

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on January 10, 2011.

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

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

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the Board approved the minutes of December 13, as presented.

Village Treasurer Krawczyk stated: The bills for the period ending January 10, 2011 totaled \$1,472,515.46. The five highest bills were: Poscillico \$471,219.00 various parking jobs, Patchogue Ambulance Fire Company \$285,600.00 for 2nd half 2010-2011 budget, NYS Employee Health \$92,574.72 for monthly billing, H2M \$46,687.87 for engineering services for sewer plant upgrade, H&A Landscape of Long Island \$41,250.09 for Roe Walkway Project.

General Fund	\$889,214.68
Trust & Agency	\$18,938.08
CAP Projects	\$267,498.88
Sewer Fund	\$276,868.39
BID Fund	\$4,603.53
Housing Fund	\$2,725.13
CDA Fund	\$12,666.77
General Bills	\$0.00
Totals	\$1,472,515.46

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

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to refund the refuse portion of the tax bill for 39 Baker Street in the amount of \$2,310.00.

Upon a motion made by Trustee Keyes, seconded by Trustee Hilton, and unanimously carried, the board approved request to refund the refuse portion of the tax bill for 36 Carman Street in the amount of \$950.00.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved budget transfers as per list submitted.

Village Clerk Seal stated: Notice is hereby given that a Public Hearing will be held on Monday, January 10, 2011 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 Chapter 415 of the Village Code regarding parking restrictions on Academy Street. At said Public Hearing any person interested will be given the opportunity to be heard.

Trustee Keyes stated: (tape malfunction) What I was going to recommend is to make Academy Street "resident parking only" on both the north and south sides with the exceptions of at the west end of "no parking" from South Ocean to that first driveway past Bravo. And on the east end leave the two hour parking restriction from the corner of Rider, west to that auto electric business. For everybody else on that street should have resident parking only for as long as they want. As I said, normally we get the complaint that people are looking for that and that is what they have in mind. I don't know if there are any comments about that.

Village Clerk Seal stated: The homeowner of 74 Academy came into Village Hall and said they had an issue because their tenants did not have a place to park on premises. I explained to the homeowner that the process would be to request a hearing which we set last meeting and that the Board would consider the request. I believe it is a two family house.

Mrs. Kemp stated: That is a one family house. It has two bedrooms and they do have a garage there, but it is so full of junk that they can't put a car in there. These are renters. It is an absentee landlord that lives apparently on River Ave. The car that is parked out there all the time is not registered to one of the residents; they are all renters and are in and out every time you turn around. These people reside there so they residents, so that isn't going to do any good. It obstructs your view coming out of the driveway. I don't care about their parking, but I don't want them there 24 hours a day, 7 days a week. I think the two hour parking is more than sufficient. As the letter says, if they park from 6 a.m. to 6 p.m. it is 2 hour parking. I don't see why there should be 24 hour parking over there at 74 Academy Street. They have the parking lot down the end by the railroad. They have unlimited parking down the end of Academy Street where there is an empty lot. Why do they have to have 24 hour parking in front of their house? There is a double driveway between me and my neighbor and it goes right smack into 74 Academy St. I don't know how many times we just about missed banging into one of those cars. The guy that owns the house and/or owns one of the cars who made the complaint didn't show up here.

Trustee Keyes stated: If it is a legitimate renter in that home they can get a resident permit. Generally, when we get this kind of issue, people are looking for all day parking for a resident to park their car. We like to make it easier for the taxpayer Village resident. I appreciate your comments, but did not understand the initial complaint. You made your case, I agree, and there is no one here to contradict what you are saying. Based on Mrs. Kemp's comments and seeing there are no other comments from the residents of Academy Street, I would have no problem rescinding what I proposed and leave it to the Board to decide.

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff, and unanimously carried, the board chose to take no action at this time on the request to amend Section 415-16 of Chapter 415 of Village Code regarding the parking restrictions on Academy Street.

Mayor Pontieri stated: Artspace will be finishing up by the end of this month and their actual Building Permit has expired the first week in December, and as a not for profit they are asking to waive the renewal of the building permit, a prorated amount of \$10,000 or \$12,000 number. They paid about \$120,000 for the first permit. It is an overrun because of weather and whatever happens during construction. They should be getting their CO's by the end of this month. The full building permit is about a quarter of a million with plumbing and everything.

