



many grant programs that people have suggested but some are difficult to get because there are limitations – such as one that limits applications to villages with populations over 50,000 (more like cities). Another source that we are looking at is Long Island Sound Futures which is due later this month which is a 67% match (so they only give 33%) which doesn't cover engineering so it isn't always beneficial to the village. Don Tesoriero and Roland Buzard are instrumental in evaluating the proposals and getting matching funds which can take years to become available. The Mayor has upcoming meetings with state and county officials about the dredging project. Some other projects he wanted to remind people of the FLUPSY program that Trustee Smith had worked on and is about to start. And there is also the Cornell Cooperative kelp program at Bird Island and recently, the Stonybrook University marine department with Dr Goldberg and Mike Dole will be starting another research project in the village researching different type of seaweed and shellfish which will help bring about aquaculture – an up-and-coming program that cleans the water, produces a food product and will create jobs for local bayman. For an example, eight years ago they created non harvest zones in Shinnecock Bay where they seeded clams and now they have a 1000% increase in clams that they are getting from the area. These are just some of the examples of what the village is doing, along with sewer plant upgrades and water run offs. On a happier Note, he discussed that with the way everything is changing and getting better, the Cow Harbor race committee has started putting together their race plans as well as the Cow Harbor Day committee. The American legion will be doing a more subdued progression this year and he and Chief Hughes have met with the school board and Pre-Prom Committee and are working out a way to have that happen in a controlled way. The Friday Night happening and Community Bank are being reviewed as things open up and are being approved on a case-by-case basis. He wanted to let people to know that there is hope and things are getting better.

**PROCLAMATION:** Trustee Kehoe arrived in time to make a presentation of a signed proclamation to Mary Sullivan, the branch manager of First National Bank who has serviced the village as a banker and as a member and officer of the Rotary and Chamber of Commerce. The moment was photographed by the Observer.

**PRESENTATIONS: NEW YORK POWER AUTHORITY – Smart Street Lighting**

A PowerPoint presentation was made by Jeff Laino of NYPA – the project summary is as follows: The New York Power Authority (NYPA) appreciates the opportunity to provide The Village of Northport with a turnkey proposal to upgrade its existing street light system to energy efficient LED street lights. NYPA is delivering the Smart Street Lighting NY Program to communities around the State and has over 300,000 street lights in our pipeline. We are delighted to be considered as a resource by the Village to implement this project on its behalf. NYPA will team with the Village in order implement a project that meets the Village's specific requirements. An important part of our value proposition is that we offer our customers access to low cost project financing. Additionally, NYPA can make all project milestone payments to vendors so the Village will not need to incur any out of pocket costs to implement the work. Through this project, and as shown in the indicative project summary sheet, the Village of Northport will upgrade all of its non LED street lights, estimated at 632 for this proposal. In developing this proposal estimate, NYPA used the inventory from the PSEG-LI street lighting account invoice that was furnished by the Village. The proposal estimates that all fixtures to be replaced with LED's under this project are Cobra head style street light fixtures. Annual savings generated by this project is estimated to be \$43,358 in energy and system maintenance costs.

A question was asked by Trustee Smith about who would be doing the actual construction and would there be third party contractors involved. Mr. Laino responded that NYPA has implementation contractors as well as labor contractors already in compliance with all state guidelines. NYPA does all supervision.

Trustee Weber asked about different styles and intensities of lights for different areas such as Main Street and the dock and Mr. Laino explained that there are many different styles that we can pick based on budget that can be built into the construction costs. He also explained the adjustable feature that is available where if there is an event going on or a police need, the lights can be lit at 120% and later reduced remotely or via programming. Mr Laino also commented that we might save money once a more accurate inventory of the lights is done. They had estimated 576 lights where the current inventory shows as 632 so there will be savings there as well. He also emphasized that the payback in savings is what really matters – the project will be completely pay for itself in 6.64 years. Len Marchese stated that in the Village of Southampton he reduced the payback period by borrowing money at a lower rate. He stated that we should do the best of both worlds – use NYPA for the expertise for the project and then issue a note to save money on the cost. Mr. Laino also offered to provide information on Clean Energy Communities and Smart Cities which might provide other grants for expense if available.

Trustee Weber asked about the time frame to which Mr. Laino stated “cradle to grave” it is about a year. He offered Pt Jefferson and Village of Southampton as references.

Trustee Milligan asked about the color temperatures of the lights. Mr. Laino explained the standard light is 3000 Kelvins, we could go down to 2700 but that looks a little orange and up to 4000 – which would be good for a main throughfare. Trustee Milligan stated that original LEDs were in the 3000-4000 range and were obnoxious. Mr Laino added that they are back shields that can be added if there is an issues but the usual complaint is people want more light those are rare.

The Mayor commented the next step would be the MCRA which is one of the resolutions later in the meeting.

