

AGENDA
APRIL 6, 2021 – 6:00 PM.
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
ANNUAL ORGANIZATIONAL MEETING

Register in advance for this meeting:

[Board of Trustees Organizational Zoom Meeting](#)

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

OPEN MEETING:

SALUTE TO THE FLAG:

OATH ADMINISTRATION:

ANNOUNCEMENTS:

PRESENTATIONS:

PUBLIC HEARINGS:

BOARD APPROVAL OF WARRANTS:

Fiscal Year 2021/2022 General Fund bills in the amount of \$163,194.08

Fiscal Year 2021/2022 Sewer Fund bills in the amount of \$10,850.54

Fiscal Year 2020/2021 Payroll Week (03/26//21) General Fund \$351,985.21

Fiscal Year 2020/2021 Payroll Week (03/26/21) Sewer Fund \$14,724.30

BUSINESS/COMMISSIONER REPORTS:

TREASURER REPORT:

CHIEF OF POLICE REPORT:

CORRESPONDENCE:

Email regarding Blessing of the Fleet

Email regarding Memorial Day parade

REQUESTS:

NOTICES:

RESOLUTIONS:

RESOLUTION 2021- 61~ APPROVAL OF THE March 17, 2021

WHEREAS: minutes of the March 17, 2021 Board meeting are hereby accepted.

RESOLUTION 2021-62 ~ APPOINTMENT OF DEPUTY MAYOR

BE IT RESOLVED: Ian Milligan is hereby appointed Deputy Mayor.

RESOLUTION 2021- 63 ~ COMMISSIONER APPOINTMENTS

BE IT RESOLVED: That the Board of Trustees hereby approves the following designations of Commissioners as appointed by the Mayor:

- Commissioner of Commerce – Trustee Kehoe
- Commissioner of Finance – Mayor McMullen
- Commissioner of Information Technology ~ Trustee Smith
- Commissioner of Public Works and Highways – Trustee Weber
- Commissioner of Parks ~ Trustee Smith
- Commissioner of Docks & Waterways - Trustee Milligan
- Commissioner of Personnel – Trustee Milligan
- Commissioner of Police –Trustee Milligan
- Commissioner of Sanitation – Trustee Smith
- Commissioner of Waste Water Treatment ~ Trustee Weber

RESOLUTION 2021 – 64 ~ SEXUAL HARASSMENT COMMITTEE

BE IT RESOLVED: That the Board of Trustees hereby approves the appointment of the following individuals to the Village’s Sexual Harassment Committee:

1. Trustee Milligan
2. Trustee Smith

RESOLUTION 2021 – 65 ~ APPOINTMENT OF VILLAGE ATTORNEY

BE IT RESOLVED, that the firm of Milber, Makris, Plousadis and Seiden, LLP is hereby appointed General Legal Counsel to the Village for a term to begin on April 7, 2021 and end on April 5, 2022, and that Stuart Besen, Partner in said firm, is hereby

designated as Village Attorney for said term, at the monthly rate of \$5,833.00, together with reimbursement of all out of pocket expenses incurred on behalf of the village. Mr. Besen is also hereby authorized to prosecute violations of the Village Code and local laws in Village Justice Court. Mr. Besen agrees that the retainer shall include all services on behalf of the Village excepting only litigated matters where Milber Makris Plousadis & Seiden, LLP appears as the attorney of record and for such matters he shall be compensated at a rate of one hundred fifty dollars (\$150) per hour, and for matters of overhauling and drafting new and amended provisions of the Northport Village Code at a sum of one hundred fifty dollars (\$150) per hour not to exceed \$20,000.00, all pursuant to a retainer agreement to be executed by the Mayor and filed with the Village Clerk. Mr. Besen shall not be entitled to such additional hourly compensation for work performed as Assistant Village Attorney relating to court appearances in Village Justice Court, and shall be paid the flat rate of \$500 for each court appearance, with no further compensation for such court appearance and provided that only one Assistant Village Attorney may be compensated for each court appearance in Village Justice Court.

