**THE MINUTES**

**FOR THE JULY 16, 2019**

**MEETING OF THE BOARD OF TRUSTEES**

**OF THE INCORPORATED VILLAGE OF NORTHPORT**

 **SPECIAL MEETING**

**6:30 PM.**

**PRESENT:** Mayor McMullen, Maline, Milligan, Smith and Kehoe, Village Clerk Donna Koch, Village Administrator Tim Brojer, Village Treasurer Len Marchese Village Attorney Stuart Besen.

**ANNOUNCEMENTS:** no announcements.

**PRESENTATIONS:** After reading resolution numbers 127, 128, 129 and 130 the Chief and new promotions were sworn in.

Brad Wine representing the Northport Fire department addressed the Board with the department’s request to hold an Octoberfest at their fairgrounds September 28, 2019. The event will be limited to 500 people. Parking will be provided on site and arranges are being made with Lift, Uber and Quik-rides to offer rides to any needing transportation. They will handle traffic control and each traffic agent will be properly trained. They have gotten all the necessary permits through the State. They also intend to have some German food for purchase. The Board accepted their request and wished them a good turnout.

Members of the Contracting firm TLC addressed the Board with the request to close down a portion of Woodbine Ave, Fifth Ave to Fox Lane in both directions so that they can install a parking level at 179 Woodbine Ave. they asked for two days and the Board requested the work longer hours and try to get the job done in one day. The Board denied their request to leave the machine in the roadway overnight. The Board told them to coordinate with the Village Administrator, Village Attorney and the Village Police Department.

Laure Kuhn addressed the Board for a bench in honor of her two brothers who grew up in the Village and tragically died three months apart. She would like the bench in the main park. The Board explained that they are working on a criteria for the benches and have not been giving permission. They asked her to put her request in writing and they would be considering looking at other places at other Village Parks that might be able to use a new bench.

**PUBLIC HEARINGS:**

**Continuation of the Public Hearing on 20 James Street.** On the motion of Trustee Maline and seconded by Trustee Smith the hearing was continued: Mr. Besen explained the necessary permits have been filed but he has not heard back from the bank and /or attorney. The Mayor asked Mr. Besen, that a letter be sent out to the bank requiring them to appear at the August 20, 2019 meeting. On the motion of Trustee Maline and seconded by Trustee Smith the hearing was continued to August 20, 2019.

**Continuation of the Public Hearing on 165 Fort Salonga Rd.** On the motion of Trustee Maline and seconded by Trustee Smith the hearing was continued. Mr. Brojer explained everything is done on that property and the permits are closed out. On the motion of Trustee Maline and seconded by Trustee Smith the hearing was closed.

**PUBLIC PARTICIPATION:** Frank Cavagnaro addressed the Board stating that what has happened at 51 Mariner Lane is a disgrace.

Joe Sabia, stated the “Plank House” looks very nice and asked how far along we are on it. Also, how much have we spent and what’s left to purchase. Mr. Sabia also asked if a parking lot would be put in. Mr. Brojer stated yes and it will be asphalt.

Blair Beaudet question what the Village is doing about the rain gardens? Mayor McMullen stated they have begun construction of the rain garden at the foot of James Street. Unfortunately, they hit a gas line (mark-outs were in the wrong place). Mr. Brojer explained the Village is looking at three raingardens one of which has been donated. The cost of the other two is anywhere between $15,000 and $20,000 apiece.

Josephine Rizzoni, questioned the Improvement and Beautification Study. She stated the report had nothing to do with beautification and only was a wave study. She wanted to know when the beautification part would begin. Trustee Milligan before we were going to get involved with anything between the Town of Huntington and the Village in regards to the Woodbine Marina was to first conduct a wave study and that what we have done. The purpose of this is for the benefit of the Village.

**BOARD APPROVAL OF WARRANT:**

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

**Fiscal Year 2019/2020 General Fund bills in the amount of $131,772.59**

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

**Fiscal Year 2019/2020 Sewer Fund bills in the amount of $ 5,760.00**

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

**Fiscal Year 2019/2020 Capital Fund bills in the amount of $ 10,975.34**

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

**Fiscal Year 2019/2020 Fire Department bills in the amount of $ 30,208.57**

**BUSINESS/COMMISSIONER REPORTS:**

Trustee Kehoe had nothing to report this evening.

Trustee Milligan reported the Bluff Point Rd. sewer project, while we have had some setbacks we are back on track.

Trustee Smith reported the parks department has been busy with storm clean-up. We are ordering new soap dispensers as well has new changing tables for the main park. The sunscreen dispensers have arrived. They will be installed at the two main parks as well as Scudder and Steers Beaches. We are working on playground equipment. As the 125th, we are having a fund raiser at the Engelman theatre Tuesday the 23rd. All proceeds will go toward the purchase of the oyster fluxes.