#### **BOARD APPROVAL OF WARRANTS:**

On the motion of Trustee Weber and seconded by Trustee Kehoe the following warrant was approved by all for payment:

Fiscal Year 2021/2022 General Fund bills in the amount of \$100,987.46

On the motion of Trustee Weber and seconded by Trustee Smith the following warrant was approved by all for payment:

Fiscal Year 2021/2022 Sewer Fund Bills in the amount of \$15,308.75

On the motion of Trustee Smith and seconded by Trustee Milligan the following warrant was approved by all for payment:

Fiscal Year 2021/2022 Payroll Week (04/23/21) General Fund \$235,734.47

On the motion of Trustee Kehoe and seconded by Trustee Smith the following warrant was approved by all for payment:

Fiscal Year 2021/2022 Payroll Week (04/23/21) Sewer Fund \$14,483.31

#### **PUBLIC HEARING:**

On the motion of Trustee Milligan and seconded by Trustee Smith, the public hearing was opened. The Mayor asked the Clerk to read the Notice of Public hearing as follows:

**WHEREAS**, the Village Board of Trustees shall hold a public hearing to consider adopting Local Law Introductory No. B-2021 to consider creating a Northport Village Code Provision concerning the ownership responsibilities of owners of various birds including but not limited to

pigeons, duck, chickens and other birds, and

**BE IT RESOLVED:** THE VILLAGE BOARD HEREBY PROPOSES THE FOLLOWING LOCAL LAW Introductory No. B-2021; as follows:

Proposed Local Law to add to Local Law Article II Section 93-7:

Pigeons, Chickens, Ducks and Other Birds

(A) It shall be unlawful to cause, permit or allow chickens or ducks to be kept in such a manner as to constitute a nuisance or to create a hazard to public health or in any manner which either annoys, disturbs, injures or endangers or tends to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of the public.

(B) Regulations.

- (1) No person shall keep, maintain, house or possess more than eight (8) chicken, pigeons, ducks or birds, or any combination of birds on any premises.
- (2) All pens, coops or houses maintained for the keeping of chickens or ducks in all zoning districts shall comply with the setback and side yard requirements set forth in the Northport Village Zoning Code for an Accessory Structure.
- (3) The pens, coops or houses in which such chickens or ducks are kept must be cleaned regularly and maintained in a sanitary condition, free of refuse, debris and any other dirt or excess foot, so as not to endanger the public health and safety.
- (4) Feed must be stored in metal containers and securely covered with metal covers. Refuse shall be kept in metal containers with metal covers or used as garden compost.
- (5) There shall be no less than three (3) square feet of floor space per chicken or duck in any pen, coop or house in which such chickens or ducks are kept. The pen, coop or house shall be large enough to provide adequate access for cleaning and egg collecting.
- (6) Pens, coops or houses shall be located in rear yards and screened from the view of surrounding residences and surrounding streets by a fence or by shrubs, unless said pen, coop or house is located in such a manner as not be by visible from the surrounding residences and streets.
- (7) Chickens and ducks and all fowl shall be confined at all times to the property on which they are kept, possessed or maintained.
- (8) Any chickens or ducks maintained, housed or possessed and all eggs produced from said chickens, or ducks shall be for the sole use and consumption of the homeowner or tenant in possession and shall not be offered for resale.
- (9) In no instance will roosters be permitted.

A violation of any provision of this Statute shall be subject to a fine of Two Hundred Fifty Dollars. Any second violation of this Statute within a five year period of time shall be subject to a fine of Five Hundred Dollars.

Trustee Kehoe commented that he understood why this law was proposed but also understood that there are only two places where there are chickens in the village and he wanted to go one record that he hopes the board is not heading down a rabbit where every time we get a complaint we decide to enact a piece of legislation. He also brought up the point that the preamble was pretty wide open and just saying

they are annoying leaves too much to interpretation. He also brought up the point regarding section B1 should be proportional– he cited an example of someone with a 50x100 lot versus someone with an acre and both being allowed eight birds is not fair. He also stated that Regulation B3 was also too open. He felt article #8 where the village constrains the selling and wholesomeness of eggs was not our business, especially if a larger acreage home may have an abundance of eggs. He felt the law needed to be reworked before it is put to a vote.

Trustee Smith the commented that fowls in general are beneficial as a way of controlling the deer tick problem but she also agreed that the word “annoyed” was too broad. She then commented that she agreed with the scaled property size. Lastly, she commented that there should be additional remedies regarding the parameters of animal treatment, although she acknowledged that might be somewhere else in the code. She didn’t agree with the selling eggs piece of the law and felt that the village should not be involved deciding what is sellable similar to how we treat the fish market.

Trustee Milligan also agrees that the vagueness of the first part needed to be adjusted and there needs to be a standard set to enable enforcement when there is a complaint and it can be evaluated.

Trustee Weber was also in agreement with the first part and agreed that there should be a no sale clause to prevent commercial operations. Trustee Kehoe made the analogy of residents who place a basket of tomatoes at the end of their driveways. Trustee Smith questioned if there was already governance by another agency so therefor, we wouldn’t be to create a code.

