

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on November 22, 2010.

The meeting was called to order at 7:30 p.m. by Mayor Pontieri with Deputy Mayor McGiff, Trustees Crean, Devlin, Keyes, Krieger, Village Treasurer Krawczyk, Village Attorney Egan and Village Clerk Seal present. Trustee Hilton was not present.

The flag salute was made. Mayor Pontieri read the safety message.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved the minutes of November 8, 2010, as presented.

Trustee Crean stated: It is a great honor and privilege to have a couple of members from the B.I.D. in the audience tonight. The Business Improvement District is a self taxing organization. The boundaries include the entire Village. A lot of the beautification efforts that we see around our downtown are undertaken by this organization. A lot of thought goes into how they spend that money; they handle that fiduciary responsibility with a great deal of care. We are here tonight to honor one of its founding members. Mr. Vitro Rizzi has been a very integral part of the success of the Business Improvement District for many, many years. And just about a month ago he stepped down and retired from the organization. I want to thank everybody that came out tonight from the B.I.D, Dennis Smith the Assistant to the President, Mr. Furman, Mr. Fuccillo, and new member Jan Taraskas who will be stepping into Mr. Rizzi's shoes. We are here tonight to recognize his service. The Mayor has drafted a proclamation which I would like to read, "Whereas, the Village of Patchogue Business Improvement District is honoring Vitro A. Rizzi upon his retirement from their organization; and Whereas, Mr. Rizzi is a native of Patchogue, attending the public schools and after graduating, served in the U.S. Army, during WWII in the European Theater, and then graduating from Hofstra earned his CPA and opened his own company which has grown into the present firm of Rizzi, Risotto, Schwarz and Taraskas; and Whereas, Vitro has been an active member of the Patchogue community—past President of the Patchogue Kiwanis Club, as well as the St. Charles Hospital Board of Trustees; charter member of the Brookhaven Italian America Service Club; member of the Brookhaven Knights of Columbus; Finance Committee Chairmen; Patchogue Chamber of Commerce; member of the local Heart Association; and Whereas, Vitro is a founding member of the BID which was incorporated in 1992, and has been an active member since its inception; under his tenure the BID was expanded to include the waterfront as well as other adjacent areas. He was an active member in the Beautification Committee; now therefore be it Proclaimed that I, Paul V. Pontieri, Mayor, on behalf of the entire Village Board of Trustees do hereby wish Vitro congratulations on his retirement from the B.I.D.

Mayor Pontieri stated: There are people that are part of this community and are part of the extended families. Vitro, you have been a part of this community as long as I can remember. And, we really do appreciate not only your service to the community, but your service to families and service to friends.

Vitro Rizzi stated: I do want to thank you as it is quite an honor; hopefully, I will be around for a couple more years.

Dennis Smith stated: Vitro, you have been there from the very beginning and it is because of your hard work that the B.I.D. is what it is today. It is the hard work and diligence of the founders that the B.I.D. is what it is today. Obviously, the work of the B.I.D. benefits the Village of Patchogue. On behalf of the Board of Directors of the B.I.D., I want to say how appreciative we are for your service and how we are going to miss your being there. But, I want to remind you that you are welcome to come to every meeting, your input and opinion is always valued. We thank you, God bless you, and the best of luck in the future.

Village Treasurer Krawczyk stated: The bills for the period ending November 22, 2010 totaled \$1,156,103.79. The five highest bills were: NYS Retirement System \$445,955.00 for employer 2011 contribution, Syosset Truck Sales \$258,964.00 for VacAll purchase (that came through a NYS shared service grant with Bellport, and our contribution is about \$15,000. And after that is a bucket truck), NYS Employee Health \$85,989.94 for monthly billing, Jadeco Construction

\$54,393.18 for Birch Lane/Dogwood to Oxbow and SOA crosswalk in front of school, and Town of Brookhaven \$32,015.87 for monthly billing.

General Fund	\$784,061.71
Trust & Agency	6,031.25
CAP Projects	272,581.32
Sewer Fund	67,128.04
BID Fund	14,659.93
Housing Fund	1,553.28
CDA Fund	6,029.26
General Bills	4,059.00
Totals	\$1,156,103.79

Upon a motion made by Trustee Keyes, and seconded by Trustee Crean, and unanimously carried, the board approved payment of the bills as presented.

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the board approved request to transfer from Surplus to Highway Material/Supply \$140,000.00, to cover the curbs and sidewalk on Birch, Grenville Ave. paving and South Ocean crosswalk and Cedar Grove Court.

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the board approved request of budget transfer of \$3,500.00 from Storm Sewers: Material/Supplies to Engineering Fees.

Upon a motion made by Trustee Devlin, seconded by Trustee Crean, and unanimously carried, the board approved request to transfer from Pool Salaries \$6,000.00 to Pool Equipment to cover cost of shade structure to be installed at pool.

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the board approved request of a BAN in the amount of \$250,000.00 to be paid over a 5 year period split evenly between the Village of Patchogue, Patchogue Ambulance, Patchogue Fire District for the upgrade of the dispatching room and equipment.

Mayor Pontieri stated: One of the provisions when the PFD became a district is that the Village would assume partial cost on certain items, some of that being the radio equipment as it is also used for our code enforcement and public safety.

Village Clerk Seal stated: Notice is hereby given that a public hearing be held on Monday, November 22, 2010, at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York by the Village Board of the Incorporated Village of Patchogue to amend the site plan for the previously approved New Village Patchogue Development submitted by Tritec Development Group, LLC. At said public hearing any person interested will be given the opportunity to be heard.