Trustee Maline report the hotel has a demolition application in they are waiting for National Grid to shut off the gas. The demolition is eminent.

Trustee Maline stated he was excited about the beginning of tonight’s meeting, swearing in the new chief and officers.

Trustee Maline reported the Village has been served with a lawsuit (article 78), from Trustee Kehoe. Trustee Kehoe is suing the Incorporated Village the Zoning Board and all the members, the administrator, the building department and the Code Compliance Director. Trustee Maline questioned Trustee Kehoe as how he felt he could sue the Village and Zoning board and continue to serve the community. Trustee Maline also stated for the record he was offended by Trustee Kehoe’s remarks toward the audience (calling them a circus) who were silently protesting Trustee Kehoe with signs.

Mayor McMullen reported the highway has been busy with the storm damage clean up. We have been working with the town of Huntington to getting rid of the debris.

**CHIEF OF POLICE REPORT:** In June of 2019 the Northport Police Department responded to 576 calls for service, issued 214 summonses and made 17 arrests.

Under the direction of Sgt. Alan Bakker, the department performed a warrant sweep in attempt to apprehend subjects with outstanding warrants culminating in 8 arrests from various locations, subsequently closing said warrants.

The department’s two recent academy graduates are progressing well in their field training and should be available for patrol on or about September 1, 2019.

Lastly, the department would like to recognize the 89 combined years of dedicated and loyal service to the Northport Community by Chief Bill Ricca, Lt. Michael Cook and Det Peter Hayes. We wish them well in their retirement.

**ADMINISTRATOR’S REPORT:** Mr. Brojerreported we are working on layouts for the rain gardens but the storm has put a damper on a lot if other work.

**TREASURER’S REPORT:** Mr. Marchese reported the auditors will be at our August meeting to present the 2018-2019 audit.

**CORRESPONDENCE:** no correspondence.

**REQUESTS:** request fromTotal Landscaping to close a portion of Woodbine Ave. to install a parking garage.

**RESOLUTIONS:**

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

**RESOLUTION 2019 – 124 ~ ACCEPTANCE OF THE JUNE 18, 2019 MINUTES**

**BE IT RESOLVED:** The minutes of the June 18, 2019 meeting are hereby accepted.

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

**RESOLUTION 2019 – 125 ~ ACCEPTANCE OF THE JULY 9, 2019 MINUTES**

**BE IT RESOLVED:** The minutes of the July 9, 2019 meeting are hereby accepted.

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

**RESOLUTION 2019 –126~ FIRE CONTRACT WITH THE TOWN OF HUNTINGTON**

**BE IT RESOLVED:** The Mayor is hereby authorized to execute an agreement with the Town of Huntington to provide fire protection services for fire protection District No. 1 for a period of one year from January 1, 2019 through December 31, 2019 in the amount of one million five hundred and three thousand five hundred and one dollars and 00/100 dollars ($1,503,501.00) and on such other terms and conditions as may be acceptable to the Village Attorney, subject to the approval of the volunteers of the Northport Fire Department as provided by law, and

**WHEREAS,** this is a type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26), and, therefore, no further SEQRA review is required.

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

**RESOLUTION 2019 – 127 ~ APPOINTMENT OF CHIEF OF POLICE**

**WHEREAS:** Chief of Police William Ricca will retire from the Northport Police Department effective 11:59 PM July 27, 2019, and

**WHEREAS:** Christopher Hughes has served as Sergeant of the Northport Police Department,

WHEREAS: upon certification from Suffolk County Civil Service exam, is qualified to hold the position of Chief, so

**THEREFORE, BE IT RESOLVED:** That Christopher Hughes is hereby granted the permanent appointment subject to certification form Suffolk County Civil Service, to the Office of Chief of Police of the Northport Police Department effective at midnight July 28, 2019, and

**FURTHER RESOLVED:** The Mayor is hereby authorized to execute an employment agreement with Christopher Hughes and the Village affecting his engagement as Chief of Police of the Northport Police Department with terms and provisions as approved by the Village Board of Trustees and subject to approval as to form and content by the Village Attorney, and

**FURTHER RESOLVED:** The Treasurer is authorized to pay past service accrued time in two equal installments one in this fiscal year and the second in next fiscal year

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

**RESOLUTION 2019- 128 ~ APPOINTMENT OF POLICE LIEUTENANT**

 **BE IT RESOLVED:** That the Village Board of Trustees hereby authorizes the appointment of Thomas Endee to the position of Lieutenant in the Northport Police Department effective July 28, 2019 and upon such appointment Thomas Endee shall receive all compensation and benefits associated with said position pursuant to the agreement between the Village and the Northport Police Benevolent Association, Inc. and

**WHEREAS,** this is a type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26), and, therefore, no further SEQRA review is required.