Mayor McMullen summarized the points that the trustees had made such as the ambiguous of the opening paragraph, the merit of proportioning birds to acreage- with a possible cap and that the sale portion is merited because unlike tomatoes, you can get salmonella from egg products. Trustee Kehoe added a other question regarding who would be in charge of enforcement.

Attorney Stuart Besen suggested closing the public hearing and he and Ed Gathman would rewrite it based on the comments and it could be re-distributed presented in another public hearing.

There was one resident who had a question about whether chickens would need to be registered and without registration, how would it be enforced. Stu Besen explained it would work like most code violations where there would be a complaint and then the building department or code enforcement would go out and make a determination based on the code. This was in fact the genesis for this code – one resident’s chicken reportedly scratched the paint on another’s new car. The resident suggested registration could be a preventative method but Stu pointed out that would difficult since chickens hatch rather quickly.

On the motion of Trustee Kehoe and seconded by Trustee Milligan the Public Hearing was closed. The roll call was taken and this motion was approved by all.

## **BUSINESS/COMMISSIONERS REPORTS:**

The first report was made by Village Administrator Roland Buzard who discussed code enforcement and the premise of voluntary compliance where he and Don Tesoriero offer firm guidance, follow the letter of the law and most people respond positively by following their advice and direction and make corrections and complying. Mr. Buzard brought up his experience with the Northport Fish Market and his regret for not voicing what was going on with them sooner. He discussed what has happening with them over the past few weeks, how they cannot manage the individuals over there anymore. Permits were issued for the correct scope of work, they continued to step outside the scope and it has become a nightmare to manage. They tried to work with them in an orderly and timely fashion to get work done and they continued to work outside of our wishes and local code. On April 13th their permits were revoked and a stop work order was issued so there would be no ambiguity as to what work was permitted and what was out of their scope – they were no longer allowed to work. Since that time, additional violations were issued, as there

had been many in the past- all have been recorded. But now it has gone a step further, those violations were basically warnings and most were remedied during the course of the work on the job. It's been a cat and mouse game with them – notice of violation, they need time to fix it, but then there are more violations. With the stop work order in place, they were able to order desk appearance tickets. The first court date was April 4th, prior to the stop work order for another violation which got postponed until June 7th and in the meantime, they issued 3 more desk appearance tickets. The appearance tickets can carry a fine up to \$1000 for each occurrence and with that we are hoping the judge will seek an appropriate resolution. On top of the desk appearance tickets, on 4/17 the fire marshal reviewed the site and came up with approx. 18 violations to be corrected. Mr. Buzard had hoped for an immediate result but has to allow for some time as per the law for compliance which is 30 days. But after 30 days, he will pursue further with the fire marshal. He reported that our code enforcement officer was there at the end of last week and again today and confirmed that no additional work has been done. Mr. Buzard stated that both he and Mr. Tesoriero will continue to follow through until the end. Mr. Buzard also elaborated on how there had been some health-related complaints that had been forwarded to the Department of Agriculture and they responded today that they will be writing additional violations and they asked for additional information related to those complaints. The mayor added that he had called Senator Gaughran's office to ask for assistance in getting the Dept of Agriculture to do more progressive enforcement in correcting the situation and Mr. Buzard followed up with an email and is hopeful that we will get assistance with that.

Trustee Milligan reported that docks are in, the docks are staffed, the pump out boat is in and going forward, weather permitting, the dock operations will be going. The highway department with Roland Buzard's guidance have continued to do great redecking and there were some emergency repairs done by an outside company to secure the ladders.

Trustee Smith discussed the Rotary Club fund raiser planned for August 14<sup>th</sup>. After a meeting with Trustee Smith, Roland Buzard, Don Tesoriero and Amy Grandy at the dock area, the Rotary members re did their "Duck Race" plans to incorporate our suggestions and COVID plan and map which was cleared with Chief Hughes and the Fire Marshal and she recommended their fundraiser for approval. She also commented on the new beach manager and assistant manager that were in process of being hired tonight and that the beach staff would be starting in the coming weekend. She also mentioned that the Town of Huntington would be meeting on May 11th to put forward a hold harmless agreement for the Woodbine marina to solidify the FLUPSY position.

Trustee Weber thanked the mayor for allowing him to beautify the front of Village Hall with the help of the Highway and Parks department with ripping out some overdue bushes and placing a new sign and new plantings with advisement from the Northport Native Garden Initiative of native plants and shrubs. Also noted that the interviewing was complete for the Assistant foreman job and that hiring is pending and interviewing is coming up for the laborer job and once that is complete, we will be back at 100% at the highway garage. He is still taking application for the summer laborer help and trying to fill 5 positions but only two applications have been received. He is looking for college kids and it is an opportunity for someone to learn gardening, street and other maintenance at a rate of \$16 per hour. He also asked when we will be taking down the mask signs now that NY is going 100% mask free. Mayor McMullen responded that we getting to replace the worn or torn down signs but now we are waiting to get the full go ahead and then the signs will be removed. Trustee Weber also mentioned that he attended the Grand Opening for a new business on Main Street "The Soothery" in Trustee Kehoe's place. He welcomed "The Soothery"- a store with all the comforts for body and soul. He also mentioned the upcoming resolution for the agreement with NYPA which will reduce our costs and give us savings on day one while the benefits of clean energy and light pollution reduction will return the value tenfold.

