

**THE MINUTES
FOR THE OCTOBER 18th, 2016
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING
6:00 PM.**

Present: Mayor Doll, Trustees McMullen, Milligan and Tobin, Village Attorney Stuart Besen, Village Clerk Donna Koch, Village Administrator Tim Brojer Village Treasurer Len Marchese, Village Police Chief Bill Ricca Trustee Maline arrived at 6:25

ANNOUNCEMENTS: no announcements.

PRESENTATIONS: no presentations.

PUBLIC HEARINGS: #1

Mayor Doll asked the 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 18TH day of October 2016, to consider the following proposed local law:

**LOCAL LAW "E" of 2016
A LOCAL LAW TO AMEND Chapter 123
DOCKS, PIERS, BULKHEADS AND FLOATS
Section 123-2 Restrictions
OF CODE OF THE VILLAGE OF NORTHPORT**

C. In the event a vessel is disabled, the vessel may remain at such public dock or float for a period not to exceed twenty-four (24) hours with the permission of the Harbor Master or Chief of Police of the Village of Northport.

D. In addition to the penalties provided herein for a violation of any of the provisions of this article, the Harbor Master or the Northport Police Department, may cause a vessel which is tied or made fast to a public dock or float in excess of twenty-four (24) hours to be removed, stored and/or secured at the expense of the owner or person in charge of such vessel.

E. In the event a vessel is disabled and the owner of the vessel claims "Safe Harbor" status it shall be the discretion of the Harbor Master or Chief of Police to determine whether said vessel shall be permitted to remain at such public dock or float longer than the twenty four (24) hour period allowed under Section 123-2(D).

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

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

Trustee Milligan explained that this law is to clarify what the law allows under the term “safe harbor”. Safe Harbor means when a boat is in distress and wants to tie up to the dock, they’re allowed to do so, but we felt we needed some clarity on just what that would mean in regards to length of stay, payment of any fees? We spoke to the Harbor Master, Police Chief and looked at the Town of Huntington code.

Mayor Doll stated he had done some boating and felt this was a good law to have in our code.

Trustee Tobin felt this was a good balance to allow someone safe harbor without them taking advantage of the situation.

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

PUBLIC HEARING

#2

Mayor Doll asked the 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 18th day of October, 2016 to consider the following proposed local law:

Proposed Local Law “F” of the year 2016
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, 2017 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, 2017 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 Tobin and seconded by Trustee McMullen the public hearing was open;

Trustee Tobin explained the law; as under the tax cap law a municipality has to give itself permission to exceed the cap amount or else it is not allowed to. The Village has done this every year sometimes needing to use it sometimes not, but as a precautionary measure. We have not finished the budget yet and will keep to having the lowest increase possible. We will try to keep under the tax cap as best we can. It is prudent that we pass this and make sure our legal authority is in place should we need it. The second reason to do it under the law is even if we have budgeted and stayed under the cap, then we find for some reason we've miscalculated or new information comes about and we have to raise taxes we would not be able to.

Joe Sabia stated it seems all municipalities are exceeding the tax cap and somewhere it has to end. People are hurting out there. I consider myself an advocate to lower taxes. If the Village has to make cuts then make cuts. The roaster that laid the golden egg died. There a million ways to save money. Maybe Suffolk County could do our police dispatching. Ten thousand here then thousand there, it adds up.

Trustee Tobin stated he takes objection to Mr. Sabia saying we haven't tried to keep taxes down. The Village has stressed over amounts as low as \$300. We have gone over every line. We have kept the public hearing open to explore ideas. If you have specific ideas please mention them to the Treasure or myself.

Frank Cavagnaro said historically his Village taxes were half of the town's tax, now there are more like 75%. Mr. Cavagnaro felt the Village needs to get more money from the town for different items (parks, roads, beaches). I'm trying to keep this town (village) alive.

Mr. Sabia, asked what percent the Village put away for reserves. Trustee Tobin replied we usually don't budget for reserves except in two specific areas, one being the contingency for things that come up during the year and second is for covering liabilities such as tax grievances or law suits. If at the end of the year we haven't used up those lines we use that money to build up our reserves. Also there will be no refund from the state of New York for municipalities who stay under the tax cap.

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

PUBLIC PARTICIPATION: no one from the public spoke during public participation.

BOARD APPROVAL OF WARRANT:

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

Fiscal Year 2016/2017 General Fund bills in the amount of \$ 25,734.95

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

Fiscal Year 2016/2017 Sewer Fund bills in the amount of \$ 9,735.50

On the motion of Trustee Tobin and seconded by Trustee Maline the following bills were approved for payment.

Fiscal Year 2016/2017 Capital Fund bills in the amount of \$ 2,450.00

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

Fiscal Year 2016/2017 Fire Department bills in the amount of \$ 40,167.01

COMMISSIONER REPORTS: Trustee Maline reported we are working on next summer's employment making sure we have enough personnel to make sure it runs smoothly. Also the Village will be putting in some new park ground equipment. A new handicapped adaptable swing will be going down at Cow Harbor Park and new playground equipment will be going down at Scudder Park.