Upon a motion made by Trustee Krieger, seconded by Trustee Keyes, and opposed by Deputy Mayor McGiff and Trustee Hilton, the board approved request to waive renewal fee of building permit of Artspace.

B.I.D. Report – None

Chamber of Commerce Report – Tom Keegan stated we would like the St. Patrick's events put on the record and would like to confirm that we are going to continue the exact same 4 mile race we had last year. It is "May the Road Rise to Meet You" the 4 Miler" which will precede parade; the race is at 1:55 sharp. Bobby and Shelia Marr from Tomorrow's are our Parade Marshalls this year and we are planning the "Passing of The Sash" on Feb. 27, which will follow Ronan Tynan's Performance at the Patchogue Theatre on Feb. 26th that the Greater Patchogue Foundation will be running.

Trustee Krieger stated: January 29th kicks off the 12th season at the Patchogue Theatre with the 4th Annual Patchogue Jam. It is the celebration of original local music. There are a lot of children's show lined up this year. If you haven't gotten your Ronan Tynan tickets, hurry as they are going fast. The Duke Ellington Orchestra is coming in on March 20th. The Patchogue Folk Festival will be Saturday, April 9th. Unfortunately, Richie Havens has taken sick and will not be performing this year. But, we have Peter Harrow from Peter, Paul and Mary. Later on in the year in April, we will have A Tribute to the Jersey Boys, Bobby Valley. On May 7th will be the comedian David Brenner. Go to *Patchogue Theatre.com* for further information.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the board approved request to hire Cullen & Danowski, LLP to provide audit review services for the Village of Patchogue inclusive of the Village Justice Court in an amount not to exceed \$28,000.

Trustee Crean stated: Last week the Patchogue First Organization held an informational forum at the Elks Club giving the residents and merchants of our community to have a little input about the modified plans that have been presented by the Tri-tec organization for the redevelopment of the four corners. There was a lot of good dialogue from both sides of the discussion. It was valuable input that is going to assist us in making an informed decision. While we approved in the downtown redevelopment district zoning to maintain the right as the lead agency, with that comes a certain obligation to thoroughly review their plans which have been just most recently submitted. And, we will look to continue to meet with their architects and engineers to continue the dialogue. It is a very large undertaking to say the least and at this point and time I would like to get the opinion of the rest of the Board whether or not we would like to hire our own consultants or engineers to review their plans, or to help us in the review of these plans. They provided a very thorough environmental impact statement which they had some revisions to. I think it would of great assistance to our Board to make a decision to have somebody other than their engineers to assist us. While I know of a few engineers and traffic engineers and urban planners, what I would like to have a discussion about is possibly retaining the services of somebody other than ourselves to help make this decision. It is a large obligation and if we are going to remain lead agency and assume the role of a planning board, while we don't have the same sort of experience as our own planning board, I think it would be a tremendous assistance to rely upon the opinions of other professionals. I would like to hear what my other fellow Trustees might think about that and see how they might want to proceed.

Mayor Pontieri stated: I think it has merit. I certainly have not thought much to that part of it, to be able to say the who and the what and what the amount would be.

Trustee Crean stated: My thought might be the proper way to do it, maybe Mr. Egan could shed some light on it, maybe send out a request for some proposals. We have a rather large document here that we have to make a decision on. I am not an urban planner. I like what I see when I see it. I have some concerns about the project. And I think I need help.

Deputy Mayor McGiff stated: I think given the scope of the project and we have talked about and have diverse opinions on this. But, if we are being called to jump into this frame and act as a planning board, I think we are going to need all the eyes and expertise we can get.

Mayor Pontieri stated: I think that the issue becomes the length of time that it begins to stretch; and I am not saying that we should not take our time and do it correctly. But, if you are sending a proposal that will take 98 to 120 days just to get your request back, I am not prepared to sit that long.