**TREASURER REPORT:** None

**CHIEF OF POLICE REPORT:** Chief Hughes had distrusted his April report reported that the department responded to 493 calls for service, issued 176 summons and made 7 arrests. He included a department memo with details at the meeting.

**CORRESPONDENCE:**

The first piece was a letter from the SCOVA (Suffolk County Village Officials Association) making us aware of Senate Bill 6197 proposing to change village elections to coincide with the November elections and stating their opposition to this proposal. The Mayor agreed with this, stating that we would get lost in the shuffle.

The next letter was from the Chamber of Commerce confirming permission for the annual Summerfest concert series to be held on Wednesdays, August 4,11,18 and 25. The Mayor stated that they have given the Village Administrator a tentative COVID plan should it still be required and asked for the board agreement which he received.

The next letter was from the Northport Community Band stating their intent to continue their traditional concerts on Thursdays, July 1,8,15,22 and 29. The Mayor again stated that everything is being handled on a case by case basis according to the COVID regulation in place for the days they request and that we are making every effort to get these events back in the parks. Again, the board was in agreement.

Next was an email from resident Rob Crafa asking what else is being done to address the flooding on Main Street in addition to the recent appeal to Congressman Suozzi. He inquired if the village was considering the upcoming Long Island Sound Futures fund grant which is due May 27th. The Mayor responded that his earlier comments addressed Mr. Crafa's question and we have been trying to fo what we can with the resources we have to address this concern and it is a priority and we try to find the best deal for the proper funding when we can. The Mayor recounted how luck it was we had already had the engineering report in place and were able to turn the federal application around in the one day window we were given. The Mayor also stated that we are looking into the Long Island Sound Futures grant and will pursue if appropriate.

Next was a letter from resident Matther Jehn who had seen in the Observer that the village was submitting an application for federal grant money to address main Street flooding. Mr Jehn voiced his support and his concerns of the effect of climate change on not only Northport but the surrounding area and suggestions for other projects to protect vulnerable areas.

Next was a thank you note from Mrs. Justine Cavagnaro thanking the Board of Trustees for the street sign and dedication in the memory of her husband, Frank.

Next was a flyer for the Northport American Legion Blood Drive on May 17th which the mayor offered to share again on the Village website and stated again how important it was to help support the blood centers who are still seeing ongoing shortages despite loosening COVID restrictions.

Next was an email from resident Art Matura which was originally sent to Congressman Bellone regarding a SCWA price increases. Mr. Matura stated that tier 2 consumption rates have increased 25% last year and an additional 4% this year. This letter was shared for information purposes.

The last letter was from the Chamber of Commerce thanking Trustee Smith for her commitment

as a trustee and wishing her good luck in her future endeavors.

**REQUESTS: None**

**NOTICES: None**

**RESOLUTIONS:**

On the motion of Trustee Kehoe and seconded by Trustee Smith, the resolution for the minutes with a correction noted by Village Clerk Amy Grandy were was approved by all. The correction was to add the roll call for the closing of the public hearing on Local Law 2021-A and to reverse the order of the motion and vote accepting the law.

**RESOLUTION: 2021 – 119 ~ APPROVAL OF THE MINUTES**

**BE IT RESOLVED:** The minutes of the April 20<sup>th</sup>, 2021 meeting are hereby accepted.

On the motion of Trustee Milligan and seconded by Trustee Smith and approved by all, the complete reading of the resolution was waived. On the motion of Trustee Kehoe and seconded by Trustee Smith, the following resolution was unanimously approved.

**RESOLUTION 2021 – 120 ~ AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH NEW YORK POWER AUTHORITY TO UPGRADE VILLAGE STREET LIGHTS**

**WHEREAS:** the New York Power Authority (NYPA) has proposed a total replacement project of the Villages street lights, and whereas

**WHEREAS:** The existing outdated lights waste energy and are extremely inefficient, and whereas,

**WHEREAS:** NYPA has extensive experience in managing, financing and installing these updated LED lighting systems, and whereas,

**WHEREAS:** The proposal shall be financed by NYPA with a payback period of 6.64 years, and there after save the Village approximately \$43,000 annually, now therefore

**WHERE AS** authorizing the execution of an agreement is a type II action pursuant to 6 NYCRR Section 617.5 (c) 2 (c) 3 and is not subject to any further action under SEQRA;

**BE IT RESOLVED:** that the Village Mayor, and or Treasurer are authorized to execute the authorization to proceed, the master cost recovery agreement, and any other documents necessary to proceed with the upgrade to the Village's street lights in an amount not to exceed \$300,000.

