

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on September 27, 2010.

The meeting was called to order at 7:30 p.m. by Mayor Pontieri with Deputy Mayor McGiff, Trustees Crean, Devlin, Hilton, Keyes, Krieger, Village Treasurer Krawczyk, Village Attorney Egan and Village Clerk Seal present.

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

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the Board approved the minutes of September 13, 2010, as presented

Village Treasurer Krawczyk stated: The bills for the period ending September 27, 2010 totaled \$440,008.35. The five highest bills were: NYS Employee Health \$85,252.89 for monthly billing, Pilger Skidmore \$60,826.38 for insurance billings, Town of Brookhaven \$37,881.61 for monthly billing, LIPA \$18,308.02 for monthly billings, 41 East Main Street \$10,000.00 for façade.

General Fund	\$385,061.63
Trust & Agency	\$4,102.90
CAP Projects	\$10,054.40
Sewer Fund	\$23,717.99
BID Fund	\$5,379.63
Housing Fund	\$1,322.18
CDA Fund	\$6,488.48
General Bills	\$3,881.14
Totals	\$440,008.35

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

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for Anne Marie Monte and Kathleen Gallo to attend KVS User Group meeting in Village of Lynbrook at \$20.00 per person.

Village Treasurer Krawczyk stated: Just for your information, you have the cash balances as of August 31, 2010.

Deputy Mayor McGiff stated: We a Patchogue Pride Award to present. John and Maria Sarich of Wiggins Avenue have been chosen for their beautiful home. Joe Brandi started this award about a year ago to recognize people who take some effort and take pride in their village.

Village Clerk Seal stated: Notice is hereby given that a Public Hearing will be held on Monday, September 27, 2010 at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York 11772 by the Village Board of the Incorporated Village of Patchogue to amend Section 238-28 of Article VI to Chapter 238 of the Village Code requiring carbon monoxide detectors in dwellings, 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.

Village Attorney Egan stated: This would apply to new construction, renovations, rental permits and anything requiring a new C.O. The unit does not have to be hotwired.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request to Amend Section 238-28 of Article VI to Chapter 238 of the Village Code requiring carbon monoxide detectors.

Village Clerk Seal stated: Notice is hereby given that a Public Hearing will be held on Monday, September 27, 2010 at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York 11772 by the Village Board of the Incorporated Village of Patchogue to amend Section 415-16 of Article VII of Chapter 415 of the Village Code regarding time limit parking

restrictions, 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.

Mayor Pontieri stated: This is about the fact that we have had so many changes, e.g. from 15 minute parking, to half hour parking, to two hour parking. That instead of having it as a public hearing every time we make those resolutions, it can be by discussion by the board and done by resolution.

Village Attorney Egan state: The cost to amend the code book every time the board puts in a provision whether it be 15 minutes, two hours, 30 minutes or 15 minutes, a change of time, the cost is almost prohibitive. The proposal tonight is for the board to consider doing this by resolution. It would be done faster, easier, with the same amount of deliberation if they have it done by resolution. And the board could act with a lot moiré expediency, rather than waiting, setting a public hearing & advertising costs which could take four weeks. The cost of publication for legals as well as the cost from code is very expensive. It would be a timesaver and a cost savings. It would be on the agenda for the upcoming board meeting.

Trustee Krieger stated: These requests usually come from the recommendation of the residents in the neighborhood and/or the Chamber of Commerce.

Village Attorney Egan stated: The balance of the traffic control provisions are going to remain the same and will be changed by Local Law. The board going forward after having experience with this section may consider perhaps changes some of those to resolution as well. But, at this point where some of those other issues that may have major impact such as stop signs, no parking, and those kinds of concerns are still going to go by public notice hearing.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to amend Section 415-16 of Article VII of Chapter 415 regarding time limit parking restrictions.

Mayor Pontieri stated: A Board meeting held on July 15th requesting approval for change of zone and a special permit for project by RAM Associates for the proposed Clare Rose Multi-family Residential Development on West Avenue. There was a certain period of time open for pubic written comment or verbal comment and none have been received to date. Tonight we would like to approve request as presented on July 15' 2010.

Upon a motion made by Trustee Crean, seconded by Trustee Krieger, and unanimously carried, the board approved request for a change of zone and special permit by RAM Associates for the proposed Clare Rose Multi-family Residential Development on West Avenue.

Upon a motion made by Trustee Devlin, seconded by Trustee Keyes, and unanimously carried, the board approved request to adopt Findings Statement for Clare Rose project.

