

**THE MINUTES
FOR THE MAY 7, 2019
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING
6:30 PM.**

PRESENT: Deputy Mayor Kehoe, Trustees Maline, Milligan, Village Clerk Donna Koch, Village Attorney Stuart Besen, Village Administrator Tim Brojer, Treasurer Len Marchese, Police Chief Bill Ricca.

ANNOUNCEMENTS: no announcements.

PRESENTATIONS: no presentations.

PUBLIC HEARINGS:

Continuation of the Public Hearing on 20 James St. On the motion
Continuation of the Public Hearing on 165 Fort Salonga Rd.

PUBLIC PARTICIPATION: Several residents attended tonight's meeting to voice their concerns over Trustee Kehoe and the house being built at 51 Mariners Lane. The first to speak was Joe Sabia. Mr. Sabia stated that the house is being built illegally and Trustee Kehoe has disgraced this Village Board and this Village. Mr. Sabia went on to say after Trustee Kehoe was told twice to stop the construction at 51 Mariners Lane, he continued to build. Mr. Sabia referred to a time line written by Village Administrator Tim Brojer in which is written that on 4/16/19, *got call from owner stating "don't stop me now I am almost framed out" Went to visit site, second floor and roof framed, called lawyers.* According to our laws there are two misdemeanors that are being violated here. The trust in this Village has gone downhill. It is a disgrace that someone on this Board can get away with what Trustee Kehoe did. Was there Board of Health approval to go from a two bedroom house to a five-bedroom house? I ask this Village Board to take a vote. Do you stand with Trustee Kehoe or the people of this village who voted for you? I think Trustee Kehoe should resign and want to know how the rest of the Board feels.

Gene Spivak, the homeowner who lives directly next door to 51 Mariners Lane addressed the Board, stating that until the fire they had absolutely no issues with Trustee Kehoe, as a citizen Trustee Kehoe had every right to rebuilt that house. The issue is the size of the new house being built. Trustee Kehoe had shown the neighbors a plan of a proposed house that he wanted to put up. The house being built and the rendition that he showed the neighbors are two completely different sets of plans. The lot coverage on the property now is over 36% and the Village allows 32%. How and why the Zoning Board allowed this is beyond him (Mr. Spivak). Mr. Spivak went on to say none of his neighbors were aware

of the Zoning Board meeting. If notices were sent out, he never received one and neither did most of his neighbors. The Village needs to examine the whole submittal, and figure out why the structure is so big, totally out of scale for our community. The Village needs to stand up now and set a precedence before future applicants ask for "The Tom Kehoe Special".

Chris O'Shea, 40 Mariners Lane. Stated she lives across from 51 Mariners Lane and she echoes a lot of what Mr. Spivak had to say. She agreed that the property had no significant historical significance. When Trustee Kehoe went around the neighborhood and showed a rendition of the property there was no mention of variances needed. Ms. O'Shea said she never received notice of a Zoning Board meeting because she would have attended. What is being built is not what was in the rendition. The survey is wrong and he threw Fauser (the surveyor) under the bus. Ms. O'Shea continued by saying she didn't know all the facts but what she does know looks really bad.

Ken Savin, Stanton St. addressed the Board stating while his address is Stanton St. his driveway comes out on Mariners Lane. Roughly 150 feet from 51 Mariners Lane. Mr. Savin started by thanking the Board for their service because (in his opinion) it is a thankless job. This is not personnel, but this has become so bad that I have to get up and say something. Several residents of Mariners Lane wanted to hire me to represent them and I said no its not a matter of the money. Did Tom Kehoe break the rules? Did he get some kind of special treatment? Did he not have a place to store the fill while the foundation was being built and it was stored down at Steers Ballfields? Did a Village payloador load the dirt back up to backfill the property? Did a Village payloador and dump truck show up at the property to remove large stones? The answer is yes. Those things happen, especially in a small Village. Should it happen? No, Is it illegal? Yes, its not the end of the world but what has happened since or before is. This Zoning Board is one of the toughest on Long Island, 99% of the time I think they are ridiculous. 51 Mariners Lane received nine variances. When asked by Mr. Cangemi (Zoning Board Chairman) if Mr. Kehoe was adding 1800 square feet, yes was the answer. Todays plans call for the 1st floor alone to be 1800 square feet. Lot coverage Mr. Kehoe asked for 32% then plans show 36% and the actual is about 38%. Mr. Savin, stated that has a long-standing Village resident, past Zoning Board member, Village Prosecutor and Cow Harbor Chairman for the past thirteen years he has been trusted with keys, blank checks and access to the archives. In all those years no one has checked on me. I was trusted. When I asked to see the files on 51 Mariners Lane, I was given access to them but the clerk had to sit with me while I reviewed them. When I saw Mr. Besen in Riverhead I questioned if Mr. Kehoe had a building permit and was told yes. When I asked Mr. Brojer, I was told Mr. Kehoe had a building permit. When you submit a building application in the Village of Northport it is a lengthy process. You have to submit the application, the deed, tax bill, you have to proof you own the property, contractors license, electrical license, Board of Health approval, and building plans, then pay a fee. I went through the building files for this house, I found the demo application for the stairs, I found no building permit, I found nothing identifying Tom Kehoe as the owner of the house, the property is still in the name of his late wife Carroll Cassidy. There was only one insurance certificate and no tax bill.

