

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on July 26, 2010.

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

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

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved the minutes of July 12, 2010, as presented.

Upon a motion made by Trustee Keyes, seconded by Trustee Crean, and unanimously carried, the Board approved the minutes of Special Board meeting held on July 15, 2010, as presented.

Villager Clerk Seal stated: The bills for the period ending July 26, 2010 totaled \$1,318,363.31. The five highest bills were: RJ Industries \$539,904.38 for sewer plant expansion, American Environmental Assess \$144,900.00 for replacement of gas tanks, JPS Dove Plaza \$100,000.00 for B.I.D. façade grant, NYS Employee Health Insurance \$97,802.51 for monthly billing, American Recreational \$80,495.61 for Shorefront Park Playground.

Mayor Pontieri stated: The only thing that we are paying for ourselves out of all of this is of the 539,000 sewer plant is \$100,000, American Environmental \$144,900 which is a grant that Senator Foley got us from NYS to pay for our fuel tanks, Dove Plaza \$100,000 new façade is the Main Street grant, American Recreation \$80,000 was for Shorefront Park playground--half from a grant and the other by donations. Out of \$936,102 we are paying about 10%, \$97,000, out of it is tax dollars.

General Fund	377,994.64
Trust & Agency	21,431.96
CAP Projects	874,141.93
Sewer Fund	30,740.89
BID Fund	1,929.95
Housing Fund	1,749.02
CDA Fund	6,116.01
General Bills	4,258.91
Totals	1,318,363.31

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

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to remove refuse fee from Account #2852, 52 Terry St., and refund \$1,133.30, and Account #2853, 54 Terry St., and refund \$1,925.00.

No Public Hearings

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the board approved request to grant an out of district sewer connection for Fairfield on the Bay located on Crescent Street. Because this is an out of district hook up they would have to pay for any key monies charges for the connection itself.

Mayor Pontieri sated: I would like to read into the record two letters I received this week. "Dear Mayor Pontieri, I am a Village resident and also a member of the Patchogue Pool Club located next to Shorefront Park. There are several things I wish you to know. I am not only a resident of the Village of Patchogue and a member of the Pool Club, but a very happy and proud one at that. Today I spent my Sunday afternoon relaxing by the pool and as so often happens when I enjoy a day there, I was delighted by the efforts of the excellent staff and the immaculate and stellar appearance of the grounds. I spoke with Maria (Hendrickson, Director of Recreation Department) who I believe is the manager associated with same. I congratulated her on her selection of polite,

respectful and courteous staff members. I also mentioned the immaculate condition and insurmountable care given to the grounds, the pool, the restrooms and the respect afforded to all. Maria, a total professional, appeared shocked and extremely touched at my gesture. She indicated to me that it was refreshing for her to be given such a compliment. She was extremely gracious, yet evidently quite happily affected by my overture. It was very important for me to point out to Maria that one employee in particular was deserving of praise. A young lady employed there, in the building at the entrance checking membership cards, has gone above and beyond normal expectations. Her name is Elaine. Elaine is not only efficient, respectful and courteous, but delightful in every aspect. She is not only excellent in her position, but a kind caring individual as well. Marie and Elaine, just to name two of the many wonderful employees at the Pool Club, are to be commended for their efforts, professionalism and kind regard for all who enjoy the services they provide. They are a tribute to the pool club, our Village and to you. In addition to the above, please also accept my thanks as a resident of Bay Village for your consideration regarding our previous parking situation. I attended the initial town meeting where the dilemma was presented. Your apparent regard and attention to our issue was extremely impressive. Your solution to our problem is extremely appreciated. Warmest regards, Pat Tedesco, Bay Village Condominiums.”

Mayor Pontieri stated the second letter reads: “I just wanted to commend the Patchogue Village staff particularly Parks Commissioner Lori Devlin, Maria Hendrickson and the entire Parks Department staff for their tireless effort in crafting a safe handicap accessible play area at Shorefront Park. So often children with disabilities are excluded or considered at the last minute during the planning process. It is a pleasure to know that this project was designed specifically to meet the needs of children with disabilities. So instead of a disabled brother or sister just watching the fun they can now join in. I think this speaks volumes about the people who work for Patchogue Village. Sincerely, Sue Greer, Smith Street.”

B.I.D. Report / Chamber of Commerce Report - None

Trustee Krieger stated: Gateway is having great success at the Theatre with *Hairspray*.

Upon a motion made by Trustee Krieger, seconded by Trustee Crean and unanimously carried, the board approved request by Iglesia Pentecostal at 102 Railroad Ave. to change date of previously approved outside parking lot event to August 15th.

