

**THE MINUTES  
FOR THE May 19<sup>th</sup>, 2020  
MEETING OF THE BOARD OF TRUSTEES  
OF THE INCORPORATED VILLAGE OF NORTHPORT  
REGULAR MEETING  
11:00 AM**

**PLEASE TAKE NOTICE:** The Northport Village Board will hold a regular Board meeting May 19<sup>th</sup> at 11:00 AM. Pursuant to the Governor's Executive Order 103 the meeting will be held via telephone conference call only and not at Northport Village Hall.

There will be no public hearings, public participation or commissioner reports. The meeting will be strictly limited to necessary Northport Village business. The public will be able to hear the meeting by dialing the following phone number (267) 930-4000.

Participants will be required to enter the following access code: 405 904 676. Any questions by the public can be asked through our website: <https://northportny.gov>.

**PRESENT BY TELEPHONE CONFERENCE:** Mayor McMullen, Trustees Maline, Smith, Milligan and Kehoe, Village Clerk Donna Koch, Village Attorney Stuart Besen, Village Treasurer Len Marchese, Chief Chris Hughes, Assistant to the Mayor Don Tesoriero, Roland Buzard.

**ANNOUNCEMENTS:**

**MAYOR MCMULLEN:** Well the first thing I really want to get out of the way is to make a statement with the issue of dealing with the Farmers Market. This decision was made after a lot of consideration and I made it considering all the safety and health issues that are connected with it and the inability to keep everyone at the social safe distancing. We already have a difficult issue in our main Village parks with so many people coming in and not following the guidelines that have been issued by the State. We've done our best to hand out hundreds of masks, to try and get as many people to comply. I think it has to be understood that we are a small village with limited resources and I don't believe that it is feasible that we can handle in a safe manner the hundreds or so additional people coming into the downtown area of the Village. Right now, I know there's not a lot to do and people would be naturally attracted to coming out to a Farmers Market. I don't feel it is particularly, simply not safe to the Village residents who have been done great though this pandemic. Our numbers have been very good compared to other places throughout Long Island. We could also, with the city closing down beaches and tec. We could have people coming out from the city carrying the COVID-19 virus with them. I noted on a nice weekend, it's something that everyone would like to do but this, I believe we have to constantly be enforcing the social distancing and that we really don't have the personnel to the degree that maybe other municipalities might have. I know other municipalities are not having the Farmers Market as well. You also have to realize this would put a burden on not just our local residents but there are issues dealing with our local volunteer fire department and police department, highway employees. Right now, we are having a big issue with the amount of garbage that is being

created. So much more than normal that we have over three times the amount of trash coming in. we can hardly keep up with it on a daily basis. It is even worse on the weekends when it is nice. We have been very lucky so far with our infection rate. When it comes to the Village businesses, they are extremely important to the Village to maintain the character of our downtown area. Since none of them have the ability to be open right now it's really the so-called residual effect of people coming to the Village doesn't really exist because, if you were able to go to a Farmers Market here there is no other place to go, none of the businesses are allowed to be open to any great extent. So there really isn't a benefit. I also find it difficult that we would want to open up a Farmers Market bringing in vendors none of which are Village businesses they are all outsiders when our own businesses don't have the ability to open. So, for the moment I have postponed the opening of the Farmers Market and at this point it will stay that way. One would hope possibility in a month from now, things might change, because as you know from the very beginning, every day, even by the hour something is constantly changing and upgraded. I know they talk about the matrix, but even after meeting the matrix, there are still other guidelines that have to be met, to be able to open up. I feel the risk to the Village really doesn't match the benefit to the Village residents nor our Village businesses. I would also like to point out, all these other events have been voluntarily postponed, basically every event between now and Cow Harbor Day, (October 3<sup>rd</sup> and 4<sup>th</sup>) has been canceled on their own. The Community Band has notified us that they were canceling. The Tuesday nights have been canceled, the Nautical Mile, I just received a letter from Chief Sheridan from the Fire Department that they are not having their fireman's fair which is a very big important event for them, dealing with their funding. So, we have been able to keep the Village moving along. The Village Administrative offices have been open. You can't enter the building, by email and phone we are able to handle everything, we are starting to get the Village Boards up, with things like Zoom and conference call like we are doing right here. Highway is up 100 percent, Fire, Police. In fact, we have Scudder Park open for the residents. Steers Beach will be open and I hope to get the swim area of Steers Beach open by this weekend but we want to coordinate with Huntington, about them opening up Asharoken Beach. We have managed to find a way to open the Village Dock in a safe manner. We hope people follow what we are doing and also, we have had discussions between yesterday and today hoping to have the ability to open the various bathrooms in the Village for the residents by this weekend. So, we've been doing as much as we can to keep life so what normal. It's a funny way to say it but. So that's basically where we are with the different events and issues dealing with COVID-19. The last thing I would like to point out is that I personally as Mayor do not and will not govern over social media. I think that is a very poor way of governing by following social media and with that I'm going to move the meeting along. With that, I'm going to move the meeting along, Donna do you have any announcements?

