

MINUTES
JULY 6, 2021 – 6:00 PM.

MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING

Northport Village Hall, 224 Main Street, Northport, NY 11768

PRESENT: Mayor McMullen, Trustees Milligan, Kehoe, and Weber, Village Attorneys Stuart Besen and Edward Gathman, Treasurer Len Marchese, Police Chief Chris Hughes, Assistant to the Mayor Don Tesoriero, Village Administrator Roland Buzard, Village Clerk Amy Grandy.

OPEN MEETING: Meeting called to order at 6:02pm by Mayor McMullen

SALUTE TO THE FLAG: The Pledge of Allegiance was recited.

PRESENTATIONS: Trustee Kehoe introduced Doug Triani who made a presentation along with Greg Dunne, Rob Sanicola, Dr. Tom Radman, and Chris Wiebke who were the starting lineup for the 1995 Northport High School Undefeated Long Island Champions Boys Varsity Basketball Team who are interested in renovating the basketball court in Cow Harbor Park. He detailed how he is still a Northport resident and all they are now all fathers, and four out of five of us work in the sports / basketball industry. They had recently visited the park and were saddened to see that the court had fallen into disrepair.

In brief, the plan is to replace both baskets (including poles, backboards, rims and nets), repave and paint the court, install a new fence, add some benches and potentially improve the landscaping immediately surrounding the court. They had already begun to seek quotes from various vendors and plan to readdress the board for final approval. Their goal is completion by August 2021, with a possible formal unveil / celebration in conjunction with Cow Harbor Day.

Mr. Triani explained that they plan to cover all costs through our own contributions as well as fundraising that we are undertake through outreach within our networks and more broadly through GoFundMe.com or another grassroots fundraising mechanism with additional support from the Village welcomed as well.

Finally, Mr. Triani explained that they would like to dedicate the updated basketball court to John Kennedy, a lifetime Northport resident who exemplifies the importance of giving back to his community through volunteering with local Northport churches and teaching basketball to boys and girls in Northport for four decades. John has had a positive and long-lasting impact on countless young people, and we believe his selflessness exemplifies all that is right about sports.

Mayor McMullen thanks him for the proposal and the effort to give back to our community. He also commented that they had already reviewed the preliminary plans with Village Administrator Roland Buzard.

The Board voted on this proposal and approved it unanimously.

PUBLIC HEARING - 1:

On the motion of Trustee Kehoe and seconded by Trustee Milligan, the following public hearing was opened.

THE VILLAGE BOARD HEREBY PROPOSES THE FOLLOWING LOCAL LAW INTRODUCTORY "B" of 2021 CREATING A LAW WITH REGARD TO OWNERSHIP OF DUCKS, CHICKENS, PIGEONS AND OTHER BIRDS TO BE CODIFIED IN NORTHPORT VILLAGE CODE SECTION 93-7 AND DENOMINATED ARTICLE II THEREIN

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, injures or endangers the birds or which cause a persistent, disturbance of 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 per half acre of property**, 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 food, so as not to endanger the public health and safety.
- (4) **Feed must be stored in commercially acceptable containers and securely covered.** Refuse shall be kept in commercially acceptable containers with 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 (\$250.00). Any second violation of this Statute within a five-year period of time shall be subject to a fine of Five Hundred Dollars (\$500.00).

Village attorney Ed Gathman began the discussion with comments regarding the changes from the initial presentation of this law. He also discussed the genesis of the law that there have been recent complaints and that the village had no code to follow.

Resident **William Savanich** commented that he, along with two other neighbors, that he had several issues with his neighbors and could document the chickens loose in his neighborhood and he was present to support this legislation.

Resident Joe Schramm had a question if this precedence of limiting the number of chickens would lead to limitation regarding other animals such as dogs and cats. Trustee Milligan responded that the Town of Huntington has that in their code but not the village and this was drafted to manage a situation that previously could not be addressed.

On the motion of Trustee Milligan and seconded by Trustee Weber, the public hearing was closed.

PUBLIC HEARING - 2:

On the motion of Trustee Milligan and seconded by Trustee Kehoe, the following public hearing was opened.

