

MINUTES

FEBRUARY 15, 2022 – 6:00 PM

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

Please note – this meeting was held via Zoom video conferencing.

PRESENT: Trustee Milligan, Trustee Kehoe, Trustee Weber, Village Attorney Stuart Besen, Treasurer Len Marchese, Police Chief Chris Hughes, Village Administrator Roland Buzard, Assistant to the Mayor Don Tesoriero, Village Clerk Amy Grandy. **Absent:** Mayor McMullen

OPEN MEETING: Meeting called to order at 6:03pm by Trustee/Deputy Mayor Ian Milligan

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

PROCLAMATIONS: None

ANNOUNCEMENTS: None

PRESENTATIONS: None

REQUESTS:

Blessing of the Fleet: Saturday -11:00am, 6/11/2022 - This request was approved by the Board.

Farmers Market: Saturdays, 7:00/8:00am – 12:30pm, 6/4-11/19, 2022 - This request was approved by the Board.

Chamber of Commerce:

Family Nights: Tuesdays, 6-9pm, 7/12 & 7/19, 2022

Summerfest: Wednesdays, 7:30pm - 8/3,10,17 & 24, 2022

Halloween Hayride: Sunday noon-4pm - 10/30/2022

Annual Tree Lighting: Friday 7pm 11/25/2022

These requests were approved by the Board.

YDA – Movie Night 8/2 (rain date 8/4) at Village Park. Michele Burnham, the assistant director of Youth Directives and Alternatives (YDA) presented a request for use of Village Park for showing of the 1959 film “The Blob” on a projection screen in celebration of YDA’s 50th anniversary. This request was approved by the Board.

PUBLIC HEARINGS: None

BOARD APPROVAL OF WARRANTS:

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

Fiscal Year 2021/2022 General Fund bills in the amount of \$383,398.16

ROLL CALL VOTE: AYES – McMullen, Milligan, Kehoe, Weber
NOES – none

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

Fiscal Year 2021/2022 Sewer Fund bills in the amount of \$42,943.66

ROLL CALL VOTE: AYES – McMullen, Milligan, Kehoe, Weber
NOES – none

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

Fiscal Year 2021/2022 Fire Department bills in the amount of \$41,061.53

ROLL CALL VOTE: AYES – McMullen, Milligan, Kehoe, Weber
NOES – none

Trustee Kehoe raised a question on an item for “Bound Tree Corp” in the amount of \$161.98. Treasurer Marchese responded that he would investigate and follow up.

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

Fiscal Year 2021/2022 Payroll Week (02/11/22) General Fund \$270,480.59

ROLL CALL VOTE: AYES – McMullen, Milligan, Kehoe, Weber
NOES – none

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

Fiscal Year 2021/2022 Payroll Week (02/11/22) Sewer Fund \$19,204.05

ROLL CALL VOTE: AYES – McMullen, Milligan, Kehoe, Weber
NOES – none

BUSINESS/COMMISSIONERS REPORTS: Trustee Milligan reported that on progress on securing permission from the Town of Huntington for use of the former Woodbine dock for a pump-out facility which will be operated by the Village and paid for by state grant after an application by the Village. He also addressed resident Josephine Rizzoni’s inquiry last meeting regarding the resolution for the Dock survey and explained the breakdown of the first payment for the preliminary report of \$6500. He explained that an engineer needed for this review to properly define the scope of the repairs for the bidding process and that repairs would be spread out over the next several years.

Trustee Weber started his remarks with follow-ups from previous meetings. He addressed a concern of resident Donna Koch regarding the change of the treasury's reporting from the voucher detail report to the check ledger and explained that the details are still presented but in a clearer manner. Siobhan Costello added that the procedure is the same as it has been for a while and checks are processed in advance but not released until after the Board's approval. Trustee Weber also addressed Resident Blair Beaudet's concern regarding funding of paramedics and the sharing of services with neighboring municipalities. Trustee Weber explained that the fire departments have mutual agreements in place that if called, they will respond although it doesn't happen often. He also reported that the auditors have asked for additional information for the forensic audit and when they are done, the findings will be reviewed by the Suffolk County DA and the Village Board. Once that investigation is complete, the report can be released to the public. He also reported that the playground equipment at Soper Park has arrived and is almost ready for the public.

Trustee Kehoe commented a recent provision in the proposed state budget regarding accessory apartments and multi-family development which proposed taking away a municipalities' right to determine zoning at the local level. Attorney Stu Besen suggested that the Board execute a sense resolution authorizing the mayor to execute a letter to the governor and the state representative speaking out against the proposed legislation and he offered to have to ready for the next board meeting.

