

PUBLIC NOTICE

PLEASE TAKE NOTICE: The Northport Village Board will hold a regular Board meeting August 18th, 2020 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>.

MINUTES
AUGUST 18th, 2020 – 11:00 A.M.
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING

ANNOUNCEMENTS:

Mayor McMullen: just to make a couple of quick announcements. It appears that, not that it's a hundred percent and could be better, but it appears that the sign that Roland has put around the Village encouraging residents to please wear a mask. Seems to be working it could be better but its good to see it had some impact on residents and visitors. Also, I'm asking all department heads to keep in mind their budgets. I know we are only about half way through the year but there has been a hit to the revenue stream. One example would be the parking meters and we have had to spend money on COVID-19 related expenses. I'm not saying you shouldn't spend; I'm just asking that you be mindful of that fact. I'm sure that everyone must realize at this point but I feel it needs an announcement, that this year there will not be a Cow Harbor Day Parade. The race committee has canceled and they are going to be doing some kind of virtual race I'm sure they can explain better than I, you run the race, wherever you happen to live. As far as the Cow Harbor Day parade that will not be happening this year. I'm looking forward to it hopefully we will get through this and have a really good one next year.

BOARD APPROVAL OF WARRANT:

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 Smith ~ YES

Mayor McMullen ~ YES

Trustee Kehoe ~ YES

Trustee Milligan ~ YES

Fiscal Year 2020/2021 General Fund bills in the amount of \$36,373.18

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

Trustee Smith ~ YES

Mayor McMullen ~ YES

Trustee Kehoe ~ YES

Trustee Milligan ~ YES

Fiscal Year 2020/2021 Sewer Fund bills in the amount of \$ 6,931.81

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 Smith ~ YES

Mayor McMullen ~ YES

Trustee Kehoe ~ YES

Trustee Milligan ~ YES

Fiscal Year 2020/2021 Fire Department bills in the amount of \$18,666.04

RESOLUTIONS:

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

Trustee Smith ~ YES

Trustee Milligan ~ YES

Trustee Kehoe ~ YES

Mayor McMullen ~ YES

RESOLUTION: 2020 – 95 ~ APPROVAL OF THE AUGUST 4, 2020 MINUTES

BE IT RESOLVED: The minutes of the August 4, 2020 meeting are hereby accepted.

Trustee Kehoe wanted to go on the record be the rest of my colleagues approve the minutes. It was an unfortunate thing what happen. I agree with Roland Buzard and the Mayor. I met them up there and it had to come down. I had a builder, I had two builders, one that could do it from 8 to 10 and one that could do it for 15. We were told a crane would be put up on the side and it was not. It was just an articulated boom. And it only took two days for the job to be done Friday and Monday even through the articulated crane/power lifter was there for a couple of days, I guess he leased it for a week but it was a two-day job. I am curious to see what the final bill comes in at. I sure hope to hell, excuse me pardon me. I hope it doesn't come in at close to what the Board appropriated or what Duck Island Builders said he could do it for. So, that's it. I'm abstaining but I'd like it to go on the record and have it printed in the minutes of this meeting.

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

Trustee Smith ~ YES

Trustee Milligan ~ YES

Trustee Kehoe ~ Abstain

Mayor McMullen ~ YES

RESOLUTION: 2020 – 96 ~ APPROVAL OF THE AUGUST 7, 2020 MINUTES

BE IT RESOLVED: The minutes of the August 7, 2020 meeting are hereby accepted.

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

Trustee Smith ~ YES

Trustee Milligan ~ YES

Trustee Kehoe ~ YES

Mayor McMullen ~ YES

RESOLUTION 2020 – 97 ~ SEASONAL EMPLOYMENT

BE IT RESOLVED: that the seasonal applicants recommended by the Village Clerk and Parks Department Commissioner of Waterways 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;

Pump-out-Boat

Jack Pokowitz

\$14.00/hr.

