

**THE MINUTES  
FOR THE OCTOBER 6, 2015  
MEETING OF THE BOARD OF TRUSTEES  
OF THE INCORPORATED VILLAGE OF NORTHPORT  
REGULAR MEETING  
6:00 PM.**

Present: Mayor Doll, Trustees Maline, McMullen, Milligan and Tobin, Village Attorney Stuart Besen, Village Administrator Tim Brojer, Village Clerk Donna Koch.

**ANNOUNCEMENTS:**

**PRESENTATIONS:** Max Scheader, of Troop 410 presented the Board with the troops plan to adopt Scudder Park. The troop will visit the park regularly at first then on a monthly basis after that. Their goal is to clean up the beach, help with the flowers beds and rebuild and/or paint the playground equipment.

**PUBLIC HEARINGS:**

The Mayor asked the Village Clerk to read the notice of public hearing, to wit:

**PLEASE TAKE NOTICE:** that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 6<sup>th</sup> day of October, 2015 to consider the following proposed local law:

**LOCAL LAW "E" OF 2015  
A LOCAL LAW OF  
THE VILLAGE OF NORTHPORT  
TO AMEND CHAPTER 239 (Sewers)**

**Chapter 239**

**SEWERS**

**Section 239-32. Determination and administration of charges.**

A. All property owners may apply to the Board of Trustees of the amount of their water usage which is used to calculate the sewer rents due hereunder. Such application shall include all evidence to establish the degree and amount of water usage which is claimed to be applied for any water uses which do not result in discharges into the sewerage system or any reason why the property owner claims that the water usage amount is incorrect. Based upon the preponderance of the evidence presented, the Board may grant an adjustment of the water usage, depending on the volume of water usage it finds is not discharged into the sewerage system. Deadlines for requesting this adjustment shall be determined by the Board of

Trustees with written notice by regular mail to all commercial properties and notices posted in Village Hall and on the Village website. The Board may designate other Village officials to hear the evidence presented and to make recommendations to the Board. The filing of an application for an adjustment does not relieve property owners from the obligation to make timely payment of sewer rents. In the event the Board grants an adjustment and the sewer rent has already been paid, a refund shall be promptly made but in no event more than 90 days from the date the application was made. Interest at the rate of 3% per annum shall be paid on all refunds paid after this deadline

**Section 239-32. Determination and administration of charges.**

A. All property owners *who install a water meter approved by the Village of Northport* shall be eligible to apply for an adjustment in their sewer rent due hereunder. **The Village of Northport approved water meter shall be used to calculate any reduction to the property owners sewer rent bill. The water meter shall be the exclusive method in which a property owner can establish the degree of and amount of water usage which is not being discharged into the sewer system, thereby be eligible to receive a credit from their the sewer rent bill. Such application shall be the exclusive method to establish any reduction in the sewer rent due hereunder. The type, model and installation of the water meter must be approved by the Village of Northport and the property owner must consent to Village personnel going on their property for the purposes of reading the water meter. If a property owner decides not install a water meter authorized and approved by the Village of Northport the property owners recourse shall be limited to an automatic reduction of ten percent (10%) off their sewer rent bill for water that does not enter the sewer system. Notwithstanding the above, If a property owner does not install a water meter approved by the Village of Northport, but the property owner can establish by a preponderance of the evidence and said evidence is substantiated by the Suffolk County Water Authority that the property owner had a leak causing the property owners water usage to substantially increase because of said leak, and said water usage did not result in discharges to the sewer system then the property owner may apply to the Board for a reduction greater than ten percent (10%).** Deadlines for requesting this adjustment shall be determined by the Board of Trustees with written notice by regular mail to all commercial properties and notices posted in Village Hall and on the Village website. The Board may designate other Village officials to hear the evidence presented and to make recommendations to the Board. The filing of an application for an adjustment does not relieve property owners from the obligation to make timely payment of sewer rents. In the event the Board grants an adjustment and the sewer rent has already been paid, a refund shall be promptly made but in no event more than 90 days from the date the application was made. Interest at the rate of 3% per annum shall be paid on all refunds paid after this deadline

Effective date of this local law shall take effect upon filing with the Secretary of State.