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

**RESOLUTION 2019- 129 ~ APPOINTMENT OF POLICE SERGEANT**

 **BE IT RESOLVED:** That the Village Board of Trustees hereby authorizes the appointment of Mathew Buckenthal to the position of Sergeant in the Northport Police Department effective July 28, 2019 and upon such appointment Mathew Bruckenthal shall receive all compensation and benefits associated with said position pursuant to the agreement between the Village and the Northport Police Benevolent Association, Inc. and

**WHEREAS,** this is a type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26), and, therefore, no further SEQRA review is required.

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

**RESOLUTION 2019- 130 ~ APPOINTMENT OF POLICE SERGEANT**

 **BE IT RESOLVED:** That the Village Board of Trustees hereby authorizes the appointment of Greg Cerar to the position of Sergeant in the Northport Police Department effective July 28, 2019 and upon such appointment Greg Cerar shall receive all compensation and benefits associated with said position pursuant to the agreement between the Village and the Northport Police Benevolent Association, Inc. and

**WHEREAS,** this is a type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26), and, therefore, no further SEQRA review is required.

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

**RESOLUTION 2019-131 ~ COURT CLERK’S FALL CONFERENCE**

**BE IT RESOLVED:** Village Senior Court Clerk Tanya Karpf and Court Clerk Dawn Belefonte are hereby authorized to attend the NYS Association of Magistrates Court Clerk Conference September 29, through October 2, 2019 In Syracuse, New York in an amount not to exceed $2500.00

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

**RESOLUTION 2019- 132 PARAMEDIC ~ CREATE THE POSITION OF PAID PARAMEDIC FOR THE NORTHPORT FIRE DEPARTMENT**

  **WHEREAS**, the Northport Board of Fire Commissioners and the Northport Village Board of trustees has determined that expanding the paid paramedic program it is in the best interest of the Village of Northport, and furthers the health and safety of its residents and the Fire District; and

**WHEREAS**, the Northport Village Board of Trustees having reviewed the recommendations of the Northport Board of Fire Commissioners has also determined that the paid paramedics will be expanded to 7 days a week 24 hours a day.; and

**WHEREAS**, in creating the position of paramedic the Board of Trustees authorizes the Village Treasurer to appropriate from the fund balance a sum not to exceed $54,000.00 for the remainder of the Village’s fiscal year and authorizes the Treasurer to create a budget line to cover the costs of full-time paid paramedics.

**NOW, THEREFORE, BE IT**,

**RESOLVED,** that the Northport Board of Trustees hereby creates the position of full time Paramedic for the Northport Fire Department and authorizes the Northport Village Treasurer to appropriate a sum not to exceed $54,000.00 for the remainder of the Village’s fiscal year and authorizes the Village Treasurer to create a budget line for said full-time program, and

**WHEREAS,** this is a type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26), and, therefore, no further SEQRA review is required.

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

**RESOLUTION 2019- 133 ~ TECHNOLOGY SUMMER INTERN**

**BE IT RESOLVED:** On the recommendation of Commissioner of Technology Trustee Smith, Kiley McGorry is hereby hired as a Summer Intern for Technology, not to exceed 120 hours at a rate of $12.00/hr.

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

**RESOLUTION 2019- 134 ~ FEE SCHEDULE**

**RESOLUTION ESTABLISHING APPLICATION FEE AND ESCROW AMOUNTS FOR APPLIICATIONS MADE PURSUANT TO SECTION 147.1 &306.40 OF THE NORTHPORT VILLAGE CODE**

 WHEREAS, it has been a longstanding policy and practice of the Village of Northport to assess reasonable and equitable application fees and escrow amounts to help offset its costs incurred in processing applications made to the village of Northport pursuant to Section 147.1 & 306.40 of the Village of Northport Code; and

 **WHEREAS,** the implementation of an application fee and escrow schedule is a type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26), and, therefore, no further SEQRA review is required.

**NOW THEREFORE,**

**THE NORTHPORT VILLAGE BOARD,** hereby establishes various application fees and an escrow amount schedule effective immediately pursuant to Section 306.40 of the Northport Village Code, as follows:

A. **WIRELESS TELECOMMUNICATION APPLICATION FEES:**

1. Wireless macro and small cell site fees:

 a. Modification of an existing site: $2500.00.

 b. Co-location at a site: $3500.00.

 c. New site on existing structure: $5500.00.

 d. New site on a new freestanding structure: $9000.00.

2. Distributed antenna system (DAS) node (outdoor) fees:

 a. Modification of an existing node: $450.00.

 b. Co-location of a node: $550.00.

 c. New node on an existing structure: $650.00.

 d. New node on a new freestanding structure: $900.00.