Trustee Kehoe: I'd like to ask a question; do we still have trim-a-tree doing the tree work.

Mayor McMullen: yes, he will still do the tree work. This is an arborist, so that we can have him come in and make a decision on a tree, an older tree like in the park, As you know we lost a couple of more trees, as to what kind of condition they are in and whether or not they should be removed.

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

Trustee Smith ~ YES

Trustee Milligan ~ YES

Trustee Kehoe ~ YES

Mayor McMullen ~ YES

RESOLUTION 2020- 98 ~ DOM'S LAWN MAKER INC.

BE IT RESOLVED: The Board hereby approves Village Administrator Roland Buzard to sign an agreement with Dom's Lawn Maker Inc for Arborist services throughout the Village as outlined in a quote dated March 13, 2020. Said agreement to expire 2/28/2023.

Trustee Smith: Donna, I'd like to request that we remove the e-scope resolutions from the agenda today. I had sent an e-mail earlier that I think it is important that the Commissioner of Technology has all the information surrounding the commitment which is two years to the tune of \$17,000 and that I understand the need and what services would be provided, under both resolutions 2020-99 and 2020-100 prior to having a vote on it. So I request that it be moved or tabled to either an intern meeting or the September 1st , meeting I am cognizant of the contract and that there is a potential price increase that would go into effect on September 1st, but it is still important to do due diligence prior to a vote.

Mayor McMullen: Trustee Smith, I am not going to pull these from the agenda.

Trustee Smith: and why is that?

Mayor McMullen: Because this is something that we need to do and we have had e-scope, they come off the County contract and the points you just raised, they are giving us expanded services. I sent you that information, when you sent me an e-mail this morning with questioned and I answered them.

Trustee Smith: I only go information about these particular resolution at about 9:00 o'clock after asking for them. I have not done any due diligence as it relates to what services are provided, whether or not we should from a legal perspective be sourcing multiple vendor quotes based upon the price tag associated with both of them. We shouldn't be looking at competitive offer from other vendors. I understand it is a county contract, I understand that there is a price increase looming, however as Commissioner

of Technology I was not including in the decision and I believe my experience, lends itself to making the best decision regarding both extensions of contracts and services. And because I don't know what's in them, I don't feel I can vote for them at this time.

Mayor McMullen: And you have that right not to vote for them, should you choose.

Treasurer Marchese: If I could say a couple of words Mayor?

Mayor McMullen: Yes, Len

Treasurer Marchese: e-scopes has been our provider of security services and IT backbone infrastructure for a number of years now. I have been with the Village, I guess for ten years now and when I started, we were using them out in South Hampton. They have been providing infrastructure and backbone not only to us but financial institutions large and small throughout the country. They provide an excellent service. They helped us design our current configuration and unfortunately what happens is that we have a couple of different silos here. The fire department is in silo the police department is in silo and they each have manage care services, both of them, I think the fire department is paying about \$900.00 a month for manage services and the police is properly about the same and their managed fire wall protection services are coming to about three hundred dollars a month. It's almost about a third of the cost. The second part of the quote is basically a bank of hours. It is hours that we can use on an hourly basis for our needs that we have to address in our systems that might be above our internal IP staffs capabilities. So, if we don't use them that money continues to stay banked and we can continue to roll them over. They don't expire. But the managed fire wall services and intrusion protection services is something that the price per month is going up \$100 in September. Now if we want to hold onto this and look at it prior to September that is a option but the fact that we have been using e-scope for many years and they have installed many of our systems if not all of our systems, and they have been very responsive whenever we have had issues. I as IT reporting through the Treasurers office I recommend we stick with them. So....