TREASURER REPORT: None

CHIEF OF POLICE REPORT: None

CORRESPONDENCE:

An email was acknowledged as circulated to the board from Resident Gina Paveglio regarding her concerns with 14 Lindberg Ct which referenced correspondence dated 1/18/2022 and 1/25/2022 between Village Attorney Stu Besen and Ms. Paveglio.

NOTICES: None

RESOLUTIONS:

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

RESOLUTION: 2022 – 17 ~ APPROVAL OF THE MINUTES

BE IT RESOLVED: The minutes of the Feb. 1st, 2022 meeting are hereby accepted.

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
 NOES - none

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

RESOLUTION 2022 – 18 ~ DONATION OF SICK TIME

BE IT RESOLVED: the Board of Trustees hereby authorizes Village PBA members to donate a portion of the employee's accrued sick time to Rich Sagistano, Traffic Control Specialist, for use as Rich may determine.

BE IT FURTHER RESOLVED: There will be a cap of 200 hours on the total number of hours to be gifted.

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
NOES - none and that is s

Trustee Milligan clarified that this action is allowed in the PBA contract and that is an example of the comradery of the Police department.

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

RESOLUTION: 2022 – 19 ~ ESTABLISHMENT OF AN EVIDENCE AND PROPERTY BANK ACCOUNT

BE IT RESOLVED: the Board of Trustees hereby authorize the Village Treasurer to establish an evidence and property non-interest bearing bank account at First National Bank for the police department which will facilitate the safeguarding of confiscated property pending disposition.

BE IT FURTHER RESOLVED: The Chief of Police and Executive Officer will be named as signers and such account shall require dual signature for disbursements and

BE IT FURTHER RESOLVED: The Chief of Police and Executive Officer will be required monthly to submit a report to the Village Treasurer for his oversight.

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
NOES - none

Trustee Kehoe asked the Chief to clarified what type of property this would cover and Chief Hughes explained that often the Department handles cash either that is found property or held as evidence and this will be a better way to hold it until the cash can be properly disbursed. Trustee Kehoe suggested the Treasury department also oversee the funds to which Chief Hughes agreed.

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

RESOLUTION 2022 – 20 ~ AUTHORIZE THE MAYOR TO SIGN AN UPDATED AGREEMENT WITH TROY AND BANKS

WHEREAS, the Village of Northport is desirous to enter into an agreement with Troy and Banks Consultants LLC to conduct a utility fee compliance audit for the purpose of verifying the accuracy of the utility fees paid or due to the Client,

WHEREAS, compensation for this service will be a contingency fee of fifty percent (50%) of the underpayments identified and recoverable and,

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 Troy and Banks Consultants LLC subject to attorney review for form and content.

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
NOES - none

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

RESOLUTION 2022 – 21 ~ AUDITING FIRM

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 firm of Nawrocki Smith is hereby retained to assist the Village for the fiscal year ending 2/28/2022 audit in an amount not to exceed \$32,000.00 (Thirty Two Thousand dollars).

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
NOES - none

A question was raised by Resident Joseph Sabia regarding the timing of this resolution and if it would be better left for the new board and Treasurer Marchese responded that the audit is actually the following week once this resolution is approved.

On the motion of Trustee Weber and seconded by Trustee Kehoe, the following resolution was unanimously approved without a complete reading and with a correction to a typo on one of the dates.

RESOLUTION 2022 – 22 ~ AUTHORIZING THE MAYOR TO SIGN NYSDEC, TOWN OF HUNTINGTON AND VILLAGE OF NORTHPORT 2022-2023 CONDITIONAL SHELLFISH HARVESTING PROGRAM AGREEMENT AND PROTOCOL

WHEREAS, the Village of Northport together with the Town of Huntington is desirous of executing a 2022-2023 Conditional Shellfish Harvesting Program Agreement with the New York State Department of Environmental Conservation for the implementation of a Conditional Area Management Plan for Outer Northport Harbor for the purpose of permitting commercial and recreational shellfish taking activities on underwater lands normally categorized as “Restricted” by the New York State Department of Environmental Conservation, and so off limits to those activities, and

WHEREAS, the Village of Northport will be responsible for record keeping reporting of the amount of rainfall each day and keep a log of same under the daily operational protocol for the conditional shellfish Harvesting Program in outer Northport Harbor for 2022-2023, and

WHEREAS, the opening of new areas in Outer Northport Harbor to shellfish harvesting has been determined to be an unlisted action pursuant to SEQRA 6 NYCRR Section 61, by the New York State Department of Environmental Conservation, and a Negative Declaration was issued by that agency for this action.

