

AGENDA
May 4th, 2021 – 6:00 PM.

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

American Legion Hall – 7 Woodside Ave, Northport, NY 11768

Also available VIA VIRTUAL ZOOM CONFERENCE: Register in advance for this meeting:

[Board of Trustees Zoom Meeting](#)

After registering, you will receive a confirmation email containing information about joining the meeting.

OPEN MEETING:

SALUTE TO THE FLAG:

PROCLAMATION:

ANNOUNCEMENTS:

PRESENTATIONS: NEW YORK POWER AUTHORITY – Smart Street Lighting

BOARD APPROVAL OF WARRANT:

Fiscal Year 2021/2022 General Fund bills in the amount of \$100,987.46

Fiscal Year 2021/2022 Sewer Fund Bills in the amount of \$15,308.75

Fiscal Year 2021/2021 Payroll Week (04/23/21) General Fund \$235,734.47

Fiscal Year 2020/2021 Payroll Week (04/23/21) Sewer Fund \$14,483.31

PUBLIC HEARINGS:

WHEREAS, the Village Board of Trustees shall hold a public hearing to consider adopting Local Law Introductory No. B-2021 to consider creating a Northport Village Code Provision concerning the ownership responsibilities of owners of various birds including but not limited to pigeons, duck, chickens and other birds, and

BE IT RESOLVED: THE VILLAGE BOARD HEREBY PROPOSES THE FOLLOWING LOCAL LAW Introductory No. B-2021; as follows:

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 annoys, disturbs, injures or endangers or tends to annoy, disturb, injure or endanger 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, 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 foot, so as not to endanger the public health and safety.
- (4) Feed must be stored in metal containers and securely covered with metal covers. Refuse shall be kept in metal containers with metal 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. Any second violation of this Statute within a five year period of time shall be subject to a fine of Five Hundred Dollars.

BUSINESS/COMMISSIONERS REPORTS:

TREASURER REPORT:

CHIEF OF POLICE REPORT:

CORRESPONDENCE:

REQUESTS:

NOTICES:

RESOLUTIONS:

RESOLUTION: 2021 – 119 ~ APPROVAL OF THE MINUTES

BE IT RESOLVED: The minutes of the April 20th, 2021 meeting are hereby accepted.

RESOLUTION 2021 – 120 ~ AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH NEW YORK POWER AUTHORITY TO UPGRADE VILLAGE STREET LIGHTS

WHEREAS: the New York Power Authority. (NYPA) has proposed a total replacement project of the Villages street lights, and whereas

WHEREAS: The existing outdate lights waste energy and are extremely inefficient, and whereas,

WHEREAS: NYPA has extensive experience in managing, financing and installing these updated LED lighting systems, and whereas,

WHEREAS: The proposal shall be financed by NYPA with a payback period of 6.64 years, and there after save the Village approximately \$43,000 annually, now therefore

WHERE AS authorizing the execution of an agreement is a type II action pursuant to 6 NYCRR Section 617.5 (c) 2 (c) 3 and is not subject to any further action under SEQRA;

BE IT RESOLVED: that the Village Mayor, and or Treasurer are authorized to execute the authorization to proceed, the master cost recovery agreement, and any other documents necessary to proceed with the upgrade to the Village's street lights in an amount not to exceed \$300,000.

RESOLUTION: 2021 – 121 ~ AUTHORIZING THE MAYOR TO EXECUTE A HOLD HARMLESS and INDEMNIFICATION AGREEMENT WITH THE TOWN OF HUNTINGTON FOR USE OF THE “A” DOCK AT WOODBINE MARINA

WHEREAS, the TOWN of Huntington owns, maintains and operates the Woodbine Marina, located at 161-163 Woodbine Avenue, Northport, New York 11768; and

WHEREAS, NORTHPORT has requested permission to utilize slips at the “A” dock at Woodbine Marina to dock their pump out boat, fire boat, police boat, and sewer treatment boat during the period of May 1, 2021 through October 1, 2021; and

WHEREAS, permission to utilize the slips at “A” dock at Woodbine Marina is contingent upon the execution of a Hold Harmless and Indemnification Agreement.

WHERE AS authorizing the execution of an agreement is a type II action pursuant to 6 NYCRR Section 617.5 (c) 26 (c) 32 and is not subject to any further action under SEQRA;

BE IT RESOLVED: The Northport Village Board hereby authorizes the Mayor to execute said agreement with the Town of Huntington Subject to attorney review for form and content.