Trustee Smith: Len, I actually agree with you. That e-scopes has exceeded our expectations and that's great. I agree with that wholeheartly. This has more to do with understanding exactly, the needs and the services that we would be provided with in the two resolutions. I also have a concern regardless of it being a county contract. That the dollar amount, these services don't, at this point from the indications that I've gotten, as of last night at 9:00 o'clock emergency related to COVID -19 and that, and sort of lax procurement practice so because the dollar amount of up to \$17,000 and has a two year commitment or 24 months, I think it would behoove us to further investigate and if we need another meeting to pass these resolutions, I'm fine with that, or pass them on September 1 which I believe that was the date I was given to, as far as the price increase would accord, that it would behoove us to do our due diligence now and insure from a legal prospective that we have followed any procurement regulations or code that exists and the we understand the services prior to making that commitment. So, I support e-scope 200 % but I want to be able to make sure that I fully understand what the services are included and I am willing to do that in a short period of time and vote on

that, like I said in an emergency meeting on September 1, which I understand the deadline is for the price increase. But I will not do so without understanding the legal aspects of it for procurement and details.

Mayor McMullen: OK, would anyone else like to comment before I ask for a vote on this.

Trustee Kehoe: yes, I concur with Mayor on this. It is a \$16,980 (inaudible) and if this is her wheel house and hasn't seen it and I sure as heck haven't seen it and what is the price increase, they are threatening as of September one, how much?

Treasurer Marchese: Its \$100. Per month Tom.

Trustee Kehoe: On top of that Lenny?

Treasurer Marchese: yeah, it would go up from what you have to another hundred. I don't have a problem with you holding on to this, you just have to have another meeting before the first.

Attorney Stu Besen: Can we do the meeting September 1, and if the board so desires on the first would we still be under the deadline.

Treasurer Marchese: I'm trying to read the date on here. It says you need to execute it before September 1st, so I don't know. Is it September 1st, is it the 30th, I don't know?

Mayor McMullen: I'd like to ask Ian; would you like to make a comment about this. Did we lose Ian? Donna?

Village Clerk: Ian are you on?

Trustee Milligan: Sorry, it was muted.

Mayor McMullen: I didn't know if you wanted to make a comment.

Trustee Milligan: I believe we are following the rules of contract negotiations, because it is on the county contract, it is a vendor that we're familiar with that we have been using, it is just an extension of the contract we already have. I don't see a point in delaying it.

Trustee Smith: I'd like to add that I think it is important that with so many emerging technologies, that happen every day that it is important as a Village that we do our due diligence to ensure that not only are we getting the best service but also the most innovated service. I think that one of the things we have done over the past couple of weeks is to talk through some of the technology things we need through out the Village and as such it would be premature of us to enter into a long term contract for services without doing our due diligence in advance.

Mayor McMullen: well I kind of don't like that because I kind of feel that due diligence has taken place. You feel there should be more which I feel is different.

At this time there was too much over speaking that minutes could not be established.

Trustee Smith: as technology commissioner I have twenty years' experience in this field and because I was not made aware of this commitment financially or the services associated with it prior to the agenda coming out and had to ask for information at 9:00 o'clock last night. I am not in a position to make a decision on it which is the authority you have given me as Commissioner of Technology. So, with all due respect, I hoped you would respect my position as an elected official as well as my (inaudibly) in tabling

this till I'm comfortable.

Mayor McMullen: there is business on a daily basis that needs taking care of and why make yourself available or why make yourself.....

Treasurer Marchese: Damon, can we just table it for a week and just have a quick call meeting. This is an open book, this thing, I don't want it to look like anything else but an open book. This vendor is used all over Long Island.

Mayor McMullen: ok, if you want to delay it a week that's it, one-week, next Tuesday we will take a vote n it. Its more then enough time.

Treasurer Marchese: Is that enough time Mercy?

Trustee Smith: Absolutely.

Mayor McMullen: it is more than enough time for any other research.

Trustee Smith: I need forty-eight hours and I'll have it done.

Treasurer Marchese: no that's fine. I'd like to meet with you to go over this if you want. We can go over the services. The gentleman and folks who work for that company....

Trustee Smith: I understand there is a technology meeting on Thursday.