Trustee Crean stated: With the assistance of Deputy Mayor Steve McGiff, there is a new tenant in the former Mangia Mangia restaurant location by the Theatre. I am happy to announce that Scotty Campbell and his partner John Perragina is going to be moving over their restaurant Pera Bell to the heart of the Theatre district. I am very happy that we will have a quality operator that everybody seems to like their menu. It is going to create a great marriage between the Theatre, The Public House and now Del Fiore Pizzeria, creating many options right next to the Theatre. I want to thank Steve for facilitating that.

Trustee Crean stated: We need Board approval to grant allowance for Artspace to install their kiosk sign which is going to be ten feet high.

Lori Belmonte stated: They have been in front of the ARB and we gave them approval, providing that this board give them approval because our Village code states that free standing signs cannot be more than nine feet and their sign is ten. When it lights it will reflect off the building.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to grant approval to Artspace to install sign that is ten feet tall.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for AMVETS Post 111 to have live amplified music at Firemen’s Park on Saturday, August 7th from 1 to 5 p.m.

Upon a motion made by Trustee Hilton, seconded by Trustee Crean, and unanimously carried, the board approved request to change rate of pay from \$8.00 to \$9.00 for Kaitlin Crowley, Sammy Prestano and Molly Rooney, effective July 12, 2010.

Upon a motion made by Trustee Hilton, seconded by Trustee Crean, and unanimously carried, the board approved request for Patchogue-Medford Schools to use Rider Avenue Tennis Courts for tennis matches every Monday-Friday from 3 to 6 p.m. from September 7, 2010 thru November 5, 2010.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to increase rate of pay for Tom Murray, Parks laborer, from \$9.00 to \$10.75.

Trustee Hilton stated: This week we exceeded 1,000 memberships to Patchogue Beach Club which is 2 ½ times what we had last year.

Mr. Keegan stated: The Brick House faxed over a note relative to the boat race that as we had done in the past, had a band in an area east of the Brick House. Subject to the board approval and everybody else, we would like to serve beer and wine licensed area for service in that general vicinity. I understand we have had a lot of angst with *Alive After Five* and continue to have a lot of things to work out about that. This is not intended to be or expected to be that type of turnout, nor is it going to be that type of a thing where we are going to corral people and have them jammed in there. It is simply an opportunity to have some accommodation for people that are in and out of the area, that are going into various buildings. We happen to be situated pretty ideally and we certainly want to take advantage of it when the people are in town that evening. We have done it before without any problems and I am here to ask that the board, subject to us getting our liquor licensing, would approved that. It would be on August 20th from 6 p.m. for two or three hours that the boats are on Main Street.

Mayor Pontieri stated: You made the comment that there is a lot of angst about *Alive After Five*. It has become successful because the amount of time and effort that you put into it and your strength of persuasion. But that being said, the concern I have and the board is that if we allow one to be approved, then Pera Bell, Bobbique, J&R's, Public House, Main Street, whether we want it to be an *Alive After Five* or don't, it will end up to be an *Alive After Fivish* and that crowd again. What I always enjoyed most about the boat race situation is that night is quiet, you walk the streets; they come out of the restaurants look at the boats and it is just a different crowd. Saturday night after the boat races at 5 or 6 o'clock, things settle down. The same thing on Sundays, the night quiets itself down. I think with the success of *Alive After Five*, if we grant this to you we will have to grant it to all. That is my concern.

Mr. Keegan stated: With respect to this application and all *Alive After Five*, I would only ask that the board treats all of those places equally. If you see who went out and got their liquor licenses and their approval; we found out at the last *Alive After Five* how many who are there who have not. Only because of the situation of where we are—and that 15 years ago took the leap of faith into this thing—and I do understand what you are saying and am frankly blessed to have the area behind the Brick House that can accommodate people so if it is something that the board wants to say “no” to I am perfectly understanding and happy with that. But, with respect to saying that it has to be given to everybody if it is given to one, you have to treat each application on its merits. And, I frankly think some of those like Para Bell may have some additional area—the Court area next to them; we have obviously some municipal area next to us and have the Rose Memorial sitting right there. Not everybody knows, but when we do it we pay for it and that is what brings me here tonight. We do have the area in the back that we can accommodate everybody on our own property if that is the feeling and would be happy to do that if that is what you so choose.

Deputy Mayor McGiff stated: My concern is the same as the Mayor's, about it turning into a fifth *Alive After Five*. As Paul says it has a different tenure without the bands and with people just milling around, it has more of a family crowd. I know *Alive After Five* can be family, but after 5 or 6 p.m. it turns into something else. I think we have two more to get through without incident, and think we would be pushing our luck to make this a fifth.

Trustee Hilton stated: I think that if we were to offer you the parking lot, and I don't know if this would work or not, and make that the one area and invite all the businesses on Main Street to go into that one area, then maybe that would work. But, other than that, being its a municipal parking lot, I don't think it would be fair to just offer this to one person and then accept each application as it comes on merit. Because looking at these businesses on merit, I think we fully approve of all of them. My point is that by us granting this tonight, the other businesses will make themselves a little more visible that night. I think that we would be able to find that more

workable than to actually grant you permission and the next person and the next person because each one of these businesses has done a fine job as far as promoting Main Street.

