

**THE MINUTES  
FOR THE MAY 1, 2018  
MEETING OF THE BOARD OF TRUSTEES  
OF THE INCORPORATED VILLAGE OF NORTHPORT  
REGULAR MEETING  
6:00 PM.**

**PRESENT:** Mayor McMullen, Trustee Kehoe and Milligan, Village Clerk Donna Koch, Village Administrator Tim Brojer, Village Attorney Stuart Besen, Village Treasurer Len Marchese, Police Chief Bill Ricca.

**ABSENT:** Trustee Maline

**ANNOUNCEMENTS:** no announcements.

**PRESENTATIONS:** no presentations.

**PUBLIC HEARINGS:**

Mayor McMullen asked the Clerk to read the Notice of Public Hearing to wit:

**PLEASE TAKE NOTICE:** a public hearing of the Board of Trustees of the Village of Northport will be held on May 1, 2018 at 6:30 PM in the Northport Village Hall 224 Main Street to consider proposed local law "B" of 2018

**PROPOSED LOCAL LAW "B" OF 2018  
A LOCAL LAW TO AMEND CHAPTER 256 STREETS AND SIDEWALKS BY  
ADDING SECTION 256-25 UTILITY POLES ON VILLAGE RIGHTS-OF-WAY**

**256-25 Legislative Intent.**

This Village Board hereby finds and determines that public utility companies place poles on Village of Northport streets, roads and rights-of way to facilitate the delivery of electric, telephone, cable television and telecommunications services to the residents of the Village of Northport. This Board also finds that utility poles are frequently damaged by traffic accidents, adverse weather conditions and from time to time simply need to be replaced. This Village Board determines that public safety can be compromised when utility lines and equipment remain affixed to weather damaged and old poles for unreasonably long periods of time. This Village Board further determines that a utility's delay in removing lines and equipment also delays the removal of the poles itself, which causes a proliferation of aesthetically unpleasant

“double wood” or “double Poles” along roadways. This Village Board also finds that local governments have the authority to regulate their roads and rights-of-way to protect the public. Therefore, the purpose of this local law is to require utilities that use Village roads, streets and rights-of way to promptly remove the plants, cables, wires, equipment, terminals and old and damaged poles and to further require the prompt removal of double poles.

**Section 256-26 Definitions.**

As used in this chapter, the following shall have the meanings indicated:

**Dangerous/Damaged Pole**-any utility pole that is structurally compromised due to weather, a traffic incident, and/or age, and poses a potential threat to public safety.

**Double Pole**- Any damaged and/or old utility pole which is attached or in close proximity to a new utility pole.

**Plant**- The cables, terminals, conductors and other fixtures necessary for transmitting electric, telephone, cable television or other communication services.

**Public Utility**-Any corporation, authority or other entity that provides electric, telephone, cable television, or other telecommunications service to the residents of the Village of Northport.

**Utility Pole**-A column or post used to support service lines for a public utility.

**Section 256-27 Permit requirements.**

A. No person, corporation or entity shall place or erect any pole for any purpose on any Village of Northport street, roadway or right-of way or change the location of any existing pole on any Village street, roadway or right-of –way without first having obtained a permit from the Village of Northport Building Department.

B. Application for a permit under this section shall be made upon a form to be provided by the Village of Northport and upon a payment of a permit fee of \$200.00.

**Section 256-28 Notification and Time Frame for removal.**

A. When the Village of Northport issues a permit for the installation of a utility pole which is directly next to or in close proximity to another utility pole on a Village street, road or right-of-way, the applicant shall have 30 days to remove the damaged or double pole following the installation of the new utility pole. Failure to do so may result in penalties as provided for in the Chapter.

B. When the Village of Northport determines that a utility pole in a Village road, street or right-of-way is damaged and poses a threat to public safety, the Village shall notify the public utility with a plant on the damaged pole that it must remove its plant from the pole and remove the damaged pole or be subject to a penalty as provided in this article. A public utility must remove its plant from the damaged pole, any other plants affixed to the damaged pole, and the damaged pole itself within 15 days of receiving such notification from the Village of Northport.