Mayor Pontieri stated: For many of us who have lived in the Village for a long time, we all know of the Vanguard's of the Patchogue Fire Department and the infamous Jake Parris who passed away about a year ago. What the Vanguard's would like to do is dedicate a section of Park Street between Ocean and Wire and call it "Jake Parris Drive." I think we should recommend that they should call it "Jake Parris Way" because he always got his way. It will stay Park Street for all intents and purposes of GPS, address and post office.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Hilton, and unanimously carried, the board approved request for parkway between Ocean and Wire be called "Jake Parris Way."

Trustee Krieger stated: Today I met with State Senator Brian Foley at the Theatre and he has secured \$100,000 grant for capital improvements at the Theatre. If you see State Senator Foley, please thank him for that because it is a very big thing for the Patchogue Theatre considering it is a none-for-profit endeavor and anytime that we can get some money like that combined with Blum's and all the sponsorships helps the Theatre. Senator Foley, when he was a legislator, also made sure that we got money from the County, about \$30,000 a year from the County.

Trustee Krieger stated: The Theatre season opens Oct. 1st with Paula Poundstone, Oct. 2nd with Betty Buckley and Oct. 3rd with the *Atlantic Wind Symphony*. The following weekend on Oct. 9th

is *Skid Row* and on Oct. 10th *Jesus Alive*. Just go to the website to review all the great things going on at the Theatre.

Trustee Krieger stated: I received an e-mail from Legislator Eddington's office that currently when going south on Waverly Avenue, just before the traffic circle, there are some lines painted on the road trying to get people to go into the circle but which are worn out. So, obviously people are not following the lines, so the County is going to be putting curb there. I understand they had a number of meetings with the Fire Department and residents. As everybody knows, the traffic circle is a bit of an enigma here and they are sincerely trying to fix this thing. The Library parking is somewhat under control, thanks to Trustee Keyes and his team at the Highway Department. It seems that it is working a little better. The Mayor and I are meeting with Abe Siegel to discuss parking at the Oak Street parking lot. That will be the start of what we will be doing with Oak Street parking lot as it is very complicated back there.

Upon a motion made by Trustee Krieger, seconded by Trustee Keyes, and unanimously carried, the board approved request to install three (3) 15 minute parking stalls located at 41 East Main Street, by resolution.

Upon a motion made by Trustee Krieger, seconded by Trustee Devlin, and unanimously carried, the board approved request to install two (2) No Parking Loading Zone spaces in front of 124 East Main Street, by resolution.

Trustee Crean stated: I want to thank Trustee Keyes for getting us sidewalks, new aprons and driveway on Bay Avenue from the railroad tracks to just Carmen Street, making it a much safer pathway for children to go to school. I had the opportunity to speak to the principal at South Ocean Avenue Middle School and will be meeting with her, the Mayor, and Superintendent Joe Dean tomorrow to discuss the possibility of installing a new crosswalk. We had some comments and concerns from residents that students trying to cross that stretch of South Ocean Avenue were not safe. We will witness their dismissal and, hopefully, come up with some improvements. We are going to consider putting in a crosswalk from the front entrance of South Ocean. And also made a request from the Pat-Med Superintendent to try and get a crossing guard there.

Trustee Crean stated: At the last B.I.D. meeting there was a request by one of the B.I.D. members if we would consider putting a crosswalk on West Main Street, similar to what is across from the Theatre. I told them I would discuss it with the Village Board and try to come up with a location if it is at all feasible. A potential site would be in front of J&R's to that alleyway in between the Bank of America and 31 West Main. The mast arms that we installed, without the cost of our services, was about \$22,000—the pictures, the signage, the lighting. I will ask them if they would be willing to help pay for that. I perhaps will meet with Joe Dean and determine the most probable location and see if it is possible.

Trustee Hilton stated: The Mayor, Maria Hendrickson and myself had a meeting with the promoters with the Music Festival and were able to collect \$1.00 per ticket which came to a little under \$10,000 for the event going to the Village which covered our expenses and then some. Once again, I have to compliment them on having a very good event. They have grown, as we expected, since putting on this event in the Village. Second of all, we have been meeting with the Boat Race people as to whether we are in favor of that event coming back to the Village and it has come down to a matter of money for them to—as the music festival has—reimburse the Village for the constables, the highway & parks laborers. We are still on the table for that. They have not asked for us to nail down a date and neither do I feel at this point prepared to do so. The Optimum Nationals is every four years and they are planning to come back in 2012.