**VILLAGE CLERK:** I have no announcements.

**MAYOR MCMULLEN:** then will you please move on to the warrants.

#### **BOARD APPROVAL OF WARRANT:**

On the motion of Trustee Kehoe and seconded by Trustee Smith the following payment of bills was put to a roll call vote a roll call vote:

Trustee Maline ~ YES  
Trustee Smith ~ YES  
Trustee Kehoe YES

Trustee Milligan ~ YES  
Mayor McMullen ~ YES

**Fiscal Year 2021/2022 General Fund bills in the amount of \$ 34,959.91**

On the motion of Trustee Smith and seconded by Trustee Milligan the following payment of bills was put to a roll call vote a roll call vote:

Trustee Maline ~ YES  
Trustee Smith ~ YES  
Trustee Kehoe YES

Trustee Milligan ~ YES  
Mayor McMullen ~ YES

**Fiscal Year 2021/2022 Sewer Fund bills in the amount of \$ 5,909.07**

On the motion of Trustee Maline and seconded by Trustee Smith the following payment of bills was put to a roll call vote a roll call vote:

Trustee Maline ~ YES  
Trustee Smith ~ YES  
Trustee Kehoe ~ YES

Trustee Milligan ~ YES  
Mayor McMullen ~ YES

**Fiscal Year 2021/2022 Fire Department bills in the amount of \$ 65,122.34**

On the motion of Trustee Kehoe and seconded by Trustee Smith the following payment of bills was put to a roll call vote a roll call vote:

Trustee Maline ~ YES  
Trustee Smith ~ YES  
Trustee Kehoe ~ YES

Trustee Milligan ~ YES  
Mayor McMullen ~ YES

**Fiscal Year 2021/2022 Capital Fund bills in the amount of \$ 350,401.74**

**BUSINESS:**

The Mayor has requested if the Board is going to continue with conference call meetings; we continue with our two meeting a month schedule through the summer, July and August. (July 7<sup>th</sup>, & 21<sup>st</sup>, and August 4<sup>th</sup> & 18<sup>th</sup>).

**MAYOR MCMULLEN:** I want to do this, with everything going on as you all well know, I think its important that we all have these meetings. Is everyone okay with this?

**VILLAGE CLERK:** Do I need a roll call vote on this? Let's do a roll call vote.

On a roll call vote the summer schedule was approved.

Trustee Maline ~ YES  
Trustee Smith ~ YES  
Trustee Kehoe ~ YES

Trustee Milligan ~ YES  
Mayor McMullen ~ YES



**TRUSTEE KEHOE:** Stuart this is Tom, is this something appropriate for us to be discussing in the terms and conditions?

**MR. BESEN:** well it is a public record.

**TRUSTEE KEHOE:** I'm just asking the question.

**MR, BESEN:** I understand, I understand, there is, I can say, just like the resolution it is a settlement of a claim, not to exceed \$25,000. There is no admission of liability on behalf of the Village of Northport. This is basically the insurance company has recommended it. They are paying most of the money and this will end any potential litigation down the road.

