

**AGENDA
SEPT 21, 2021 – 6:00 PM.**

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

224 Main Street, Northport, NY 11768

OPEN MEETING:

SALUTE TO THE FLAG:

PROCLAMATION:

ANNOUNCEMENTS:

REQUESTS:

“Paws for a Cause” – Sunday, October 24, 2021 by Visiting Nurse Service

Village Tree removal – 51 Doris Ave Owners: Briana Rickman & Kathleen Gavin

CORRESPONDENCE:

PRESENTATION:

Presentation and report by Roland Buzard, Village Administrator regarding the conditions of 36 Douglas Avenue, Northport, NY pursuant to Village Code § 223 - Property Maintenance also known as unsightly buildings and § 114 - Unsafe Structure.

PUBLIC HEARING:

THE VILLAGE BOARD HEREBY PROPOSES THE FOLLOWING LOCAL LAW INTRODUCTORY “I” OF 2021 AMENDING CHAPTER 200 (NOISE) OF THE NORTHPORT VILLAGE AND ADDING SECTION 200-25 RESTRICTING THE USE OF GASOLINE -POWERED LEAF BLOWERS IN THE INCORPORATED VILLAGE OF NORTHPORT AND TO ESTABLISH REGULATIONS INCLUDING BUT NOT LIMITED TO LIMITING THE TIME AND USE OF THE GASOLINE-POWERED LEAF BLOWERS IN THE INCORPORATED VILLAGE OF NORTHPORT.

The Village Board hereby proposes the following Local Law Introductory "I" of 2021; as follows:

Chapter 200: NOISE

Section 200-25.

A. The Board of Trustees finds that noise emanating from certain conduct, activity or conditions related to the operation of gas-powered leaf blowers unreasonably annoys, disturbs, the comfort health, peace and safety of others within the Village of Northport and such activity shall be restricted as follows:

B. Use of gas-powered leaf blowers shall be restricted as follows:

1. The use and operation of gas-powered leaf blowers or diesel- powered leaf blowers shall be prohibited between the dates of June 15 to September 15.

(i) For purposes of this section a gasoline or diesel leaf blower shall be defined as any device which is used, designed, or operated to produce a current of air for the purpose of pushing, propelling, or blowing leaves, dirt, gardening and grass clippings and cuttings, refuse or debris.

C. Gas and diesel-powered leaf blowers may be used from September 16 until June 14 but no earlier than 8:00 a.m. and or later than 6:00 p.m., prevailing time, on any weekday, and no earlier than 9:00 a.m. or later than 5:00 p.m. on Saturdays and Sundays and Federal and State holidays.

(i) Notwithstanding the above, a gas or diesel powered leaf blower device may be used by governmental entities on public land; or

(ii) when responding to an emergency or clean-up after a major storm when the Mayor has declared a state of emergency.

(iii) Notwithstanding the above it shall be prohibited for commercial landscapers performing landscaping services to operate and use any gas powered or diesel-powered leaf blower on Sundays and Federal and State holidays before noon or after 5:00 p.m. on Saturdays.

D. Both the owner and operator undertaking, using or causing the conduct, activity or conditions related to the use and operation of a gas- or diesel-powered leaf blower as herein provided shall be deemed to be in violation of the chapter and section. Property owners who cause, permit, or allow a person to engage in such conduct of operating a gas- or diesel-powered leaf blower to occur on his/her property, with or without direct knowledge shall also be deemed to be in violation of this chapter and section.

E. No gasoline or diesel-powered leaf blower may be used unless it meets the current Environmental Protection Agency (EPA) exhaust standards and is operated and maintained in accordance with manufacturer's instructions and specifications.

F. Penalties of an offense of this section shall be governed by Section 200-22 of this chapter.

G. The proposed local law is enacted pursuant to Section 4-412 of the New York State Village Law, as well as Municipal Home Rule Law Sections 10(1)(i) and 10(1)(ii)(a)(1).

H. If any section or subsection, paragraph, clause, phrase or provision of law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

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

BOARD APPROVAL OF WARRANTS:

Fiscal Year 2021/2022 General Fund bills in the amount of \$ 215,898.03
Fiscal Year 2021/2022 Sewer Fund Bills in the amount of \$133,702.14
Fiscal Year 2021/2022 Fire Department Bills in the amount of \$44,261.17
Fiscal Year 2021/2022 Trust Fund Bills in the amount of \$8,125.18
Fiscal Year 2021/2022 Payroll Week (09/10/21) General Fund \$340,885.36
Fiscal Year 2021/2022 Payroll Week (09/10/21) Sewer Fund \$14,513.97

BUSINESS/COMMISSIONERS REPORTS:

TREASURER REPORT:

CHIEF OF POLICE REPORT:

NOTICES:

RESOLUTIONS:

RESOLUTION: 2021 - 210 ~ APPROVAL OF THE MINUTES

BE IT RESOLVED: The minutes of the September 7th, 2021 meeting are hereby accepted.