C. When the Village of Northport determines that a double pole is in a Village road, street or right-of way, the Village shall notify the public utility which has its plant on the double pole that such plant must be removed within 30 days or be subject to a penalty pursuant to this Article. Upon removal, each subsequent public utility with plant on a double pole will have 30 days to remove such plant from the date it receives notification

from the Village of Northport.

D. After all plants have been removed from the double pole, the public utility which owns the double pole shall remove said pole within 30 days or be subject to a penalty pursuant to this article. In the event it cannot be determined who owns the double pole then in such instance the last utility to remove its plant is responsible for removing the double pole within 30 days. This provision shall not nullify or limit any private agreement between and among public utilities that assign responsibility for pole removal.

**Section 256-29 Penalties for Offenses.**

A. Any person, firm, corporation or public utility convicted of a violation of the provisions of this chapter shall be guilty of a violation, for a first conviction, punishable by a fine not exceeding \$500.00; for a second or subsequent conviction, punishable by a fine not exceeding \$1000.00. Every day that the violation continues shall be deemed a separate offense.

B. In addition to the penalties provided above, any person, firm, corporation or public utility that violates the provisions of this chapter shall be subject to a civil penalty not to exceed \$500.00 for each such violation. Every day that the violation continues shall be deemed a separate violation.

C. If a person, firm or corporation or public utility violates the provisions of this chapter, the Village of Northport may authorize its attorney to commence an action in the name of the Village of Northport in a court of competent jurisdiction seeking any remedy provided by law or equity, including any civil and/or injunction proceeding necessary to enforce compliance and/or enjoin noncompliance with this chapter. Such action may seek to remove the damaged poles and or double poles, or to remove plants from such poles, the imposition of civil penalties is authorized by this chapter, the recovery of costs of the action and other remedies as may be necessary to prevent or enjoin a dangerous condition from existing on a Village street, roadway or right-of-way.

**Section 256-30 Applicability**

A. This chapter shall apply to all utility poles located on any Village road, street, or right-of-way, and to all utility poles installed hereinafter.

B. The provisions of this chapter shall be deemed to supplement applicable state and local laws, ordinances, codes and regulations; and nothing in this chapter shall be deemed to abolish impair supersede or replace existing remedies of the Village or existing requirements of any other applicable state or local laws, ordinances, codes or regulations. In case of conflict between any provision of this chapter and any applicable state or local law the more restrictive or stringent provision or requirement shall prevail.

**Section 256-31 Severability**

If any clause, sentence, paragraph, subdivision, section or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, then such order or judgment shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this chapter, or its specific application.

**Section 256-32 Effective Date**

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

On the motion of Trustee Milligan and seconded by Trustee Kehoe the Public Hearing was open.

On the motion of Trustee Milligan and seconded by Trustee Kehoe the Public Hearing was closed.

**PUBLIC HEARING NO. 2**

Mayor McMullen asked the Clerk to read the Notice of Public Hearing to wit:

**PLEASE TAKE NOTICE:** a public hearing of the Board of Trustees of the Village of Northport will be held on May 1, 2018 at 6:30 PM in the Northport Village Hall 224 Main Street to consider proposed local law “C” of 2018

**PROPOSED LOCAL LAW “C” OF 2018  
A LOCAL LAW TO AMEND CHAPTER 306 ZONING  
SECTION 306-30 CESSATION OF USE**

**Section 306-30. Cessation of use.**

If active and continuous operation of a nonconforming use is not carried on for a period of one year, the building, structure or land on which such use was conducted shall thereafter be used only in conformance with the regulations of the district or zone in which it is situated. The casual or intermittent use of the building, structure or land shall not establish the existence of a lawful nonconforming use. In the event that the continuous operation of a nonconforming use is not carried on for a period of one year, the owner of the building, structure or land on which such use was conducted may apply to the Northport Village Board for an extension of time of the nonconforming use and the Northport Village Board in their discretion may grant an extension of time up to and including one year, in order to continue the operation of the nonconforming use that was permitted prior to the cessation of the operation. (Amended by L.L. 2018).

On the motion of Trustee Milligan and seconded by Trustee Kehoe the public hearing was opened.