On the motion of Trustee Milligan and seconded by Trustee Smith and approved by all, the complete reading of the resolution was waived. On the motion of Trustee Kehoe and seconded by Trustee Smith, the following resolution was unanimously approved.

**RESOLUTION: 2021 – 121 ~ AUTHORIZING THE MAYOR TO EXECUTE A HOLD HARMLESS and INDEMNIFICATION AGREEMENT WITH THE TOWN OF HUNTINGTON**

**FOR USE OF THE “A” DOCK AT WOODBINE MARINA**

**WHEREAS**, the TOWN of Huntington owns, maintains and operates the Woodbine Marina, located at 161-163 Woodbine Avenue, Northport, New York 11768; and

**WHEREAS**, NORTHPORT has requested permission to utilize slips at the “A” dock at Woodbine Marina to dock their pump out boat, fire boat, police boat, and sewer treatment boat during the period of May 1, 2021 through October 1, 2021; and

**WHEREAS**, permission to utilize the slips at “A” dock at Woodbine Marina is contingent upon the execution of a Hold Harmless and Indemnification Agreement.

**WHERE AS** authorizing the execution of an agreement is a type II action pursuant to 6 NYCRR Section 617.5 (c) 26 (c) 32 and is not subject to any further action under SEQRA;

**BE IT RESOLVED:** The Northport Village Board hereby authorizes the Mayor to execute said agreement with the Town of Huntington Subject to attorney review for form and content.

On the motion of Trustee Milligan and seconded by Trustee Smith and approved by all, the complete reading of the resolution was waived. On the motion of Trustee Kehoe and seconded by Trustee Smith, the following resolution was unanimously approved.

**RESOLUTION: 2021 – 122 ~ AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY FOR THE VILLAGE OF NORTHPORT SHELLFISH ENHANCEMENT AND AQUACULTURE PROGRAM**

**WHEREAS**, the Village of Northport is desirous to enter into a professional service contract to operate a shellfish enhancement, restoration and management program. Cornell Cooperative Extension of Suffolk County, which is a quasi-government organization as defined by County Law 224, will provide high school interns, supervision, shellfish seed, equipment and technical support to the Northport Village oyster FLUPSY and aquaculture program;

**WHEREAS**, Cornell Cooperative Extension of Suffolk County possess the qualifications and specialized skills training and expertise that are required to perform this professional service agreement; and

**WHEREAS**, the execution of a professional service agreement for the Village pf Northport shellfish enhancement program is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c) (18) and (21), and therefore no further SEQRA review is required.

**BE IT RESOLVED:** The Northport Village Board hereby authorizes the Mayor to execute a professional services Agreement for one year with Cornell Cooperative Extension of Suffolk County at a cost not to exceed \$35,000.00 and for the costs of equipment for the construction of the FLUPSY dock not to exceed \$10,000.00 and authorizes the treasurer to make all appropriations for the purpose of funding the Shellfish Enhancement and Aquaculture program and the agreement is subject to attorney review for form and content.

On the motion of Trustee Weber and seconded by Trustee Milligan and approved by all, the complete reading of the resolution was waived. On the motion of Trustee Milligan and seconded by Trustee Smith, the following resolution was unanimously approved.

**RESOLUTION 2021- 123 ~ LOCAL SHARE FUNDING FOR FEDERAL GRANT FUNDING SUBMISSION**

**WHEREAS:** The Village of Northport applied for \$1,392,000 from the US House of Representatives Committee on Transportation and Infrastructure in Federal Grant funds for remediating sub watershed stormwater volume on Main Street; and

**WHEREAS:** The Federal fund source requires a local 20% match by the Village of Northport; and

**WHERE AS** the grant requires a commitment and willingness to procure the local matching fund,

**WHERE AS** authorizing the execution of an agreement is a type II action pursuant to 6 NYCRR Section 617.5 (c) 24 and is not subject to any further action under SEQRA;

**BE IT RESOLVED:** The Village Treasurer is hereby authorized to allocate up to and not to exceed \$400,000 for funding to match the grant applied for and its desire to move forward with the project and the ability for the funding to be obligated within the time period set forth in the provisions of the grant.

Mayor McMullen explained further that this resolution enables the Village to commit to the matching funds if we receive the funding from Congressman Suozzi's office.

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

**RESOLUTION 2021 – 124 ~ SEASONAL HIRING**

**BE IT RESOLVED:** Mara Nolan is hereby hired for the seasonal position of Beach Supervisor for the Incorporated Village of Northport.

**BE IT FURTHER RESOLVED:** Mara Nolan will work no more than 40 hours a week at a rate of pay of \$17.00 per hour.

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

**RESOLUTION 2021 – 125 ~ SEASONAL HIRING**

**BE IT RESOLVED:** Allison Teepee is hereby hired for the seasonal position of Assistant Beach Supervisor for the Incorporated Village of Northport.