Treasurer Marchese: sure, I think once you open up the other proposals your going to find that this compared to other comparable proposals from entities who do services for municipalities and have a long track record, they are well, well, well below the pricing of other companies and supply superior services.

Mayor McMullen: okay, Donna table them, 2020-99 and 2020-100

Village Clerk: I have to do verbatim minutes of this meeting and where you and when you talk over each other will not be included.

The following resolution was put on hold until a special meeting August 25, 2020

RESOLUTION 2020- 99 ESCOPE SOLUTIONS

BE IT RESOLVED: The Mayor is hereby authorized to sign a proposal from E~Scope Solutions 54 Old Dock Rd. Yaphank, for network support in an amount not to exceed \$312.50 per month for 24 months.

The following resolution was put on hold until a special meeting August 25, 2020

RESOLUTION 2020- 100 ESCOPE SOLUTIONS

BE IT RESOLVED: The Mayor is hereby authorized to sign a proposal from E~Scope Solutions 54 Old Dock Rd. Yaphank, for Fire Wall Management at both Village Hall 224 Main Street and Treasurer Department 20 Beach Ave in an amount not to exceed \$395.00 for each location per month for 24 months.

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

Trustee Smith ~ YES

Trustee Kehoe ~ YES

Trustee Milligan ~ YES

Mayor McMullen ~ YES

**RESOLUTION 2020 -101 ~ IN THE MATTER OF AMENDING
THE SERVICE AWARD PROGRAM POINT SYSTEM WHEN
SPECIAL RESPONSE RULES ARE IN EFFECT DURING THE COVID 19 PANDEMIC
OF 2020**

WHEREAS; As authorized by Article 11-A of the New York State General Municipal Law the Board of Trustees of the Village of Northport established a Service Award Program for active volunteer firefighters of the Village of Northport; and,

WHEREAS; Active volunteer firefighters earn Service Award Program service credit under the Service Award Program Point System adopted by the Board of Trustees of the Village of Northport; and,

WHEREAS, in response to the outbreak of Novel Coronavirus, COVID-19, NYS Governor Andrew Cuomo declared a STATE DISASTER EMERGENCY and issued EXECUTIVE ORDER 202 OF 2020. In response to the STATE DISASTER EMERGENCY New York State fire districts, towns, villages, cities and their volunteer fire department/company officials adopted Special Response Rules restricting volunteer firefighter responses to emergency responses and/or restricting the holding of activities for which points could be earned during the STATE DISASTER EMERGENCY; and,

WHEREAS, the adoption of the Special Response Rules has affected the ability of active volunteer firefighters to earn points in service award programs; and

WHEREAS; In recognition of the negative effect these Special Response Rules has on the ability of active volunteer firefighters to earn service credit during 2020 under service award program point systems, New York State legislators and Governor Andrew Cuomo enacted legislation intended to prevent active volunteer firefighters who would have earned service award program service credit during 2020 from failing to earn a year of service award program service credit during 2020 due to the adoption of Special Response Rules; and,

WHEREAS, This legislation, Chapter 113 of 2020 of the Laws of the State of New York, authorizes the Village of Northport to adopt a resolution to amend the Northport Fire Department Service Award Program point system by adding a new category to the point system under which up to five (5) points per month (prorated for periods of less than one month) may be awarded to active volunteer firefighters during the period when the Special Response Rules are in place; and

WHEREAS, Should the Board of Fire Trustees elect to adopt such a resolution, Chapter 113 of 2020 the Laws of the State of New York, provides that the adoption of such resolution does not require approval of Village residents at a Village election.