BE IT RESOLVED, that the Village Board of Trustees of the Village of Northport hereby authorizes the Mayor to execute the Conditional Shellfish Harvesting Program Agreement with the New York State Department of Environmental Conservation and Town of Huntington, as well as any necessary documents for the year 2022-2023 to implement a Conditional Area Management Plan for the Outer Northport Harbor, on such terms and conditions as may be acceptable to the Village Attorney, and further

authorizes the Mayor to enforce the provisions of the Agreement as deemed necessary.
ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
NOES - none

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

RESOLUTION 2022 – 23 ~ SETTLEMENT OF TAX CERTIORARI LAWSUIT

WHEREAS: the Village of Northport is a party respondent in certain tax certiorari proceedings commenced by the property owner of property located at 407-413 Fort Salonga Road, Northport, New York, a/k/a Tax Map#s 404-16-2-53 & 54 for assessment years 2016/17 through 2021/22 and,

WHEREAS: the Village of Northport upon advice of special tax certiorari counsel has determined that it is in its best interest to resolve this matter on the terms as set forth on the annexed Stipulation of Settlement and Proposed Order and Judgment,

BE IT RESOLVED, that the Board of Trustees hereby approves the settlement of the claim/lawsuit of the petitioners (George W. Lewis Jr., LLC, et al) on the following terms and as set forth on the annexed Stipulation of Settlement, as in the best interests of the Village and its taxpayers, and, it is,

BE IT FURTHER RESOLVED, that the Village Attorney or Special Counsel is authorized and directed to execute the appropriate Stipulations of Settlement, and consent to the entry of an Order or Judgment, if any, implementing the aforesaid settlement, and be it,

FURTHER RESOLVED, that in accordance with the agreement, and as consented to by the Village Assessor, the 2022/23 assessment and Village tax bill shall be set and/or adjusted to reflect a new assessment of 23,800 (pursuant to RPTL 727), and be it,

FURTHER RESOLVED, that the Village Treasurer, is hereby authorized and directed to make the necessary arrangements, pursuant to the Local Finance Law or otherwise, for payment as agreed in the amount of \$37,234.21,

BE IT FURTHER RESOLVED, that the Village administrators, if needed, are hereby authorized and directed to make the necessary arrangements, pursuant to the Local Finance Law or otherwise, for payment of any refund, within ninety (90) days of receipt of the Court Order, and be it,

BE IT FURTHER RESOLVED, that the Village Clerk provide the Village's Legal Counsel with a copy of this resolution upon adoption.

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
NOES - none

Village Assessor Rick Leonard was on the call and confirmed that this property was the former Coach Realty office on the corner of Ft Salonga Road and Church Street.

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

RESOLUTION 2022 – 24 ~ SETTLEMENT OF TAX CERTIORARI LAWSUIT

WHEREAS: the Village of Northport is a party respondent in certain tax certiorari

proceedings commenced by the property owner of property located at 165 Laurel Avenue, Northport, New York, a/k/a Tax Map#s 404-13-3-58 for assessment years 2015/16 through 2021/22 and,

WHEREAS: the Village of Northport upon advice of special tax certiorari counsel has determined that it is in its best interest to resolve this matter on the terms as set forth on the annexed Stipulation of Settlement and Proposed Order and Judgment,

BE IT RESOLVED, that the Board of Trustees hereby approves the settlement of the claim/lawsuit of the petitioners (Henry & Carol Keidel) on the following terms and as set forth on the annexed Stipulation of Settlement, as in the best interests of the Village and its taxpayers, and, it is,

BE IT FURTHER RESOLVED, that the Village Attorney or Special Counsel is authorized and directed to execute the appropriate Stipulations of Settlement, and consent to the entry of an Order or Judgment, if any, implementing the aforesaid settlement, and be it,

FURTHER RESOLVED, that in accordance with the agreement, and as consented to by the Village Assessor, the 2022/23 assessment and Village tax bill shall be set and/or adjusted to reflect a new assessment of 10,000 (pursuant to RPTL 727), and be it,

FURTHER RESOLVED, that the Village Treasurer, is hereby authorized and directed to make the necessary arrangements, pursuant to the Local Finance Law or otherwise, for payment as agreed in the amount of \$9,541.20,

BE IT FURTHER RESOLVED, that the Village administrators, if needed, are hereby authorized and directed to make the necessary arrangements, pursuant to the Local Finance Law or otherwise, for payment of any refund, within ninety (90) days of receipt of the Court Order, and be it,

BE IT FURTHER RESOLVED, that the Village Clerk provide the Village's Legal Counsel with a copy of this resolution upon adoption.