Village Attorney Egan stated: Either they are going to retain professionals—planning consult professionals/engineering professional/maybe even a one shop that does it all in house to review any of the other studies that go along with it including traffic, environmental impact, those kinds of things; their professionals would be exempt from General Municipal Law 103. Perhaps the best thing to do, this motion on the table by Trustee Crean, is to potentially authorize the board, the Mayor or the Clerk to investigate the proposals for hiring of professionals and on the next meeting could vote to the retention of that professional.

Trustee Keyes asked: Can the board be polled prior to the next meeting prior to the next meeting if somebody finds someone before the 24th.

Village Attorney Egan stated: The Mayor of the board can call a special meeting.

Trustee Krieger asked: What do you expect something like this to cost, Gerry?

Trustee Crean stated: I don't have a clue.

Trustee Hilton stated: I have great faith in our own Planning Board. I don't see the point of spending money to go outside of that. We have already gotten the decision from Suffolk Planning. Certainly they are very well trained as well. We have spent buckets of money on this project up until now to get it to this point and decide that we have to go outside and get somebody else to tell us what to do on it, I really don't think that is where we are at. Gerry, if you feel that you would like to have a second look at it, then perhaps we should kick it to Planning. I think that if we pay an outside consultant to tell us that there is planning problems with it, then it is

going to go to Planning. Personally, I have huge problems with the project and very little of it has to do with planning. I am just trying to figure out where you are going with this. I have tremendous amount of faith in our own Planning Board; they do an excellent job. So if we pay an outside consultant, which I really don't like to pay anybody, to tell us we have a planning problem with this project, then we are going to kick it back to Planning.

Mayor Pontieri stated: Like you said, Suffolk County Planning has already reviewed it and came back with no comment on it—no major changes and no major comment on it. Brian's suggestion is that we take a look at to see whether there is an engineer that could come in and I think if we are going to review this thing that we ask members of the Planning Board to participate in that discussion to do what you are talking, but also do something of what Gerry is talking about, or do a hybrid of the both of them, if that the way we wish to go. But, to send something out for a request for proposals or request for qualifications. Everybody knows my feeling on the project, you can read me like a cheap novel, that I don't want this thing to be running out month after month. We have made certain decisions and approvals on certain parts of it already. There is only a small part of it, which is a large emotional piece for all of us, when we take a look at this. The issue of SEQRA is something that needs to be addressed so I want to talk to the attorney afterwards a little bit more after that. That we ask them to come in and we take another look at exactly what you are talking about. We take a look and see, whether it be through somebody like Balsamo or somebody such as that within the Village, or Gary Canella the architect, or Sidney Bowne has people also. We should take a look at those.

Trustee Crean stated: There are a lot of qualified people that we know and they have the ability to make an independent, objective opinion and provide us with advice. It is something that within their environmental impact statement they have provided us with information regarding trip generation and revolving parking stalls and all these other things that their engineers are paid to draft an opinion about it and money sometimes colors people's opinions.

Mayor Pontieri stated: I think one of the things we have talked about recently is actually going out for request for proposals for a traffic engineer; that when these proposals come in, that they use our person.

Trustee Crean stated: That is the line I am thinking of. I was about to reach out to some people that they know our Village, we know them, we had experience with them, they know the project a little bit. Show those documents on the table and let them start assisting us. Suffolk County Planning Board, while they gave us an opinion, they did not see these; these were only submitted the third week of December. I didn't see these until Friday afternoon and there are certain things, that if we are going to move forward with this project, that I would like to see some changes. We will continue to work, meet with Tri-tec, continue to work with their engineers and architects. But, if we going to continue to act as the lead agency and assume that role as Planning Board, I think we need help.

Trustee Keyes stated: So, if in the next couple of days and if we manage to get price quotes from engineers, we could pole the Board prior to the 24th just to expedite it a little bit, then we could hire somebody that way.

Trustee Hilton stated: I don't understand why do we have to hire anybody; we spend enough money on engineers. We have our own Planning Board and if Suffolk County hasn't seen the plans, then let's show it to them again. Why should we spend more money on a project?

Mayor Pontieri stated: I think it is a discussion that we should have and will make some phone calls tomorrow, check with Gerry and Jack and go from there.