RESOLUTION 2021 - 66 ~ APPOINTMENT OF ASSISTANT VILLAGE ATTORNEY

BE IT RESOLVED: That the firm of Gathman & Bennett is hereby appointed as legal counsel to the Village for a term to begin on April 7, 2021 and end on April 5, 2022, at a rate of \$4167.00 per month with the reimbursement of all out of pocket expenses incurred on behalf of the Village and that J. Edward Gathman, a partner of said firm, is hereby designated as Assistant Village Attorney. As Assistant Village Attorney, Ed Gathman shall act as (i) counsel to the Planning Board; and (ii) is hereby appointed Village Prosecutor and authorized to prosecute violations of the Village Code and (iii) Counsel to the Zoning Board and Board of Architectural and Historic Review. Gathman & Bennett shall, except as otherwise set forth herein, be additionally compensated for litigation matters or other proceedings where such firm becomes the attorney of record, and other matters, as designated by the Mayor or the Village Attorney, all at a rate of one hundred fifty dollars (\$150) per hour, and for matters of overhauling and drafting new and amended provisions of the Northport Village Code at a sum of one hundred fifty dollars (\$150) per hour not to exceed \$20,000.00, pursuant to a retainer agreement to be executed by the Mayor and filed with the Village Clerk; provided however, that notwithstanding anything to the contrary contained herein, Gathman & Bennett shall not be entitled to such additional hourly compensation for work performed as Assistant Village Attorney relating to court appearances in Village Justice Court.

RESOLUTION 2021 – 67 ~ APPOINTMENT OF VILLAGE PROSECUTOR

BE IT RESOLVED: That Edward Gathman is hereby appointed as Assistant Village Attorney for a term to begin on April 7, 2021 and end on April 5, 2022, unless

sooner terminated by written notice at the direction of the Mayor or Board of Trustees and is hereby authorized to prosecute violations of the Village Code and local laws in Village Justice Court.

RESOLUTION 2021 – 68 ~ APPOINTMENT OF TAX CERTIORARI COUNSEL

BE IT RESOLVED: That the law firm of Peter D. Johnson, Esq. is retained as outside counsel for tax certiorari matters for a term to begin on April 7, 2021 and end on April 5, 2022, at the rate of \$175 per hour with reimbursement of all out of pocket expenses incurred on behalf of the village not to exceed \$10,000.00.

RESOLUTION 2021- 69 ~ APPOINTMENTS

BE IT RESOLVED: The following appointments proposed by the Mayor are hereby approved pursuant to the Village Law. All appointments will expire in April of 2022:

Village Registrar - Amy Grandy	1 year
Deputy Village Registrar - Georgina Cavagnaro	1 year
Acting Village Justice - Ralph Crafa	1 year
Secretary to the Planning Board - Joy Nygren	1 year
Secretary to the Zoning Board - Georgina Cavagnaro	1 year
Secretary to the Board of Architectural and Historic Review - Grace Tierney	1 year
Secretary to the Board of Fire Commissioners - Janet Price	1 year
Village Assessor - Richard Leonard	1 year
Fire Marshal - John Gallo	1 year
Senior Harbormaster - Anthony Graziano	1 year
Harbormaster - Nick Volpe	1 year
Harbormaster – Russell Bostock	1 year
Village Historian - Steven King	1 year

RESOLUTION 2021 - 70 ~ ADDITIONAL APPOINTMENTS

BE IT RESOLVED: The following appointment proposed by the Mayor are hereby approved pursuant to the Village Law:

Board of Fire Commissioners (3-year term)

1. Jim Hall (Term to expire 2024)

Board of Zoning Appeals (5-year term)

1. Arlene Handel (Term to expire in 2026)

Planning Board (5-year term)

1. Dale Koch (Term to expire in 2026)

Board of Architectural and Historic Review (3 year term)