David Sloane. Certilman & Balin, attorney for the applicant, stated: At the conclusion of my presentation, I will submit the affidavit of mailing that was required by code. I would like to give a brief history. This Village Board adopted a DRD code which authorizes certain uses within that area. That area is bounded by North Ocean Avenue on the east, West Avenue on the west, West Main Street on the south, and Lake Street on the north. Pursuant to this application, my client acquired properties in the district in excess of four acres and made application for change of zone into that zoning classification. I went through the SEQRA process. A Draft Environmental Impact Statement was prepared, submitted and accepted and a Final Environmental Impact Statement was prepared. And the findings, as required by State law, were adopted on April 13, 2009. Following that, on May 12, 2009 this Board adopted the change of zone and under the DID code, it also has site plan jurisdiction. It adopted a site plan allowing 240 residential units, 28,460 sq. ft. of retail, 111 room seven-story hotel at the corner of North Ocean Avenue and Main St. It also showed 433 parking spaces, public and private, which were 31 parking spaces short of that required by code. The proposed hotel (presented site plan that was approved in 2009) at the corner was 7 stories high. For reasons my client will explain, numerous attempts were made to apply to find a hotel user, to find a hotel flagship, to obtain financing for a hotel, but none was to be found under these rough economic times. This was done for the last two years, to find a hotel

which was approved under the terms of the 2009 site plan approval and change of zone, but none could be found. Mr. Locscalso will go over the efforts that were made. Accordingly, the site plan has been modified. And in lieu of the hotel on the corner, they are proposing an additional 51 residential units. So this is converted from a 111 room hotel to 51 additional residential units. As I indicated, this plan also shows 36,149 sq. ft. of retail which is an increase over the original approval by 7689 sq. ft. As indicated, no hotel. The height of the structure at the corner has been reduced from 7 stories to 5 stories and we are now proposing 500 parking spaces, whereas 459 are required. Whereas under the original plan we applied for a variance of 31 parking spaces, now we have 67 more parking spaces than we had previously and a surplus of parking as required under the code by 41 parking spaces. As I indicated, the SEQRA findings were adopted in April, 2009, and as part of this application, with the requested amendment, as part of the Long Environmental Assessment Form which we are required to give you, a consistency was done. This consistency analysis will go through the impact of the development and it shows uniformly that the site impacts of the development that what we propose now are substantially less than what you previously approved and are in compliance with the prior findings that you adopted in May, 2009. For instance, landscaping has been increased from .03 to .18, the water and sanitary has been reduced from 89,619 gallons to 81,821 gallons, storm water runoff has been reduced from 42,459 gallons to 40,838 gallons, trip generation--the traffic—if you look at the analysis that was done, every trip generation that was done—the week day a.m. peak, week day p.m. peak and the Saturday p.m. peak—are all less under this proposal than the one that you have already approved. As indicated, the parking spaces have been increased from 433 parking spaces to 500 and the height of the building has been reduced from 7 stories to 5. As indicated before, as specified, the impacts under what we are proposing now are substantially less than the impacts of the development that you previously approved with the hotel. We are in compliance with all aspects of the findings previously made and with the DRD code which means really that this application before you tonight is As of Right which means we are in full and total compliance. Rob Locscalso will now go over that portion of his presentation.

Rob Locscalso, Chief Operating Office of Tritect Real Estate, stated: I want to thank you for allowing us to come before you today to consider this proposed site plan medication. I would like to show you where the project stands now and what we are proposing. The six parcels that surround are parking lot; we own all these six parcels at this point and time. We have about twenty million dollars invested in the project thus far and are looking to invest another eighty million for a total of a million dollar project. Site III was really kind of Phase I which is 31 West Main Street and it has been completed. If you haven't been in the rear of the building, we just finished the back. That project came out very close as to what we originally discussed. These three parcels will remain with the development, as I mentioned the Wedgewood Building was re-named 31 West, The Bank of America and the Brick House Brewery. Our attention is to donate the structure to the right there to the Village and place it in a location within that development area. As David mentioned earlier, this is the Downtown Redevelopment District and the project encompasses currently, in the section starting at Main Street & Ocean Avenue working its way around. We also have a parking lot across the street that will be designated for public and private parking. The parking details will be done on a slide. Essentially what we did here was re-envelope this area into a Village green. On the existing DRD there is a potential for other locations for a hotel within this site. Let's talk a little bit about our efforts on the hotel. Our intention was always to sell that land. We have built about a dozen hotels in and around this area. We are not hotel operators so our intention was to sell it, have a hotel developer come in and develop that property. We had a contract out to a local hotel operator who owns a handful of hotels and pretty much the world blew up in terms of financing. Just to give you an idea, we have relationships with local banks and those banks are coming to us now and telling us have projects of hotels that are half complete. So if you look at it as an investor in hotels, their options are to buy potentially existing projects that are half complete at somewhere between 30 and 50 cents on a dollar, as opposed to a ground up project, which obviously has a lot more risk to it. That is the stage of the market. We certainly wanted a hotel on the corner. We made every effort. After that deal kind of went sideways, we met with half a dozen hotels. We met with W. Grand, Marriott, Hilton, Camray Sweets, Windom Hotels. All of them came to the sites and all of them wanted to put a flagship there, a franchise. But, they needed a local developer to do bring out of the ground. In conjunctions with many of the Trustees and the Mayor, we did a lot of presentations. They were always interested in doing something, but the economy threw us a curve ball. We had to make a decision. Last year around this time, this is after about 18 months of trying to get a hotel on the corner, we had to say to our investors. This is the cornerstone of the development. You are looking at an 80 million dollar project that surrounds that development area, and they want to