Trustee Crean stated: It is something that is an ongoing discussion. There are many benefits to the project that I see, a lot of things that I have some concerns about. One of the beautiful things about our Planning Board is the work sessions format that they have with applicants. And, I look forward to continue working with them to help craft a project that we might feel more comfortable about.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hire Taylor Connelly for the basketball program at \$8.00 per hour.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved request to change the rate of pay for Samson Ayala from \$8.00 to \$9.00 per hour.

Upon a request made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hold the Annual St. Patrick's Day Parade and 5K Run on Sunday, March 27th.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board accepted with regrets the resignation of Frederick Winter from the Public Safety Department.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request for Debra Newham and Nancy Auer to attend the annual NYS Towns & Villages Conference for Court Clerks in NYC from February 20-23, 2011 at a cost not to exceed \$700.00 per person. This is State mandated by OCA.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Hilton, and unanimously carried, the board approved request to waive the building permit fee for construction at the American Legion. They estimate the project will cost less than \$1,000 and will be done in-house by members.

Deputy Mayor McGiff stated: Since the last meeting we have experienced a number of losses in the community. Former Deputy Mayor Brian Weeks passed away, Liz Kelly whose mom Patty Kelly is very active, and also Ron LaValle who used to come to a lot of our meetings—he was a dedicated resident.. I just want to acknowledge those three individuals who will most certainly be missed.

Trustee Keyes stated: DPW is busy getting ready for the next storm and working hard trying to clear the excess snow in the parking lots to make room for the snow that is coming. I want to urge the residents to keep your cars off the road to make room for the plows and trucks. Also, we are evaluating the garbage to transfer station cost; we are seeking ways of trying to save the Village possibly a substantial amount of money and will keep you updated.

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff, and unanimously carried, the approved request to hire Tiderunner Engineering to do a traffic study on Main Street between Maple and Rider Avenue and between Rider Avenue and Route 112 at a cost not to exceed \$1,600.00.

Upon a motion made by Trustee Keyes, seconded by Trustee Hilton, and unanimously carried, the board approved request to set a Public Hearing to be held on Monday, January 24, 2011, 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 making Terry Street one way from South Ocean Avenue east to Taylor Lane and make Taylor Lane one way heading south.

Upon a motion made by Trustee Keyes, seconded by Trustee Crean, and unanimously carried, the board approved request for an out of district sewer connection for Capital Management LLC for their project on East Main Street and Bay Avenue.

Upon a motion made by Trustee Keyes, seconded by Trustee Hilton, and unanimously carried, the board approved request for an out of district sewer connection from Main Street Long Island, LLC for the Rider Terrace Apartments.

Upon a motion made by Trustee Keyes, seconded by Trustee Hilton, and unanimously carried, the board approved request for an out of district sewer connection from Main Street Long Island, LLC for the Maple Tree Apartments.

Trustee Keyes stated: The approval to hire Tiderunner Engineering to do a redesign of the parking at Taylor Lane and Terry Street and to redesign the parking lot on the south side of Terry Street at a cost not to exceed \$2,000.00 will be put on hold, pending the Public Hearing on January 24, 2011.

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to set a Public Hearing to be held on Monday, January 24, 2011, 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 adopt an amendment to Article 353 to enact a surcharge for sanitary flows that exceed Municipal concentrations.

Trustee Keyes stated: There has been an issue with Blue Point, some discharge problems with the Blue Point Brewery on River Avenue. The resolution reads: **PURSUANT TO SECTION 353-12 OF THE VILLAGE CODE WITH REGARD TO THE SEWER CONNECTION AT BLUE POINT BREWERY, RIVER AVENUE**

The Board of Trustees of the Incorporated Village of Patchogue, duly convened in regular session, do hereby declare as follows:

WHEREAS, the Board of Trustees is responsible for enforcing the provision of Chapter 353 (“Sewage Disposal”) and such rules, regulations, specifications and requirements promulgated thereunder; and

WHEREAS, the Blue Point Brewery (“BPB”) was notified on September 25, 2009 by letter from the Village that its improper sanitary discharge to Village’s sanitary sewer collection system was in violation with Village Sewage Disposal regulations; and

WHEREAS, following a meeting with representatives from the Village, BPB, and their respective sanitary engineers, on November 2, 2009 the Village sent a letter to BPB establishing a requirement for the Brewery to submit a plan to adhere to Village’s sanitary code compliance by November 17, 2010; and