Trustee Krieger stated: I think the area behind yourself might be a good solution. I agree with the Mayor and Steve, it might change the tenure of the event.

Mr. Tom Keegan stated: I understand your reasoning. One other thing, there is a trailer parked across the street on North Ocean Avenue and it moves up and down. It is not ugly, but it does very severely obscure the vision of those people looking north. Bob White has trucks that makes deliveries and it gives the driver a hard time. I know any limitation on parking to the south of Thorne St. will possibly affect the folks a PMRG because I know they make use of that , but I did speak to John Czar and he said he has plans put together which he has not submitted yet of using his back area as parking area.

Mayor Pontieri stated: What if the first thing is to do “no parking from midnight to 6 a.m.” That would force anyone who is there to force that thing off the street. Let’s see if that takes care of the problem before we get rid of parking on the street itself.

Mr. Tom Keegan stated: What I would suggest—and like I said the singular most affected first is Tom Czar—and I really think we might want to consider two hour parking in those spots. I spoke to Matt at Reese’s and he was in favor of it. I was not able to reach all of them, but pretty much all the businesses along there are pretty much in keeping with the fact that it probably would be a good idea. I think we should have a public hearing and consider whether it be just an evening exclusion, a two hour limitation, or something along that line.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Krieger, and unanimously carried, the board denied the request by Brick House to have beer/wine garden with live band at Boat Race event on Friday, August 20th from 5-9 p.m.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request to have Ryan Murphy a salaried employee at the rate that Victor Cruz was salaried.

Trustee Keyes stated: The Shorefront Park Playground is almost complete. The bids for the Roe Walkway have been opened and should be awarded at the next CDA meeting, August 5th. The money for the Bay Avenue sidewalk project from Carmen Street to the railroad tracks is coming from the County. However, National Grid is working on that street and we are trying to coordinate with that. Also, the bid packet is being prepared for the building of the bathrooms and ADA compliant at 380 Bay. The bulkhead replacement at Brightwood Street is now in progress and the bid for Cedar repaving will be opened on July 29th.

Trustee Keyes stated: The interior renovations at 380 Bay was a complicated bid process, different than what we did before this. There were about four different contractors involved. There were some base bids and some alternates to find what we could get with our money. The first time we bid this out, the bids came in at probably twice what we anticipated and we had to start from square one. There is a general construction base bid for \$237,000. Two alternates to that would include the structural steel to support the second and third floors for future renovations. We are looking to one day have offices on all floors, the third floor would be storage, the second floor would one day be offices as well or a community rooms—however it would work out. However, we feel the time to put the structural steel to support those would be now, as long as we have a contractor and they are doing that. The total of those three—this is the general construction—that would complete the first floor, including the two story renovation in the rear—the sheetrock, framing and the paint, etc.—comes to \$314,000. We are suggesting to award that bid to Carter Melance. There is also a plumbing base bid which would include all the baseboard heating and plumbing for the first floor, rough plumbing for the bathrooms, and heat risers capped at the second floor so when we get to the second floor they would be roughed. That low bidder was EJC Plumbing at \$85,000. The mechanical base bid came in at \$207,000 which would include the air conditioning and sprinkler systems for the first floor only awarded to Fidele Construction. The electrical base bid plus two electrical alternates which would complete electrical on the first floor and a sub-panel installed on the second and third floor. The alternates would be: 1) to remove the existing services which was \$3,000, and 2) was \$40,000 to install a 400 amp service because we will have to put an elevator in their to make it ADA compliant. The lower bidder on that was Carter Melance for \$130,000. The total base bid package with those

few alternates that I mentioned comes to \$736,000. The Bond Anticipation note is for 1.2 million. We have also applied for a matching \$400,000 grant so that extra money which will allow us to complete the second and floor in its entirety if we are awarded that grant. That extra money in there gives us that room in case that happens. We are expecting \$736,000 for the base bid, but if we don't spend the 1.2 million we will not be held for that.

Mayor Pontieri stated: It will be turned into a 25 or 30 year note. When you bid one of these, and the reason that it went to 1.2, is that if at some point you spend only the amount you need to take to complete it, initially the \$736,000 to complete. The remainder of it is if over the next 3-5 years if we choose to complete it we can draw down that other \$500,000. It is a tremendous amount of money. We already have a tremendous amount of money probably about \$300,000 invested in it now, but when it is done it really will be something that we can be proud of and will have a long lasting effect. It is on the parks grounds itself. There is \$60,000 being set aside in the Katherine Morton Fund, one of the original Smith Street sisters, setting up like computers. There was also a \$100,000 anonymous donation for the wraparound porch. It is one of those things that isn't about today, but about the future and going forward.