THE VILLAGE BOARD HEREBY PROPOSES THE FOLLOWING LOCAL LAW INTRODUCTORY "G" of 2021 LAW WITH REGARD TO AMENDING SECTION 219-18 OF THE NORTHPORT VILLAGE CODE ENTITLED SUBMISSION OF SITE PLAN

219-18 Submission of Site Plan

An application for site plan approval from the Planning Board is required for :

- A. All new non residential property construction or reconstruction, or the construction or reconstruction of residential property for the use of more than three families.
- B. Any **exterior** alteration to and/or expansion of an existing building or property not in residential use.
- C. Any change in the number of uses or the type of use(s) of an existing property not in residential use; and
- D. The conversion of a residential **use** to a non residential use.

Village attorney Ed Gathman began the discussion with the explanation of the genesis of this law being input from the building department that they found errors in the code that seemed minor but actually have significant meaning. He stated that there would be other amendments like this coming up as they review shortcomings and general updates.

Trustee Kehoe asked if this would supersede the Architectural review process but Ed responded not at all – Architectural review will still take place for the Highway business district and for buildings 100 years old or older.

There were no public comments.

On the motion of Trustee Weber and seconded by Trustee Milligan, the following public hearing was closed.

PUBLIC HEARING - 3:

On the motion of Trustee Milligan and seconded by Trustee Kehoe, the following public hearing was opened. On the motion of Trustee Weber and seconded by Trustee Milligan, the public hearing was approved without a complete reading.

THE VILLAGE BOARD HEREBY PROPOSES THE FOLLOWING LOCAL LAW INTRODUCTORY “H” of 2021 AMENDING SECTION 306-14 OF THE ZONING CODE TO ADD PERMITTED AS OF RIGHT USES

306-14 MARINE BUSINESS DISTRICT

- a. Permitted uses. In the Marine Business District, lands shall be used and buildings shall be erected, altered or used only for the following purposes:
 - (1) Municipal park, playground or recreational area when operated when operated by the Incorporated Village of Northport or approved pursuant to Chapter 228. Recreational Facilities Article 1, Planning and Construction, of the Code of the Village of Northport.
 - (2) Nonprofit beach club, the facilities of which may not be utilized for purposes other than club activities.
 - (3) Nonprofit yacht club and marina, the facilities of which may not be utilized for purposes other than club activities.
 - (4) Boatyard, including new and used boat sales and brokerage and marine sales, rental, repair and storage.
 - (5) Marina for private profit.
 - (6) Insurance sales, provided boat insurance is available; sale of marine parts and accessories, such as inflatable rafts, rowboats, outboard motors, boat and fishing equipment, water sports equipment, marine electronics and communication equipment, boat covers, marine hardware and boating accessories; boaters clothing, footwear and swimwear; boat and marine engine repair and maintenance; seafood sales, wholesale and retail; food provisions store, ~~which may have self service seating for no more than eight customers and will not be considered a restaurant use.~~

- (7) **Food shops, retail stores offering merchandise for sale for individual, home or business use or enjoyment such as, wearing apparel, household supplies, antiques, furnishings or appliances, and as otherwise set forth in section 306-11 (A)7 Central Business ‘A’ district.**
- (8) **Personal service shops such as barbers, beauty parlors, photographers and as otherwise set forth in 306-(A)9 Central Business ‘A’ district.**
- (9) **Offices for business and Professional offices for doctors, dentists, attorneys, physical therapists, engineers and other New York State duly licensed professionals.**
- (10) **Gyms, spas and fitness studios.**

Village attorney Ed Gathman began the discussion highlighting the changes being proposed. Ed explained that the code was initially drafted because of the original plans for the Britannia Yacht Club were expensive and the intent was to limit the area to marine related businesses. Over the years, this has become restrictive and Britannia now has difficulty finding acceptable tenants. The intent of this current legislation was to allow different, low traffic businesses.

There were no Trustee comments.