RESOLUTION: 2021 – 122 ~ AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY FOR THE VILLAGE OF NORTHPORT SHELLFISH ENHANCEMENT AND AQUACULTURE PROGRAM

WHEREAS, the Village of Northport is desirous to enter into a professional service contract to operate a shellfish enhancement, restoration and management program. Cornell Cooperative Extension of Suffolk County, which is a quasi-government organization as defined by County Law 224, will provide high school interns, supervision, shellfish seed, equipment and technical support to the Northport Village oyster FLUPSY and aquaculture program;

WHEREAS, Cornell Cooperative Extension of Suffolk County possess the qualifications

and specialized skills training and expertise that are required to perform this professional service agreement; and

WHEREAS, the execution of a professional service agreement for the Village of Northport shellfish enhancement program is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c) (18) and (21), and therefore no further SEQRA review is required.

BE IT RESOLVED: The Northport Village Board hereby authorizes the Mayor to execute a professional services Agreement for one year with Cornell Cooperative Extension of Suffolk County at a cost not to exceed \$35,000.00 and for the costs of equipment for the construction of the FLUPSY dock not to exceed \$10,000.00 and authorizes the treasurer to make all appropriations for the purpose of funding the Shellfish Enhancement and Aquaculture program and the agreement is subject to attorney review for form and content.

RESOLUTION 2021- 123 ~ LOCAL SHARE FUNDING FOR FEDERAL GRANT FUNDING SUBMISSION

WHEREAS: The Village of Northport applied for \$1,392,000 from the US House of Representatives Committee on Transportation and Infrastructure in Federal Grant funds for remediating subwatershed stormwater volume on Main Street; and

WHEREAS: The Federal fund source requires a local 20% match by the Village of Northport; and

WHERE AS the grant requires a commitment and willingness to procure the local matching fund,

WHERE AS authorizing the execution of an agreement is a type II action pursuant to 6 NYCRR Section 617.5 (c) 24 and is not subject to any further action under SEQRA;

BE IT RESOLVED: The Village Treasurer is hereby authorized to allocate up to and not to exceed \$400,000 for funding to match the grant applied for and its desire to move forward with the project and the ability for the funding to be obligated within the time period set forth in the provisions of the grant.

RESOLUTION 2021 – 124 ~ SEASONAL HIRING

BE IT RESOLVED: Mara Nolan is hereby hired for the seasonal position of Beach Supervisor for the Incorporated Village of Northport.

BE IT FURTHER RESOLVED: Mara Nolan will work no more than 40 hours a week at a rate of pay of \$17.00 per hour.

RESOLUTION 2021 – 125 ~ SEASONAL HIRING

BE IT RESOLVED: Allison Teepee is hereby hired for the seasonal position of Assistant Beach Supervisor for the Incorporated Village of Northport.

BE IT FURTHER RESOLVED: Allison Teepee will work no more than 40 hours a week at a rate of pay of \$15.00 per hour.

RESOLUTION 2021 – 126 ~ SEASONAL HIRING

BE IT RESOLVED: Julianne Hayes is hereby hired to assist in the training of the beach supervisory team and set up of facilities for the Incorporated Village of Northport.

BE IT FURTHER RESOLVED: Julianne Hayes will work no more than 20 hours at a rate of pay of \$16.00 per hour.

RESOLUTION 2021 – 127 ~ TO SCHEDULE A PUBLIC HEARING TO CONSIDER LOCAL LAW INTRODUCTORY NO. 2021-C CREATING A LAW WITH REGARD TO DRIVE THROUGH FACILITIES

PLEASE TAKE NOTICE: that a Public Hearing of the Village of Northport Board of Trustees will be held on the 18TH day of May, 2021 at 6:00 p.m. at American Legion Hall at 7 Woodside Ave, Northport, NY 11768 to consider adopting Local Law Introductory No. **2021-C** to consider amending section 306-39 of the Village Code to permit drive through facilities in limited locations, and

The public hearing will also be available via ZOOM and can be accessed through [Link TBA](#)

Please register in advance for this meeting, after registering, you will receive a confirmation email containing information about joining the meeting.

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 hereby schedules a public hearing on May 18th, 2021 at 6pm to consider adopting Village Law article 306-39(h) modified as follows:

306-39(h) Drive through facilities

~~(1) Drive through facilities shall be permitted only in the Highway Business District~~

(1) Drive through facilities shall be permitted only in the Highway Business district on parcels that are fronting on a state highway on a parcel of land in excess of one half acre and cannot be adjoining any residentially zoned or used property and upon a finding by the Planning Board that the general standards for the issuance of a special permit as set forth in Northport Village Code section 306-39(B)(1) have been met.