Trustee Crean stated: The Bond Anticipation Note will be converted into a Bond at some point within the next year or so probably. Then we anticipate in financing this out for a period of 25 to 30 years. It is a great market to be doing this and to say it will be one of these legacy type of projects that will be looked back on 15 years from now with a great deal of pride. There is nothing better than to try and provide good opportunity for the youth of the community to stay out of trouble, and facilities for the elderly too. It seems like a lot of money, but when you spread it out over the next 30 years, it is a small part of the budget each year.

Mayor Pontieri stated: The vacant property just to the north was purchased by the Town of Brookhaven as open space by Councilman Mazzei four or five years ago, so we own and control all the property around it. Patchogue-Medford Youth is in one building and we have that. We are at a point where we have so much invested, that I think we have to complete where we go.

Trustee Hilton stated: That building also represents a significant amount of history from that local area, Bay Avenue

Trustee Keyes stated: We expect to have someone in there by January 1st—the community room and offices.

Trustee Hilton stated: Right now one of those is at the American Legion and one is at the Fire House and we will be consolidating those two offices.

Trustee Crean stated: We will be talking about perhaps a payment of \$40,000 for the next thirty years to get this done. And as said before, it is money well spent. Unfortunately, it is a little bit more than we expected, but it will be done right and done with foresight, as Joe has described, we will be able to convert the upper floors at a future date when given the opportunity.

Mayor Pontieri stated: At one point and time, my understanding is in the 1800's, there was 1,000 hotel rooms between Bayport, Blue Point and Bellport. Just along the south shore you had the Clifford Hotel, the Smithpoint and Mascot. There was 1,000 rooms in this area and this is the last one left standing. As much as it is about recreation, it is about preservation also.

Upon a motion made by Trustee Keyes, seconded by Trustee Krieger, and unanimously carried, the board approved request to award the following bids for the 380 Bay renovations. General Construction base bid, Carter Melance \$314,000; Plumbing base bid to EJC Plumbing \$85,000; Mechanical base bid to Fiedle Construction \$207,000; Electrical base and alternates to Carter Melance \$130,000, totaling \$736,000.

Mayor Pontieri stated: NYS has a Wicks Law meaning you have to pay prevailing wage. Prevailing wage, unfortunately, is determined both by the combination of union wages and numbers and wages, pretty much what they are paying in Manhattan. So we are paying Manhattan prices in Patchogue. I talked to a lot of guys about doing this, even Carter Melance, and they said if they were doing it as a straight job bid to do it, it would be probably about 35-40% less. But NYS Law is very clear—you have to go prevailing wage. Prevailing wage is basically union wage—there isn't a lot of negotiating with that.

Trustee Keyes stated: The contractors when we were doing the renovations for first floor, we also see it possible that for the second and third floors our own guys can put up sheetrock and that kind of stuff. Hopefully, as time goes on little by little we can do that ourselves and save a lot of money as well.

Upon a motion made by Trustee Hilton, seconded by Trustee Crean, and unanimously carried, the board approved request to issue a Bond Anticipation Notice in the amount of 1.2 million dollars for interior renovations at 380 Bay Avenue, project subject to permissive referendum.

Public to be heard:

Laura Tyler, 20 Smith Street, stated: I am a thirty six year resident. I would like to reintroduce myself because I was at Village Hall a little less than a month ago to pay my Village taxes and also requesting a couple of blue passes which we are required for our guests who park outside of our own homes. At that time I was reminded by, I do believe it was you Ms. Seal but correct me if I am wrong because you were wrong about who I was and I don't want to do the same thing to you. You then told me I was one of the residents at a meeting who requested those signs. I was not one of those people at a meeting that requested those signs for parking by permit only although I don't totally object to them. I was the person, Mr. Pontieri you were here for one but not the second, who objected to the fact that Lombardi's wanted to expand their occupancy far beyond the parking capacity. They assured us at the time that people were going to come four to a car, that their waiters and waitresses were going to carpool. We said it is not possible. There is no more parking space down there and warned that if that happened we would be run over just like the other towns Lombardi's has spread themselves out in. When they first came in and it was Philomena Lombardi who was speaking, we actually chuckled because she spoke about, "oh, we just need this piece of the park and this and that." We thought you might have gotten away with this in other villages, but this is thought of as the gem on the Bay, the jewel of Patchogue. One of the things I did prophetically warn is that I feared like the song by Joanie Mitchell, "don't it always seem to go that you don't know what its got till it's gone." They paved paradise to put up a parking lot. They have turned out streets into parking lots. Now it's them all over the place, the valets. The waiters and waters laugh at us when we tell them they are going to get tickets because they really don't anyway. Everybody has signs up and down the streets like we live in the city. I don't know how much is rumor or how much is not, but that is why I am here--that Jimmy Gillis who is on the original property that was the Four Sister's--the original house or property got so bad that he has agreed to lease some or a portion of it for parking. It is scary--is it the part next to the parking lot where it is the only trees left down there, so now it will be emissions and car alarms instead of the trees. Will it be the lot next to my neighbor where we are all residential except for his little lot that he has his residents that live in his apartments, will it be right there? This is one instance where I would so wanted to be wrong, that they would pave paradise and make it a parking lot. At the first meeting I remember you said that not one square inch of that park would they get and they didn't. I appreciated that, but the rest of it is happening. We already have several parking lots on our street, one was for the park and they have taken that over too--it starts filling up with the waiters and waitresses early in the morning--my neighbors will attest to that. You managed to keep them out of the pool because you know that that was the other spot they were going to spread out to. We hear rumors that they got permits for a roof top bar. The problem is that one of the things, and Mrs. Seal you pointed out when I voiced my concerns that if I didn't like it why did I want to live here. I have lived here for 36 years and I really resented when you told me that and my feelings were quite hurt. That is why I am saying, I was mistaken for somebody else and I don't want to do the same to you, so I apologize. Your name was on the papers you or somebody gave to me. We do have a lot of parking spots already on our street; they are starting to be abused. At eleven o'clock last night I am following my sister, who was visiting, out the door, taking the blue card off her car for the next person. We have unusual selective prosecution--they come down the street and we come running out the doors. My neighbor's sticker was behind a dark window and I am banging on his door so he doesn't get a ticket. But, meanwhile, when the events go on, everybody parked wherever they wanted. I likened it to, and told one of the police enforcement agencies that was down there, I feel like somebody who is a little kid and you have certain rules that you have to obey at home--certain toys you can't touch, and certain things you can't ruin. But, when company come they can stomp through your room and then when they were gone, you were left to pick up the pieces. It felt like the rules were not evenly distributed and that is how I feel now. Now I remember my train of thought of why I live here. When we moved into Patchogue, one of the things I remember most is the sign that said "Patchogue, A Nice Place to Call Home." I still think it kind of endearing, although it feels less and less when it seems like whenever a homeowner--and I

speaking from my own experiences. I have put an addition on my house, I have put a foundation under my house, I paid off two mortgages and a home improvement loan to be where we are, I own it outright, I treasure it and everything around me—hearing the birds in the trees. But, I also liked the fact that there were rules and there were regulations. I am one of those people; I live by them. When we went to put our dormer up our original plan was about a foot higher than the person next to me and we had to reconstruct everything. Within another few years the person next to me made theirs twice as big. When we wanted to put a little box variance, an entrance way, we had to practically jump through hoops and send out letters four or five times to get something that is really 5x5 foot because it would have been too close to the road. But, even our house would have been too close to the road the way it was situated. But, then I see things get fast-tracked and it seems inequitable. I am a Libra and like things fair, but feel things haven't been fair.

Mark Fosse, South Ocean Avenue, stated: With reference to the boat race event, I would like some feedback as to what the plan is and have some ideas which may help alleviate the parking issue with that. The thought is the racing event is really two events. One is the one that occurs during the day at Shorefront and the other is the exhibition. It might be helpful to locate some of it in the Rider Avenue Park and also it has the advantage of being centrally located. You have a very large parking facility by the future Recreation offices which is completely underutilized, and that would be an easy walk to the center of the field. You got another larger parking area on the Rider Ave. side and the parking on the corner. And the large parking area which is east of the softball field in the Southshore Park which if you locate, very often they stage the boats and displays in that area and take up a lot of parking space. If you put it in the Rider Avenue Park you can free up between 1-2 acres, depending how you lay it out. So, we can get a lot of the parking in existing parking spaces. I am willing to volunteer my time in contributing anything that is useful.

Mayor Pontieri stated: We are meeting later this week and these are some ideas we can bring up.

Mark Fosse stated: Regarding Lombardi's, he and I have had conversations and I have had conversations with board members about possible solutions to that. I do know through conversations which I will not recount that some of the efforts they were making on the private side have not gone anywhere. I am not complaining but am actually relieved that some of those are not occurring. I know that we discussed that we take some existing parking lot space that is underutilized and develop that. I wonder if that has gone anywhere.

Mayor Pontieri stated: It is going through the process now in terms of internal discussions and I will get back to you on that.

Mr. Fosse stated: With regard to the pool, there is a great deal of effort to try to enforce a rational kind of environment down there and usually the manifestations are around the part, the part I care about the most, the lap lanes. Usually it is kids in the lap lanes swimming in circles in the lap lane and the lifeguards let them stay. Last week there was an adult walking up and down the lap lane swinging his arms saying he is doing laps. We are in the silly zone in respect to enforcement down there. Again, you have kids that are lifeguards. What I am suggesting is either we enforce the lap lane, or put another lap lane up for a slow lap lane. It is a simple solution. The problem is that it will take up more of the pool which people will complain about. One lap lane is fine just as long as we are enforcing the rules. I think beyond the lap lanes, the point I made last year, this is a safety issue. Just a general idea of managing the rules, whatever the rules are whether it is about laps, whether it is about not horsing around and like last year jumping off the lap lane floats. Just enforcing the rules and say you cannot do that, and if they don't stop they are ejected from the property. I think if they don't do that, there will be a problem.