Resident Sandra Farb spoke and reminded the Board that when the Marina first came in, the Trustees and Planning Board put in stringent limitations since the marina was in the middle of a residential neighborhood and she asked what has changed to negate the existing legislation and would they be allowed to add a second story or enlarge the area. Mayor McMullen responded that they would not be expanding and that the uses being allowed were being limited to specific low impact businesses. Ms. Farb reminded the board this is the third change to the original restrictions. Trustee Kehoe commented that originally Britannia had to go the ZBA every year for approvals and restrictions were set regarding live music and fundraising events to four times per year to minimize the impact on Milland and Woodbine residents which they continue to honor. Trustee Kehoe also stated that they are valuable contributors to the village economy.

Resident Joe Schramm spoke in support of the changes as a way to support the local business and their employment of local residents especially in the financial recovery after the pandemic.

On the motion of Trustee Weber and seconded by Trustee Milligan, the following public hearing was closed.

BOARD APPROVAL OF WARRANT:

On the motion of Trustee Weber and seconded by Trustee Kehoe, the following warrant was approved.

Fiscal Year 2021/2022 General Fund bills in the amount of \$242,904.58

On the motion of Trustee Kehoe and seconded by Trustee Weber, the following warrant was approved.

Fiscal Year 2021/2022 Sewer Fund bills in the amount of \$27,825.83

On the motion of Trustee Weber and seconded by Trustee Milligane, the following warrant was approved.

Fiscal Year 2021/2022 Payroll Week (07/02/21) General Fund \$523,543.78

On the motion of Trustee Kehoe and seconded by Trustee Weber, the following warrant was approved.

Fiscal Year 2021/2022 Payroll Week (07/02/21) Sewer Fund \$14,544.63

BUSINESS/COMMISSIONERS REPORTS:

Trustee Kehoe commented again on the improvement project planned for the park and his hope that it continues.

Trustee Milligan reported that the village was able to get an interview for one of our Police Officers to enroll in drug recognition training, which is in high demand and limited availability. He also reported that the Village, along with the Suffolk County and the Town of Huntington, will be meeting with Congressman Suozzi who is providing support for a survey of the harbor in preparation for dredge permits.

Trustee Weber commented that the Community Band started up again on Thursday nights and although the first performance was moved to the high school because of inclement weather, he was happy to represent the Mayor and the Board in welcoming them back after last year's pandemic hiatus.

TREASURER REPORT:

Treasurer Marchese reported that there is a resolution to be adopted allowing the Village to execute documents for the US Department of the Treasury Coronavirus State and Local Fiscal Recovery Funds and that the village has been awarded \$742,913 which will be received in 2 parts. He has a list of items that the money can be spent on and will work with the Board to identify appropriate uses over the next three years.

CHIEF OF POLICE REPORT:

Chief Hughes reported that with the legalization of marijuana there is a heightened need for training for officers for dealing with impaired motorists. The Drug Recognition Expert course is a nationally recognized course and very difficult to get in at this time. Officer Sagitanos has been granted an interview at the end of the month for possible placement in the program.

Chief Hughes also distributed his monthly report for June showing 560 calls for service, 189 summons issued and 10 arrests.

REQUESTS:

A request for permission to use the Village Park for an Over Dose Awareness vigil on August 31, 2021 was made by the Northport-East Northport Community Drug & Alcohol Task force. They asked to reserve the gazebo area and will be having speakers and ending with candle lighting. Mayor McMullen asked for follow on the amount of people they were expecting and asked the Board for approval based on that follow up. The Board unanimously approved this request.

The second request was from the Northport Fire Department requested approval to hold an "Oktoberfest" at the fairgrounds on October 2, 2021 from 12:00pm to 5: pm. This will benefit them as they hadn't been able to hold any other fundraising events for the past two years. Attendance will be limited to 500 tickets.

Mayor McMullen commented that the event two years ago was very successful. Trustee Weber commented that from a public safety aspect, there were no incidents reported and no complaints from the neighbors. The Board unanimously approved this request.

RESOLUTIONS:

RESOLUTION: 2021 – 171 ~ APPROVAL OF THE MINUTES

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

BE IT RESOLVED: The minutes of the June 15th, 2021 regular meeting are hereby accepted.