know what is going to be on that corner. Is it going to be a vacant lot or a half finished hotel? Where are you at the sale of that land? We had to make a decision to either move forward and for reasons that we are here today, to seek a site plan application or to wait. Waiting wasn't really an option. We want to get this project complete and want to get it started. The financiers want to know with certainty what is going to happen on that corner. Our biggest hurdle is certainly, knowing what would be at the cornerstone of the development. So, I throw this up there because a lot has changed in the last three years. Certainly things are cyclical—real estate runs in cycles—hospitality hotels will be back, but I can't tell you when that is going to be. It could be five years from now or it could be sooner. We had to make a decision in the interest of the overall project to move forward and that is why we are here tonight. Certainly, I want to point out that there are other locations. We don't own these locations at this time, but they are available in terms of the zoning that exists in the DRD. I point it out that it is not likely that the hotel will be on the four corners, but it is still a possibility that it could be in the downtown in an area that we would all want to see. To go through this quickly, essentially what you have here is a site plan. In this section our game plan was always to return an equal amount of acreage to the Village—to make the Village green more rectangular around that Village parking lot. In order to do that, we purchased a lot across the street, 64 parking places across the street. Some of the parking lot will be private and the grey area will be public. What you are looking at here is the underground parking garage. So, starting at the four corners down at Main and North Ocean there is a sub-surface parking structure. If you go way, way back, we were originally planning a 10-story buildings with a 5-story parking structure that was going to be set in the middle of that. By purchasing the other land across the street—across Havens and Jennings and Lake, we were able essentially to spread the parking out over the over-all development area. What you are looking at, this would be Havens Ave., the Village Green would be here, and then it would go out a way and then onto Jennings. So what you are looking at is a sub-surface parking structure. As David mentioned earlier, what was required under the previous approval was 464 spaces, and we had provided 433. Under the proposal that we have before you tonight, the requirements were 485 parking spaces and we are providing this time 509. We would like to point out that we feel there is ample parking to satisfy the existing uses. Again, there is less of an impact in terms of traffic, relative to this use vs. hotel use. This slide is the overall development site at ground level elevation that we are talking about today. We were able to pick up a little bit more retail on the four corners relative to the hotel development because it was less circulation that is required for residential vs. the hotel use. We have an entry way in from North Ocean Ave. called the Oak Street Underpass. We will show you some elevations and take a 3-D tour of the property. What we have included, and said we always would do, is the Village Green. That is taking shape and they are calling it Streetscapes Along Havens Avenue. Overall, we added 51 units to the four corners than previously. The project had been approved for 240 units. So where the 111 room hotel was approved, that has been replaced with 51 one and two bedroom market rate apartments. One thing that we did, looking forward with respect to the four corners development, is that we designed it so that at some point potentially in the future it could be converted to condominiums for sale. At this time though, we are moving forward with the apartments. At the top of the four corners on the 5th floor will be a private meeting room. This building will stand alone. While you can build from Main Street all the way around to the corner of this development, you cannot get into this building except from the parking area. It will have its own reserved parking below that particular area. That building pretty much stands alone and we intentionally designed it that way so that it could be converted at some point to for sale housing. I think we have gone over this many times. With respect to our target markets, those haven't really changed. We have 67 workforce housing units; we have targeted renter ages, 1125 to 1350, those are 2009 adjusted rent numbers, and market rates between 1750 and 2600—that ranges from one bedroom up to three bedroom. I want to update in terms of total population with the addition of those 51 units. Over 600 residents will be living in the Village. These are Dr. Kramer's calculations that have been adjusted for 51 units. Again, the population is leaving the Island in record numbers; we estimate that there will be about 42% of those residents will be between the age of 25-44. Again, in the last 15 years the number of 25-34 yr olds has declined 35%. The national average is 8%. We are losing our young people on Long Island and we feel that projects like this will retain them. School district impact, the 291 residents in the units will generate 32 school aged children; that is from K-12. Let's talk about the permanent economic impact and the number of jobs that will be created—156 direct jobs that support another 240 permanent jobs that are derived in other industries. In terms of the construction impact, you are talking about 1,000 jobs that will be created; 540 in the construction related industries to complete the development; over the two year period. Purchasing power—I think we have a lot of people from the B.I.D. here and I think this really jumps out at you—5.4 million dollars in discretionary spending annually in the local

economy from those residents. Relative to the tax base, the Village of Patchogue full assessment will receive around \$350,000 in real estate taxes. This is the elevation of the four corners. We have tried to keep it consistent with what we had always put before you. It is a five story development. You can see some of the architectural features that we incorporated here with the arched windows and the natural materials throughout the project. You can see how it blends in with the rest of the development and see how it blends in with the four story building. At the top will be a private amenity area for these residents that we talked about with respect to the last proposal. Hopefully, there will be some more restaurants along Main and Ocean. You can see that relative to this ¾ view here which we already started at 31 West Main Street with the brick lined streetscape, in keeping with the new character of the development relative to the brick lined streetscapes. What I want to show you is a bird's eye view of the four corners and the development (demonstration made). We have over twenty million dollars invested in the project right now. We are looking to invest about eighty million dollars into the Village. When we met last December, we moved ahead in earnest with our financing. We are getting ready to submit for a permit next week; we met with the Fire Department and the Fire Marshal of the Building Department and incorporated all of their comments into our plans. Hopefully, we gained a lot of information in talking with the residents, the Trustees, and everyone one from Planning, Zoning and ARB. I can pretty much say we do what we say we are going to do. Subject to the way the economy took a turn, we had also to adjust. The project is on line at www.NewVillagePatchogue.com.

Question from the public: You use the term “reserved parking.” What do you mean?

Rob Locscalso stated: Part of our deal with the Village is we have 168 parking spaces to service the 60,000 sq. ft. retail at the Swezey property, the Briarcliffe College and the existing retail. Subsurface parking would be reserved for residents.

David Sloane stated: I respectfully submit that this is still a very exciting project, notwithstanding that there is no longer a hotel included in Phase I. If you look at the two site plans, one that was already approved and what we are now proposing, if you look at it from the bird's eye view, there really is no difference. The entrances are the same, the parking area for all intents and purposes are the same, Havens is the same, it is all the same. The primary change is the use of the corner building, which was 7 stories, as I indicated, and is now 5 stores and instead of a hotel is 51 additional units. It is a 100 million dollar investment. You don't see a lot of that today in today's market. I encourage you to encourage my client as much as you can and assist them as much as you can in making this a reality because it would be a wonderful thing as far as the building is concerned in my opinion. What are the alternatives for that corner piece? There aren't any and you can't build around it. Really, the alternatives are, since you can't get a hotel, is leaving the property as it is at the present time which I don't consider a viable option. I have nothing to add at this point, but will attempt to answer any inquiries you may have.