Joe Quercia, 5 Brightwood Street, stated: Just to address the parking issue with Mama Lombardi's. It now has spread. It started centralized from Brown and then spread and neighborhoods complained and now we have a raceway on Friday and Saturday night on Brightwood Street going down Cedar. You have these valet parking kids coming down. I cannot have company Friday and Saturday night without putting out cones because someone is paying to park in front of my house and I am not getting the money and neither is the Village. They jump on the back of the cars, they ride outside on the top of the cars. I don't know what the solution is, but it is just spreading. Permit parking on Maiden and Smith.

Deputy Mayor McGiff stated: I met with Lombardi's this week to talk about the parking situation and what their solutions were. One of the complaints was about the valet parking, namely these kids/employees were racing around Brightwood and Maiden and everything else. After that meeting I called the Fifth Precinct to try and get a car down there. Maybe if they gave a ticket or two that would make these guys to cease and desist. The Lombardi's said they were going to talk to that third party operator about those complaints because it is a health and safety issue at this point.

Sue Greer, Smith Street, stated: I used to coach handicap soccer. You don't realize how much is non-accessible to them until you are involved in that type of program. There is a EIS (Environmental Impact Statement) being done at Shorefront Park and what is it for?

Mayor Pontieri stated: I did read your letter into the record earlier about the swimming pool and do appreciate it. I will make sure that it will be in Ms. Hendrickson's file too because it is very important.

Trustee Keyes stated: We have applied for a grant to get a full engineering topography survey of the whole 26 acres of parkland. And, also we would like to develop a regular landscape design and that is all part of that.

Mayor Pontieri stated: The grant requires you to have it even though what we are doing is low impact. The agency that this is coming through is New York State Parks and they require you to do an EIS and it could be for just a letter of non-determination, just the fact that there is no impact will probably come out of that. It is part of the process. When they do the survey it will be public.

Sue Greer stated: When you look at the bulkhead you see the huge holes that go out into the Bay. Will that include perhaps some consideration for fixing that?

Mayor Pontieri stated: That is exactly what this is all about. We realize that there are a lot of failing areas—up and including Little Creek, the stream itself, and you see how it is starting to collapse. My largest concern right now is underneath one of those little bridges where it is starting to work its way back. We would like to get the funding to be able to either bulkhead that or do some remediation of that whole stream there and to be able to dredge it out a little deeper so the water flows a little more so you get a better flow through it. And if you get that flow it would relieve some of the pressure upstream where people get a lot of water in their basements as you go farther up Rider Avenue.

Sue Greer stated: Sue Greer stated I see what happens because I live there; what happens the Bay comes over the top of the bulkhead in eight foot jumps because it is inadequate. And when it floods it rushes back down into that creek which creates this flood situation which wouldn't even exist if it couldn't find its way in. The only way water gets into that creek is because it comes over the bulkhead. That is really what is filling up that creek—gallons and gallons. My concern was somebody had referred to the creek as a culvert which set me back on my heels because I know the South Shore Estuary has it designated as a fresh water tributary to the bay.

Mayor Pontieri stated: Parkland always remains parkland. There is no way we can do anything other than have it as parkland. We would have to go through two State legislative sessions to convert anything back. Preservation of the property is the utmost. I always equate those 30 acres of parkland down there—Ms. Tyler was very clear when she said that it is as pristine and beautiful place that you could find. George Lehtrecker in 1950 was the first guy who preserved 25-35 acres of parkland before anybody thought of preservation of land. This grant that we are looking for is to help us take that park in a direction that will be environmentally safe and sound and for the preservation for multiple generations.

Trustee Keyes stated: The engineering survey and the landscape design we hope will be something we could work off of, not that we just haphazardly do something this year and something next. It gives us a starting point.

Sue Greer stated: The only other thing was I did see where Patchogue Bay is now on that unfortunate list of being a polluted bay. But, it also opens the door to a lot of money.

Mayor Pontieri stated: That is one of the reasons we got some of the funding that we got. We got almost two million dollars from the DEC for the rebuilding of the waste water treatment plant, to specifically get rid of nitrogen and ammonia content in the water. That is what you keep reading about the nitrogen content in the water. The funding that we got from the DEC had to be used specifically for denitrofication for our waste water treatment plant because that feeds into the river.