There were plans which was completely different from the plans given to the Zoning Board. There were no municipality notes in the file. The more I look the worse it's getting. The Huntington Town tax for this property for this year is \$33.44. there is one exemption, a STAR exemption, only problem is you can't have a STAR exemption on vacant land. The Village tax is \$418.92. the year before they were \$671.32. Mayor, you have a problem here and you need to address it.

Robert Purcell, 39 Mariners Lane stated it wasn't the plans Mr. Kehoe showed us. Something must be done.

Basem Elfaham, 8 Mariners Lane, in October of 2018 we applied for a building permit for a deck, after the building department made us make several changes, we finally got our permit in July of 2019. Was Mr. Kehoe scrutinize the same way?

Frank Cavagnaro, stated to the Board that wats going on here makes every Board in this Village look bad. A member of the Board broke his oath. He has no respect for the people of this village and he people on this Board. Trustee Kehoe is taking this Board down with him.

George Latchford brought up the topic of 20 Beach Street. The Village has turned the house into a Village Hall annex. My family lived there as early as 1910. The interior of the house has been gutted; all the windows have been replaced. I was told the entire board approved this. I'd like to know who approved this and how much is it going to cost? You people are voted in by us to oversee the welfare of this Village, keep the Village historic. For the Village to do what it did to this house is an abomination.

Effie Huber stated for the Board at this point she is tired of whether it's the Federal, State, local or Village elected officer, they are not above the law.

Josephine Rizzoni, stated that for the last six years she has been asking the Board what they intended to do with the beach house and the answer was always they didn't know. Now the Treasurer has allotted \$100,000 for renovations, I asked what are they renovating, they all told me they didn't know what they were putting there. At the same time, they had an architect drawing up plans. When I asked again, I was told they were putting two full timers and the part time Treasurer. They said there is to much congestion in the basement of this building. I don't believe them anymore. I have lost all belief in this Board. As far as the windows go, yes, they removed new ones and replaced them with bigger ones. And we are paying for it. Last I heard they were putting on a deck.

Mr. Sabia asked the Mayor and the Board to respond as to; Do you feel Trustee Kehoe should resign from this Board? Mayor McMullen responded, that Trustee Kehoe is an elected official of this Village. I cannot legally force him into resigning. I don't have that right, but as a private citizen I think he should. Trustee Smith stated as more and more evidence comes out it is very challenging to give support. I agree with the Mayor, as a citizen and a voter, that it is time for Tom to step down, no one should be above the law. I am very disappointed.

BOARD APPROVAL OF WARRANT:

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

Fiscal Year 2019/2020 General Fund bills in the amount of \$124,027.48

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

Fiscal Year 2019/2020 Sewer Fund bills in the amount of \$ 11,871.37

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

Fiscal Year 2019/2020 Capital Fund bills in the amount of \$ 56,295.86

COMMISSIONER REPORTS: Trustee Kehoe asked to make a public statement: Thank you all for coming. I know it has been a difficult couple of weeks not only for the Mayor and Board but for you in the community. I have talked to my neighbor Mr. Spivak and I will address the size of the structure with the architect and hopefully remediate some of that. In the mean time I ask the opportunity to briefly address some of your concerns; I hope none of you ever come into the position to lose a home due to fire. The past two years have been difficult. Over the past few weeks allegations have been hurled at me in regards to the reconstruction of the home and I hope to address some of these before my fellow residents. First let me make clear again that I never asked for or received preferential treatment. On the tax allegations that Ken just brought up, I went over to the Town of Huntington, told them it was burned out and they reduced the taxes. I did the same thing here in Northport and they reduced the taxes by \$200.00. the town has a procedure where they have a five-year plan and they step it back up. Here as soon as the house is half way done the assessor will assess it half value, upon completion it will be fully assessed. My presentation in front of the ZBA had the cellar entranced and it was over looked, I have since filed a demolition permit to remove the side entrance. The building department verbally said to stop building until we resolved the foundation location and the side entrance. We stopped working on the verbal direction. The same way we commenced work under verbal direction. The surveyors made an error and they acknowledge such. I did not throw them under the bus they voluntarily come up with this the other day and put in writing that it was their error. A letter that we will present to the ZBA next week. The foundation is in the correct location. Regardless of the circumstances and accusations. I've known many people on Mariners Lane for years and I know they are upset and I plan on visiting with all of you. Regardless of the circumstances I don't hold any animosity toward any of you. I hope we can get beyond it. Like all elected officials including myself we must hold to a higher ethical standard. I am dedicated to the residents and the people of Northport Village and I have never put my personnel interest above the letter of the law. As I share the sediment with many of you in the room, I'd like to see these allegations come to an end. In closing I've had a long track record with the Village please allow me to regain your trust. I have every desire to straighten this out so it is done above board and with full transparency.

