOLUTIONS:

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

RESOLUTION 2018 -5 ~ APPROVAL OF THE JANUARY 2, 2018 MINUTES

WHEREAS: Copies of the minutes of the January 2, 2018, 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 Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

RESOLUTION 2018 – 6 ~ POLLING PLACE AND HOURS OF ELECTION

BE IT RESOLVED: that the general election for the Incorporated Village of Northport will be held on Tuesday, March 20, 2018 between the hours of 6:00 a.m. and 9:00 p.m. The polling place for each election district shall be the Village Hall, 224 Main Street, Northport, NY 11768.

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

RESOLUTION 2018 -7A SEQRA DETERMINATION

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

WHEREAS, the Village Board of Trustees has determined that the action is a type II action pursuant to 6 NYCRR part 617.5 and not subject to any further action under SEQRA;

NOW, THEREFORE BE IT RESOLVED that the Village Board of Trustees, as lead agency, finds that the action is a type II action pursuant to 6 NYCRR part 617.5 and not subject to any further action under SEQRA.

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

RESOLUTION 2018 – 7 ~ LOCAL LAW No. 1 of 2018

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 20th day of December, 2017 and continued on January to consider the following proposed local law:

**LOCAL LAW No.1 OF 2018
A LOCAL LAW TO AMEND CHAPTER 124:
"MARINE CONSERVATION AND REGULATION OF
MARINE STRUCTURES" LAW OF THE CODE OF THE VILLAGE
OF NORTHPORT.**

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

RESOLUTION 2018 – 8 ~ 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 McMullen and seconded by Trustee Milligan the following resolution was unanimously approved.

RESOLUTION 2018- 9 ~ GFOA TRAINING

BE IT RESOLVED: Deputy Treasurer Laura Kaplan and Payroll Administrator Siobhan Costello are hereby approved to attend GFOA training in Albany New York March 19th – 23rd, 2018 in an amount not to exceed \$900.00

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

RESOLUTION 2018- 10~ DISBURSEMENT

BE IT RESOLVED: the Board approves Deputy Treasurer Laura Kaplan to be paid out for forty- five (45) hours of her unused vacation time.

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

RESOLUTION 2018- 11 ~ GARBAGE REFUSE CONTRACT EXTENSION

BE IT RESOLVED: THE Village hereby authorizes a one-year extension with Total Collection Services, Inc. 7 Doane Avenue, Port Jefferson Station, NY 11776 in an amount not to exceed \$804,000 for refuse collection in the Village of Northport.

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

RESOLUTION 2018- 12 ~ MODIFY RESOLUTION 2017-7

BE IT RESOLVED: Ms. Jennifer Borden’s hourly salary is hereby increased to \$22.50 per hour and

BE IT FURTHER RESOLVED: Ms. Borden will work a modified work week (24 hours per week) and received an annual stipend of \$3150 in lieu of health benefits.

BE IT FURTHER RESOLVED: Ms. Borden’s holiday, sick and personnel time will be based on a six (6) hour day.

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

RESOLUTION 2018- 13 ~ PARKING RESTRICTIONS

BE IT RESOLVED: The Village hereby suspends for thirty days from tonight the parking restrictions on Main Street from point 725 feet west of its intersection with Laurel Ave. to its intersection with Ocean Ave.

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

RESOLUTION 2018- 14~ SET PUBLIC HEARING ON PROPOSED LOCAL LAW “A” OF 2018.

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 February, 2018 to consider the following proposed local law:

**PROPOSED LOCAL LAW “A” OF 2018
A LOCAL LAW TO AMEND CHAPTER 256. STREETS AND SIDEWALKS
ARTICLE II EXCAVATION AND CONSTRUCTION**

Section -256-13. General

A. No person, firm or corporation, including public service companies and public authorities, shall make any excavation in any street, highway or sidewalk or in any village property nor construct any sidewalk or curb or make any cut along any street in the Village of Northport for any purpose without first obtaining a permit therefor from the Village Clerk of the Village of Northport as hereinafter provided.

B. Permits for curb cuts for driveways will not be considered on the east and west sides of Reservoir Avenue between Franklin Street and Route 25A or at any other location in the Village of Northport when, in the opinion of the Superintendent of Public Works, a traffic safety hazard might result therefrom and a suitable alternative location for a driveway cut on the property is available.

C. There shall be no permit issued for and no excavation of any street, highway, roadway, sidewalk or curb in the Village of Northport if said street, highway, roadway, sidewalk or curb has been resurfaced or reconstructed by the Village of Northport in the last three (3) years from the date it was completed. The purpose of placing a street, highway, roadway, sidewalk or curb in protected status is to maintain the integrity of the new surface. A list of protected streets, highways, roadways sidewalks and curbs shall be maintained by the Northport Village Administrator and shall be updated monthly. Notwithstanding this provision or any other provision to the contrary, a person, firm or corporation including a public service company and public authority may excavate if they can demonstrate that an emergency exists or that it would suffer undue hardship if not permitted to excavate on said street, highway roadway, sidewalk or curb.

256-18. Size and manner of openings

A. In general, openings in concrete and asphalt roads shall be a minimum of two feet larger on all sides than the actual size of the excavation. In special cases, the size of the opening shall be determined by the Village. The edges of all street openings shall be saw cut in length in a straight line.

B. Openings in concrete or slate sidewalks and *roadways* shall have a minimum length of two feet on each end, measured along the edge of the sidewalk or *roadway*, larger than the excavation or to the nearest construction joint and a minimum width of the full width of the sidewalk *or roadway* where there is no longitudinal construction joint or to such construction joint where same exists.

The next regular meeting of the Board of Trustees will be on February 6th, 2018 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

SCHEDULE A

INC VILLAGE OF NORTHPORT 2017-2018
Budget Transfers
1/16/2018

AMOUNT	APPROPRIATION LINE	APPROPRIATION LINE	AMOUNT
\$4,000.00	A.1325.0400.0000 TREASURER	A.1410.0400.0000 VILLAGE CLERK	\$4,000.00
\$4,000.00	A.1620.0401.0000 VH UTILITIES	A.1650.0400.0000 TELEPHONES	\$4,000.00
\$6,500.00	A.9901.0900.0000 TRANSFER TO VILLAGE OTHER FUNDS	A.1110.0400.0000 JUSTICE EXPNS	\$6,500.00
\$3,500.00	A.9901.0900.0000 TRANSFER TO VILL OTHER FUNDS	A.1410.0400.0000 CLERK MISC	\$3,500.00
\$4,500.00	A.9901.0900.0000 TRANSFER TO TELEPHONE OTHER FUNDS	A.1650.0400.0000	\$4,500.00
\$24,253.56	A.9901.0900.0000 TRANSFER TO FD CONTRACT OTHER FUNDS	A.3410.0410.0000	\$24,253.56
\$400.00	A.9901.0900.0000 TRANSFER TO FD BLDG MAINT. OTHER FUNDS	A.3410.0414.0000	\$400.00
\$10.00	A.3410.0430.0000 FD SCUBA EXP	A.3410.0426.0000 FD BOAT EXP	\$10.00
\$40.00	A.7140.0409.0002 PARKS DOG REFUSE BAGS	A.7140.0401.0000 PARK UTILITIES	\$40.00
\$700.00	A.7180.0111.0000 DOCK PT SALARIES	A.7180.0401.0000 DOCK UTILITIES	\$700.00
\$1,500.00	A.9901.0900.0000 TRANSFER TO DISABILITY OTHER FUNDS	A.9055.0806.0000	\$1,500.00