Sue Greer stated: I know the work that was done on the drainage system, the pipes were cleaned, they now work really well—that water comes flying out now, with food, cups and stuff from people's lawns. I know Babylon had filters that tacked onto another find because it was road runoffs and were able to apply to highway money, and was able to get thousands of dollars to do it, plus matching funds from the County because of their effort. I was just wondering if you would consider doing the filters or is that something you ever thought about.

Mayor Pontieri stated: Actually, that is something we started already, we done them on Mulford Street and Laurel Street out to the river itself. And, at the end of Brightwood Street the construction that is going on down there is the rebuilding of that bulk heading and the filters will be placed. The one that is going down on Brightwood Street and Laurel is the sponge system. In fact, we had gotten a \$300,000 shared services grant with the Village of Bellport where we bought a Vac-all truck which will allow us on a very systematic basis to clean all of those drain pits and that will be able to suck up a lot of that stuff. It is a piece of equipment big enough for a village three times our size and the State gave us some money to do it. I am sort of interested in the Tiger grant piece that Babylon did.

Trustee Hilton stated: This is another advantage of us with the LWRP because it has brought us up to a level that has put us in a position to go to the next level of grants and monies available to municipalities like us. The storm water remediation that Joe Dean has started is very similar to what Babylon is doing. The machine that the Mayor is talking about, the very first thing it does is pulls off the roadway runoff—the heavier oils and the metals and stuff like that, and the next pool down it goes to that. The sponge system is the natural spillover the soil before it actually goes into the river. Pretty much what we are using is the final filtration. Babylon has taken it up to the next level and which we feel that we will be in a position to do with the LWRP which we are about to accept.

Cheryl Forgione, 18 Smith Street, stated: I was not available or informed of the meeting of June 24th. My property is directly affected by this and I have lived there for eighteen years and was not aware of what was going on or. Can you explain to me what a Special Permit is and how you can take a Residential A zoned piece of property and use it for commercial use?

Village Clerk Seal read letter addressed to Brian Egan, dated July 22, 2010: “This letter is in regard to the Board meeting dated June 24, 2010 which I did not attend. I was not aware of the matter being presented in regard to the property, 16 Smith Street, which adjoins mine. Usual procedure, I believe, is a registered letter to homeowners adjacent to the property being re-zoned within 200 feet. None of my neighbors received any notices either. Since my home is directly affected by this hasty decision, I would like to present a few points I would like to see happen. This decision definitely, without a doubt, decreased the value of my home by thousands of dollars. Therefore, I feel I am entitled to see my requests complied. I have surrendered to the fact that if I have to tolerate what is going on in this neighborhood, along with my neighbors, I have to establish some sort of peace of mind. It's ironic that we moved here for that very reason. After reviewing the minutes of the meeting, I would like to have copies of the plans, and or renderings from the architect. Along with any elevations they have for grading this property. 1. I want a PVC six foot fence, along the east side of the lot and the north that is on Smith. Not wood, it rots and becomes unsightly. Not chain link it is too industrialized. Also as landscape along the fence line, evergreens and perennial planting TBD. The west side should follow suit. 2. The setback on Smith should be even with my setback. Not extend and further, due to the invasive, obtrusive and un-aesthetically pleasing aspect of having a parking lot, where an area of natural vegetation was. 3. The buffer should be fifteen feet from my house to the fence which allows ample side by side parking, with a center access to move the vehicles in and out. Your suggestion of a guard rail/barrier of metal construction is proper. Lighting should not be poles extending above the fence height. After reviewing the plans and or elevations for the lot ground coverage I would like to address how the run-off is going to affect my property. I don't see how turning residential homes and lots into parking lots balances out. This neighborhood is turning into a catering hall with some houses scattered about. My solution to this problem is very simple,

reduce the occupancy of the catering hall. Then we wouldn't have all the overcrowding. It can still function as a restaurant. The impact of this business exceeds our quality of life here. You as the Board of Trustees have the power to make these changes. It has been done already at West Bank on River Ave. for the very same reasons. After reading the minutes we can see everybody who lives here agrees, along with the Fire Marshall and the Board members are very disappointed how difficult and dangerous it's become to enjoy the area at Shorefront. The reason we have a Village is for the people who "live" here and to keep a community comfortable. I would appreciate a timely response to the conditions I have outlined. Thank you for your attention to this matter. Sincerely, Cheryl Forgione"

Mayor Pontieri stated: Application is made, consideration is made of the application, and you are allowed to do that. We didn't change the zone; it was a Special Permit to allow them to do that as long as they own that property.

Cheryl Forgione stated: Can we as residents can come in a year and say something about whether we are not happy about a parking lot being next door to us. Can we say something right now because no one was really informed of this, and to do something like this, fast track, it kind of is like sliding things in.

Deputy Mayor stated: It was not fast tracked. Just so you know; this is not adversarial. That is why the Mayor and I take time out of our day to go down there and talk to those people. As I said at other meetings, this is a juggling act—I know what they did in other communities and know what they are trying to do here. I have friends that live down there and drive there pretty much every day; I know what is going on. I was born here and choose to live here and am not happy with what is going on down there. But, they have a right. But, don't say it was fast tracked because this was not fast tracked.