1. Richard Kurlik (Term to expire 2024)
2. Brandon Moran (Term to expire 2024)

RESOLUTION 2021 – 71 ~ CHAIRMAN APPOINTMENTS

BE IT RESOLVED: The following appointments proposed by the Mayor are hereby approved pursuant to the Village Law:

	TERM TO EXPIRE
Chairman, Board of Fire Commissioners - Phillip Weber	4/5/2022
Chairman, Planning Board - Richard Boziwick	4/5/2022
Chairman, Board of Zoning Appeals -Andrew Cangemi	4/5/2022
Chairman, Board of Architectural and Historic Review –Henry Tobin	4/5/2022

RESOLUTION 2021 – 72~ MEETINGS OF THE BOARD OF TRUSTEES

BE IT RESOLVED: That the regular meetings of the Board of Trustees will be held monthly on the first and third Tuesdays of each month with the exception of July and August, where only one meeting will be held on the first Tuesday of these months. The meetings will start at 6:00pm. Until the Governor’s Executive Order 103 is rescinded and at the discretion of the Mayor, the meetings will be held via Virtual Zoom

conference only and not at Northport Village Hall. The public will be able to access the meeting by Zoom and is asked to register in advance by using the link found on our website at <https://northportny.gov> or by utilizing the published link.

RESOLUTION 2021 – 73 ~ DESIGNATION OF THE OFFICIAL NEWSPAPER

BE IT RESOLVED: That pursuant to the Village Code, The Observer is hereby designated as the official newspaper of the Incorporated Village of Northport, pursuant to the terms, conditions and rates set forth.

RESOLUTION 2021 - 74 ~ DESIGNATION OF DEPOSITORIES FOR FUNDS

BE IT RESOLVED:

1. The First National Bank of Long Island, Flushing Bank, BankUnited and their subsidiaries and affiliates, are authorized to do business in Northport, New York, are hereby designated as depositories of this Public Entity.

2 The Treasurer and Mayor of the Public Entity, or any one of them, is/are hereby authorized to open a bank account or accounts from time to time with First National Bank of Long Island, Flushing Bank, BankUnited and their subsidiaries and affiliates (each being hereinafter referred to as “Bank”) for and in the name of the Public Entity with such title or titles as he/she or they may designate.

3. Until the further order of the Governing Board, pursuant to paragraph 11 hereof, the requirement of a maximum amount which may be kept on deposit at bank at any time is not applicable.

4. The Treasurer Leonard Marchese, Deputy Treasurer Laura Kaplan, Mayor Damon McMullen, Deputy Mayor Ian Milligan, Village Clerk Amy Grandy and Deputy Clerk Georgina Cavagnaro of Public Entity, signing jointly on any and all checks issued by the Village, their successors and any other person authorized by statute, regulation or court order on behalf of Public Entity (“Authorized Person(s)”) is/are hereby authorized to sign, by hand or by facsimile (including, but not limited to, electronically generated) signatures(s), checks, drafts, acceptances and other instruments (hereinafter collectively referred to as “Items(s)”). Notwithstanding the above, any Authorized Person is authorized singly to: (1) initiate Automated Clearing House (“ACH”) debits without a signature; (2) initiate payments by use of Depository Transfer Checks (“DTC”) without a signature provided that the name of the Public Entity is printed on the DTC; or (3) give instructions, by means other the signing of an item, with respect to any account transaction, including,

but not limited to , the payment, transfer or withdrawal by wire, computer or other electronic means (now existing or hereafter developed), of funds, credits, items or property at any time held by bank for account of the Public Entity (“Instructions”).

5. The Treasurer and Mayor of the Public Entity is/are hereby authorized without further action of this Governing Board to execute the banks’ form entitled Appointment of Designated Person(s) to Provide Call Back Verifications and Written Confirmations in Connection with Payment Orders”, thereby designating one or more individuals, whether or not such individuals be designated as “Authorized Persons”, for the purpose of the verification of payment orders and issuance of written confirmations.