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

RESOLUTION: 2021 – 172 ~ AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE COUNTY OF SUFFOLK REGARDING PROVISION OF AMBULANCE SERVICES

WHEREAS, the Village of Northport is desirous to enter into an agreement with the County of Suffolk to continue supplying credentialed ambulance services

WHEREAS, this agreement is effective retroactively to January 1st, 2021 and will expire December 31, 2025

WHEREAS, the execution of an agreement is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c) (18)(21), and therefore no further SEQRA review is required.

BE IT RESOLVED: The Northport Village Board hereby authorizes the Mayor to execute an agreement with the County of Suffolk Department of Health to continue providing Ambulance Services.

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

RESOLUTION: 2021 – 173 ~ AUTHORIZING THE EXECUTION OF DOCUMENTS REGARDING THE US DEPARTMENT OF THE TREASURY CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

BE IT RESOLVED: The Northport Village Board hereby authorizes the Mayor and/or the Village Treasurer to execute any and all documents pertaining to the United States Department of the Treasury Coronavirus State and Local Fiscal Recovery Funds.

BE IT FURTHER RESOLVED, the execution of an agreement is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c) (26), and therefore no further SEQRA review is required.

A question was raised by Trustee Kehoe if this was the FEMA recovery and treasurer Marchese responded that this was different – it is a recovery plan to help recover lost revenues due to the shut down.

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

RESOLUTION: 2021 – 174 ~ AUTHORIZING THE MAYOR TO EXECUTE AN

AGREEMENT WITH VALUE PAYMENT SYSTEMS (VPS)

WHEREAS, the Village of Northport is desirous to further enhance the resident's building permit experience with online building permits, to streamline the building department permit process

WHEREAS, the current agreement with VPS will need to be amended to allow the setup of a separate account for distribution of payments for online applications

BE IT RESOLVED: The Northport Village Board hereby authorizes the Mayor to sign the first amendment to the service agreement with the Value Payment Systems to add Schedule B for Online Permitting Payments.

BE IT FURTHER RESOLVED, the execution of an agreement is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c) (26), and therefore no further SEQRA review is required.

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

RESOLUTION 2021 – 175 ~ WELLNESS PROGRAM – YOGA

WHEREAS: The wellness program is a continuing program offered by the Village of Northport for the betterment of its residents.

BE IT RESOLVED: That the mayor is hereby authorized to execute an agreement with Jennifer Reali-Tzimas to offer up to 10 classes as a part of the said Wellness Program for Summer 2021. No compensation is required as classes will be offered free to participants, and said agreement is subject to attorney review. All classes are to be compliant with CDC, State, and County COVID-19 Guidelines.

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

RESOLUTION 2021 – 176 ~ APPOINTMENT OF SENIOR GROUNDS KEEPER

BE IT RESOLVED: After a thorough evaluation of all candidates by the Village Administrator and the Commissioner of Public Works and Highway, Michael Fitzpatrick is hereby appointed to the position of Senior Grounds Keeper for the Village of Northport, and

WHEREAS: The Senior Grounds Keeper is a union position, and will be full-time at a rate of pay of \$36.10 per hour, with the possibility of overtime. Michael Fitzpatrick will be subject to a job performance review after 4 months, as well as complete a 6-month probationary period, as per the Union Local 342/LISPSE Collective Bargaining Agreement and

WHEREAS: The Senior Grounds Keeper position includes, but is not limited to, the following job duties: Organizes, assigns, supervises and participates in the work of the Parks Department engaged in a variety of routine tasks related to all Parks Department duties; Maintenance of all Village Parks, ballfields and beaches; Lawn and horticulture maintenance; Ability to complete work orders; Purchasing of materials and supplies; Budget management; Communication skills.