Mayor Pontieri asked: Questions for the applicant by the board or the public.

Deputy Mayor McGiff stated: We received this on Friday, so obviously we have a lot to digest. I think we are all in agreement that this whole project—just preface it that by saying that Tritec has been constant professionals and a welcome addition and a breath of fresh air to work with. That being said, the pink elephant in the room is that this whole project was predicated on it being a hotel. We can say that the project hasn't changed, the site plan hasn't changed and that might be so—with the brick and mortar. But, the essence to this project, the soul, has changed. I have no problem with everything, but that hotel. I am not going to get into the financing and everything else. Obviously, I take what Tritec says as face value and I know of the difficult economic times. But, with that being said, our role sitting up here might be diametrically opposed to what your roles are as businessmen. The thing I think of when I look at this as we talked about it, there are other buildings in the Village. Mr. Sloane, you are a native here---you have the Tiffany and those other buildings that were probably state of the art back in its day, but not so now. That is something that resonant in my own mind when I look at this, what could be on one side of the spectrum and what could be on the other. That is something I don't think we could wrestle with in one night when we got this on Friday. Just to preface it with saying further discussion; that's the vantage point I am coming from right now. It is difficult because, like I told the Mayor, this a legacy project for our children. This is going to be our children's children legacy, it is something to stay, we have to get this right, we have only one shot.

David Sloane stated: Number one, I think the support of establishing a legacy is the developer. And, I don't think you could have gotten a better developer. The second point is I think the soul of this project, as you use it, was not so much the hotel, but the revitalization of the downtown area and this area in particular. That really, I feel, is the soul of this project; to redevelop here. And I think what you saw tonight, when that becomes a reality, is when you will have a revitalization. But, with these kinds of people, the residents of this area—it already is happening with the other projects that have been approved already which you people are responsible for. If you go downtown and see the many restaurants that are thriving and people on the street, you people should take responsibility. You should take a bow. But, I don't think this would really change anything, except help. As far as this evening is concerned, Suffolk County Planning has to make a recommendation. You cannot make a decision this evening in any event. There is no rush at this point. It has already been referred to Suffolk Counting Planning and they may act upon it the first week in December.

Trustee Crean stated: I would like to go on record to thank Mr. Locscalso and Mr. Sloane for giving a very thorough presentation of the modification that they are presenting. We are all aware of the economic conditions that we are in right now and we are living through them. We all have economic challenges that we face every day. While my colleague, Mr. McGiff, defined the hotel in terms as the soul or essence of the original application, we all want to see a revitalized downtown, we want to see the shops thrive, we want to see businesses thrive. But it is a lot to digest in any one-given evening. It is going to take time to fully go through this application, take a look at the traffic flow and the parking requirements that are going to be needed, not only by new residents but also by the existing businesses that are on that site. That on any given Saturday night we see the parking lot is quite full. Trustee Krieger has gone through numerous meetings with the Chamber and the B.I.D. and local residents, trying to find additional parking. I look forward to the opportunity to work with Tritec to revitalize downtown and I have many questions that I have to give a great deal of thought to and anxiously await the recommendations of Suffolk County Planning Board as well.

Bob Coughlan, Tritec, stated: I appreciate your comments and concerns. When we first started the project, there were no preconceived ideas about what was going to go there. It was an evolution over a period of time with a lot of people. We have been working diligently pursuing the goals of the community on all levels, the hotel being one of them. I don't think it should come as any surprise. I know the additional paperwork for application was submitted on Friday, but discussions have been ongoing and presentations have been made for over a year now about the challenges of trying to get a hotel here. I don't want to mislead anybody; we are not springing a surprise on anybody at this point. The reality in the marketplace is that a hotel is not going to happen on that site whether we stamp our feet, or hold our breath or try and get another group in here. We do have decisions to make. I appreciate that we have to go through a process here, but however long this process takes, it can give a multiple of time in delaying us because it may require us to start other applications with other financial resources to go through. And the one we have been working on we have been working with for over nine months at this point. At this month we are going to be required to put down substantial six figure deposits which we are going to have to hold on until we get these approvals. I just wanted to point this out for the record.

Trustee Devlin stated: I am very pleased with the appearance of the overall development. I think the architecture is very creative and beautiful. It accommodates people in terms of the streetscape and green areas.

Mr. Arthur Fuccillo, 67 North Pine Lake Drive, Patchogue, stated: No one could be more disappointed than myself to hear there will be no hotel. I have been advocating since 1990, I have done an awful lot of background trying to get that; spoken to a lot of people. I had Legislative drive to Foley, I had Village officials go to Connecticut. So I spent a lot of time trying to get a hotel on the four corners. When I read this tonight and the explanations and preparing before this board it is very exciting. I cannot say enough to you gentlemen of all that you have accomplished in a short period of time for this Village. I am proud to be a part of this Village. No matter where I go and say I come from Patchogue, there is nothing but applause for you gentlemen. I thank you so much and wish you would consider this application. We know what it means to the four corners, to the Fire Department who are worrying about that building. When I was a fire commissioner our concern was that we didn't have enough five inch hose; our concern we would have to go down to the Lace Mill to get enough hose to get it up here in case something would happen to that building. I know Mr. Furman was with the fire marshals

constantly and he put a lot of money in it. He had a sprinkler system put into the system just in case that building would go on fire. I wish you would consider it on my behalf and the people of the Village of Patchogue.