Trustee Hilton stated: The Great South Bay Music Festival would like to block out July 15, 16 & 17, 2011 for their next Annual Festival at Shorefront Park. This would be contingent on the site plan presented being approved by Village Safety Inspector Peter Sarich.

Mayor Pontieri stated: The only thing I would like to also consider, so we don't have to go through the discussion next year, is that upon approval for next year that we consider fireworks; that that weekend we would block that out for fireworks, if we were going to have fireworks at any given point during the course of this summer. So we then we won't get into this thing where—did they put in for them or didn't they put in for them or did somebody else want to do them on another weekend. That for at least this application that fireworks be part of it because we could always pull back by resolution that approval.

Trustee Hilton stated: At this point I think they would like to just block out the dates and approval for the festival. I think at this point we should approve blocking out the dates because they have not submitted information whatsoever what their plans are. In our discussion with them they have eliminated the carnival. We are also taking into consideration the talks that Joe and I have had about turning a lot of Shorefront Park into a low impact area. And, we feel that we can no longer offer the area that the carnival has been at, nor do we want a carnival, and they have agreed to not have a carnival. At this point, I think we should just block out the dates and ask them to come back before us.

Upon a motion made by Trustee Hilton, seconded by Trustee Crean, and unanimously carried, the board approved request for the Great South Bay Music Festival to hold their Annual Music Festival at Shorefront Park on July 15, 16 & 17, 2011 contingent on site plan approval from the Village Safety Inspector Peter Sarich.

Trustee Hilton stated: We have submitted an invoice to the Great South Bay Music Festival for two years which they paid. In bringing up the fireworks from this, we had to reverse our decision about the fireworks because we saw that it would be outrageously expensive to host fireworks by Grucci, but were actually able to collect money from the Great South Bay Music Festival to actually offset the cost.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request for Sr. Building Inspector Peter Sarich to attend a course in Manchester, New Hampshire, Oct. 19-22, on Construction Trenching, Excavations, and Soil Mechanics Training. The course cost is \$855, total cost including lodging, meals and transportation would be \$1950.00.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to appoint PSO Isaias Camacho, Jr., PSO Daniel Cregg and PSO Scott Love, seasonal Public Safety Officers to permanent part-time.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the board approved request to rescind previous promotion of PSO Depolan and to promote PSO Robert J. Weber to Sergeant, effective October 1, 2010.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Hilton, and unanimously carried, the board approved request to increase pay for the following: Sgt. Nicholas Zambelli \$20.20 per hour, PSO Robert Weber \$18.10 per hour and PSO Robert Black \$18.10 per hour as per contract, effective October 1, 2010.

Deputy Mayor McGiff stated: Everyone is aware of what has been going on at 3 Lake Street. Attorney Egan had an Order to Show Cause in Supreme Court seeking to shutdown the building. The owners have sort of walked away from their responsibility; it is in foreclosure. The need for the court was obviated when there was a fire at the premises so it has been boarded up. In furtherance of that Peter Sarich is recommending that the board revoke its C.O. pursuant to Section 435-61 of the Village Code. Some of the things documented at that site, one of the things not in the report, but there have been a lot of radio runs by SCPD--criminal activity at that building--some felony charges. On June 10, 2010 the Bldg. & Housing Department posted the building as unfit for human habitation and dangerous to life and safety. The owner of the property have ignored directives to make repairs or to correct the unsafe and unhealthy conditions. Some of the dangerous conditions are as follows: broken windows throughout the building, inoperable fire escape ladders, accumulations of flammable debris such as clothing and furniture in, under and on the main exit stairway. No operable heating system. No hot water. Fire doors in the hallway either destroyed or vandalized. Human and animal feces, urine and vomit in some of the abandoned apartments. Heavy vandalism and destruction of sheetrock of fire rated and interior walls. Infestation of cockroaches due to rotting food in abandoned apartments and hallways. Rodent infestation from piles of household waste in the rear yard. Gas service is disconnected so heating and cooking is from space heaters and hot plates. No carbon monoxide detectors and no means to secure entry doors and windows. In light of all these things, people have been living there including children. No one is living there now; after the fire it was evacuated and all those people were brought to temporary housing. So right now the building has been secured. I think by revoking the C.O. there will be a two prong effect. It will help us maintain that it is vacant and also when that building gets bought at a foreclosure sale, this will

force a new owner to come to us to get that C.O. and to do things. It is right in the heart of the Village and where people right across the street are spending millions of dollars. Hopefully, this will get that property in line. I would like to thank Attorney Egan for this because he fought the good fight. I would like to present this in the form of a motion, to remove the C.O. at 3 Lake Street, Patchogue.