**Trustee Kehoe:** there are some confidential parts to this? Which I trust you're not going to go into detail publicly.

**MR. BESEN,** in truth there really is nothing confidential,

**TRUSTEE KEHOE:** Ok, OK.

**Mr. Besen:** it is all in the agreement. Again, there is no admission of any liability on behave of the Village. The insurance company is paying the majority of the amount of money and basically all sides will move forward.

On the motion of Trustee Milligan and seconded by Trustee Smith the following resolution was put to a roll call vote:

Trustee Maline ~ YES

Trustee Milligan ~ YES

Trustee Smith ~ YES

Mayor McMullen ~ YES

Trustee Kehoe ~ YES

#### **RESOLUTION 2020-66 – SETTLEMENT**

**BE IT RESOLVED:** The Village Board hereby approves the settlement of the matter of Robert Ramonetti v. The Board of Trustees of the Incorporated Village of Northport and authorizes the Mayor to execute all documents approved for form by the Village attorney in furtherance of said settlement. In an amount not to exceed \$25,000.

#### **PUBLIC PARTICIPATION:**

**MAYOR MCMULLEN:** all right are there any more questions?

**TRUSTEE SMITH:** were we going to discuss the correspondence from the Chamber?

**MAYOR MCMULLEN:** I'm sorry, what's that.

**TRUSTEE SMITH:** I said were we going to discuss the correspondence from the chamber.

**MAYOR MCMULLEN:** I was going to public participation. Donna how do you wan to handle that?

**VILLAGE CLERK:** Okay, if anyone from the public would like to speak, I'll need your name and address once you're called upon to speak, Please jus tone person at a time. Is ther anyone who would like to go first?

**BARBARA NYGRO:** 72 School Street, I am talking about the farmers market. I did send comments out yesterday or the day before. I don't know if any of you Trustees have read my comments since then. You know I'm listening to what you have to say about the farmers market and this farmers market has been here for thirteen years. We are going to be able to control this

market. There is a plan that has been safely laid out. There will be an in and out, people will be required to wear masks.

**TRUSTEE SMITH:** please put your phones on mute so that we can hear Ms. Nygro.

**BARBARA NYGRO:** with respect to the Mayor I don't understand why he does give the benefit to the community for a farmer's market. I'm still speaking< I though it went out. I couldn't hear anything, So, I thought I was disconnected. There are two reasons for shopping in this market. You are out in an open air environment, lots of sunlight, plenty of room for social distancing and much less stressful, I go into Stop and Shop a store where the aisle are very tight, people are going in one way out the other way, not observing the six feet distancing, not observing the aisle regulations and we are inside. Farmers Markets are certified; they are like a supermarket today. The public health officials have certified farmers' markets stating they are equivalent to grocery stores. This benefits the town as well I know there are a lot of stores here that want to be open. I know support the stores that are open. It is a difficult time for everybody. I know that the Mayor mentioned that they don't live her in Northport but the farmers they are part of Long Island, they are part of Suffolk County, they are here, they struggle. You know we need to support these people who are being crushed. We have big businesses big box stores, you have the Costco's, the big agriculture, are crushing these farmers. We get the food fresh; it is cut that day, if not the day before, bringing it directly to us. I don't see how this doesn't affect the community. Right away you put up a wall. You won't even give us the opportunity to display if this would work or not and these farmers in addition have planted. Every year they have planted for this market. In anticipation of Northport and what they consume. My family was in the restaurant business. They're not trying to hurt a restaurant. I hope to god that these restaurants get to open soon. Or maybe the town has the ability to make it a little easier for them, maybe they can set up something at the farmers market, where they can take orders or put out their menus. They need something to help them or any store for that matter. This is the basis for everything, if I can buy from a supermarket, I should be able to buy at an open-air market. They are telling us to go out in the sunshine, not to be cooped up in the house. Summers coming. This is a good excuse and will be good for the community, we will be wearing masks, it won't be as social as it used to be but I enjoy going down to the market. I was one of the people who started this market. We were there in the beginning. Just to shut it down, I don't think it has really been considered, you say you are opening up beaches. Maybe we should put up no entry at each entrance to Northport Village. That would keep it safe. I 'am sorry, I'm going on. I am just very passionate about the issue.