Trustee McMullen reported the sewer plant is running smoothly. They will be replacing the trough and clarifiers. There's a lot of custom welding that needs to take place. It needs to get done before winter settles in.

Trustee Tobin reported the Treasurer continues to work on the budget and reminded commissioners to talk to their department heads to discuss department needs.

Trustee Milligan reported the dockmasters and pumpout boat operators are done for the season. The Village will be doing some dock repairs to fix the cross bracing.

Mayor Doll reported highway work included helping with the repaving, the jet-vac has been out and they have been working on sidewalks.

CHIEF OF POLICE REPORT: Chief Ricca reported the Village as received the platinum award from Triple A. we are only one out of four municipalities in the state to receive this high award.

Also the department will be hosting another community meeting November 17, 2016. The meeting will be youth orientated as they are trying to attract more young people.

ADMINISTRATOR'S REPORT: Paving went very well, several streets including all of Reservoir Ave. and Steers Ave. and parts of Highland Ave. Lewis Rd. and Annetta Ave.

have been done.

TRESURER'S REPORT: Trustee Tobin said it all.

NEW BUSINESS: no new business.

OLD BUSINESS: no old business.

CORRESPONDENCE: no correspondence.

REQUESTS: no requests.

RESOLUTIONS:

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

RESOLUTION 2016- 157~ APPROVAL OF THE OCTOBER 4, 2016 MINUTES

WHEREAS: Copies of the minutes of the October 4, 2016, 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 Milligan and seconded by Trustee Tobin the following resolution was unanimously approved.

RESOLUTION 2016-158 ~ LOCAL LAW No. 6 OF 2016

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 18TH day of October 2016, to consider the following local law:

LOCAL LAW No. 6 of 2016
A LOCAL LAW TO AMEND Chapter 123
DOCKS, PIERS, BULKHEADS AND FLOATS
Section 123-2 Restrictions
OF CODE OF THE VILLAGE OF NORTHPORT

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

RESOLUTION 2016-159 ~ LOCAL LAW No. 7 OF 2016

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 18TH day of October 2016, to consider the following local law:

Proposed Local Law No. 7 of the year 2016
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

On the motion of Trustee Tobin and seconded by Trustee Maline with Mayor Doll recusing, the following resolution was approved.

RESOLUTION 2016-160 ~ SALARY INCREASE

BE IT RESOLVED: Jennifer Doll's salary is hereby increase to \$18.36/hr. not to exceed 17.5 hours a week.

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

RESOLUTION 2016 –161 ~ BUDGET TRANSFER

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

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

RESOLUTION 2016 –162 ~ BUDGET AMENDMENT

BE IT RESOLVED: The Village Board hereby approves amending the 2016 – 2017 Budget as follows:

A1990.0400 (-66,000.00) Contingency

A7180.0400 \$20,000.00 (Dock repair)

A7140.0200 \$21,000.00 (Park Equipment)

A1620.0409 \$25,000.00 (Building Repairs) and

BE IT FURTHER RESOLVED: the Village Treasurer is authorized to make all necessary accounting and budgetary adjustments.

The next regular meeting of the Board of Trustees will be on November 1, 2016 at 6:00 p.m.

On the motion of Trustee McMullen and seconded by Trustee Maline the Board moved into executive session 6:45 PM

On the motion of Trustee Tobin and seconded by Trustee Milligan the board moved out of executives session at 7:40.

Meeting adjourned: 7:45.

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

Respectfully submitted,

Donna M. Koch
Village Clerk

SCHEDULE A

**INC VILLAGE OF
NORTHPORT
Budget Transfers
10/18/2016**

AMOUNT	2016-2017 APPROPRIATION LINE FROM	APPROPRIATION LINE TO	AMOUNT
\$400.00	A.1110.0400.0001 VILLAGE JUSTICE TRIAL COSTS	A.1110.0200.0000 VILLAGE JUSTICE EQUIP.	\$400.00
\$100.00	A.1620.0409.0000 VILLAGE BUILDINGS MISC	A.1620..0409.0002 VILLAGE BLDGS PLANK HOUSE	\$100.00
\$300.00	A.3310.0401.000 TRAFFIC CONTROL UTIL	A.3310.0400.0000 TRAFFIC CONTROL EXPENS	\$300.00
\$1,000.00	A.3410.0425.0000 FD INSURANCE	A.3410.0418.0000 FD RESCUE SQUAD	\$1,000.00
\$1,175.00	A.5110.0420.0000 HIGHWAY AUTO INS	A.5110.0111.0000 HIGHWAY PT SALARIES	\$1,175.00
\$450.00	A.5110.0401.0000	A.5110.0111.0000	\$450.00

	HWY UTILITIES	HWY PT SALARIES	
\$200.00	A.7140.0111.0000 PARKS PT SALARIES	A.7140.0413.0000 PARKS BEACH EXPENS	\$200.00
\$800.00	A.7180.0111.0000 DOCK PT SALARIES	A.7180.0409.0000 DOCKS MISC	\$800.00
\$1,000.00	G.8130.0420.0000 SEWER AUTO INS	G.1650.0400.0000 SEWER TELEPHONE	\$1,000.00