Gail Hoag, Greater Patchogue Chamber of Commerce, 15 North Ocean Avenue, stated: What I hear from our Chamber members and residents coming into our office and calling us on the phone is that they are very disappointed again that there will not be a hotel. A hotel is needed in this area. There is nothing for people; we don't have any bed and breakfasts. There is no place for people to stay. You have a lot of catering halls, people who want to come and stay, people at the theatre who need it. Someplace along down the line we would certainly like to see a hotel. The main problem is parking. You know what we have been going through. I don't know if it is still 1.5 space per unit. I don't see that as feasible. You may have 1.5 cars per unit, but what about when they have visitors. Where are these people going to park? The people will be parking on the streets in front of other residents' homes. Parking is one of the main issues that we have. People are asking for shops for retail, not restaurants. Yes, some restaurants, but not all restaurants. We need shops where people can go that is going to be a small, little type of boutique. We want all kinds of stores, e.g. bookstores, toy stores, women's clothing store, men's clothing stores, gift shops. This is what people are looking for. We want to see it happen. I would love to see something happen across the street instead of seeing a nasty building. We are looking forward to its happening. Once it does get going, we do have questions about the demolition--how it is going to happen, is the street going to be closed and for how long.

Mayor Pontieri stated: I think we all hear the same things. Part of the problem when you sit on the government side is how do you fill stores. I don't know where we fit into that mix. We provide the approvals, site plans and guidance. That piece of it is that we can provide the environment for it to happen. We can put the 240 or 292 units around the downtown, make it so it is walkable—whether it be Artspace, Copper Beech, or Bay Village. I guess I get a little tired at times of people expecting us to fill the stores on Main Street. We can only make the environment friendly enough, easy enough, for you the Chamber and the B.I.D. and the businesses to go out and bring those things into the Village. I don't know how we stop someone who has the right to put a restaurant in that space. You take a look at Huntington and the vibrant downtowns; the vibrant downtowns are really driven by that kind of business. I think we have to look at that and look at what our individual responsibilities are. Bob Coughlan is right. There has been a lot of discussion back and forth. I am as frustrated as everybody else is. Bob and I have spent a tremendous amount of time together over the last three years. I am very frustrated. But, I also do know this is a hundred million dollar project. And, I said it earlier to a couple of the Board members when we were coming in, one of the most disappointing things that has happened on Long Island in the last ten years is Avalon Bay in Huntington Station. A hundred million dollar project was turned down because of community opposition. This is a hundred million dollars to be invested in our community and we hold the responsibility at this Board meeting as to how it gets invested and whether it continues to go forward or not. I make no claim to make the decision as of this night. As Mr. Sloane indicated, we still have to wait for Suffolk County Planning. But, we also need to get that project done. We need to get ourselves in a situation to where construction begins. Gail, I think just as when we had the frustration of those 6-8 months when we did North Ocean Avenue, this project, I suspect, is going to be an eighteen month to two year project once it gets itself rolling, and things getting knocked down. We talked the other day that portions of North Ocean Avenue will be closed off and portions of Main Street will be closed off. It is not going to be easy, but I think the results—as Mr. Sloane indicated within this project that if the decision is to go with the additional units on the corner—they are going to be single and separate from the rest of the development. So, that at a time, hopefully, in the not so distant future they can go to condos. They are going to be constructed in a manner that they will be individual sewerage and individual utilities to make that more of a distinct possibility to happen than not to happen. The top floor, my understanding is, that it will be a community center for just that portion; so the values are taken to a point that they are not the values of straight market rate, but above market rate so that they don't get denied has been discussed. It is a concern that we have. We are learning through situations with certain complexes that were built in the late 60's and early 70's, whether it be Maple Ave. or Terry St. apartments, have turned into problems. So, we just have to make sure that any decision we make isn't a decision just about today. As Steve so eloquently put it, it is not a decision about our kids, it is a decision about their kids. How do we make sure that what we do has the quality and the strength of it. We all sat in the Theatre—probably everybody in this room, minus maybe a couple of people—about three years back and the excitement that was generated and the excitement that has been

generated in this community because of that. Pulte Homes was the second kick start. But, we are in a different environment, both financially and socially. Here within this community and every community things have changed, more so than probably at any given time. And I come back to that comment that it is a hundred million dollar investment in 2.2 square miles which will forever change the direction of this community. Gail, you hit it on the head in terms of parking. We have to make sure. One of the issues that Jack Krieger and I—Jack has been very instrumental in discussions of parking and how do we expand parking. One of the things that Mr. Fuccillo and Mr. Rizzi clearly remember, more so than any other two people in this room, of these discussions probably echo discussions had in '56-'61 when the decision was made by that group, that generation that sits in the front row now, to tax themselves to create what was called at the time the B.U.D., the Business Use District. They said we need this. Mr. Furman's father was at the forefront; he took a leadership role in making sure that the values of what were purchased, what were condemned, and the monies that were given were fair to all. I don't think there was anybody more instrumental than the Furman family in that whole thing. But, it was the Vitro Rizzi's and Arthur Fuccillo's that made a decision that changed the direction of this Village. Without that group of people—Jack Lusinger who was out of the Swezey Dept. store, Bob Waldbauer, George Lechtrecker, the decisions they made is what allows us to sit in this room tonight and even have this discussion. We don't have this discussion without that generation that said we will tax ourselves to solve our problem. We are not going to tax the guy down on Cedar Ave, the guy living on Central, the guy living on Roe Blvd. or somebody down on Smith St. We are going to take care of our problem and solve our problem. I sit here tonight a little frustrated because I hear that it is the whole Village problem and filling Village stores is a whole Village problem. But, really what we do is exactly what we started out to do when we first sat down here. It is about approvals and site plan review and about giving those approvals to make this community go forward. It is a decision that we have to make. It is not an easy one because it is a game changer. But, within this development area there are places and things that we can do that if a hotel is not on that corner and if the market changes and we can make it happen within that two block area from Main to Havens and from Havens to West and up to Lake Street. And how do we make that happen; but, that is our responsibility to deal with. I speak most out of frustration tonight, than any other part of it because it really has always been probably of everybody that sits in this room, that at some point and time you would be making reservations for some family member who would be saying there. Not saying this will never happen, but it seems like it is difficult to happen right now.