On the motion of Trustee McMullen and seconded by Trustee Tobin the public hearing was open.

Mr. Besen gave a short explanation of what this law means.

Mr. Cavagnaro stated that he wasn't oppose to paying his fair share but did not want other properties getting a reduction thus causing his rates to go up. He would like the Board to look into putting the sewer fees on the tax bill based on a percentage of the property assessment.

Ms. Huber stated that putting in the meter has worked for her home. It is an accurate account of how much water is going into the lawn and not the sewer plant.

On the motion of Trustee Tobin and seconded by Trustee Maline the public hearing was closed.

#### **PUBLIC PARTICIPATION:**

Joe Sabia, stated to the Board he felt the single stream recycling was a good idea and that he could not believe how much recycling he produced in a single week. He was upset though that the Village did not send out new recycling calendars. Trustee Milligan explained that was done to save money since it was already six months into the calendar year and that a new schedule will be going out in December talking about single stream and the E-Waste and the other changes that are being made.

Tara Mackey of Seacove Rd. requested the Village look into putting a four way stop sign at the intersection of Ocean Ave., Lewis Rd and Seacove Rd. she stated there have been many accidents in the area and the surrounding roads all have stops signs along the way. She is concerned for children who use the crosswalk on their way to school. The Board responded that they will look into the issues and talk to the Police Chief. Trustee Tobin stated there are other traffic calming devices that maybe we can look into. In the mean time we could put a yield to pedestrian's sign that do help to slow down traffic.

Effie Huber questioned why the last few runners/walkers at the Cow Harbor Race couldn't go on to the sidewalk. She stated the roads should not be blocked for hours on end to accommodate the last five walkers. Trustee Maline stated he would talk to the race committee.

A couple of Beach Ave residents thanked the Board for their on-going effort to clean up Scudder Park.

**BOARD APPROVAL OF WARRANT:**

On the motion of Trustee Milligan and seconded by Trustee McMullen the following bills were approved.

**Fiscal Year 2015/2016 General Fund bills in the amount of \$91,458.85**

On the motion of Trustee Tobin and seconded by Trustee McMullen the following bills were approved.

**Fiscal Year 2015/2016 General Fund bills #2 in the amount of \$1200.00**

On the motion of Trustee McMullen and seconded by Trustee Maline the following bills were approved.

**Fiscal Year 2015/2016 Sewer Fund bills in the amount of \$ 14,123.28**

On the motion of Trustee Tobin and seconded by Trustee McMullen the following bills were approved.

**Fiscal Year 2015/2016 Capital bills in the amount of \$22,319.89**

On the motion of Trustee Maline and seconded by Trustee McMullen the following bills were approved.

**Fiscal Year 2015/2016 Trust bills in the amount of 1,698.00**

**COMMISSIONER REPORTS:** Trustee Maline reported the Village has contracted with E-Scopes to supply the Village with cyber security.

Trustee McMullen reported the sewer plant has been running efficiently with good numbers.

Trustee Tobin reported its budget season in the Village and asked all commissioners to talk to their respective department heads.

Trustee Milligan reported several boats had come loose during last week's storm and the Village only had damage to one float down at Scudder Park. It had come loose and they still have not located it. Also the Village will be accepting Asharoken's E-Waste down at our drop off facility.

Mayor Doll reported the highway department is during their normal routine of street sweeping, tree work, cement, and every day general maintenance.

**CHIEF OF POLICE REPORT:** waved

**ADMINISTRATOR'S REPORT:** nothing to report this evening.

**NEW BUSINESS:** no new business.

**OLD BUSINESS:** no old business.

**CORRESPONDENCE:**

1. Letter regarding Scudder Park gardens from Sally B. Lauve.

**REQUESTS:**

Request from American Legion Post 694 to hold Pearl Harbor Observances December 6, 2015. The Board approved this request.

**RESOLUTIONS:**

On the motion of Trustee Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2015 -143 ~ APPROVAL OF THE SEPTEMBER 15, 2015 MINUTES**

**WHEREAS:** Copies of the minutes of the September 15, 2015, meeting were sent to the Board for approval, therefore,

**BE IT RESOLVED** that said minutes are approved without reading, at this time.

On the motion of Trustee Maline and seconded by Trustee McMullen with Trustee Milligan abstaining the following resolution was approved.