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

RESOLUTION 2021 – 177 ~ PARAMEDIC PAY RATE CLASSIFICATIONS

WHEREAS: The Village Board of Trustees acknowledges the comprehensive

training required of Paramedics and the need to retain qualified paramedics for the health and safety of Village residents;

WHEREAS: The Village Treasurer and Village Administrator made a comparative analysis of similar municipalities and have produced a competitive pay rate schedule recognizing different classification of Paramedic certifications;

BE IT RESOLVED: The Village Board of Trustees hereby sets the following compensation rates for the following EMT Paramedic classifications:

Lead Paramedic	\$36 per Hour
Assistant Lead Paramedic	\$35 per Hour
QA/QI Paramedic	\$34 per Hour
Paramedic with RSI certification	\$33.50 per Hour
Paramedic	\$32 per Hour

BE IT FURTHER RESOLVED: The Village Board of Trustees has determined that this action is a type II action pursuant to 6 NYCRR Section 617.5 (c) 26 and is not subject to any further action under SEQRA.

On the motion of Trustee Kehoe and seconded by Trustee Milligan, the following resolution was unanimously approved without complete reading.

RESOLUTION 2021 – 178 ~ PARAMEDIC PAY ADJUSTMENTS

WHEREAS: The Village Board of Trustees acknowledges the certification and qualifications of the following Paramedics and their respective classifications;

BE IT RESOLVED: that the following Paramedics will be paid according to their corresponding classification:

<u>POSITION</u>	<u>NAME</u>	<u>NEW PAY RATE</u>
Lead Paramedic	McCarthy, Thomas	\$36.00
Asst. Lead Paramedic	Themann, Joseph	\$35.00
QA/QI Paramedic	Evers, Christopher	\$34.00
Paramedic -RSI	Barbou, Laurent	\$33.50
Paramedic-RSI	Guerne, Anthony	\$33.50
Paramedic-RSI	Miller, Shawn	\$33.50
Paramedic	Denker, Christine	\$32.00
Paramedic	Edgar, Emily	\$32.00
Paramedic	Enders, Heather	\$32.00
Paramedic	Komodikis, Nicholas	\$32.00
Paramedic	Lesnick, Joseph	\$32.00
Paramedic	Martin, Kristofer	\$32.00
Paramedic	Nadeau, Karen	\$32.00
Paramedic	Ritter, Daniel	\$32.00
Paramedic	Zahlout, Alexandra	\$32.00

BE IT FURTHER RESOLVED: The Village Board of Trustees has determined that this action is a type II action pursuant to 6 NYCRR Section 617.5 (c) 26 and is not subject to any further action under SEQRA.

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

RESOLUTION 2021 – 179 ~ PAVING OF VILLAGE ROADS

BE IT RESOLVED: On the recommendation of Northport Village Administrator, the following roads are approved for paving by Posillico Civil under NYSOGS Contract, Group #31502, funded by the balance in the CHIPS funding appropriation:

Sea Cove Road (from Ocean Ave to #104 Sea Cove Road) - \$104,175.00;
Doris Avenue (Norwood Avenue to Chestnut Circle) - \$45,000.00;
Norwood Avenue (shoulder on west side from Main St. to Goldenrod Ave) - \$30,900.00;
Woodbine Avenue (25A to North Road) - \$38,000.00.

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

RESOLUTION 2021 – 180 ~ SEASONAL HIRING

WHEREAS: The Village of Northport is desirous of maintaining a basic schedule of a gate attendants to cover operating hours at the Village beaches

WHEREAS: The Village is committed to hiring local youths for these positions

BE IT RESOLVED: The following two youths are hereby hired for the seasonal position of Gate Attendant for the Incorporated Village of Northport and will work no more than 40 hours a week at a rate of pay of \$14.00 per hour

Brendan Connelly

Liam Kost

BE IT FURTHER RESOLVED: this is an unlisted Action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(26), and, therefore, no further SEQRA review is required.

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

RESOLUTION: 2021 – 181 ~ APPROVAL OF LOCAL LAW INTRODUCTORY “F” of 2021 AMENDING SECTION 207-8 USE REGULATIONS AND RESTRICTIONS WITH REGARD TO PROHIBITING SMOKING IN VILLAGE OF NORTHPORT PARKS AND BEACH AREA

WHEREAS: a public hearing was conducted on June 15th, 2021 and the public had an opportunity to be heard;

BE IT RESOLVED: The Board of Trustees of the Village of Northport considers adopting village law article 207-8A (1) And (2) modified as follows:

Chapter 207: PARKS AND BEACH AREAS

Section 207-8 Use regulations and restrictions.