**TRUSTEE SMITH:** Damon, I would like to suggest that perhaps you would allow me to lead a group a key stakeholders to come together and put together a more visible plan for the farmers market, something that would take all these things into consideration so the Board can get a second look at it.

**BARBARA NYGRO:** Can you repeat that, you are breaking up I don't think my connection is that good

**TRUSTEE SMITH:** So, this is Trustee Smith, what I'd like to suggest is to secure approval of the Board for me to lead a group of small stake holders of the farmers market to fully vet the opportunity and present a more comprehensive plan to the Board for consideration. As Damon has mentioned this is

postponed, not canceled and I think if we take some time to fully vet the opportunity and present it to the Board in a comprehensive fashion that would certainly support and recognize all the different constituents concerns and requests.

**MAYOR MCMULLEN:** Mercy I had said that this is postponed and I have said that basically going forward and say it's been a month, just to pick a time frame, that we could revisit it at that time. Right now we are over three and a half weeks from the date I was given which is June 13<sup>th</sup>, A lot can go on between now and June 13<sup>th</sup> and it can be looked at again. The Board can look at it a month from now or maybe five weeks from now but in the meantime, what has been presented is just not safe. Despite what people might say or think, the first responsibility it. I'm having a difficult time now in the main village park trying to keep people under control and social distancing. S, I did say we would revisit this.

**TRUSTEE SMITH:** I agree with you wholeheartedly when it comes to public safety and our challenges associated with that as well as resources but would you entertain a more formal vetted comprehensive plan if I took the time to work with the stakeholders putting together and present to the board at a later date.

**MAYOR MCMULLEN:** I plan on looking at this with the village board about a month from now. All right do we have someone else that wants to speak?

**ROCCO NYGRO:** yes, I just wanted to say a month from now is too late. You need to look at it earlier. The problem we are going to have is if you wait a month from now Mayor the crops will be distributed other places and it will be over. The farmers have drawn up plans. Mercy is right, if you work with them, they will come to town and give you their plan, they've talking to the (inaudible). They have spoken to the New York State Farmer's Market Association, drawn up plans. They are doing things out east at the farm, everything is packaged. They have lots of ideas. It wouldn't be right not to listen to them, invite them in, let them talk, as you said the stakeholders with you Mercy, within a week or two weeks so you can see what you're looking at. There is so much benefit to having that market you just don't know. Mercy thank you for standing up.

**MR. BESEN:** Donna you didn't get his address.

**VILLAGE CLERK:** Yes, its 72 School Street

**VILLAGE CLERK:** the next person who would like to speak.

**DAVE WEBER:** 44 Burt Ave. Northport. I have a couple of things I'd like to say first off; Mayor thank you for opening the bathrooms. We had a conversation about this earlier and I think it is imperative that the village opens the bathrooms at Village park and Scudder Park. I think it would be a public safety hazard to keep them closed because what I've seen the past couple of weeks is people using those facilities, those public parks, people who are in need of bathrooms are finding elsewhere to relieve themselves.

**MAYOR MCMULLEN:** Dave when you mentioned that to me, I did speak to Roland and Ian and we feel that we should be able to do it by this holiday weekend. We took it to heart.

**DAVE WEBER:** Thank you very much for that. The CDC puts guidelines on merchants on restroom and how to open a public restroom. So, we are following guidelines so to me it should be a no brainier.