**RESOLUTION 2015 -144 ~ APPROVAL OF THE SEPTEMBER 25, 2015 MINUTES**

**WHEREAS:** Copies of the minutes of the September 25, 2015, meeting were sent to the Board for approval, therefore,

**BE IT RESOLVED** that said minutes are approved without reading, at this time.

On the motion of Trustee Maline and seconded by Trustee Tobin the following resolution was unanimously approved.

**RESOLUTION 2014 –145 SET PUBLIC HEARING ON PROPOSED LOCAL LAW “F” OF 2015**

**PLEASE TAKE NOTICE:** that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 20<sup>th</sup> day of October, to consider the following proposed local law:

Proposed Local Law “F” of the year 2015  
Village of Northport, County of Suffolk

**A local law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c**

**Section 1. Legislative intent**

It is the intent of this local law to allow the Village of Northport to adopt a budget for the

fiscal year commencing March 1, 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

**Section 2. Authority**

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local governments governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent(60%) of said governing body.

**Section 3. Tax Levy Override**

The Village Board of Trustees of the Village of Northport, County of Suffolk , is hereby authorized to adopt a budget for the fiscal year commencing on March 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. Severability**

If a court determines that any clause, section, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not effect, impair or invalidate the remainder of this local law, but shall be confined in its operation to be clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State

On the motion of Trustee Maline and seconded by Trustee Tobin the following resolution was unanimously approved.

**RESOLUTION 2015 –146 LOCAL LAW No. 4 of 2015**

**WHEREAS:** a Public Hearing of the Village Board of Trustees was held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 6<sup>th</sup> day of October, 2015 to consider the following proposed local law:

**LOCAL LAW No. 4 OF 2015  
A LOCAL LAW OF  
THE VILLAGE OF NORTHPORT  
TO AMEND CHAPTER 239 (Sewers)**

On the motion of Trustee McMullen and seconded by Trustee Maline the following resolution was unanimously approved.

**RESOLUTION 2015–147~ SEWER PLANT OPERATOR II**

**BE IT RESOLVED:** Ben Meyburg is hereby promoted to the position of Sewer Plant Operator II effective September 15, 2015 pursuant to the Collective Bargaining Agreement between the Village of Northport and Local 342 Long Island Public Service Employees.

On the motion of Trustee Tobin and seconded by Trustee Maline the following resolution was unanimously approved.

**RESOLUTION 2015- 148 ~ INTERMUNICIPAL COOPERATION AGREEMENT WITH THE TOWN OF HUNTINGTON.**

**BE IT RESOLVED:** The Mayor is hereby authorized to sign a Municipal Cooperation Agreement with between the Town of Huntington and the Incorporated Village of Northport to allow for joint provisions of certain highway services.

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

**RESOLUTION 2015- 149 ~ INTERMUNICIPAL COOPERATION AGREEMENT WITH THE VILLAGE OF ASHAROKEN.**

**BE IT RESOLVED:** The Mayor is hereby authorized to sign a Municipal Cooperation Agreement regarding E-Waste with the Village of Asharoken and the Incorporated Village of Northport.

On the motion of Trustee McMullen and seconded by Trustee Tobin the following resolution was unanimously approved.

**RESOLUTION 2015- 150 ~ APPOINTMENT OF POLICE LIEUTENANT**

**BE IT RESOLVED:** That the Village Board of Trustees hereby authorizes the appointment of Michael Cook to the position of Lieutenant in the Northport Police Department effective immediately, and

**BE IT FURTHER RESOLVED,** The Mayor is hereby authorized to sign a memorandum of agreement with the Northport Police Department PBA regarding said appointment.

The next regular meeting of the Board of Trustees will be on Tuesday, October 20, 2015 at 6:00 P.M

**A RESOLUTION FOR AN EXECUTIVE SESSION:** if necessary, for personnel and/or litigation matters.

Respectfully submitted,

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Donna M. Koch

Village Clerk