Applications for special use permits for drive through facilities shall be made to the Planning Board which shall have jurisdiction to issue special use permits for drive through facilities by applying the standards set forth in section 306-39(B)1

~~(2) Drive through facilities shall not be permitted for restaurants or food shops (see 306-5-Definitions Food shop with limited service restaurant) of any kind~~

~~(3)~~ (2) A traffic impact study must be provided, including accident data for all roads and streets where an access connection will be located. The study shall demonstrate that:

- (a) All streets and intersections to be impacted by the project shall have the same level of service or better than predevelopment conditions.
- (b) All vehicle stacking for the proposed drive through facility will be contained completely on site at all times.
- (c) All customer transactions in the drive through lane shall be accomplished in six minutes or less from the time of ingress to the time of egress.

~~(4)~~ (3) Drive through facilities shall have one stacking lane only, unless the applicant can demonstrate a need for a second lane to facilitate traffic flow. No more than two stacking lanes shall be permitted.

~~(5)~~ (4) Any outdoor service facilities including but not limited stacking lanes and transaction windows shall be a minimum of seventy five feet from the property line of residential uses
not be adjoining residentially used or zoned property.

The balance of this statute items (h) 6-16 shall be renumbered 5-15 and shall remain unchanged.

RESOLUTION 2021 – 128 ~ TO SCHEDULE A PUBLIC HEARING TO CONSIDER LOCAL LAW INTRODUCTORY NO. 2021-D AMENDING SECTION 306.13 OF THE VILLAGE CODE WITH REGARD TO THE ESTABLISHMENT OF DRIVE THROUGH FACILITIES

PLEASE TAKE NOTICE: that a Public Hearing of the Village of Northport Board of Trustees will be held on the 18th day of May, 2021 at 6:00 p.m. at American Legion Hall - 7 Woodside Ave, Northport, NY 11768 to consider adopting Local Law Introductory No. 2021-D to consider amending Northport Village Code Section 306.13 regarding the establishment of locations for drive through facilities in the Village of Northport.

The public hearing will also be available via ZOOM and can be accessed through
[Link TBA](#)

Please register in advance for this meeting, after registering, you will receive a confirmation email containing information about joining the meeting.

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 hereby schedules a public hearing on May 18th, 2021 at 6pm to consider adopting Village Law Section 306-13 A (10) as follows:

Proposed Local Law to add to Local Law 306-13 A (10) Drive Through Facilities

306-13 Highway Business District.

A. Permitted uses. In the Highway Business District, lands shall be used and buildings shall be erected, altered and used only for the following purposes:

- (1) Any use permitted in the Central Business A District, § 306-11.
- (2) Place of business of a tradesman, such as a builder, cabinetmaker, carpenter, contractor, painter, electrician, mason, plumber, plasterer, printer, roofer or tinsmith.
- (3) Motor vehicle salesroom.
- (4) Business or public garage, automobile service or filling station, automobile repair shop or automobile body shop, provided that a permit is first obtained from the Board of Zoning Appeals under the provisions of § 306-39B hereof.
- (5) Wholesale business, including lumber and other building products for retail and wholesale, provided that a permit is first obtained from the Board of Zoning Appeals pursuant to § 306-39B hereof.
- (6) Storage or warehousing of materials, provided that a permit has first been obtained from the Board of Zoning Appeals pursuant to § 306-39B hereof.
- (7) Light industry of a type and nature approved by and subject to conditions required by the Board of Zoning Appeals and for which a permit has been issued pursuant to § 306-39B.
- (8) Boat sales, marine sales, boat rental and boat repairs, provided that a permit has first been obtained from the Board of Zoning Appeals pursuant to § 306-39B (1) hereof.
- (9) Place of entertainment, such as an indoor motion-picture theater, bowling alley, roller- or ice-skating rink, but not including nightclubs or dance halls, provided that a permit is first obtained from the Board of Zoning Appeals pursuant to § 306-39B (1) hereof.