Attorney Egan stated: That motion should be held pending. Since we are doing this by hearing, we need the Clerk to mark the Notice of Public Hearing that was included in the packet as well as the C.O.'s and memorandum that Deputy Mayor McGiff read into the record. I would just ask if anyone is here from Atlantic Properties or in the hallways to come forward. (no one appeared)

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request to consider the revocation of the Certificate of Occupancy for the building located at 3 Lake Street.

Trustee Devlin stated: I have been waiting for the Suffolk County work permit for the purpose of weeding the Waverly Avenue Spur which I understand now that we did get. Trustee Hilton had asked the question about whether there was any reimbursement and there is a \$1,500 grant that is going through the Greater Patchogue Foundation which is going to reimburse the B.I.D. and the Beautification Committee because they offered to hire a professional landscaper who can tell a plant from a weed to do the initial weeding, then our DPW guys will maintain it. The work permit is ongoing and the \$1,500 is just for the initial weeding as DPW will maintain it thereafter.

Upon a motion made by Trustee Devlin, seconded by Trustee Keyes, and passed with Trustee Hilton opposed, the board approved request to enter into agreement with Suffolk County for work program to weed the circle at the Waverly Avenue Spur.

Trustee Devlin stated: I learned recently that New York Senator Foley has secured a \$100,000 grant for the Greater Patchogue Foundation which is actually for the Cemetery Committee which will be used for the sidewalks and curbs around the cemetery.

Trustee Devlin stated: The benches for Shorefront Park are on order for the playground area. The mosaic benches are going to be placed in the park also. On October 13th at 6 p.m. the Patchogue Arts Council is having a lobby reception at the Theatre Lobby. On Oct. 24th is the Third Annual Autumn Arts Festival which is a joint project between the Theatre and the Patchogue Arts Council. There will be poetry readings and receptions for the artists. If you go on the website you will see the entire agenda. On Oct. 23rd at 10:30 is the Harvest Cleanup of the parks, meeting at 10:30 a.m. On Oct. 29th at 6 p.m. at the Theatre there will be a presentation for anyone interested in living in Artspace.

Trustee Keyes stated: I want to thank Trustee Devlin for her work helping in the quilt project made by concerned citizens in memory of Marcelo Lucero. I understand that Patti Seal will be cooking a wonderful meal for someone who bid at the Chamber. I received an e-mail that was sent to Joe Dean and Lou Garafola, Foreman of the Highway Department, received from residents Jennifer and Donald Danhill of 48 Jayne Avenue, who wrote: "I just wanted to let you know about the guys that collect our garbage. We are new homeowners and not sure on exact days of pickup. They are always nice enough to collect our garbage at the end of our driveway, even when my car may not leave a lot of room. I just wanted to send a positive note to a great team. Thank you." And also, some time ago the Town of Babylon Supervisor reached out to Mayor Pontieri because there is a part of East Farmingdale that they are looking to revitalize so he wanted to ask the Mayor to host a little tour of Patchogue because he wanted to see how a downtown was revitalized. I would like to read that letter into the record. "Thank you for graciously hosting our East Farmingdale residents on a tour of downtown Patchogue on Saturday, September 18th. The residents thoroughly enjoyed the opportunity to see how far the Village has come. The quality of the walking experience reflects the hard work and dedication to traditional neighborhood principles. As we begin redeveloping Airport Plaza in East Farmingdale, it is important to look to local successful villages as models. I am confident that we will one day have a vibrant pedestrian friendly destination center in East Farmingdale and the positive example you have provided will have helped us to get there. Finally, I know you are aware the regional coordinates of creating job opportunities and attracting young people to smart growth and transit oriented development and I thank you for your willingness to work together on a project which will have a positive effect on an island that we both call home." It is nice to be recognized by other municipalities by a job that this board has done.

Trustee Keyes stated: The sidewalks on Bay Avenue is complete. The bulkhead at Brightwood is complete and we want to put some benches there. Work has started on the Winona so on January 1, 2011 that building will be occupied.

Upon a motion made by Trustee Keyes, seconded Trustee Hilton, and unanimously carried, the board set a public hearing to be held on Tuesday, October 12, 2010 at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York 11772 by the Village Board of the Incorporated Village of Patchogue to consider adoption of Illicit Discharge Legislation, new Chapter 370.