3. Distributed antenna system (DAS) node (in-building) fees:

 a. Modification of an existing node: $250.00.

 b. Co-location of a node: $350.00.

 c. New node on an existing structure: $450.00.

 d. New node on a new freestanding structure: $700.00.

4. Commercial wi-fi node fees:

 a. All: $250.00

B. **ESCROW FUNDS:**

 1. An applicant shall deposit with the Village of Northport escrow funds sufficient to reimburse it for all costs of the Village’s consultant and/or expert(s) incurred in its/their providing expert evaluation and consultation to the Village of Northport in connection with the review of an application, including where applicable, in connection with a license negotiation, a pre-approval evaluation, and the construction and modification of a site, once permitted. The placement of the escrow funds with the Village of Northport shall precede the pre-application meeting.

 2. Initial Deposit Amounts:

 a. The initial deposit for a new wireless facility shall be $8500.00.

 b. The initial deposit for a colocation or modification of a wireless facility shall be $6000.00.

c. For a small cell and new DAS nodes in the Village of Northport right-of-way, the initial deposit shall be $3000.00.

d. For modification and colocation of small cell and DAS nodes, the initial deposit shall be $1000.00.

e. The Village of Northport shall maintain a separate escrow account for all such funds.

 f. The Village of Northport’s consultant/experts shall invoice the Village of Northport for its services related to an application. If, at any time during the application process, the escrow account has a balance less than 20% of the initial deposit, the applicant shall immediately, upon notification by the Village of Northport, replenish said escrow account so that it has a balance of at least 50% of initial escrow deposit. Such additional escrow funds shall be deposited with the Village before any further action or consideration is taken on the application. In the event that the amount held in escrow by the Village is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall, upon request of the applicant, be promptly refunded to the applicant. If notified by the Village of Northport that additional escrow is required, the applicant may request copies of the consultants’ and/or experts’ invoices. If the applicant finds errors in those invoices, the applicant may ask the Village to audit those specific items for reasonableness, and may request relief there from if not deemed reasonable by the Village of Northport.

On the motion of Trustee Milligan and seconded by Trustee Smith with Trustee Kehoe voting no the following resolution was approved.

**RESOLUTION 2019 – 135 ~ LEASE AGREEMENT**

**BE IT RESOLVED:** The Mayor is hereby authorized to sign a lease agreement with Atlantic Tomorrows Office for the lease of a copy machine at the Northport Police Department in an amount not to exceed $165.00 a month for 63 months, and

**FURTHER RESOLVED:** this is a type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26), and, therefore, no further SEQRA review is required.

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

**RESOLUTION 2019- 136 ~ WELLNESS PROGRAM**

**BE IT RESOLVED:** As part of the continued Wellness Programthe Mayor is hereby authorized to sign an agreement with Nicolas Orlando of Golds Gym to conduct two free to the public bootcamp style classes in Northport Village Park (times to be announced)

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

**RESOLUTION 2019- 137 ~ WELLNESS PROGRAM**

**BE IT RESOLVED:** As part of the continued Wellness Programthe Mayor is hereby authorized to sign an agreement with Lisa Hamada to conduct five Emotional and Academic Success Series classes, to be held in the Northport Village Courtroom, (times to be announced) and

**FURTHER RESOLVED:** Ms. Hamada will be compensated $100.00 per each of the five sessions, and

**FURTHER RESOLVED:** this is a type II Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26), and, therefore, no further SEQRA review is required.

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

**RESOLUTION 2019- 138 ~ COMPENSATORY TIME DISBURSEMENT**

**BE IT RESOLVED:** Raymond Desmond is hereby authorized to receive his mandatory payout of compensation time prior to the September 13, 2019 payout date.

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

**RESOLUTION 2019 – 139~ LETTER OF SUPPORT WOODBINE AVE COMFORT STATION.**

**BE IT RESOLVED:** The Mayor is hereby authorized to sign a letter of endorsement for the Town of Huntington to the Environmental Protection Fund in regards to their application for a new accessible comfort station at the Woodbine Marina.

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

**RESOLUTION 2019- 140 ~ KVS SERVER MIGRATION**

**BE IT RESOLVED:** The Mayor is hereby authorized to sign a contract with KVS/Springbrook for the Server Migration in an amount not to exceed $1300.00.

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

**RESOLUTION 2019- 141 ~ TOTAL LANDSCAPING**

**BE IT RESOLVED**: The Village Board hereby authorizes Total Landscaping Care to partially close Woodbine Ave, subject to the approval of the Village Attorney and Village Administrator along with Northport Village Police, and

**BE IT FURTHER RESOLVED:** this permission is granted any one day up to July 31st, after which said company would then need to reapply.

The next regular meeting of the Board of Trustees will be a regular Meeting August 20th, 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