Trustee Milligan, reported, we here in the Village have many projects we are working on.

This has been an extreme disappointment. A huge distraction and to have to deal with this and the light it sheds on the Village it is disappointing. To see the Mayor being put under this pressure, when we really do have a lot of work that we do here. To see the pressure put on the Administrator and question he's ability is really unfortunate. As a Board member I condemn those actions and can only say that this Board upon knowing of any indiscretions was absolutely adamant that the letter of the law be followed from this day forward. A lot of this has to get hashed out at the Zoning Board. As a resident I would go to the Zoning Board, and I would demand answers. As a resident I am disappointed in the whole thing. My position as a Trustee does not take a position on any of this. My work as a Trustee is my priority. that work has been hindered, there is so much work that goes into this. Please don't blame the whole Board for what you read in the paper. We think it stinks too.

Trustee Milligan also reported the Dock is up and running, the pump out boat is in. As far as the expansion we have run into some issues with the conditions. We along with the administrator and the sewer plant to look at illicit discharge coming into the plant.

Mayor McMullen reported highway has been busy, doing some dock work, tree work and the sweeper has been out.

Trustee Smith reported on tonight's agenda is a resolution hiring our summer staff. Also, she has been in touch with a group called Impact Melanoma to add sunscreen dispensers in the park and beaches. The park department is preparing for Spring, clearing out the flower beds. The lighthouse at the end of Main Street has been repaired and re-painted. The website has been updated to be ADA compliant. We are working on formal technology security policies. The goal of the 125th committee is to be able to leave a positive mark. We are partnering with Cornell to build an Oyster bed. A ten by ten float with containers. Also, the brick fundraiser will kick off on June 15, 2019. Engemann Theater will be holding a fund raiser during the production of Saturday Night Fever on July 23rd, 2019.

Trustee Maline, stated he is very frustrated with Tom Kehoe's House at 51 Mariners Lane. I agree people are not above the law. It goes back to historic law was written and an appeal process was written in saying you can go to this Board to appeal the decision of the Board of Architectural and Historic Review .All the evidence that I looked at when the appeal came was that, that house was not of historic value Christine O'Shea who lives across the street agreed. The house was burned out more then 50%. It was not practical to have it restored. At this point we are trying to figure out just what happen. The Board of trustees are not allowed to influence the Zoning Board nor the Planning Board. Those Boards are appointed by the Mayor. We intend to do everything legally. At this point it needs to go back to the Zoning Board. We do not have the power to over ride the Zoning Board. Me, personally is that I would make him ripe it out.

Trustee Maline also reported that on was a newspaper report on April 18, two of our Police Officers were called for a domestic dispute between two roommates. When the officers arrived one man had a bloodied face and the preparator was in the basement. This man was coming up the stairs with a gun and a knife. Thank god no one was hurt and the

officers were able to arrest the man without incident. The Suffolk County District Attorney recommended bail be set at \$50,000. The Village Justice set bail at \$5,000 and the guy was out in a couple of hours. So, there was no support for the Police Officers. There was no support of our police officers. Bail is a complicated thing. 10% of what the District Attorney recommended is just not taking it seriously and not taking the Police Officer risking his life seriously.

Mayor McMullen stated that Officer did an excellent job taking that guy down.

CHIEF OF POLICE REPORT: In April of 2019 the Northport Police Department responded to 473 calls for service, issued 174 summonses and made 12 arrests.

Departmental recognition has been presented in the form of an **Excellent Police Duty Award** to Detectives Peter Hayes and Peter Howard for the arrest of a subject for six counts of Grand Larceny Fourth Degree. The defendant set up a scheme in which he sub-let an apartment to the victim and collected rent money but never paid the landlord. The defendant kept the cash and the unsuspecting victim was eventually evicted. In addition, it was determined that the defendant was homeless, and at risk of fleeing New York State.

David Weber was appointed as a full time Police Officer on April 17, 2019. He is undergoing field training but because he was previously an officer with the NYPD we expect this period of training to be only about a month.