Mayor Pontieri stated: About a year ago we put a grant application in with Bellport as shared services and got a \$390,000 grant for a vac-all truck which allows us to clean the storm water drains out and also to be used to clean out sewer and septic lines. That is a \$257,000 vehicle whose use will be shared with Bellport. It is the largest grant given out on Long Island. The other \$100,000 will be for a new tower truck to maintain lighting. These are vehicles that sit in one yard or the other for probably 80% of the time, so being able to share it with Bellport is a great cost savings for us. Our contribution between both villages is about \$35,000 a piece.

Trustee Hilton asked: I wanted to ask about recyclables in apartment house complexes.

Mayor Pontieri stated: No. That is handled by private carters.

Public to be heard:

Joseph Yannetta, 90 Maple Avenue, Apt. 2F, Patchogue stated: I am totally annoyed at people living in apartment complexes who are under the jurisdiction of whether or not they can recycle by the landlord themselves. If the landlord decides to hire a private sanitation company, it is totally up to him. So if he chooses not to recycle, which they do so many times, they just don't recycle. The law is not being enforced, because I read somewhere it is the law. I read it somewhere and have gone on the internet to see who exactly I could go to. In the meantime I have promoted this petition and in the meantime have been taking my recycles to the Holbrook Recycling Center on Lincoln Avenue. The duties of the Sanitation Department by the Town is divided by these people. Private sanitation usually does not recycle. I wanted to bring this to the attention of the board and know that if you are as environmentally conscience as I am there has something good to come out of it; it is community effort. What I want to do in my own apartment complex is to get people to agree to start a recycling program and maybe we can get a recycle can donated from the Village. (Petition presented to clerk.)

Trustee Hilton stated: I live at the Landings on River Avenue and they contract out to Winter Bros. and to abide by this law, Winder Bros. said they will separate it when they get back. I would feel much more confident in them giving it to the Village and having them take it out.

Mayor Pontieri stated: The only time private carters recycle is when there is a spike in the recycle material value, that there is a dollar per pound value that they put on it and if it goes below that they don't recycle. We are going have to take a look at the law because there has to be a loophole in there somewhere for them to get away with that.

Trustee Hilton stated: The Village can say it is not our problem because it is being taken away from an apartment complex, so we are not having to pay for tipping fees. So it is not like our garbage is made heavier with recyclables or we would be getting a discount by collecting their recycles. I think that we should take a look at it. I live in a complex that will not allow a recycle can outside, so I ride around with it. I went to the Village recycle center and I can't get rid of it.

Trustee Keyes sated: There is a plan and we are in the baby steps stage right now.

Trustee Hilton stated: I think that we should supply containers on weekends or a dumpster where people from apartment complexes can take their recyclables and make curby cans available to them in those complexes. Our recyclable trucks go right to the dump when it is full and not to the Village yard and we don't pay for a tipping fee.

Joseph Yannetta stated: I was wondering about Thorne Avenue next to my apartment complex. All of a sudden there were signs that went up.

Mayor Pontieri stated: That was done because people were parking so close to the driveways that people couldn't get out.

Trustee Krieger stated: Deputy Mayor McGiff and I looked at the site because a lot of the neighbors were complaining about the people parking at the end of their driveways. Part of the consideration is that Maple Ave. Apartments does have parking. It is a big parking garage whose fee is \$50 a month to park, I think. It has been a problem in that neighborhood for years.

Joseph Yannetta stated: Not for myself am I complaining about parking, but it seems to me that whole area is owned by whomever. There are all kinds of signs out there. Understandable, they should get tickets, but that whole block is bad on that side. (conversation ensued)

John Bogack, Noxon Street, Patchogue stated: Since I came here two weeks ago there has been a tremendous amount of activity with the Off-Key Tikki Bar. The Village prevailed in the court. The owner of the Tikki Bar has remained open in defiance with no certificate of occupancy and no noise permit. Then it seemed that the judge reversed itself and the judge gave the Tikki Bar another certificate of occupancy. I am questioning at this point where are we in terms of what is happening.

Village Attorney Egan stated: Your summation is exactly correct. Because this just happened Thursday afternoon, I am reviewing strategies. But it is certainly something that we are evaluating and considering what our options are. The judge extended the C.O. until October 28th, coordinated with the Article 78 date. The Article 78 will determine the outcome.

John Bogack stated: All the tickets that were issued during that three day period, six I understand, in addition to the four others that are outstanding, will those be resolved in the Supreme Court or the Village Justice Court?

Village Attorney Egan stated: In the Village Justice Court.

John Bogack stated: Whatever the maximum penalties are, they should be applied. I think contempt for the Village is evident by the behavior of the owner and it should be recognized.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned at 8:50 p.m.

Signed _____
Patricia M. Seal, Village Clerk

/id