WHEREAS, BPB sanitary engineer (Andrew Haines) thereafter submitted a letter with plan for BPB to correct sanitary discharge violations. BPB requested a time to perform sampling for design of preliminary treatment system at the property. December 2009 thru June 2010, the Village worked with BPB’s engineer to arrange proper sampling for BPB sanitary discharges; and

WHEREAS, on August 19, 2010, the Village’s sanitary engineers, H2M, submitted a letter and compliance schedule to BPB in response to BPB’s pretreatment plan, requiring design report to be submitted by September 17, 2010; and

WHEREAS, H2M and Village WWTP personnel have monitored BPB’s use of the controlled discharge from the installed pre-equalization holding tank. System discharge as installed has been determined by the Village’s sanitary engineers determined to be ineffective and difficult to control. BPB repeatedly discharged at higher rates and outside planned discharge daily time periods; and

WHEREAS, there has been no response or timely follow-up to the Village’s repeated requests for BPB to correct and stop the flow violations; and

WHEREAS, the average BOD concentration discharged by BPB has increased from 2,362 mg/L from the summer 2009 sampling to approximately 5,000 mg/L with the 2010 sampling data with 2010 sample data alone indicating an average BOD loading from the Brewery discharge of 13,653 mg/L. The Village Code permits no more than 300 mg/L BOD concentration to be discharged to its sewer system; and

WHEREAS, such discharges overloads the sewer treatment plant and jeopardizes the Village’s SPDES permit; and

WHEREAS, said violations have existed since September 2009, longer than the 30 days after the first notice of violation and opportunity to cure as set forth in Section 353-12; and

NOW, THEREFORE, BE IT RESOLVED:

That pursuant to, and in accordance with, the provisions of section 353-12 and the recommendations of the Superintendent of Public Works and the Village’s Sanitary Engineers:

The Board of Trustees hereby determines the concentration of discharge and higher PH strength waste discharge from BPB to the Village’s sanitary sewer system jeopardizes public health and the environment.

1. The Board of Trustees hereby determines that BPB has failed or refused to make the corrections as outlined and directed by the Village’s sewer engineers since as far back as September 2009.
2. The Board of Trustees hereby determines that in order to protect the Village’s investment in the WWTP, to be in compliance with both the applicable SPDES permit and the Village Sewer Code, the Blue Point Brewery property at River Avenue should be disconnected from the Village sanitary system.

3. In accordance with Section 353-12(d)(3), the Superintendent of Public Works is hereby authorized and directed to disconnect the Blue Point Brewery from the Village's sewer system effective no later than February 1, 2011.
4. In accordance with Section 353-14, the Village Attorney is further authorized and directed to file for such civil and criminal penalties as he may deem appropriate under said section of the Village Code.

Mayor Pontieri stated: Basically to summarize it, what has happened at Blue Point is when they do their growing at the end of it, there is a substance that they put into our sewer system and the effluent that comes out is running about 5,000 BOD and the considered set approval by the DEC is 300. What we need to do are a couple of things. That number determines the number of gallons that we can use in our plant. The issue right now with Blue Point is as to whether we charge them the additional amount—which equates to additional gallonage and that would come out to a certain cost to them. Or, if they continue the flow, that we just turn them off and they have to make other arrangements for the effluent that comes out of their brewing process. The high concentration BOD is creating a very large problem. Those of you that may live downwind from one end of the plant to the other end of the plant on occasion may have smelled the sweet smell of the plant. Probably that has been driven many times by their discharge. They were first noticed about a year and a half ago. They have done some things to try and rectify it. But, we are getting closer to turning on the new plant, which will be probably late spring, and we want to make sure that this situation is rectified by that point and time. Their alternatives are a small pre-treatment plant that would bring them closer to the 300 number, they could transport it off to Bergen Point, or they could request from the Suffolk County Board of Health and the DEC that they have septic tanks put on their property and discharge it back into the ground. There are options that they have; unfortunately, none of them have either been done completely and/or have gotten to the point that solves the problem that we have. So, the resolution that Trustee Keyes has brought up is to terminate the connection by Feb. 1st if they have not made the proper changes.