**BE IT FURTHER RESOLVED:** Allison Teepee will work no more than 40 hours a week at a rate of pay of \$15.00 per hour.

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

**RESOLUTION 2021 – 126 ~ SEASONAL HIRING**

**BE IT RESOLVED:** Julianne Hayes is hereby hired to assist in the training of the beach supervisory team and set up of facilities for the Incorporated Village of Northport.

**BE IT FURTHER RESOLVED:** Julianne Hayes will work no more than 20 hours at a rate of pay of \$16.00 per hour.

On the motion of Trustee Milligan and seconded by Trustee Smith and approved by all, the complete reading of the resolution was waived. On the motion of Trustee Smith and seconded by Trustee Milligan, the following resolution was unanimously approved.

**RESOLUTION 2021 – 127 ~ TO SCHEDULE A PUBLIC HEARING TO CONSIDER LOCAL LAW INTRODUCTORY NO. 2021-C CREATING A LAW WITH REGARD TO DRIVE THROUGH FACILITIES**

**PLEASE TAKE NOTICE:** that a Public Hearing of the Village of Northport Board of Trustees will be held on the 18<sup>TH</sup> day of May, 2021 at 6:00 p.m. at American Legion Hall at 7 Woodside Ave, Northport, NY 11768 to consider adopting Local Law Introductory No. **2021-C** to consider amending section 306-39 of the Village Code to permit drive through facilities in limited locations, and

**WHEREAS:** the scheduling of a public hearing to consider a code amendment is not an action pursuant to SEQRA and no further SEQRA review is required at this time.

**BE IT RESOLVED:** the Village Board hereby schedules a public hearing on May 18<sup>th</sup>, 2021 at 6pm to consider adopting Village Law article 306-39(h) modified as follows:

306-39(h) Drive through facilities

~~(1) Drive through facilities shall be permitted only in the Highway Business District~~

**(1) Drive through facilities shall be permitted only in the Highway Business district on parcels that are fronting on a state highway on a parcel of land in excess of one half acre and cannot be adjoining any residentially zoned or used property and upon a finding by the Planning Board that the general standards for the issuance of a special permit as set forth in Northport Village Code section 306-39(B)(1) have been met.**

**Applications for special use permits for drive through facilities shall be made to the Planning Board which shall have jurisdiction to issue special use permits for drive through facilities by applying the standards set forth in section 306-39(B)1**

~~(2) Drive through facilities shall not be permitted for restaurants or food shops (see 306-5. Definitions Food shop with limited service restaurant) of any kind~~

~~(3) (2) A traffic impact study must be provided, including accident data for all roads and streets where an access connection will be located. The study shall demonstrate that:~~

~~(a) All streets and intersections to be impacted by the project shall have the same level of service or better than predevelopment conditions.~~

~~(b) All vehicle stacking for the proposed drive through facility will be contained completely on site at all times.~~

~~(c) All customer transactions in the drive through lane shall be accomplished in six minutes or less from the time of ingress to the time of egress.~~

- (4) (3) Drive through facilities shall have one stacking lane only, unless the applicant can demonstrate a need for a second lane to facilitate traffic flow. No more than two stacking lanes shall be permitted.
- (5) (4) Any outdoor service facilities including but not limited stacking lanes and transaction windows shall be a minimum of seventy five feet from the property line of residential uses **not be adjoining residentially used or zoned property.**

**The balance of this statute items (h) 6-16 shall be renumbered 5-15 and shall remain unchanged.**

A question was raised by Trustee Kehoe asking for clarification why there are three separate public hearings proposed regarding the drive thru matters and Attorney Besen replied that there are several sections of the code that need to be dealt with in order to expand the drive throughs. Kehoe further commented for the record that there is nothing before planning and zoning right now that deals with this and Attorney Besen agreed. Trustee Kehoe then stated that there must be some anticipated to be coming in the next few months, and Attorney Besen agreed and stated that Trustee Kehoe and Attorney Besen discussed that there had been prior drive throughs for banks and pharmacies but this now deals with food and beverage limited to the 25A corridor. Trustee Kehoe stated again that he wanted this to go on public record because it is not something that we take lightly and it is going to have long term effects on the residents of the village. They Mayor then commented that this will also deals with convenience stores as well as drive throughs and we are slowly drying to update the code. Trustee Weber also asked that there will be three public hearings and Attorney Besen replied that that was done to make sure we got all the spots. Attorney Besen then went on to comment in the broad sense that this is limited to the business highway district and other limitations that it can't be adjacent to any residential property and that it has to be at least a half acre.

On the motion of Trustee Weber and seconded by Trustee Milligan and approved by all, the complete reading of the resolution was waived. On the motion of Trustee Milligan and seconded by Trustee Weber, the following resolution was unanimously approved.