Mr. Joel Furman, 10 South Ocean Avenue, Patchogue, stated: I am the owner of the Conklin Building at 8 West Main, and the owner of the Furman Building on the southwest corner of West Main and South Ocean Avenue and the prior owner of the Swezey Building at 1 West Main Street and 17 West Main Street and the Gutte Building. I am here tonight in favor of this requested change of the project by Tritec. This is a situation which I came to realization back on April 4, 2008. That was when Tom Lorenzo sat right here and had a conference with the Trustees and Mayor. The gentlemen, Tom Lorenzo, was head of the franchise division of the Hilton Hotels. Lee Browning was there. We discussed from 10 a.m. until 11:55 a.m. the differences between two hotels. The Embassy Suite Hotel, a four star/full service/ international hotel—none of which were on Long Island except now; it is in Port Washington—that's where our hotel went. The second choice was Hampton Inn which is up on North Ocean Avenue just north of the Expressway which that one is not full service. This one which Mr. Lorenzo spoke about would have been a full service hotel in Patchogue Village. The advantages and disadvantages between these two hotels; they did their marketing research, revealed to them—and they believed it--that the Embassy Suite Hotel would guarantee 65% occupancy Monday-Thursday and Friday-Sunday would be gravy for the Village. 100% occupancy for six months out of the year--summer months and spring and fall. Hampton Inns guaranteed 85% occupancy. The Embassy Suite would have been more attractive for corporate employees to fly in from McArthur Airport and some from LaGuardia and Kennedy to stay more than three days. That is what they were relying on. Of course, the market was different then. Towards the end of the conference, he turned to Mr. Browning and he asked Mr. Browning, how many units are you panning in your Marriott Marque. He said, 80. He said, you know our requirements are a minimum of 130 suites. With that he said, I can increase it to 90 suites; he said, okay we are willing to lower the bar. We want one of our products on Furman's property so badly that we are willing to lower the bar. So, we will do 90 units and we will also give you a return on your application within three months instead of the usual six. That was April 4, 2008. At the end of that meeting, the Mayor even said, it is not a question of whether we are going to get a hotel, it's about which one we will get. Do you remember that? I thought the job was done; we had accomplished what we wanted to do and it

looked good. A week later was when you had the public conference for input on the projects and that was at the Brick House. Mr. Egan I think was one of the last speakers and he was espousing how successful and we are all proud of him in his actions in court as far as the over tenancies that we were battling in Patchogue Village. One woman at the end asked, this is all very nice but we heard absolutely nothing about the four corners. I was disappointed at that time and realized that something was amiss. Nothing was publicly espoused as to what transpired a week earlier—I questioned it no further, that's the judgment of the Mayor and the Board. On May 16th when I got the call at 11 a.m., a little more than a month after our conference with Mr. Lorenzo—it was Lee Browning. He advised me that he had gotten a call from Tom Lorenzo and the announcement was that Lee had gotten accepted to the franchise of the Embassy Suite Hotel. A week later was when I got the phone call from Mr. Nolan of the *Advance*, advising me that this Board had voted to commence an Eminent Domain hearing. My first call was to Mr. Egan to find out what has transpired. My second phone call was to Ben Koronan, a developer, that every one of the building owners wanted to proceed with—who claimed that he was half way through his own Marriot Courtyard in Atlantic City, who was in contract with Donald Trump to redo the Taj Mahol, and he does his own steel from beginning to end, works with unions—had 400 million dollars to do this project and the same contacts as Lee Browning had with Tom Lorenzo; also advised us that we could have gotten us a retail Macy's maybe or a J.C. Penny for sure. All this sounded good. Of course, no one did research; we had to back this up. This is what transpired in front of us. So, I think in view of the fact that the Village has taken this project away from the property owners at that time, they have chosen that path; they have chosen that developer, and we are on this path now and I think we have to complete it. We need the project to be completed on the four corners. Most of us are not in favor of seeing a high density residential situation here. I have never really condoned high density in the Village of Patchogue. It only results in a requisite increase of services which is a 60-40 as far as the tax base of balancing it out. History has proven that out. I have never been an advocate of Eminent Doman and even in Connecticut it has shown that is did not work up there and I don't think that it has worked in Patchogue either. You know what, I don't see anybody walking here right now because we have not created an investment atmosphere for investors to come into the area. We have a very good developer; I will give you credit for that. Let's go forward with Tritec; let's complete the project; let's get it done. There is a lot of mud on everyone's faces, including my own; I am probably just as guilty for letting this happen. We are not going to have a hotel; let's face it. Maybe not in our lifetime; maybe somebody else will be smarter than we are. We had the opportunity, but that window is closed. I have said my piece. So, let's go forward with it. I am 100% in favor of this project as it stands and as we see it tonight; let's get it done.

Mayor Pontieri stated: Thank you very much, sir. I appreciate your comments.

Trustee Crean asked: Can we just review for everybody's edification as to what the next steps are going to be and what we are hoping to complete between now and the County's recommendation?

Mayor Pontieri stated: What I would like to do is have a motion to close the hearing and wait for the Suffolk County Planning comments to come back and reserve decision as to whether we decide to send this back to our own Planning Board for review, or not; just to reserve decision on that. So, that is an option that we still hold open from here.

Attorney Egan stated: There are provisions in the site plan approval. Under this DRD, just to explain what is before the Board, under 435.30 which is a DRD (Downtown Redevelopment District) which is a new section, 435.30G, it provides for the Board of Trustees to make the determination on ultimate site plan approval. The Board can make referrals to the Planning Board under 435.30H; their review on preliminary concept plans, resubmissions, those kinds of things. Certainly, as Mr. Sloane said, we have to wait for the comments from the Suffolk County Planning Commission. Anything that is going to have to be considered under the site plan and this renewed site plan has to go under site plan approval. But, instead of the Planning Board having the ultimate determination, it is the Board of Trustees being that the DRD is so important. It is absolutely not mandatory to send it to the Planning or Zoning Board, only if the Board of Trustees wants to solicit their input. There is going to be a hearing process that has to go forward in front of this Board, that it sets out certain schedules and timing under 435-82. So, at this time I recommend that the Board accept the proposed site plan submission, referrals were made to the Suffolk County Planning Commission—we have to consider them, so I would set a date in January for receipt of that Planning Commission recommendations and for the Board to consider

it and at that point the Board could consider the entry of the schedule and dates under 435 or the Board could make the decision based upon Suffolk County.