RESOLUTION 2021 – 211 ~ AUTHORIZING APPROPRIATE ACTION(S) IN ACCORDANCE WITH NORTHPORT VILLAGE CODE § 223 - PROPERTY

MAINTENANCE ALSO KNOWN AS UNSIGHTLY BUILDINGS AND § 114 - UNSAFE STRUCTURE ACTION BY THE VILLAGE OF NORTHPORT FOR EMERGENCY WORK FOR THE SAFETY OF THE PUBLIC

WHEREAS, on June 10th, 2021 the Village of Northport conducted an inspection of the property at 36 Douglas Ave. which was determined to be overgrown with weeds, grasses and various plant vegetation. There are openings at the ground floor level that are allowing rodents to gain access into the dwelling. The detached garage is leaning.

WHEREAS: the Village Board wishes to authorize certain actions to protect the health and safety of the residents and neighbors of 36 Douglas Ave;

WHEREAS, the Village Board of the Village of Northport hereby invokes its authority under Village code § 223 and § 114 and will undertake clean-up of said property and take all steps necessary to protect the health and safety of the residents;

WHEREAS, the property owner Edward Morgenstern had been duly by the Village of Northport building department official of the hearing scheduled for September 21st, 2021;

WHEREAS, the authorization of the action to is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(42) and, therefore, no further SEQRA review is required.

BE IT RESOLVED: The Village Board of Trustees directs the Building Department officials to undertake any and all steps necessary to clean up said property and to protect the health and safety of the residents;

BE IT FURTHER RESOLVED: the Village Building Department Official is to provide notice to the property Owner Edward Morgenstern in accordance with Village code section § 223 and § 114;

BE IT FURTHER RESOLVED: If the Village is not reimbursed for the expense of the clean-up, the cost of said repairs accrued by the Village will be assessed to the Northport Village property tax roll as per Village Code § 223-6.

RESOLUTION 2021 – 212 ~ TRANSFER OF EMPLOYEE

WHEREAS: Ryan Kennedy was hired in June 2021 (Res. 2021-149) as a seasonal Highway seasonal highway employee and fulfilled the duties of that position in a satisfactory manner,

WHEREAS: Ryan Kennedy was interviewed by the Fire Department and determined to meet the qualifications necessary of a part time houseman;

WHEREAS: the Village Board of Trustees has determined that this employment action is a type II action pursuant to 6 NYCRR part 617.5 (c) 26 and not subject to any further action under SEQRA;

BE IT RESOLVED: Ryan Kennedy is hereby transferred to the position of part-time Houseman for the Fire Department of the Incorporated Village of Northport, and will work no more than 17.5 hours a week at a rate of pay of \$18.45 per hour.

RESOLUTION 2021 -213 ~ AUDITING FIRM

BE IT RESOLVED: The firm of Nawrocki Smith is hereby retained to assist the Village

in the year ending 2021 audit in an amount not to exceed \$32,000.00

RESOLUTION 2021 - 214 ~ APPROPRIATE FUND BALANCE

BE IT RESOLVED: The Village Board of Trustees hereby authorizes the Village Treasurer to appropriate fund balance in the amount of \$24,500.00 to fund the engineering study of the Village Dock approved in resolution 2021-166 at the June 15th, 2021 meeting

RESOLUTION 2021 - 215 ~ BUDGET TRANSFERS

BE IT RESOLVED: The Village Board of Trustees hereby authorizes various budget transfers per schedule A, which is annexed to this agenda and incorporated herein.

RESOLUTION: 2021 – 216 ~ PLAYGROUND EQUIPMENT PURCHASE

BE IT RESOLVED: The Village Board hereby authorizes the purchase and installation of new playground equipment for Scudder Park from American Recreational Products, estimate #18503, as per the Town of Islip purchasing contract #419.52 in an amount not to exceed \$26,988.48.

BE IT FURTHER RESOLVED: The Village Board hereby authorizes the Village Treasurer to appropriate fund balance in the same amount and make any and all transfers necessary to fund this purchase.

BE IT FURTHER RESOLVED: this is a type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(31), and, therefore, no further SEQRA review is required.

RESOLUTION: 2021 – 217 ~ PLAYGROUND EQUIPMENT PURCHASE

BE IT RESOLVED: The Village Board hereby authorizes the purchase and installation of new playground equipment for Soper Park from American Recreational Products, estimate #18366, as per the Town of Islip purchasing contract #419.52 in an amount not to exceed \$15,697.44.