Now, Therefore, **BE IT RESOLVED,** That:

By adopting this resolution, the Board of Trustees of the Village of Northport, adds the following new category to the Northport Fire Department Award Program Point System:

COVID-19 Pandemic of 2020

As a result of the COVID-19 Pandemic of 2020, the Board of Trustees adopted Special Response Rules under which the activities for which active volunteer firefighters could earn points under the Village of Northport Fire Department Service Award Program point

system were reduced effective as of March 16, 2020. Such reduction in activities continued until the effective date the Special Response Rules were rescinded and all volunteer firefighter activities restored by the Board of Trustees. From the effective date of the adoption of the Special Response Rules to the effective date that such Rules were rescinded, all active volunteer firefighters of the Village of Northport Fire Department shall be awarded 5 points per month with such number of points prorated for periods of less than a complete month. In no event shall points be awarded to active volunteer firefighters in accordance with Chapter 113, after September 7, 2020, unless NYS Governor Andrew Cuomo extends Executive Order 202 of 2020.

As soon as administratively feasible after the adoption of this resolution by the Village of Northport Board of Trustees, active volunteer firefighters of the Village of Northport Fire Department shall be given a written Notice of Amendment announcing the adoption of, and including an explanation of, this additional category to the point system. As soon as administratively feasible, after the Board of Trustees rescinds the Special Response Rules, a second Notice of Amendment shall be given to active volunteer firefighters stating the effective date that the Special Response Rules have been rescinded, and indicating the number of points to be awarded to each active volunteer firefighter during the period when the Special Response Rules were in effect.

Since this amendment to the Village of Northport Fire Department Service Award Program points system is intended to prevent active volunteer firefighters who would have earned service award program credit under the point system during 2020 from failing to earn credit during 2020, the adoption of this resolution is expected to have little if any effect on the annual cost of the Village of Northport Fire Department Service Award Program.

All other provisions of the Village of Northport Fire Department Service Award Program shall not change as a result of the adoption of this resolution and the program shall continue to be administered by the Board of Trustees of the Village of Northport in accordance with Article 11-A of the New York State General Municipal Law as such law is amended from time to time.

Trustee Kehoe: I'd like to have some discussion on this before we put it to a motion.

Mayor McMullen: Ok Tom, What?

Trustee Kehoe: well Damon, what are other fire department and villages doing on this. Are they adopting something similar to this?

Attorney Besen: So, this resolution is recommended by NYCOM, yes, and the answer is most municipalities, I don't want to say all but it might even be all. But most municipalities are adopting this policy. It's from March 16th, the day the Mayor declared a village emergency because of the pandemic this is recommended by NYCOM Conference of Mayors, and most fire department and municipalities are adopting this policy because it wouldn't be fair for the fire individuals to lose their LOSAP points because of the pandemic.

Trustee Kehoe: I read it a couple of times I understand what the legislation is about. Lenny, do we have an estimate of what our comparison in terms of points for those months in comparison to 2019?

Treasurer Marchese: the points are earned one way or the other Tom. It's based-on meetings.

Trustee Kehoe: I understand how the points are earned. I've been involved in this almost since day one. I'm asking though, look I want to support them I am not opposed to this I just asking some questions do we have a comparison, it looks like we are going to give each fireman or women 5 points for each month, I don't have a problem for that but how many points were awarded at the same time last year. that's all I'm asking.

Treasurer Marchese: you would have to ask the fire department.

Trustee Kehoe: I'm asking you.

Treasurer Marchese: I don't keep track of that. That comes from the Fire Department, they give us a report at the end of the year as to who made their points. It is signed off by the commissioners and then that's what I take and send off to the actuaries and we use that to comprehend our amount of financial obligation. When I was on the phone yesterday with our actuaries and I was speaking to them about is very same issue I asked them what they thought the financial impact of this was. And they though tit would be minimal at best.

Trustee Kehoe, Ok, thank you.

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

Trustee Smith ~ YES

Trustee Milligan ~ YES

Trustee Kehoe ~ YES

Mayor McMullen ~ YES

RESOLUTION 2020 -102 ~ SET PUBLIC HEARING ON LOCAL LAW "B" of 2020

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 12:00 o'clock in the afternoon of the 1st day of September, 2020 to consider the following proposed local law:

**Proposed Local Law "B" of the year 2020
Village of Northport, County of Suffolk
A local law to amend chapter 306-39 (4) (e) & 306-39 (G)
of the Code of the Village of Northport.**

Mayor McMullen: Stu could you please explain this.