On the motion of Trustee Milligan and seconded by Trustee Kehoe the public hearing was closed.

**PUBLIC PARTICIPATION:**

Joe Sabia, question what was going on with 80 Ocean Ave. Mr. Brojer stated on Friday May 4<sup>th</sup>, the insurance company will start cleaning out the house.

Sandy Farb questioned what was going on with the sewer lines going into the Steers Pit area. Mayor McMullen the engineering firm is starting their work, they are working on bid specs which should be done by June. We've determined that the laterals are going to cost between \$8,000 and \$10,000 per household. We will be working on legislation as to the length of time households have to hook-up. Also, looking and speaking to county representatives for loans or grants to help homeowners. We expect to award the bid by mid-July.

Ron Migelo of Woodbine Ave. questioned the erosion going on down at Scudder Ave. Mayor McMullen stated the Village will be putting in stone to help with the erosion. The Village is behind on some of our projects due to weather. Mr. Brojer stated the Village will be looking into putting in a bulk head at the foot of Beach St. but the Village would never be able to get a permit to put a bulk head around the whole area.

**BOARD APPROVAL OF WARRANT:**

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

**Fiscal Year 2018/2019 General Fund bills in the amount of \$222,218.77**

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

**Fiscal Year 2018/2019 Sewer Fund bills in the amount of \$8,660.04**

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

**Fiscal Year 2018/2019 Capital Fund bills in the amount of \$40,821.25**

**COMMISSIONER REPORTS:**

Trustee Kehoe reported the Business Development committee met this evening trying to take a serious look at parking in the Village. The meeting is open to the public. We are going to invite in parking meter companies and look at what other municipalities do about parking.

Trustee Milligan reported the project to build a wall around the enfulent pit down at the sewer department began today. Also, tonight Dockmasters will begin. The new pump-out boat is expected any day now. The Blessing of the Fleet will be June 16<sup>th</sup>, with the Nautical mile starting off at 9:00 AM.

Mayor McMullen reported the sweeper has been out. The highway department has put in handicapped ramps down by Organically Yours. Street painting has begun. They worked with Seymour's putting in the floats.

**CHIEF OF POLICE REPORT:**

In April of 2018 the Northport Police Department responded to 469 calls for service, issued 316 summonses and made 9 arrests.

Life Saving Medals were issued to officers for two separate incidents in which they responded to overdose calls and revived subjects that were unconscious and not breathing. The first incident occurred on April 3, 2018 and the officers were Sergeant Endee and Police Officer's Gigante, Cerar and Sagistano. The second occurred on April 6, 2018 involving Police Officer's Ramometti and Humphreys.

Excellent Police Duty awards were issued to Sergeant Endee, Police Officers Gigante and Sagistano and Public Safety Dispatcher Sheridan for their combined effort in evacuating the residents from a Duffy Court home that was on fire and then knocking down the flames (with assistance from Fire Department personnel) thus keeping damage to the home at a minimum.

A stolen bicycle was recovered, and the thief apprehended thanks to the newly installed addition to the downtown CCTV system.

The department secured a grant from the National Insurance Crime Bureau for an undercover police vehicle free of charge. This late model, low mileage SUV will be used to investigate crimes such as fraud, theft and drug sales. The vehicle is a full out grant and the village owns it.

At the request of Police Commissioner Maline, I have increased the amount of time that our officers spend on the walk post in the downtown business district to a minimum of two hours per day.

As of April 19, 2018, the police boat has been operational for the season.

I received a letter from an East Northport resident whose car was the subject of a hit and run. The letter commended the action of Police Officer Steven Golub. With a partial plate number provided by a witness, Golub was able to track down the offender.

**ADMINISTRATOR'S REPORT:** Mr. Brojer has met with the paving companies and are trying to get the first phase done before Memorial Day and the second Phase done before Cow Harbor Day.

**TREASURER'S REPORT:** nothing to report this evening.

**NEW BUSINESS:** no new business was discussed this evening.

**OLD BUSINESS:** no old business was discussed this evening.

**CORRESPONDENCE:** 1. Invitation to the Blessing of the Fleet. 2. Letter form the Chamber regarding flowerpots. The Board approved.