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
NOES - none

Village Assessor Rick Leonard was on the call and confirmed that this property

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

RESOLUTION 2022 – 25 ~ SETTLEMENT OF TAX CERTIORARI LAWSUIT

WHEREAS: the Village of Northport is a party respondent in certain tax certiorari proceedings commenced by the property owner of property located at 73 Main Street, Northport, New York, a/k/a Tax Map#s 404-9-1-58.6 for assessment years 2015/16 through 2021/22 and,

WHEREAS: the Village of Northport upon advice of special tax certiorari counsel has determined that it is in its best interest to resolve this matter on the terms as set forth on the annexed Stipulation of Settlement and Proposed Order and Judgment,

BE IT RESOLVED, that the Board of Trustees hereby approves the settlement of the claim/lawsuit of the petitioners (Robert Tyler) on the following terms and as set forth on the annexed Stipulation of Settlement, as in the best interests of the Village and its taxpayers, and, it is,

BE IT FURTHER RESOLVED, that the Village Attorney or Special Counsel is authorized and directed to execute the appropriate Stipulations of Settlement, and consent to the entry of an Order or Judgment, if any, implementing the aforesaid settlement, and be it,

FURTHER RESOLVED, that in accordance with the agreement, and as consented to by the Village Assessor, the 2022/23 assessment and Village tax bill shall be set and/or adjusted to reflect a new assessment of 8,000 (pursuant to RPTL 727), and be it, **FURTHER RESOLVED**, that the Village Treasurer, is hereby authorized and directed to make the necessary arrangements, pursuant to the Local Finance Law or otherwise, for payment as agreed in the amount of \$32,232.04,

BE IT FURTHER RESOLVED, that the Village administrators, if needed, are hereby authorized and directed to make the necessary arrangements, pursuant to the Local Finance Law or otherwise, for payment of any refund, within ninety (90) days of receipt of the Court Order, and be it,

BE IT FURTHER RESOLVED, that the Village Clerk provide the Village's Legal Counsel with a copy of this resolution upon adoption.

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
NOES - none

Trustee Kehoe asked Mr. Leonard why this adjustment was higher than the others and Mr. Leonard explained that this amount was arrived at after Mr. Tyler resolved a case with the Town of Huntington which reduced the value of his property and it took six years for the Village to reach an agreement with this resident.

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

RESOLUTION 2022 – 26 ~ BUDGET TRANSFERS

BE IT RESOLVED: The Village Treasurer is hereby authorized to make the following budget transfers; see attached Schedule “A”.

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
NOES - none

PUBLIC PARTICIPATION:

- Gina Paveglio spoke first and asked for follow up on a FOIL she submitted and also commented on her concerns regarding her property, cesspool and effect of the drywell and drainage of the property uphill of her at 14 Lindberg Ct.
- Josephine Rizzoni thanked Trustee Milligan for following up and sending her the engineering report on the dock evaluation.
- Joe Sabia thanked Chief Hughes for his department’s continued responsiveness to calls and concerns at the Fish market. He also brought up a report seen on the “Northport Patch” about some recent car break-ins and he also commented on a recent road closure on Cherry Street by PSEG that he reported to Village Administrator Roland Buzard. Mr. Buzzard responded that this was an emergency repair. Trustee Milligan responded that the village will look into what happened with this opening and will make sure the road is repaired. Mr. Sabia also commented on the public hearing on stop signs and stated his concerns with outdoor dining seating that blocks sidewalks. Trustee Weber commented that there should be more

conversations regarding business opportunities and residents needs so that a balance can be struck and all will benefit. Trustee Kehoe commented on some ideas that the board had tried over the years to stimulate business in the downtown area and that outdoor dining was one of the more successful ones but he added that enforcement of ADA requirements has to be improved. Trustee Milligan stated that anytime traffic regulations are concerned, the proper procedure is to get a professional evaluation and that the written report was more comprehensive than what was presented. He also commented on the outdoor dining permit process which can be adjusted as needed.