6. Bank is hereby authorized to honor and pay items, whether signed by hand or by facsimile (including, but not limited to electronically generated) signature(s). In the case of facsimile signatures, Bank is authorized to pay any item if the signature, resembles the specimens filed with Bank by Public Entity, regardless of how or by whom such signature was affixed and whether or not the form of signature used on such Item was actually prepared by or for the Public Entity. Bank is further authorized to honor and pay DTC’s, ACH’s Instructions, and other orders given singly by any Authorized Person or employee individually, without limit as to amount.

7. Bank is hereby authorized to accept for deposits, for credit, for collection, or otherwise, Items whether or not endorsed by any person or by stamp or other impression in the name of the public Entity without inquiry as to the circumstances of the endorsement or lack of endorsement of the endorsement or the disposition of the proceeds.

8. Public Entity agrees to be bound by the “Terms and Conditions for Business Accounts and Services,” currently in effect and as amended hereafter, as well as any signature card, deposit ticket, checkbook, passbook, statement of account, receipt, instrument, document or other agreement, such as, but not limited to, funds transfer agreements and security procedures delivered or made available to Public Entity from bank, and by all notices posted at the office of Bank at which the account of the Public entity is maintained, or on a website that the Bank maintains or participates in, in each case with the same effect as if each and every term thereof were set forth in full herein and made part hereof.

9. The Treasurer and Mayor of the Public Entity or any one or more of them is/are hereby authorized to act for the Public Entity in all matters and transactions relating to any of its business with the Bank including, but not limited to, the execution and delivery of any agreements or contacts necessary to affect the foregoing Resolution.

10. Each of the foregoing Resolutions and the authority thereby conferred shall

remain in full force and effect until written notice of revocation or modification by presentation of new resolutions and Bank Signature Card Form shall be received by Bank; provided that such notice shall not be effective with respect to any revocation or modification of said authority until Bank shall have had a reasonable opportunity to act following receipt of such notice and shall not be effective with respect to any checks or other instruments for the payment of money or the withdrawal of funds dated on or prior to the date of such notice.

11. The Village Clerk, Deputy Clerk or Treasurer of the Public Entity is hereby authorized and directed to certify, under the seal of the Public Entity or not, but with like effect in the latter case, to Bank the foregoing Resolutions, the names of the officers, Authorized Personal and other representatives of the Public Entity and any changes from time to time in the said Officers, Authorized Persons and representatives and specimens of their respective signatures. Bank may conclusively assume that the persons at any time certified to it to be officers, Authorized Persons or other representatives of the Public Entity continue as such until receipt by Bank of written notice to the contrary.

12. The authority given hereunder shall be deemed retroactive and any and all acts hereunder performed prior to the passage of these Resolutions are hereby ratified and approved.

RESOLUTION 2021- 75 ~ INVESTMENT POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Incorporated Village of Northport Investment Policy for the current fiscal year.

RESOLUTION 2021- 76~ FUND BALANCE POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Fund Balance Policy (4/1/2020) for the current fiscal year.

RESOLUTION 2021- 77 ~ CHECK SIGNING POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Incorporated Village of Northport Check Signing Policy for the current fiscal year.

RESOLUTION 2021- 78 ~ PURCHASING POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing (updated 4/1/19) Incorporated Village of Northport Purchasing Policy for the current fiscal year.

RESOLUTION 2021- 79 ~ PURCHASING POLICY/CREDIT CARDS

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Purchasing Policy/Credit Cards for the current fiscal year.

RESOLUTION 2021- 80~ PURCHASING POLICY/TRAVEL AND CONFERENCES

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Purchasing Policy/Travel & Conferences for the current fiscal year.

RESOLUTION 2021- 81 ~ CELLULAR TELEPHONE POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Cellular Telephone Policy for the current fiscal year.