**MAYOR MCMULLEN:** yep, we are doing it Dave. Thank you

**DAVE WEBER:** the next thing I just wanted to mention is of course the farmers market, yes of

course there are going to be a lot of people speaking up for the market. I understand your view and I appreciate your going to look at this at a further time, so it's not a done deal but I also want to inject that framers' markets benefit the 7000 residents of the Village not just the local merchants. You did mention in your speech that there aren't any local merchants at the market that's by their choice not by any other reason. They have had the opportunity to join in the farmers market, I understand that the merchants that are there are from out of town but they are there for the benefit of the 7000 residents. I feel that there is defiantly some strong benefits. It would be very easy to put together a team to lay out a safe plan. I believe they have done that already. I have spoken to Dorothy Walsh and she said she has already laid out a diagram. It complies with CDC guidelines for open-air farmers market. I think it could be done very easily and hopefully you will give Mercy the green light to get on that and readdress that, sooner than later. I hope that it doesn't take a month before were able to do that. It really does benefit the village as a whole. It really does. Thank you for that. The other thing I did want to talk about is the possibility of opening up Main Street to one-way traffic. One-way traffic west. If we got some barricades and put them down the center and shrivel up the lanes from a two way to a one-way road. I think you' still allow access of emergency vehicles and public access for that kind of right-away. Allowing the sidewalks to open up into the parking spots. It doesn't have to be the whole Main Street but maybe a portion. I don't have to tell you but my personal view coming down Main Street every night, and I'm not calling out anybody. It is a good thing I see that Lic's ice-cream store, every night has a line out the door on the sidewalk. But when I'm walking down the sidewalk, I need to go In between vehicles out into the road down four vehicles and back again through the vehicles back on to the sidewalk to bypass those people. To shrivel down to one lane, you would open those parking spots for pedestrian traffic. I think it would be making it safer for everyone else as a whole. Thank you for allowing me to speak.

**VILLAGE CLERK:** Is there anyone else who would like to speak?

**MONICA ZENYUH:** i am on a land line and would like to speak.

**VILLAGE Clerk:** Could you spell your last name for me?

**MONCIA ZENYUH:** Z E N Y U H, I live at 63 June Ave.

**VILLAGE CLERK:** Okay go ahead.

**MONCIA ZENYUH:** Hello everyone I sent you a letter yesterday including a petition that I created on Change.org, because of the pandemic I could go around house to house and in only three days I have over 840 signatures of local residents who would like us to open the farmers market. I appreciate Damon McMullen's concerns. I do want to put forth my name to Trustee Smith that if she is looking for people, I would gladly lend my support as well as the support of many of the people who signed the petition. They are local merchants, vendors and many community members who rely on this for fresh local produce to support our local farmers and vendors. I will defiantly volunteer to help regulate the people who come in and out, make signs. I'm sure we can get a contingency of people who would help enforce these procedures so that we don't have to tax our police force and other agencies who are already beyond capacity to handle. I know these are tough times, I am a teacher, juggling al this as well. The need is there and between two petitions there are over 1200 people who have signed it. This is something important to our residents and to echo the previous caller I don't like shopping in the large food stores and I don't know where that produce is coming from and whose touch it. Having a farmer's market is as close to the farm to table as we can get around here. It is a vital part of our community and I



will do anything I can to help Trustee Smith and the Board to make this happen again. Thank you very much.

**TRUSTEE MALINE:** Hi Damon this is Jerry, Hi Donna its Jerry, Damon I wanted to urge you that maybe we should let Mercy make a more definitive plan, safety wise, flow wise and revisit it at the next board meeting June 2. I would like to just comment on the petition. There's no way to look at that petition and tell which are Village residents and which aren't. So that's one issue with that petition. That's one reason why Damon is so. I'm speaking for Damon but he is reluctant to rule by social media. I realize there are a lot of people on the call but the information that the Village has now. We cant; we are having trouble policing people on Main Street. I was on Main Street last Thursday and eighty percent of the people weren't wearing masks and their walking right by each other. So, that's a challenge we are facing that the police force is facing. Dorothy Walsh from the Chamber handed out over 150 masks on Mother's Day. People are not wearing masks; they didn't have one. Maybe half of them had a mask and just took a free one for backup but people are not following the rules. They are not being cautious, "oh I'm with my family unit, I'm going to walk without a mask" and then they don't care when they walk by someone. If I'm wearing a mask and I walk by someone who doesn't bother to put on a mask, I'm insulted, I'm sorry but that is the reality of it. Everyone can say and swear up and down Oh everyone who comes to the Farmers Market will be good citizens but that's not our experience. There were problems on the dock, the main dock in the beginning it was closed down. Now I believe that Roland has instituted some more definitive plans just to get people to use common sense. Damon I just wanted to say I think it would be worthwhile to see what they come up with in two weeks as opposed to a whole month. Thank you.

