

**THE MINUTES
FOR THE JUNE 4, 2019
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING
6:30 PM.**

PRESENT: Mayor McMullen, Maline, Milligan and Smith, Village Clerk Donna Koch, Village Administrator Tim Brojer, Village Attorney Stuart Besen, Police Chief Bill Ricca.

ABSENT: Trustee Kehoe, due to knee surgery. Village Treasurer Len Marchese.

ANNOUNCEMENTS: no announcements.

PRESENTATIONS: Peter Engelman and Mary Sullivan representing the Rotary, presented the Board with an observation location with a telescope with 360-degree viewing, for visitors to watch boats coming in and out of the harbor. The Rotary would bear the cost and upkeep. The telescope is coin operated and the money collected would be donated to places such as the food pantry. It would come with a commentative plaque with the Rotary wheel on the plaque. The Rotary is looking for ideas of where to place it. The end of the dock was an idea. Mr. Besen explained the Village would need a resolution to except the donation.

PUBLIC HEARINGS: Continuation of the Public Hearing on 165 Fort Salonga Rd. On the motion of Trustee Maline and seconded by Trustee Milligan the hearing was continued. Mr. Brojer reported the house has been demolished. We are just waiting on the removal of two trees and the close out paperwork from the bank. On the motion of Trustee Maline and seconded by Trustee Smith the hearing was continued to the July 16th, meeting.

PUBLIC PARTICIPATION: Joe Sabia question at the meeting of May 21st, Trustee Kehoe stated "those without dirt on their hands". Was Trustee Kehoe referring to the rest of the Board or the public at large? Mayor McMullen stated he thought it was addressed to the Board members. Also, regarding the Plank house, Mr. Sabia stated there will be two or three people working down there unsupervised. Every time they need a check sign will the Clerk have to run down there? Mayor McMullen explained they looked at a lot of options and this was the most cost effective. Mr. Sabia then asked why the Village spent \$2700.00 on a survey of the Woodbine Marina when the Town had one done a couple of years ago. Trustee Milligan responded the one Huntington had was not complete and not suitable for negotiations purposes. At this time negotiations are on-going but not looking positive.

Dennis Tannenbaum of Bluff Point Rd was very angry at the sewer expansion project taking place in front of his home. Stating the crews are making very little progress. It has

taken five weeks to do 300 hundred feet. In his opinion they do not know what they are doing. Mr. Tannenbaum questioned how long this project will take. Mayor McMullen stated the crew has run into some difficulty with the soil. They have meetings twice a week and the Administrator is on the job site daily. The Village continues to look for funding. No, there will be no bonding of the laterals for residents.

Frank Cavagnaro, stated that at the last meeting Mr. Kehoe got up and called me a crook. I'm one of the biggest tax payers in this Village. This guy is going to sit there and get paid and call the rest of the Village a bunch of croaks. It's not right.

Joan Carton, Goldenrod Ave. this house on Mariners Lane is setting a bad precedent for the Village. This house needs to come down and the variances revoked.

Effie asked that her correspondence be add to the minutes (annexed). Although, I know it's impossible, I think the Zoning Board should be dissolved. Also thank you for putting up the speed signs along Scudder because now we can see that I am not exaggerating. Hope Purcell, Kehoe has duped us all. I feel bad for this Board. When you own a home, you work hard on it, if you want to make improvements you get the necessary permits. Mr. Kehoe did not. That house has got to come down.

Chris O'Shea, stated they (the neighbors) are frustrated with 51 Mariners Lane. I refuse to sit back and let him get away with this. Mayor McMullen recommended she attend the Zoning meeting.

BOARD APPROVAL OF WARRANT:

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

Fiscal Year 2019/2020 General Fund bills in the amount of \$ 94,558.65

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

Fiscal Year 2019/2020 Sewer Fund bills in the amount of \$ 20,530.29

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

Fiscal Year 2019/2020 Capital Fund bills in the amount of \$ 18,500.00

COMMISSIONER REPORTS: Trustee Milligan reported the expansion project has run into some difficulties. We are meeting with the contractors, engineers, attorneys, project managers, working on a solution. We are looking at all options. We need to follow proper procedure.

Trustee Smith reported; the parks department is doing their general up-keep. Summer help is in place. We are going to wait until July to install sunscreen dispensers due to a back order of the all-natural sunscreen. We are working on new policies for social media and cyber security. We have submitted an application with the Suffolk County downtown revitalization grant last week. With the 125th, we have reserved July 25th, at the Engelman

Theater for a benefit showing of Saturday Night fever.

Trustee Maline, reported the hotel project is proceeding, they are going to cap the sewer connections before demolition. The three new officers are working out nicely.

Mayor McMullen reported the highway department as been doing tree work, the sweeper has been out, cutting the grass abs painting lines. We are looking into hiring a couple of extra summer help with a couple of full timers going out on workers- comp.

CHIEF OF POLICE REPORT: In June of 2019 the Northport Police Department responded to 527 calls for service, issued 205 summonses and made 16 arrests.

The department had its spring community meeting on May 16.

The Memorial Day Parade took place without incident.

ADMINISTRATOR'S REPORT: Mr. Brojer wanted to thank Dave Ambro for the article he did on the sump pumps, most of the business's have been receptive of moving their sump pumps off the sewer line.

TREASURER'S REPORT: no report this evening.

NEW BUSINESS: no new business was discussed this evening.

OLD BUSINESS: no old business was discussed this evening.

CORRESPONDENCE: no correspondence this evening.

.

REQUESTS: no requests this evening.

.