RESOLUTION 2021- 82 ~ FIXED ASSETS POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Fixed Asset Policy (updated 4/1/2013) for the current fiscal year.

RESOLUTION 2021- 83 ~ SAFE WORK PLACE POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Safe Work Place Policy for the current fiscal year.

RESOLUTION 2021- 84 ~ ANTI-HARASSMENT POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Anti-Harassments Policy for the current fiscal year (updated 10/18).

RESOLUTION 2021- 85 ~ CONFIDENTIALITY POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Confidentiality Policy for the current fiscal year.

RESOLUTION 2021- 86 ~ INTERNET USAGE POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Internet Usage Policy for the current fiscal year.

RESOLUTION 2021- 87 ~ SOCIAL MEDIA

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Social Media for the current fiscal year.

RESOLUTION 2021- 88 ~ CYBER SECURITY POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Cyber Security Policy for the current fiscal year).

RESOLUTION 2021- 89 ~ HIRING POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Hiring Policy for the current fiscal year.

RESOLUTION 2021- 90 ~ VEHICLE USE POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Vehicle Use policy for the current fiscal year.

RESOLUTION 2021- 91 ~ NORTHPORT HISTORICAL SOCIETY

WHEREAS: the Northport Historical Society has provided invaluable services in educating the public by maintaining, displaying and collecting historical records and artifacts, and

WHEREAS: many volunteers devote their time and effort for the preservation of our historical heritage, and

WHEREAS: there are significant expenses related to providing these invaluable services, and

WHEREAS: the Historical Society depends on donations and fund raisers for their operating expenses, and

WHEREAS: the Northport Village Board of Trustee's recognizes the time and effort of the Historical Society, therefore

BE IT RESOLVED: That the Village of Northport hereby appropriates the sum of \$2,000.00 Northport Historical Society to help in its continuing services.

RESOLUTION 2021- 92 ~ NORTHPORT COMMUNITY BAND

WHEREAS: for over the past 60 years the Northport Community Band has performed in the Northport Village Park gazebo, and

WHEREAS: many area residents have enjoyed the wonderful music and,

WHEREAS: The Village Board of Trustees wishes to continue to support this unique waterfront activity, therefore

BE IT RESOLVED: That the Village of Northport hereby appropriates the sum of \$2,700.00 to the Northport Community Band to help in its continuing services.

RESOLUTION 2021- 93 ~ NORTHPORT AMERICAN LEGION POST 694

WHEREAS: the Northport American Legion Post 694 has provided invaluable services to the Village of Northport, and

WHEREAS: there are significant expenses related to providing these invaluable services, and

WHEREAS: the Northport Village Board of Trustee's recognizes the time and effort of the American Legion post 694, therefore

BE IT RESOLVED: That the Village of Northport hereby appropriates the sum of \$1,000.00 to the Northport American Legion post 694 to help in its continuing services.

RESOLUTION 2021- 94 ~ NORTHPORT ARTS COALITION

WHEREAS: the Northport Arts Coalition has provided an invaluable service to the Village of Northport, and

WHEREAS: there are significant expenses related to providing these invaluable services, and

WHEREAS: the Northport Village Board of Trustee's recognizes the time and effort of the Northport Arts Coalition, therefore

BE IT RESOLVED: That the Village of Northport hereby appropriates the sum of \$1000.00 to the Northport Arts Coalition to help in its continuing services.

RESOLUTION 2021- 95 ~ HUNTINGTON YOUTH BUREAU

WHEREAS: the Huntington Youth Bureau has provided an invaluable service to the Village of Northport, and

WHEREAS: there are significant expenses related to providing these invaluable services, and

WHEREAS: the Northport Village Board of Trustee's recognizes the time and effort of the Huntington Youth Bureau, therefore

BE IT RESOLVED: That the Village of Northport hereby appropriates the sum of \$750.00 to the Huntington Youth Bureau to help in its continuing services.