Attorney Besen: yeah, so when we were going though our code with regards to telecommunications and cell phone towers. It is in the code that besides going to the Zoning Board it had to go to the ARCHIE board. That's illegal so it's not an issue in regards to aesthetics. It not good to have things that are illegal in our code. So, we are just deleting that from the ode. I do know they have to go through our Zoning Board.

They are working very well with our building department with regards to placement. Any type of reference to our ARCHIE Board is being eliminated because its legal.

Trustee Kehoe: Damon my I make a request that when we post this one the Village website that we explain what Stuart just said. So, residents can look it up and be like oh there having a public hearing.

Mayor McMullen: yes, Tom, Donna will you pass that information along to Siobhan.

Village Clerk: Yes, it will be on the next agenda, we just needed to get the public hearing set. The next agenda will have the full outline of what we are taking out.

Trustee Kehoe: I'm asking if this, because people do look now, if it could get on now, that's all.

Attorney Besen: Donna I will help you write something.

Village Clerk: Yes, we will put something together.

CORRESPONDENCE: no correspondence today.

REQUESTS: Homeowners at 4 Okleigh Place would like to place a POD in the street for 4 days (8/20/20~8/24/20).

Village Clerk: It is a pretty quiet street; I don't see an issue.

Mayor McMullen: its pretty narrow but it should be alright there. It should be fine. Its off of Dogwood for anyone who doesn't know.

Trustee Milligan: I don't have a problem.

Mayor McMullen: Tom, Mercy, you alright with that?

Trustee Kehoe: I'm fine.

Mayor McMullen: So, you'll let them know Donna?

Village Clerk: Yes, sure.

PUBLIC PARTICIPATION:

Village Clerk: we are up to public participation, if you would like to speak, I need your name and address.

Mayor McMullen: is there anyone who would like to speak?

No one from the public spoke.

Mayor McMullen: Donna, before we conclude, I want you to put on the schedule because we have everyone here right now that we will do this meeting about e-Scope next Tuesday at 11:00 if no one has any objection to that time.

Treasurer Marchese: Damon, could you make it for 11:30 if that agrees with everyone's schedule. It would just be a little easier for me.

The next meeting of the Board of Trustees will be a conference call meeting September 1st, 2020 at 12:00 Noon.

Joe Sabia: Donna, when are we going back to regular meetings.

Village Clerk: As soon as the Governor says we can.

Attorney Besen: just to clear that up, Donna, the Governor doesn't prohibit it. The Governor gives the option.

Joe Sabia: So, we could do it if we did social distancing and masks?

Attorney Besen: it's up to the Village, yes.

Joe Sabia: Oh, its up to the Village, Mayor why don't we try one meeting?

Mayor McMullen: because after we are all there, the Board and etc. Donna

Joe Sabia: no there's got to be more then eight people with people in ever other row.

Village Clerk: No, Joe you have to take into consideration, the room only would hold thirty people, the Board, the Board of Trustees, the Chief of Police and everyone who has to be at the meeting is ten people. That leaves about twenty people left over.

Village Attorney: so, the Governors new executive order extending the 30 days of suspending the open meeting s law runs out on September 4th, 2020. So, we'll see what the Governor says after that. He might not renew it.

On the motion of Trustee Kehoe and seconded by Trustee Smith with a roll call vote: the Board moved into executive session.

Trustee Smith ~ YES

Trustee Kehoe ~ YES

Trustee Milligan ~ YES

Mayor McMullen ~ YES

On the motion of Trustee Kehoe and seconded by Trustee Smith with a roll call vote: the Board moved out executive session.

Trustee Smith ~ YES

Trustee Kehoe ~ YES

Trustee Milligan ~ YES

Mayor McMullen ~ YES

Meeting adjourned: 12:10

Respectfully submitted,

Donna M. Koch
Village Clerk