RESOLUTIONS:

The following resolution was put on hold until the June 18, 2019 meeting.

RESOLUTION 2019 – 103 ~ ACCEPTANCE OF THE MAY 21, 2019 MINUTES

BE IT RESOLVED: The minutes of the May 21, 2019 meeting are hereby accepted.

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

RESOLUTION 2019- 104 ~ TRUST ACCOUNT

BE IT RESOLVED: The Treasurer is hereby authorized to create the following Trust Account: T0000-0030-0001 125th Anniversary Contribution account.

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

RESOLUTION 2019- 105 ~ BRICK FUNDRAISER

BE IT RESOLVED: The Mayor is hereby authorized to sign an agreement with Fundraiser Brick for assistance with a virtual brick creator and design package along with e-commerce for purchasing said bricks in relation to the 125th anniversary brick fund raiser.

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

RESOLUTION 2019 – 106 ~ LIPA

RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO ENACT LEGISLATION AND APPROPRIATE FUNDNG TO PROTECT TAXPAYERS IN THE VILLAGE OF NORTHPORT AND THE NORTHPORT-EAST NORTHPORT SCHOOL DISTRICT AGAINST THE PENDING TAX CERTIORARI CHALLENGES BROUGHT BY THE LONG ISLAND POWER AUTHORITY AND NATIONAL GRID GENERATION, LLC.

WHEREAS, the Long Island Power Authority (“LIPA”) and National Grid Generation, LLC (“National Grid”) have filed a series of tax certiorari actions against the Town of Huntington, the Assessor of the Town of Huntington, and the Board of Assessment Review in the Town of Huntington alleging that the assessment of the Northport Power Plant is improper and excessive; and

WHEREAS, an adverse judgment of the magnitude of the magnitude sought by LIPA and National Grid would have devastating consequences for tax payers in the Village of Northport, particularly as it relates to the Northport-East Northport School District; and

WHEREAS, legislature action by the New York State Legislature could help to ameliorate the impacts of a settlement or adverse judgment in these tax certiorari actions; and

WHEREAS, urging the State to enact legislation and supporting the current lawsuit is not an action as defined by SEQRA in 6 N.Y.C.R.R. Section 617.2(b) and, therefore no further SEQRA review is required.

NOW THEREFORE,

THE NORTHPORT VILLAGE BOARD, hereby supports the Town of Huntington and Northport East Northport School District in its efforts and determination in defense of the current tax certiorari litigation currently pending in Supreme Court State of New York, County of Suffolk and the third-party beneficiary contract action currently pending before the Appellate Division, Second Department.

THE NORTHPORT VILLAGE BOARD, urges the New York State Legislature and Governor to enact the following legislation to mitigate the impacts of a settlement or adverse judgment in the above-referenced tax certiorari actions:

1. To support Senate Bill S51221 introduced by Senators James Gaughran and Senator John Flanagan and its companion Bill in the Assembly A07786 an act to amend Section 1020-q of the Public Authorities Law which would limit the remedies available to Long Island Power Authority and third party power producers, when bringing tax certiorari challenges by prohibiting relief in the form of repayment of all or part of the taxes assessed against the Northport Power Plant, transmission line or substation from a prior year.

2. To amend existing State Law to permit the Town of Huntington and the Northport East Northport School District to access the Electric Generating Facility Cessation Mitigation Fund in the event of a successful tax certiorari challenge in the above referenced proceedings or an agreed upon settlement.

3. To amend existing State Law to increase the money available to local government entities under the Electric Generating Cessation Mitigation Fund; To amend the 2019 fiscal year enacted budget to ensure that the Electric Generation Facility Cessation Mitigation Fund is fully funded; and Include funding in the 2020 year budget, as well as successive budgets, to ensure that the Electric Generation Facility Cessation Mitigation Fund is fully funded.

The Northport Village Board hereby directs, the Village Clerk to send certified copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader John Flanagan, Assembly Speaker Carl E. Heastie, Assembly Minority Leader Brian Kolb, Senator James Gaughran, Assemblyman Andrew Raia and Assemblyman Steve Stern.

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

RESOLUTION 2019 – 107 ~ BUDGET TRANSFER

BE IT RESOLVED: The Village Treasurer is hereby authorized to make the following budget transfer; from Unassigned Fund Balance \$175,000.00 to
Judgements & Claims A1930-0400. \$175,000.00

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

RESOLUTION 2019 – 108 ~ PAYPAL ACCOUNT

BE IT RESOLVED: The Treasurer is hereby authorized to establish a PayPal Account on behalf of the Village of Northport.

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

RESOLUTION 2019 – 109 ~ YOGA IN THE PARK

BE IT RESOLVED: The Board of Trustees authorizes payment of \$1200.00 to Jennifer Tzimas for conducting ten (10) Yoga classes in Northport Village Park, as part of the Village of Northport’s Wellness Program.

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

RESOLUTION 2019- 110 ~ PAUL BARYLSKI’S SURVEYING

BE IT RESOLVED: The Mayor is hereby authorized to sign an agreement with Paul Barylski, 46 Terrell Street Patchogue NY 11772 for surveying services located at 51 Mariners Lane. In an amount not to exceed \$1,500. without a further resolution of the Board of Trustees, and

BE IT FURTHER RESOLVED: The Mayor is authorized to enter into an additional contract with the applicant known as Thomas J. Kehoe as executor of the Estate of Carol Cassidy for payment to the Village of all expenses incurred by the Village charges as it relates to surveying fees, and

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

The next regular meeting of the Board of Trustees will be a regular Meeting June 18, 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