**TRUSTEE MILLIGAN:** This is Ian I'd like a chance to speak: I agree with what Jerry says and also what Dave Weber says. The door is not closed on the Farmers Market but to the point of what Jerry and also Dave were saying about the congestion on Main Street is the very reason why we shouldn't rush to open this farmers market. Simply because people want it, there's a lot of businesses people want. I challenge anyone to say anything that's fair about the situation we are in. Its not fair, its not just, its an inconvenience there's no doubt. The idea of closing part of Main Street for foot traffic to make foot traffic possible, we've looked at that idea and we are trying to figure out a way to make things like that work, to support the residents and to support the businesses. Right now, our businesses are not allowed to do sidewalk sales. Our restaurants are not allowed to do outdoor dining. That's coming in future cases of the Executive Order. Until those happen, until those problems are worked out. To have the farmers Market without solving all these other problems, I believe unfair and insensitive to the business, We have a store that sells olive oil and they can't be open to the public, but we're going to allow another business to come from another town and sell right in front of their door. It's just insensitive to our businesses its reckless to the safety of the public. Yet don't think the door is closed on the farmers market, its just another problem that has to be worked out and worked out carefully. Not just simply throw a plan together and expect everything to work. These are complicated times and very complicated measurers to make it work.

**TRUSTEE KEHOE:** Damon this is Tom I'd like to say something on this issue.

**Mayor McMullen:** go ahead.

**TRUSTEE KEHOE:** when you had asked me to speak to Dorothy Walsh a couple of weeks ago about this. She was agreeable to send a letter out to the olive oil store and to all the food merchants and

invite some of them to participate, because like you said and you are 100% correct none of them are participating, so the insensitivity I see in, is not there. They were willing to accommodate whoever wanted to come in. I agree with the Mayor on this situation that: how do we control the people because look at what's going on at Lic's every night as Dave Weber said. If a coalition of non-merchants and non-farmers market people like the Nygros' and other people if they step up for it and are willing to pledge to help making sure that people have masks like Jerry said people are not wearing them and that there is social distancing then I think it would be worthy to consider it. The Village does not have the resources, for the record we do not have the resources to put Police or highway men or women to stand there making sure everyone has mask. This is the time I think that the community needs to step up and volunteer. I'd ask Damon that you reconsider Mercy's proposal that she is floating out here today and that it's up to the people who spoke on behalf of the Farmers Market or circulated petitions that they will get involved and actually be willing to act as monitors. Cause, I don't think Dorothy Walsh has the staff. We are going to have to get community people. Then I think a plan may be able to be crafted. But short of that I don't see how we get it open right now. We've had problems the town has had problems at Hobart Beach and some of the others where the bathrooms weren't open. I think most of you are aware of that and the stuff that the Mayor is grappling with right now: what do we do with Steers and Asharoken Beach, trying to coordinate with the town. No one is more pro-business than me but, in the Village, we have to be prudent and I think if we can get a coalition of community to work together with Mercy and Dorothy craft a better plan than, I think it would be wise to reconsider it. I would just ask you to reconsider Mercy's proposal.

**MAYOR MCMULLEN:** for now, we are going to table it and discuss it a little bit more on our 8:30 conference call tomorrow.

**Trustee Kehoe;** okay you got it.

**MAYOR MCMULLEN,** Mercy, Jerry Ina on that COVIS -19 call we can put that on Mercy as one of the topics. Its something that has to include the Chief of Police and Chief of the Fire Department. Lets continue it then. If that's agreeable with everybody.

**TRUSTEE SMITH:** my goal would be to model it after the Winterfest proposal where Jim Izzo and I went to the Fire Department the Police Department the Highway Department to the Village Attorney to all key stakeholders in advance of putting forth a proposal to the Village for consideration. So, I would take that approach but do it in (inaudible) in several months.

**MAYOR MCMULLEN:** OK, Donna do you want to see if anyone wants to speak?

**VILLAGE CLERK:** Is there anyone else who would like to speak on any subject.

No response.

**VILLAGE CLERK:** all right with that we will close the meeting. So, the next meeting of the Board of Trustees will be June 2, at 11:00 AM.

The next meeting of the Board of Trustees will be a regular meeting June 2, 2020 at 11:00 AM by conference call.

Respectfully submitted,

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Donna M. Koch  
Village Clerk