A. Smoking prohibited

(1) No person shall smoke a tobacco product; herbal product; **marijuana; marijuana derivatives**, electronic cigarette; pipe or cigar; vapors; e-liquids; or other smoking devices in an outdoor playground, **park, athletic field or beach** located within the lands and jurisdiction of the

Incorporated Village of Northport. This prohibition applies ~~only~~ to public playgrounds **parks athletic fields and beaches** and is not intended to include private property to which the general public does not generally have access or private areas used exclusively for private functions. “No Smoking” signs, or the international “No Smoking” symbol which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it, or such other sign that is reasonably calculated to give notice of the no-smoking restrictions imposed by this section, shall be prominently posted where smoking is regulated by this section. ~~In the event a playground is not enclosed by fencing or other partition, no smoking shall be permitted beyond the signs posted in accordance with the section.~~ This prohibition is ~~not~~ intended to include parking lots of beaches, parks and athletic fields.

~~(2) No person shall smoke a tobacco product, herbal product, cigarette, pipe, cigar or other smoking device during a public event or public gathering, including but not limited to concerts, holiday services, fairs, charity events and arts and crafts displays and/or sales, occurring on public property within the lands and jurisdiction of the incorporated Village of Northport. “No Smoking” signs, or the International “No Smoking” symbol which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it, or such other sign that is reasonably calculated to give notice of the no-smoking restrictions imposed by this section, shall be prominently posted where smoking is regulated by this section, or, alternatively, public announcement of this prohibition and/or temporary signs will be sufficient compliance with this requirement.~~

Everything else in this section remains unchanged.

Trustee Kehoe raised a question regarding how parking lots are specifically mentioned in the last line but not in the initial listing of locations. Attorney Besen confirmed that as this is written and if passed tonight, you will not be allowed to smoke in the parking lots of all beaches, parks and athletic fields. Trustee also asked if this applies to marijuana use and to which Attorney Besen replied absolutely.

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

RESOLUTION: 2021 – 182 ~TO SCHEDULE A PUBLIC HEARING TO CONSIDER LOCAL LAW INTRODUCTORY “J” of 2021- PLACEMENT OF STOP SIGNS

WHEREAS: The Village Board of Trustees shall hold a public hearing on the 3rd day of August, 2021 at 6:00 p.m. at Northport Village Hall, 224 Main Street, Northport, NY 11768 to amending the village code to allow for the additional stop signs

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 of the Village of Northport considers adopting the following Local Law Introductory “J” of 2021; as follows:

Proposed addition to Chapter 282 “Vehicles and Traffic” Section 53, schedule V: Stop Intersections.

ADD:

Stop Sign on

Woodbine Ave – Southbound
Woodbine Ave – Northbound

At intersection of

Scudder Ave
Scudder Ave

PUBLIC PARTICIPATION:

Resident Guiseppa Clemente was the first to speak and he read from a prepared statement telling how a construction project on Lindberg Court is jeopardizing this property on Washington Ave. He stated that he is immensely concerned of the stability of the slope the he states was compromised by the construction and the impact to his cesspool, foundation and overall property. He referenced the recent Miami catastrophe as a possibility. He also stated that he feels that the village building department didn't follow local codes during the permitting process and hasn't been responsive to his inquiries and he has filed a notice of Claim. He also supplied the Board with a timeline of events as well as his statement and a reference to the Miami Surfside disaster. He requested a full review to determine if the construction and alteration at 14 Lindberg Court are in compliance with Village, County and state code and if not, evaluate how to bring them into compliance and execute necessary repairs. He said that he had county soil experts evaluate the erosion and soil condition on his slope and a local landscape company and the stated it is subsurface erosion.