- Effie Huber spoke next and expressed a complaint that she comes to these meetings for answers and does not want to be directed to a different board or to submit FOIL requests.
- Resident Donna Koch asked for updates on the 5 burned out properties throughout the village. Trustee Milligan stated that the village cannot compel someone to make repairs but does have to make sure the properties are meet minimum safety requirements – which has been done on these properties. Village Administrator Roland Buzard provided information regarding the 4 of the properties currently being worked on with the one on Main St being too recent to have any action taken yet.
- In the spirit of Valentine’s Day, resident Joe Schramm commented to publicly thank the different village departments for their service with a special thank you to the elected officials, especially the ones who will be stepping down soon, for their contributions. Trustee Milligan thanked Joe in return for his input and participation as well.

On the motion of Trustee Milligan and seconded by Trustee Weber and unanimously approved, the meeting was adjourned at 7:15pm.

ROLL CALL VOTE: AYES –Milligan, Kehoe, Weber
 NOES - none

The next meeting of the Board of Trustees will be March 1st, 2022 at 6:00 PM.

Respectfully submitted,
Amy Grandy
Village Clerk

Inc. Village of Northport
Budget Transfers Sch A
2/15/2022
Fiscal Year 2021

AMOUNT	APPROPRIATION LINE FROM	APPROPRIATION LINE TO	AMOUNT
\$ 500.00	A.1110.0411	A.1110.0400	\$ 500.00
	Justice - Reimb NYS	Justice Contractual Exp	
\$ 65.00	A.1420.0400.0002	A.1420.0401	\$ 65.00
	Contractual Expense Consultant	Asst Village Attny	
\$ 475.00	A.1620.0409	A.1620.0409.0002	\$ 520.00
	VH Bldg Misc	Village Blds R&M	
\$ 45.00	A.1620.0409.0002		
	Beach House Misc		
\$ 2,700.00	A.5142.0405	A.1640.0409	\$ 2,700.00
	Supplies, Salt and Sand	Garage/Misc Expense	
\$ 13,650.00	A.3120.0101	A.3120.0122	\$ 3,400.00
	Police Overtime	Dispatcher Overtime	
		A.3120.0112	\$ 350.00
		Police Dispatcher Paid Benefit	
		A.3120.0212	\$ 9,900.00
		E911 Grant Equipment	
\$ 23,900.00	A.3410.0200	A.3410.0101	\$ 3,400.00
	Equipment	Fire Houseman Overtime	
		A.3410.0111	\$ 12,500.00
		Temporary Houseman Sal	
		A.3410.0401	\$ 8,000.00
		Fire Department Utilities	
\$ 9,900.00	A.3410.0409	A.3410.0401.0002	\$ 900.00
	Fire Dept Misc Expenses	FD Cell Phones	
		A.3410.0414	\$ 9,000.00
		Fire Dept Bldg Maint	
\$ 15,000.00	A.5110.0111	A.5110.0101	\$ 15,000.00
	Highway P/T Salaries	Highway Overtime	

\$ 30,000.00	A.5142.0101	A.5110.0100	\$ 35,000.00
	Snow O/T Salaries	Highway Salaries	
		A.1640.0101	\$ 700.00
\$ 7,200.00	A.5142.0405	Mechanic Overtime	
	Supplies, Salt and Sand	A.5110.0409	\$ 1,500.00
		Highway Misc Exp	
\$ 10,400.00	A.5112.0200.0002	A.5182.0401	\$ 5,900.00
	Equipment	Street Lighting Utilities	
		A.6410.0400	\$ 4,500.00
		Holiday Decorations	
\$ 325.00	A.7140.0200	A.7140.0409	\$ 325.00
	Park Equipment	Park Misc Expenses	
\$ 110.00	A.7180.0416	A.7180.0401	\$ 110.00
	Pump Out Boat Maint	Dock Electric & Water	
\$ 110.00	A.8664.0409	A.8664.0409	\$ 110.00
	Code Enforcement PT Sal	Code Enforcement Misc Exp	
\$ 12,500.00	G.8120.0419	G.8120.0401	\$ 12,500.00
	Pump Station Maint	Sewer Lines Utilites	
\$ 10,500.00	G.8120.0101	G.8120.0400	\$ 10,500.00
	Overtime	Sanitary Sewer Repairs	
\$ 500.00	G.8130.0404	G.8130.0404.0001	\$ 500.00
	Sewer Plant Chemicals	Sewer Plant Lab	
\$ 3,500.00	G.8130.0409	G.8130.0405	\$ 3,500.00
	Misc Expense	Materials Sludge & Grit Removal	

Journal entry for Asharoken reimbursement

\$ 8,600.00	A.0000.2655	A.1640.0403	\$ 8,600.00
	Misc Minor Sales	Highway Gas, Diesel Fuel	