BE IT FURTHER RESOLVED: The Village Board hereby authorizes the Village Treasurer to appropriate fund balance in the same amount and make any and all transfers necessary to fund this purchase.

BE IT FURTHER RESOLVED: this is a type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(31), and, therefore, no further SEQRA review is required.

RESOLUTION: 2021 – 218 ~ PLAYGROUND EQUIPMENT PURCHASE

BE IT RESOLVED: The Village Board hereby authorizes the purchase and installation of new playground equipment for Village Park from American Recreational Products, estimate #18504, as per the Town of Islip purchasing contract #419.52 in an amount not to exceed \$7178.40.

BE IT FURTHER RESOLVED: The Village Board hereby authorizes the Village Treasurer to appropriate fund balance in the same amount and make any and all transfers necessary to fund this purchase.

BE IT FURTHER RESOLVED: this is a type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(31), and, therefore, no further SEQRA review is required.

RESOLUTION: 2021 – 219 ~ ROAD WORK

BE IT RESOLVED: The Village Board hereby authorizes the installation of new concrete curb at the corner of Main Street and Route 25A by Laser Industries, quote #Q091521-SD7, as per the Suffolk County purchasing contract #ADA-090519-A2 in the amount of \$8,478.68.

BE IT FURTHER RESOLVED: The Village Board hereby authorizes payment out of CHIPS funding appropriation and authorizes the Village Treasurer to make any and all transfers necessary

BE IT FURTHER RESOLVED: this is a type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(5), and, therefore, no further SEQRA review is required.

RESOLUTION: 2021 – 220 ~ ROAD WORK

BE IT RESOLVED: The Village Board hereby authorizes the installation of new concrete curb on Norwood Avenue, from Sea Cove Road to #109 Norwood Avenue, by Laser Industries, quote #Q091521-SD9, as per the Suffolk County purchasing contract #ADA-090519-A2 in the amount of \$40,638.60.

BE IT FURTHER RESOLVED: The Village Board hereby authorizes payment out of CHIPS funding appropriation and authorizes the Village Treasurer to make any and all transfers necessary

BE IT FURTHER RESOLVED: this is a type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(5), and, therefore, no further SEQRA review is required.

RESOLUTION: 2021 – 221 ~ ROAD WORK

BE IT RESOLVED: The Village Board hereby authorizes the installation of new concrete curb on Cherry Street, at the corner of Route 25A, by Laser Industries, quote #Q091521-SD8, as per the Suffolk County purchasing contract #ADA-090519-A2 in the amount of \$5,906.40.

BE IT FURTHER RESOLVED: The Village Board hereby authorizes payment out of CHIPS funding appropriation and authorizes the Village Treasurer to make any and all transfers necessary

BE IT FURTHER RESOLVED: this is a type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(5), and, therefore, no further SEQRA review is required.

RESOLUTION: 2021 – 222 ~ ROAD WORK

BE IT RESOLVED: The Village Board hereby authorizes the installation of new concrete sidewalk, curb and apron on Norwood Avenue by Laser Industries, quote #Q091521-SD5, as per the Suffolk County purchasing contract #ADA-090519-A2 in the amount of \$48,545.90.

BE IT FURTHER RESOLVED: The Village Board hereby authorizes payment out of CHIPS funding appropriation and authorizes the Village Treasurer to make any and all transfers necessary

BE IT FURTHER RESOLVED: this is a type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(5), and, therefore, no further SEQRA review is required.

RESOLUTION 2021 - 223 ~ REFERRAL OF APPLICATION FOR 139 WOODBINE AVE MARINE STRUCTURE PER CHAPTER 124 - MARINE CONSERVATION AND REGULATION OF MARINE STRUCTURES AMENDMENT

WHEREAS: Stephen Tyrer of 139 Woodbine Avenue, has filed an application to construct a 137-foot-long fixed pier with a square footage of 544, and

WHEREAS: The Village of Northport's Code section §124-4(A)(1) permits a fixed pier to a distance not to exceed 100 feet, and square footage not to exceed 400 square feet, and

WHEREAS: The Village of Northport's Code section §124-4(A)(4)(i) allows either the Northport Village Board of Trustees to hear the application, or that the Board of Trustees can refer the application to the Northport Village Zoning Board, therefore

BE IT RESOLVED: As per Village of Northport's Code section §124-4(A)(4)(i), the Northport Village Board of Trustees hereby refers the application of Stephen Tyrer of 139 Woodbine Avenue, to construct a 137-foot-long fixed pier with a square footage of 544, to the Northport Village Zoning Board.

BE IT FURTHER RESOLVED: this 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.

PUBLIC PARTICIPATION:

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

The next meeting of the Board of Trustees will be October 5th, 2021 at 6:00 PM.

Respectfully submitted,
Amy Grandy
Village Clerk