RESOLUTION 2021- 96 ~ FREE LITTLE LIBRARY

WHEREAS: Mark and Nora Nolan desire to make a donation of a Little Free Library to the Village of Northport and its residents.

WHEREAS: The Little Free Library is a book sharing opportunity that helps build a community, inspire reading and expand book access for all.

BE IT RESOLVED: That the Village of Northport accepts the donation from Mark and Nora Nolan to cover all costs of purchasing the LFL and a starter set of reading material and will designate a public spot in the village to host the said Little Free Library at the discretion of the mayor with the assistance from the building and parks department.

RESOLUTION 2021- 97 ~ WELLNESS PROGRAM – YOGA CLASSES

WHEREAS: The wellness program is a continuing program offered by the village of Northport for the betterment of its residents.

BE IT RESOLVED: That the mayor is hereby authorized to execute an agreement with Kim Bienia to offer up to 40 yoga classes as a part of the said Wellness Program for Spring and Summer 2021. Compensation is not to exceed \$100 per class and said agreement is subject to attorney review. All classes are to be compliant with CDC, State, and County COVID-19 Guidelines.

BE IT RESOLVED: That the mayor is hereby authorized to execute an agreement with Lisa Arce to offer up to 40 yoga classes as a part of the said Wellness Program for Spring and Summer 2021. Compensation is not to exceed \$100 per class and said agreement is subject to attorney review. All classes are to be compliant with CDC, State, and County COVID-19 Guidelines.

RESOLUTION 2021- 98 ~ WAIVER FOR PERMIT FEES FOR OUTDOOR DINING PERMITS 2021-2022

WHEREAS: as the continuing Covid 19 health crisis is still adversely affecting our local restaurants

WHEREAS: Where as in an effort to help local businesses

BE IT RESOLVED: that the Village of Northport hereby waives the annual application fee of \$100.00 for outdoor dining permits for the 2021-2022

RESOLUTION: 2021 – 99 ~ PURCHASE OF NEW POLICE VEHICLE

BE IT RESOLVED: That the Board of Trustees authorizes the purchase of One 2021 Ford Hybrid Police Interceptor with appropriate accessories from the Westchester County Bureau of Purchase & Supplies for an amount not to exceed fifty thousand dollars (\$50,000.00).

RESOLUTION: 2021 – 100 ~ SALE OF SURPLUS POLICE VEHICLE

Whereas: That the Police Department have declared the 2003 Ford Explorer VIN#1FMZU73K23ZB20024 as surplus.

BE IT RESOLVED: That the Board of Trustees authorizes the Village Administrator to seek and accept the highest possible offer of sale for this vehicle.

RESOLUTION: 2021 – 101 ~ PART-TIME HARBOR MASTER

BE IT RESOLVED: The appointment of Scott Benish will be approved for the position of Seasonal Harbormaster (police boat) for the Incorporated Village of Northport.

WHEREAS: Harbormaster Benish will be hired at a rate of pay of \$28.16 per hour not to exceed \$10,000.

RESOLUTION 2021- 102 ~ DRUG & ALCOHOL USE & TESTING POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Drug & Alcohol Use & Testing Policy for the current fiscal year.

RESOLUTION 2021- 103 ~ SEXUAL HARASSMENT POLICY

BE IT RESOLVED: That the Board of Trustees hereby adopts the existing Sexual Harassment Policy for the current fiscal year.

MOTION ~ FOR AN EXECUTIVE SESSION:

The Board of Trustees, Village Administrator and Assistant to the Mayor will go into an Executive Session for contractual purposes will be held via separate Zoom link immediately following this meeting. No action to be taken.

PUBLIC PARTICIPATION:

The next regular meeting of the Board of Trustees will be on April 20, 2021 at 6:00 p.m.

Respectfully submitted,

Amy M. Grandy
Village Clerk