Trustee Crean stated: At this point and time I would like get the comments back from the Suffolk County Planning Department and have the opportunity to review them and perhaps meet with Mr. Locscalso and Mr. Coughlan once again before our next meeting in December, and at that point and time perhaps refer to our own Planning Department. And maybe at that point and time we will be able to make a decision. Right here and now, obviously, we are not. At this time I would like to close the hearing, reserving the right to reopen it and also await the comments back from the Suffolk County Planning Department.

David Sloane stated: I would like to make one point on your referral to your Planning Board. The issue here is one of use. The site has already been approved. The site addresses the prior input of Planning. The only thing to talk about here is the use. With all due respect, I think it should be your determination and not the Planning Board.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board closed the hearing, reserving the right to reopen at December 13, 2010 Board meeting.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned for a short recess.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was resumed.

Upon a motion made by Trustee Keyes, seconded by Trustee Devlin, and unanimously carried, all bids for the cleaning service were rejected.

Carmine Parisi, PO Box 434, Coram, stated: What I said a couple of weeks ago was many reasons why none of the contractors bid it was because there was 100% performance bond. A good way to get bids on it would be to just ask for references from major corporations and then drop the bid down to 10%. At that rate you will get a lot of bidders to bid. It should go out for about \$40,000 a year if you do it like that. A 100% performance bond nobody can get.

Village Clerk Seal stated: Notice is hereby given that a public hearing will be held on Monday, November 22, 2010, at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York, by the Village Board of the Incorporated Village of Patchogue to amend Section 387-2 to update the income thresholds for the partial tax exception for senior citizens under New York Real Property Tax Law 467, a copy of which proposed local law is on file at the office of the Village Clerk. At said public hearing any person interested will be given the opportunity to be heard.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to amend Section 387-2 to update the income thresholds for the partial tax exemption for senior citizens under New York RPTL 467.

Mayor Pontieri stated: Basically, what we are doing is moving our senior citizen tax exemption equal to what Brookhaven Town's is, changing it from \$27,999.99 to \$28,999.99.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to increase the non-resident parking fee for the railroad parking lot to \$125.00 per year.

Dennis Smith – B.I.D. Report, stated: I would like to thank this Board for your positive and favorable consideration and kind words at the last week with regard to my compensation with the B.I.D. It is truly appreciated. At the last meeting the B.I.D. board appointed Jan Taraskas to that board seat vacated by Vitro Rizzi. Jan has attended several meetings as a non-member and we look forward to her positive energy going forward. With regard to the grants, we are winding down the 2008 Main Street Grant and are finishing up the final paperwork. Hopefully, we will have that done and completed within the next 30 days. We are looking forward to starting the marketing of the 2010 grant in January. Christmas decorations are almost completely up on the

downtown area. The B.I.D. is considering purchasing more decorations when we get past this holiday so we will be able to get a 20-30% discount. I would like to thank Joe Dean, Lou Garafola and the DPW crew for the fine job that they have done so far in putting up the Christmas decorations. In the last two years it has been just about 100% lighting; basically not one of them out. On behalf of the B.I.D. Board of Directors and myself, I would like to wish everyone a Happy Thanksgiving.

Gail Hoag, Chamber of Commerce Report, stated: We have many events coming up, starting with Thanksgiving. On Wednesday the 24th we have our Community Thanksgiving Eve service at the Lutheran Church of Our Savior on Jayne Avenue at 7:30 p.m. All denominations are welcome. The clergy from many of the religious institutions of Patchogue participate. On Thursday at the Methodist Church on South Ocean Avenue there will be a free Thanksgiving dinner for those people who need a place to go for Thanksgiving dinner. On Saturday we have the Christmas Parade and the lighting of the Christmas tree. On the 4th we have Breakfast with Mr. and Mrs. Claus at the South Ocean Avenue School from 9 to 11 a.m. That night we all will be at a dinner at the West Lake Inn honoring the Mayor on the 80th Anniversary of the Women's Club of Patchogue. On Sunday, Dec. 5th, we have the Menorah Lighting at the Capital One Bank Plaza at 4:30 p.m. The Greater Foundation had a Requiem for Victims of Genocide. None of us knew what it was going to be like and it was one of the most moving experiences to be there. He did about an hour with chorus and played instruments never seen before, the chorus did singing in many different languages, he did many different nationalities that have been or almost wiped out by genocide. His whole theme of this was how do we go about to stop this. I am hoping that we will be able to get them to come back and do it again. Also, the Foundation has donated \$1,000 to Medford Avenue Elementary School for dancing classes, Teaching Children on How to Take a Bow.

Trustee Krieger stated: In the last couple of weeks Connie Francis was at Patchogue Theatre performing to a full house until she left. The second half of the show was a bit shortened. Most of the crowd was enthusiastic and the restaurants in Town were packed. The other show that was very successful was Brenda Lee. She was real fantastic with the crowd. Instead of going off stage during intermission, she stayed on and talked with the crowd. Brenda Lee it was reported to me that back in the '60's the Beatles was her opening act. She was a 4'9" dynamo on stage. Go on the Patchogue Theatre for the Performing Arts website to view the shows coming up.

Trustee Crean stated: I want to thank Trustee Krieger for attending the last B.I.D. meeting just to get the feedback from the B.I.D. Board of Directors on some of the parking issues that we are struggling with around town, not only now but what will be in the future. I appreciate your taking time out to come down.

Trustee Crean stated: I have not had the opportunity to visit the new business down town that was called Once and For All. On East Main Street, The Village Idiot has opened the doors of what was once called Once and For All. Pera Bel will be serving its customers at its new location starting Friday after Thanksgiving.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved a change of status for Ryan Murphy to a part-time Ordinance Inspector at the rate of \$15.07, effective 11/29/2010. He has been hired full time by the Suffolk County Firematic Service.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to hire James McLoughlin as a part-time Housing Inspector at the rate of \$14.00 per hr, effective 11/23/2010.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to hire David Morehouse as Relief Dispatcher at starting salary, effective immediately.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the board approved request for the Brick House Brewery to hold the Annual Kiwanis Toy Trot on Sunday, December 5th.