Resident Gina Paveglio, Guiseppa's wife spoke next and added that as a County employee she felt it was important to follow the chain of command and procedures but stated that the requirements for construction and alterations within a steep slope area especially the dry well which was excavated 5 feet from the slope and the basement of the two story structure which is 12 feet from top of slope. She stated the dimensions of the and stated her concern of the weight of this project at the top of the slope above her home. She compared the effect of the erosion to a bulldozer underground pushing the earth out towards her home. She referenced that there is no permit on file for the 3foot retaining wall and that there is a concrete platform and portable pool on top of this uncertified wall. She stated that a Suffolk County Soil and erosion expert evaluated her slope soil and stated it is comprised of sand, minerals and sand dust. She read off the following non regulatory agencies that she has reported this problem to and mentioned Suffolk County Soil and Water Conservation, Suffolk County Dept of Health, Waste management and Pollution control (regarding the septic system), NY S Department of Environmental Conservation, NY State Office of Professions and the Dept of State Building Standards and Codes – oversight department. She asked the board to help find a solution to this problem.

Resident Susan Farb also spoke and asked when sewers will be put in the Steers area. She asked because her cesspool is becoming a problem. Trustees Milligan responded that the project had been divided into three phases with Bluff Point and Cairo being phase one and Steers being divided into 2 phases. Right now, only phase one has been contracted and funded and the other phases are still in discussion and in light of the complications of phase one, the next phases have been pushed back. Soil sampling is being done in Steers and engineers are looking at it but the phases have not been scheduled. Mrs Farb then followed up asking that in light of the expense of a new cesspool, would there be any relief if she needs to replace her cesspool before hookup. Mayor McMullen recommended she contact Suffolk County for programs for the new required sewer set-ups that are required as of this month.

The following resolutions were added to the meeting:

On the motion of Trustee Weber and seconded by Trustee Kehoe, the following resolution was unanimously approved without complete reading.

RESOLUTION: 2021 – 183 ~ APPROVAL OF LOCAL LAW INTRODUCTORY “B” of 2021 CREATING A LAW WITH REGARD TO OWNERSHIP OF DUCKS, CHICKENS, PIGEONS AND OTHER BIRDS TO BE CODIFIED IN NORTHPORT VILLAGE CODE

SECTION 93-7 AND DENOMINATED ARTICLE II THEREIN

WHEREAS: a two public hearings were conducted on 2021 and July 6th, 2021 and the public had an opportunity to be heard;

BE IT RESOLVED: The Board of Trustees of the Village of Northport creates Village Law code section 93-7 and denominated Article II as follows:

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, injures or endangers the birds or which cause a persistent, disturbance of 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 per half acre of property, 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 food, so as not to endanger the public health and safety.
- (4) Feed must be stored in commercially acceptable containers and securely covered. Refuse shall be kept in commercially acceptable containers with 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.
- (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 (\$250.00). Any second violation of this Statute within a five-year period of time shall be subject to a fine of Five Hundred Dollars (\$500.00).

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

RESOLUTION: 2021 – 184 ~ APPROVAL OF LOCAL LAW INTRODUCTORY “G” of 2021 LAW WITH REGARD TO AMENDING SECTION 219-18 OF THE NORTHPORT VILLAGE CODE ENTITLED SUBMISSION OF SITE PLAN

WHEREAS: a public hearing was conducted on July 6th, 2021 and the public had an opportunity to be heard;

BE IT RESOLVED: The Board of Trustees of the Village of Northport amends Village Law code section 219-18 as follows:

219-18 Submission of Site Plan

An application for site plan approval from the Planning Board is required for:

- E. All new non-residential property construction or reconstruction, or the construction or reconstruction of residential property for the use of more than three families.
- F. Any exterior alteration to and/or expansion of an existing building or property not in residential use.
- G. Any change in the number of uses or the type of use(s) of an existing property not in residential use; and
- H. The conversion of a residential use to a non-residential use.

MOTION FOR AN EXECUTIVE SESSION:

On the motion of Trustee Kehoe and seconded by Trustee Milligan, an executive meeting with no action was called for personnel and litigation matters to immediately follow upon the conclusion of the Board meeting.

The next meeting of the Board of Trustees will be August 3rd, 2021 at 6:00 PM at Northport Village Hall, 224 Main St., Northport, NY 11768.

The meeting was adjourned at 7:15pm.

Respectfully submitted,
Amy Grandy, Village Clerk