(10) Applications for the establishment of drive through facilities shall require a Special Use Permit to be issued pursuant to conditions set forth in section 306-39 of the Village Code and shall be referred to the Planning Board for review. Drive through facilities which may include a restaurant, shall be permitted only in the Highway Business district where the property is fronting on a state roadway on a parcel of land of at least one half acre in size and which is not adjoining to a residentially zoned or used property, upon a finding by the Planning Board that the general standards for the issuance of a of a special use permit as

set forth in Village code section 306-39B(l) (b) have been met.

RESOLUTION 2021 – 129 ~ TO SCHEDULE A PUBLIC HEARING TO CONSIDER LOCAL LAW INTRODUCTORY NO. 2021-E AMENDING VILLAGE CODE SECTION 247-2 (B) REGARDING SITE PLAN REVIEW OF DRIVE THRU FACILITIES

PLEASE TAKE NOTICE: that a Public Hearing of the Village of Northport Board of Trustees will be held on the 18TH day of May, 2021 at 6:00 p.m. at American Legion Hall - 7 Woodside Ave, Northport, NY 11768 to consider adopting Local Law Introductory No. 2021-E regarding site plan review of drive through facilities in the Village of Northport.

The public hearing will also be available via ZOOM and can be accessed through [Link TBA](#)

Please register in advance for this meeting, after registering, you will receive a confirmation email containing information about joining the meeting.

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 hereby schedules a public hearing on May 18th, 2021 at 6pm to consider adopting Village Law Section Introductory NO. 2021-E as follows:

Proposed Local Law to add to Local Law Section 247-2 (B) (4)

247-2 Objectives

In considering and acting upon site development plans, the Planning Board shall take into consideration the public health, safety and welfare and the comfort and convenience of the public in general and the residents of the immediate neighborhood in particular. The Planning Board may prescribe appropriate conditions and safeguards as may be required in order that the result of it's action may, to the maximum extent possible, further the expressed intent of chapter 306, zoning, of the Village of Northport and chapter 219, Planning Board Article IV, of the code of the Village of Northport and the accomplishment of the following objectives in particular:

A. Traffic access,

- (1) All proposed traffic access drives are adequate but not excessive in number
- (2) Traffic access is adequate in width, grade alignment and visibility.
- (3) Traffic access is not located too near street corners or places of public assembly.

(4) Access points are spaced and situated to avoid conflict.

(5) Traffic flow into and out of access points is controlled and clearly marked.

B. Vehicular circulation and parking.

(1) Off street parking and loading spaces are provided that are adequate in size and quantity.

(2) The number of parking and loading spaces provided is sufficient, but not excessive, for the use of uses(s) on the site. Opportunities for shared parking are factored into assessments for parking needs.

(3) The interior circulation system is adequate to provide safe accessibility to all required off street parking.

247 (B) (4) Required loading zones and loading areas shall not utilize any area designated as a driveway, an aisle way, parking stall or walkway and shall be designed to adequately protect nearby parking stalls during vehicle maneuvering, and shall be physically separate from off-street parking stalls, parking lot aisles, vehicular stacking or drive-through lanes, and driveways to prevent conflicts with internal vehicular maneuverability as determined necessary and at the discretion of the reviewing agency. Where a loading space is not required by the Zoning Code, the Planning Board may require an unmarked loading space to be shown on the site plan. Any expected delivery trucks must be able to fit and maneuver into the unmarked space and must not need to back into or out of the property from/to the street. Unmarked spaces may block dumpsters or parking spaces, but cannot block handicapped parking spaces or site entranceways. Where the site development incorporates a drive-in facility, queuing or stacking lanes no less than twelve (12) feet in width (typical of that required for minimum one-way driveway circulation) for queued vehicles shall be provided. The minimum number of vehicles stacked shall be eight (8) vehicles for one drive-in facility and five (5) additional vehicles for each additional drive-in facility. The reviewing agency may permit a lesser number of stacked vehicles if determined reasonable for the use proposed only upon receipt of a stacking study for the same use or a use similar in character to that proposed. Each vehicular stall within the stacking lane shall have a dimension of no less than nine (9) feet wide by twenty (20) feet in length and shall be oriented through practical vehicular turning radii to fit within the confines of the stacking lane width. The vehicle one-way stacking lanes shall be separate from and shall not interfere with parking stalls, parking and driveway aisles, and loading spaces through installation of a physical separation barrier. The stacking lanes shall not cause any hazard or congestion to occur on a public street or highway or restrict ingress, egress or parking.

PUBLIC PARTICIPATION:

The next meeting of the Board of Trustees will be May 18th, 2021 at 6:00 PM.

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

Respectfully submitted,
Amy Grandy
Village Clerk