**RESOLUTION 2021 – 128 ~ TO SCHEDULE A PUBLIC HEARING TO CONSIDER LOCAL LAW INTRODUCTORY NO. 2021-D AMENDING SECTION 306.13 OF THE VILLAGE CODE WITH REGARD TO THE ESTABLISHMENT OF DRIVE THROUGH FACILITIES**

**PLEASE TAKE NOTICE:** that a Public Hearing of the Village of Northport Board of Trustees will be held on the 18th day of May, 2021 at 6:00 p.m. at American Legion Hall - 7 Woodside Ave, Northport, NY 11768 to consider adopting Local Law Introductory No. 2021-D to consider amending Northport Village Code Section 306.13 regarding the establishment of locations for drive through facilities in the Village of Northport.

**WHEREAS:** the scheduling of a public hearing to consider a code amendment is not an action pursuant to SEQRA and no further SEQRA review is required at this time.

**BE IT RESOLVED:** the Village Board hereby schedules a public hearing on May 18<sup>th</sup>, 2021 at 6pm to consider adopting Village Law Section 306-13 A (10) as follows:

Proposed Local Law to add to Local Law 306-13 A (10) Drive Through Facilities

306-13 Highway Business District.

**A.** Permitted uses. In the Highway Business District, lands shall be used and buildings shall be

erected, altered and used only for the following purposes:

- (1) Any use permitted in the Central Business A District, § 306-11.
- (2) Place of business of a tradesman, such as a builder, cabinetmaker, carpenter, contractor, painter, electrician, mason, plumber, plasterer, printer, roofer or tinsmith.
- (3) Motor vehicle salesroom.
- (4) Business or public garage, automobile service or filling station, automobile repair shop or automobile body shop, provided that a permit is first obtained from the Board of Zoning Appeals under the provisions of § 306-39B hereof.
- (5) Wholesale business, including lumber and other building products for retail and wholesale, provided that a permit is first obtained from the Board of Zoning Appeals pursuant to § 306-39B hereof.
- (6) Storage or warehousing of materials, provided that a permit has first been obtained from the Board of Zoning Appeals pursuant to § 306-39B hereof.
- (7) Light industry of a type and nature approved by and subject to conditions required by the Board of Zoning Appeals and for which a permit has been issued pursuant to § 306-39B.
- (8) Boat sales, marine sales, boat rental and boat repairs, provided that a permit has first been obtained from the Board of Zoning Appeals pursuant to § 306-39B (1) hereof.
- (9) Place of entertainment, such as an indoor motion-picture theater, bowling alley, roller- or ice-skating rink, but not including nightclubs or dance halls, provided that a permit is first obtained from the Board of Zoning Appeals pursuant to § 306-39B (1) hereof.

**(10) Applications for the establishment of drive through facilities shall require a Special Use Permit to be issued pursuant to conditions set forth in section 306-39 of the Village Code and shall be referred to the Planning Board for review. Drive through facilities which may include a restaurant, shall be permitted only in the Highway Business district where the property is fronting on a state roadway on a parcel of land of at least one half acre in size and which is not adjoining to a residentially zoned or used property, upon a finding by the Planning Board that the general standards for the issuance of a of a special use permit as set forth in Village code section 306-39B(l) (b) have been met.** A question was brought up by Trustee Kehoe regarding the other uses shown in the resolution and Attorney Besen clarified that the changes were in bold and the existing code was there for informational purposes for the public and the board.

On the motion of Trustee Milligan and seconded by Trustee Smith and approved by all, the complete reading of the resolution was waived. On the motion of Trustee Kehoe and seconded by Trustee Smith, the following resolution was unanimously approved.

**RESOLUTION 2021 – 129 ~ TO SCHEDULE A PUBLIC HEARING TO CONSIDER LOCAL LAW INTRODUCTORY NO. 2021-E AMENDING VILLAGE CODE SECTION 247-2 (B) REGARDING SITE PLAN REVIEW OF DRIVE THRU FACILITIES**

**PLEASE TAKE NOTICE:** that a Public Hearing of the Village of Northport Board of Trustees will be held on the 18TH day of May, 2021 at 6:00 p.m. at American Legion Hall - 7 Woodside Ave, Northport, NY 11768 to consider adopting Local Law Introductory No. 2021-E regarding site plan review of drive through facilities in the Village of Northport.

**WHEREAS:** the scheduling of a public hearing to consider a code amendment is not an action

pursuant to SEQRA and no further SEQRA review is required at this time.