**REQUESTS:** no requests this evening.

**RESOLUTIONS:**

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

**RESOLUTION 2018 -84 ~ APPROVAL OF THE APRIL 17, 2018 MINUTES**

**WHEREAS:** Copies of the minutes of the April 17, 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 Milligan and seconded by Trustee Kehoe the following resolution was unanimously approved.

**RESOLUTION 2018 -85 LOCAL LAW NO 3 OF 2018**

**WHEREAS:** a public hearing of the Board of Trustees of the Village of Northport was held on May 1, 2018 at 6:00 PM in the Northport Village Hall 224 Main Street to consider local law No. 3 of 2018

**LOCAL LAW NO.3 OF 2018**

**A LOCAL LAW TO AMEND CHAPTER 256 STREETS AND SIDEWALKS BY  
ADDING SECTION 256-25 UTILITY POLES ON VILLAGE RIGHTS-OF-WAY**

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

**RESOLUTION 2018 -86~ LOCAL LAW NO 4 OF 2018**

**WHEREAS:** a public hearing of the Board of Trustees of the Village of Northport was held on May 1, 2018 at 6:00 PM in the Northport Village Hall 224 Main Street to consider local law No. 3 of 2018

**LOCAL LAW No. 4 OF 2018**

**A LOCAL LAW TO AMEND CHAPTER 306 ZONING  
SECTION 306-30 CESSATION OF USE**

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

**RESOLUTION 2018-87~ NYCOM CONFERENCE**

**BE IT RESOLVED:** the Board hereby approves Mayor McMullen and Deputy Mayor Kehoe to attend NYCOM Annual Training and Conference, May 6<sup>th</sup> through the 8<sup>th</sup> at Saratoga Springs NY in an amount not to exceed \$1500.00

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

**RESOLUTION 2018 – 88 ~ SEASONAL EMPLOYMENT**

**BE IT RESOLVED:** that the seasonal applicants recommended by the Village Clerk and Parks Department Commissioner is hereby approved.

**Highway/Parks**

Joseph Cavagnaro	\$12.00/hr.
Ean Costello	\$12.00/hr.
Mark Romanczyk	\$12.00/hr.
TBD	

**Beach Manger:**

Julieann Hayes	\$14.50/hr.
----------------	-------------

**Lifeguards:**

Julia Cocchi	\$12.00/hr.
Avery Ersboll	\$12.00/hr.
Laura Mae Cocchi	\$12.00/hr.
Kristen Leonard	\$12.00/hr.
Trent Milligan	\$12.00/hr.
James Maguson	\$12.00/hr.
Summer Nolan	\$12.00/hr.
Paige Leonard	\$12.00/hr.
Brian Truehart	\$12.00/hr.
Andrew Burget	\$12.00/hr.
Archer Sevey	\$12.00/hr.

**Gate Attendants:**

Edward O'Brien-Curcie	\$10.00/hr.
Scott O'Brien-Curcie	\$10.00/hr.
Joseph Kiernan	\$10.00/hr.
Allison Teepe	\$10.00/hr.
Maggie Kiernan	\$10.00/hr.
Evan Atherton	\$10.00/hr.
Thomas Pitfick	\$10.00/hr.



Ella Stahl \$10.00/hr.

**Dockmaster:**

Grant Borden \$12.00/hr.

Madison Savisky \$12.00/hr.

Laura Borden \$12.00/hr.

**Alternate Dockmaster:**

Joseph Kiernan \$12.00/hr.

Spencer Engellis \$12.00/hr.

**Pumpout Boat:**

Jake Blanton \$13.00/hr.

Spencer Engellis \$13.00/hr.

Richie Clinton \$13.00/hr.

John Boyzok \$13.00/hr.

**Alternate Pumpout Boat:**

Joseph Kiernan \$13.00/hr.

Preston Engellis \$13.00/hr.

Aiden Costello \$13.00/hr.

The next regular meeting of the Board of Trustees will be on May 15, 2018 at 6:30 P.M

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

Respectfully submitted,

---

Donna M. Koch  
Village Clerk