The police boat has been in service as of April 25, 2019.

ADMINISTRATOR'S REPORT: Mr. Brojer handed out reports from the Building Department, they have issued 44 Certificates of Completion. We are about a week behind to process new applications.

TREASURER'S REPORT: Mr. Marchese stated that the audit is underway, they are wrapping up their field report at this time.

NEW BUSINESS: no new business.

OLD BUSINESS: no old business.

CORRESPONDENCE: 1. Notice of Public Hearing.
2. letter from Mr. Perpignano.

REQUESTS: 1. Request from Northport Historical Society to place a commemorative plaque acknowledging the finish line of the Cow Harbor Race. The Village Board approved this request and asked that the Society call the Village Administrator when they are ready to install to make sure of proper location and that it is not a trip hazard.

RESOLUTIONS:

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

RESOLUTION 2019 – 88 ~ ACCEPTANCE OF THE APRIL 2, 2019 MINUTES

BE IT RESOLVED: The minutes of the April 2, 2019 meeting are hereby accepted.

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

RESOLUTION 2019 – 89 ~ ACCEPTANCE OF THE APRIL 16, 2019 MINUTES

BE IT RESOLVED: The minutes of the April 16, 2019 meeting are hereby accepted.

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

RESOLUTION 2019- 90 ~ HOLZMACHER ENGINEERING

BE IT RESOLVED: The Mayor is hereby authorized to sign an agreement with Holzmacher Engineering for site inspection services, building Department inspections and such other review as maybe required to ultimately obtain and certificate of Occupancy at the property know as 225 Main Street. In an amount not to exceed \$75,000 without a further resolution of the Board of Trustees. Subject to Attorney review.

BE IT FURTHER RESOLVED: The Mayor is authorized to enter into an additional contract with the applicant known as 225 Northport LLC. for reimbursement to the Village of all fees and expenses incurred by the Village, and

BE IT FURTHER RESOLVED: pursuant to 6 NYCRR 617.5 (c) 26 the retaining of engineering services to perform building inspection services is a Type II action and no further SEQRA review is required at this time.

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

RESOLUTION 2019 – 92 ~ SEASONAL EMPLOYMENT

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

BE IT FURTHER RESOLVED: the Village Board of Trustees has determined that the

action is a type II action pursuant to 6 NYCRR part 617.5 (c) 26 and not subject to any further action under SEQRA;

Highway/Parks:

Christian Costello \$13.00/hr.

Dock Manager:

Danielle Krupka \$16.00/hr. (revised)

Dock Master/Pump-out-Boat

Nicholas Blanton \$12.00/dock \$13.00/hr. POB

Ethan Satsky \$12.00/dock \$13.00/hr. POB

Beach Manger:

Julieann Hayes \$16.00/hr.

Lifeguards:

Avery Ersboll \$13.00/hr.

Laura Mae Cocchi \$13.00/hr.

Kristen Leonard \$13.00/hr.

Trent Milligan \$13.00/hr.

Summer Nolan \$13.00/hr.

Paige Leonard \$13.00/hr.

Brian Truehart \$13.00/hr.

Andrew Burget \$13.00/hr.

Archer Sevey \$13.00/hr.

Maggie Kiernan \$13.00/hr.

Gate Attendants:

Scott O'Brien-Curcie \$12.00/hr.

Allison Teepe \$12.00/hr.

Ella Stahl \$12.00/hr.

Kathleen West \$12.00/hr.

Lindsey Theofiled \$12.00/hr.

Kurt Wagner \$12.00/hr.

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

RESOLUTION 2019 –93~ BUDGET TRANSFER

BE IT RESOLVED: The Village Treasurer is hereby authorized to make the following budget transfers:

Increase Expenditure Line: A.1930.0400 \$140,000.00
Decrease Appropriated Fund Balance A.0000.0915 \$140,000.00

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

RESOLUTION 2019 – 94~ TAX REIMBURSEMENT

BE IT RESOLVED: authorizing the Treasurer to reimburse:

Patrick & Janice Winter of 9 Nautilus Avenue: \$1172.98

Trevor Ferreira 15 Lisa Dr. \$279.28

for erroneous assessment on the 2019 property taxes.

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

RESOLUTION 2019- 95 ~ DISBURSEMENT

BE IT RESOLVED: The Board approves Deputy Treasurer Laura Kaplan to cash out 35 hours of unused vacation time.

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

RESOLUTION 2019- 96 ~ ALPINE SOFTWARE

BE IT RESOLVED: The Mayor is hereby authorized to sign a contract and agreement with Alpine Software Corporation for upgrades to the Red Alert Management System in an amount not to exceed \$36,185.00.

The next regular meeting of the Board of Trustees will be a regular Meeting May 21st, 2019 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