**BE IT RESOLVED:** the Village Board hereby schedules a public hearing on May 18<sup>th</sup>, 2021 at 6pm to consider adopting Village Law Section Introductory NO. 2021-E as follows:

Proposed Local Law to add to Local Law Section 247-2 (B) (4)

#### 247-2 Objectives

In considering and acting upon site development plans, the Planning Board shall take into consideration the public health, safety and welfare and the comfort and convenience of the public in general and the residents of the immediate neighborhood in particular. The Planning Board may prescribe appropriate conditions and safeguards as may be required in order that the result of it's action may, to the maximum extent possible, further the expressed intent of chapter 306, zoning, of the Village of Northport and chapter 219, Planning Board Article IV, of the code of the Village of Northport and the accomplishment of the following objectives in particular:

#### A. Traffic access,

- (1) All proposed traffic access drives are adequate but not excessive in number
- (2) Traffic access is adequate in width, grade alignment and visibility.
- (3) Traffic access is not located too near street corners or places of public assembly.
- (4) Access points are spaced and situated to avoid conflict.
- (5) Traffic flow into and out of access points is controlled and clearly marked.

#### B. Vehicular circulation and parking.

- (1) Off street parking and loading spaces are provided that are adequate in size and quantity.
- (2) The number of parking and loading spaces provided is sufficient, but not excessive, for the use of uses(s) on the site. Opportunities for shared parking are factored into assessments for parking needs.
- (3) The interior circulation system is adequate to provide safe accessibility to all required off street parking.

**247 (B) (4) Required loading zones and loading areas shall not utilize any area designated as a driveway, an aisle way, parking stall or walkway and shall be designed to adequately protect nearby parking stalls during vehicle maneuvering, and shall be physically separate from off-street parking stalls, parking lot aisles, vehicular stacking or drive-through lanes, and driveways to prevent conflicts with internal vehicular maneuverability as determined necessary and at the discretion of the reviewing agency. Where a loading space is not required by the Zoning Code, the Planning Board may require an unmarked loading space to be shown on the site plan. Any expected delivery trucks must be able to fit and maneuver into the unmarked space and must not need to back into or out of the property from/to the street. Unmarked spaces may block dumpsters or parking spaces, but cannot block handicapped parking spaces or site entranceways. Where the site development incorporates a drive-in facility, queuing or stacking lanes no less than twelve (12) feet in width (typical of that required for minimum one-way driveway circulation) for queued vehicles shall be provided. The minimum number of vehicles**

stacked shall be eight (8) vehicles for one drive-in facility and five (5) additional vehicles for each additional drive-in facility. The reviewing agency may permit a lesser number of stacked vehicles if determined reasonable for the use proposed only upon receipt of a stacking study for the same use or a use similar in character to that proposed. Each vehicular stall within the stacking lane shall have a dimension of no less than nine (9) feet wide by twenty (20) feet in length and shall be oriented through practical vehicular turning radii to fit within the confines of the stacking lane width. The vehicle one-way stacking lanes shall be separate from and shall not interfere with parking stalls, parking and driveway aisles, and loading spaces through installation of a physical separation barrier. The stacking lanes shall not cause any hazard or congestion to occur on a public street or highway or restrict ingress, egress or parking.

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

#### **RESOLUTION 2021 – 130 ~ PARAMEDIC HIRING**

**BE IT RESOLVED:** James Kuprian is hereby hired for the position of Paramedic for the Incorporated Village of Northport, and as with all applicants, James Kuprian will be subject to a background check and confirmation of all certifications necessary to hold the position of Paramedic.

**BE IT FURTHER RESOLVED:** James Kuprian will work no more than 17.5 hours per week at a rate of pay of \$26.00 per hour.

#### **PUBLIC PARTICIPATION:**

Resident Christine Ruggeri asked to speak to introduce herself as a writer and partner of the “Northport Journal”. The Mayor asked what the agreement is with the current owner of the rights to the name Christine replied that they have been in conversations with Jim Kelly and their lawyer has done their due diligence a few months ago and they are proceeding as they have been set up already and without going into the legality of it, she stated they can do what they have been doing. She wanted to introduce herself since she hasn’t had many responses to her emails. She stated she is a writer as well as a local business owner of the store on Main Street called Endo Ethos. She acknowledged the Observer as the official Village of Northport Newspaper, which she but explained they are trying to capture a younger audience who is on Facebook and looking for an alternative and virtual news source. She stated she isn’t looking to have a war She also introduced Doug Roberts. She is looking to be able to include feedback and quotes rather than relying on information from Facebook.

Resident Blair Beaudet was on Zoom and commented that a couple of weeks ago on a Saturday morning he witnessed an emergency call for a cardiac case with CPR in progress – which he regards as one of the worst cases. He was amazed by the phenomenal response and that that when the patient was loaded into the ambulance, he was sitting up and looking around. Blair stated that it was then that he realized the benefits of all the work that went into the program. The Mayor thanked him for this compliment and agreed that they do a great job.

**EXECUTIVE SESSION:** On the motion of Trustee Milligan and seconded by Trustee Smith, an executive session with no further action was called for personnel matters was called to take place after the Board of Trustees meeting.

The next meeting of the Board of Trustees will be May 18th, 2021 at 6:00 PM at the American Legion Hall on 7 Woodside Ave, Northport, NY 11768.

Meeting Adjourned at 8:01pm

Respectfully submitted,  
Amy Grandy  
Village Clerk