Cheryl Forgione stated: Unfortunately, most everybody seems to think that in the neighborhood. We are not familiar with zoning laws and just don't understand how something residential could be made into a parking lot. We are afraid that it is going to set a precedent throughout the neighborhood where they will be buying up houses and they will become a parking lot.

Deputy Mayor McGiff stated: When I was at the meeting this week with Philomena and told her that there are rumors that you are going to buy certain properties to make parking lots; it is not going to fly because of the neighborhood. It might end up certain people will sue the Village over things and I think us as a administration are prepared for that to happen. Little Patchogue has fought in the past and we will fight again. But, they also have rights.

Cheryl Forgione stated: I know you are in a position where you have to balance everything out. But, to take thirty three cars off the street—strip that the vegetation and the only trees that are there which are storm protection which is a filter for the ground—when you start pulling the trees out of the ground, the ground is going to fall apart--to replace it with gravel.

Deputy Mayor McGiff stated: It is also not Village property. The individual who owns that property has the right to do something with that. You talk about the balance—just as you are unhappy with that, we talk to other people who are happy that we are going to get them off the street.

Mayor Pontieri stated: Let me explain to you how the occupancy is determined. Our code which goes back to 1972 had that, what we talked about earlier four people to a car. It is something we had never come across by this board over the last several years except; it was last year where the Tikki Bar became an issue. And we since have changed the code. The problem is, their application was made prior to the code change. Once the application was in, we can't go back; it was 2.5 per car. We can't go backwards. Based upon the square footage and the way the calculation was done they had the parking; under the old code they do.

Village Clerk Seal: May I speak about the perception of the fast tracking? Just so you understand because I know you have gotten noticing when there were zoning and planning issues. We are not required to do any kind of a mailing when it comes to a Special Permit hearing here at this board. It is not a requirement. The only requirement is a legal notice in the posting that we do in *The Long Island Advance*. The zoning was not changed.

Cheryl Forgione stated: I thought you changed the zoning. That is how the permits are allowed for or how long the leases are allowed for.

Mayor Pontieri stated: That is something that has to be worked out by the property owner himself.

Cheryl Forgione stated: I hope it has not set a precedent for every part of the neighborhood to become like that. Because if that is the case and that is going to end up right next door to my house, I have some factors I would like considered. We established a buffer because of the close proximity of the existing home. It does not say here that they establish any sort of buffer. That is my bedroom right there. I have three feet to my property line. I would appreciate a good ten or fifteen foot buffer right now. If they took the parking and made it north or south; that would be a decent buffer. And not a chain link fence; that's industrial. They should put up a PVC fence. Not a wood fence because that will fall apart. The set back should be equal to the set back of my house, not all the way up to the front of the curb that is going to create an obstruction for traffic or people. We have second floor houses across the street that are looking down on that. This is our properties at stake; this is going to decrease my property value and my neighbors. For the money they are going to make, they could at least make it up to our standards because we are the ones that live there; they just work there. They don't care what it looks like when they leave at night.

Mayor Pontieri stated: We will make sure about the future elevations.

Deputy Mayor McGiff stated: We put a lot of that in there. We don't have it here, but one of the things discussed was no chain link fence, elevated buffers, and there was a landscaping plan.

Resident stated: There are two ways to control occupancy on a business, one is on a statute. The other one is—consider if your family member was planning to have an event in this location and had to walk ¼ of a mile or be stuck in traffic 30-45 minutes to get there—if they provide parking for their customers which is consistent with what the residents in the Village want down there, that's fine. But, if you culminate in doing things—the property here being problematic—it is a parking lot, but it really is a problem to the people who live there. We start talking about taking existing residential homes, for example, as has been rumored and discussed and knocking them down and turning those into parking lots, as I mentioned, that is going to become a major problem. The point is, if we accommodate them and give them the parking space, we are not going to be limiting their occupancy, we will be expanding their occupancy. If people have no place to park, if they don't do the right thing and if they have to walk a ¼ mile, people simply won't come to their restaurant. And you would be limiting their occupancy another way.

Deputy Mayor McGiff stated: Just so you know, we have talked about that. And there is another way, we have been giving out tickets. Not to be selective, our building department all weekends are going to most of the establishments on the waterway and doing inspections. There have been a lot of violations in various businesses in terms of over occupancy.

Resident stated: The neighborhood has gotten considerably better since tickets have been given.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request for Chamber of Commerce to hold August sidewalk sales on August 6, 6 and 7 including Family Fun Night on Friday August 6, closing east Main Street from Ocean to Maple from 5 to 10 p.m.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned at 9:00 p.m.

Signed _____
Patricia M. Seal, Village Clerk

/id