Trustee Devlin stated: The 48th Annual Christmas parade is this Saturday after Thanksgiving starting at 5:30 p.m. We will be putting some new trees on Oak Street the first week in December---the CDA has been redoing the sidewalks on Oak Street.

Trustee Keyes stated: Earlier we approved payment of \$258,000 for the Vac-all truck and this past week we had two very important uses for that truck. There was a sewer main break in front of Laundry King and also the back-up on South Ocean and Main Street. That truck was used and played a vital part in clearing up both problems. Without the truck we would have had to hire someone and don't know how long that would have taken and what the cost would have been. The one back-up at South Ocean and Main was probably due to the previous owner of Village Idiot maybe not properly maintaining their grease traps. A couple weeks ago we hired additional sewer help which will allow us a little flexibility in being able to hold these restaurants more accountable in maintaining their grease traps and preventing this kind of thing from happening again. We have to get a little bit tougher with them.

Trustee Keyes stated: The Roe Walkway project is started; they are going to pour the concrete on Monday. At the last meeting we cancelled the public hearing which had to do with the CDA transferring Railroad Avenue property to develop. But, what we found was that this was property that we acquired from the County and we thought we could just transfer it to the Village. However, because we are under public authority regulations, we couldn't. So, that Railroad Avenue property will be transferred back to the County, then transferred to the Village, then transferred to L. I. Housing Partnership, and then transferred to RAM Associates for the development of affordable housing.

Upon a motion made by Trustee Keyes, seconded by Trustee Krieger, and unanimously carried, the board approved request of a Change Order for Grenville Avenue paving project, increasing amount by \$65,995.00.

Upon a motion made by Trustee Keyes, seconded by Trustee Krieger and opposed by Deputy Mayor McGiff and Trustee Crean, the board approved request to hire Ryan Pontieri as a full time custodial worker at the union scale wage.

Upon a motion made by Trustee Keyes, seconded by Trustee Crean, and unanimously carried, the board approved a Change Order of \$13,500 to pave Cedar Grove Court.

Mayor Pontieri stated: Both Grenville Avenue and Cedar Grove Court, initially when we started paving that area for whatever reason was passed over but both of them need it. What that does by completing both of them, it completes that complete quadrant. What I would like to do is have a motion to take \$80,000 from surplus to be used to do the paving as described at Cedar Grove Court and Grenville Avenue.

Upon a motion made by Trustee Keyes, seconded by Trustee Crean, and unanimously carried, the board approved transfer of \$80,000 from Surplus to be used to do the paving as described on Grenville Avenue and Cedar Grove Court.

Upon a motion made by Trustee Keyes, seconded by Trustee Devlin, and unanimously carried, the board approved request for Engine Company No. 1 of Patchogue Fire Department to hang banners across Main Street to advertise Christmas Tree Sale Fund Raiser.

Trustee Krieger stated: Trustee Crean had mentioned it before about the meeting with the B.I.D. One of the things that came up there was for us to consider on-street parking on Taylor Lane in anticipation of Artspace coming in and I don't know how many spaces we can get in there, how do we define spaces, or parking meter use.

Attorney Egan stated: It is done by Resolution because it is not a restriction; it is a positive traffic change.

Dennis Smith stated: When that thought was mentioned, it was also mentioned that the cars could be parked diagonally.

Trustee Krieger stated: I don't think diagonally is recommended parking any more. It is dangerous when backing out into traffic. There are issues with that.

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to remove the NO PARKING restriction on Taylor Lane.

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to stripe and designate parking spaces on Taylor Lane, unlimited-all day parking.

Public to be heard:

John Bogack stated: I am looking to you for direction. I went to the Village Court last week to access the continuing issues of the Tikki Bar. I haven't been there in a couple of months. Now there is a new judge sitting on 25 tickets. At that proceeding, all the tickets were adjourned for two months. So we are now talking about no action on those tickets until January, 2011. Amongst the reasons that I overheard for the delay is the reference by Mr. Fayette, since Mr. Brown wasn't present nor was his attorney, that the proceedings on the Supreme Court has some sort of difference. The next day I note that Mr. Breumer's attorney succeeded in getting his fifth adjournment in the Supreme Court on his Article 78. This Sunday, as you probably know, there was music at the Off Key Tikki Bar although as far as I know there is no commercial noise permit. I have to ask at this point, really what is going on here. There seems to be no strength on his honor in respect to zoning, occupancy, noise permit, anything. I am looking to see some kind of resolution to these kinds of issues.

Village Attorney Egan stated: I hear your concerns, the Mayor shares your concerns, the Board shares your concerns, evidence that he has violated 25 tickets it is pretty obvious that the Building Department shares your concerns. Those carry hefty fines as they will be ultimately adjudicated. I have had a discussion with Village Prosecutor Feuer as to how he is prosecuting these tickets and what the court's docket looks like. Article 78 under the Town and Village law does have a stay effect on the prosecution of those tickets. That is something Suffolk Legislator enacted probably 15 years ago that has an effect here and there is nothing we can really do about it. I am concerned about the continued adjournment of the Article 78 and will address that with our Special Counsel. I feel that sometimes that is a way to have assisted gain when there is no ultimate resolution.

Mr. Bogack stated: I didn't know the Supreme Court had a stay. I have been in this place for three years mostly because of the adjournments of the Off Key Tikki Bar. This is very unfortunate because I think the issues at heart here really could have been resolved and so much time was wasted on disputes that really did have solutions. But, that is the way we find ourselves. I still find my home invaded by noise, particularly when there is no permit allowing that noise at all which is what brings me to the meeting tonight and I waited to the end of the meeting to protest the conditions while this is going on.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned at 9:45 p.m.

Signed _____
Patricia M. Seal, Village Clerk

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