Village Attorney Egan stated: They have had over a year what the recommendations are. Just so the Board is clear on how dramatic this impact really is. The code permits no more than 300 BOD concentration (biochemical oxygen demand). When we first noticed the problem in the summer of 2009, it ramped up to 5,000 and a recent sample in 2010 was 13,653. It is dramatically damaging the plant and taxing the plant--using and being authorized to pay for this much, by using it for this much capacity. They have had discussions, but this is the first time they are going to hear the cut-off date. Their gallonage is also slightly off because their gallonage was approved for a comfort station and is now being used more for operations. Their real problem is this concentration of the effluent that comes out which damages the plant. That effluent then is measured about what other capacity is left in the plant and it is having a dramatic impact. This determination was recommended by the Superintendent of DPW and the Village's sanitary engineers and the history of non-compliance. Attached to the last page of the Resolution is a very detailed communication time-line prepared by the engineers that documents all the contact that they have had with the Village's sewer engineers and their engineers and their lack of diligence. Sept. 27, 2009, was the first letter from the Village. On August 19, 2010, the Village engineer submitted a schedule deadline of Sept. 17, 2010, for a design report to pre-treat the flow before it went into the Village's sewer treatment plant and there was no design report submitted.

Mayor Pontieri stated: So, as much as they have been a landmark and an important piece of the community, they have not been a very good neighbor lately.

Upon a motion made by Trustee Keyes, seconded by Trustee Krieger, and unanimously carried, the Board approved request to disconnect Blue Point Brewery by February 1, 2011 if Blue Point Brewery has not rescinded and complied with the changes needed.

Public to be heard:

Mark Siegel, Blum's, stated: When DPW does the little parking lot behind us, sand needs to be put down before a car drives into the building. Another thing, we need our Exit and Entrance signs put back up on Oak Street.

John Bogack, Noxon Street, stated: I attended the community forum that was held last week and I want to say to the Patchogue First Party that it was a good idea. I want to suggest that this process should continue. You have been responsible for the revitalization and have many, many things going on and I think you have moved beyond the population of the Village. I think it is good for those meetings to take place to allow people to really assess the many things that are happening and have input about the waterfront, security issues, housing. There is a whole gamete of issues that you have going. And, I don't think people even grasp all the things that are going on--the whole move toward art and art environment for the community. All these issues represent more changes; actually, it is good to have more people involved besides yourselves. You can't do everything and there are I think 20,000 people who live in this Village and there is a lot of untapped potential. These meetings, I think, would be really good--to keep involving people and I think you should keep the process going.

John Bogack stated: The second thing I want to talk about is a more serious issue. Something has been going on for a bit of time and it has taken on a rapid urgency over the last couple of weeks and it is the safety of these meetings. Before the shooting of the Congresswoman a couple of days ago, it was the Panama City School Board shooting; a scenario pretty much close to this scenario here. The difference is that there they had an armed guard; here there is no armed guard. We would all like to believe that we live in a society where no one would be violent and all things would be resolved peacefully. But, that is not real. This scenario here has some elements of unsafety to it. Whatever safety planning we have in mind maybe needs to be refreshed and maybe even think about a temporary exception to re-arming some of the security so that these meetings, this building, can be safe. Unfortunately, Mr. Mayor, you might be the target of somebody (Mayor said, I practice ducking). All the rest of us here could be collateral damage. I worked on a job where I had been three times assaulted, and once directly with a knife. These things do happen. Luckily, they have not happened yet and I hope they never do. But, I think what is happening in our country is a wake-up call; so we need to be more safe.

Mayor Pontieri stated: Today I had gotten a call from Congressman Bishop's office, as this Saturday they will be having a community meeting here from 12 to 4 p.m. The Suffolk County Police Department will have an officer here. The tragedy of last Saturday goes well beyond the tragedy itself, and affects all of these kinds of community meetings.

Neil Starkman, Bay Avenue, stated: Last week after the forum about the four corners, I sent many of the trustees and the mayor an e-mail and would like to read it now. "Dear Board Members, Your administration had a vision on revitalization and it is amazing how far you have come in a relatively short time. The four corners has always been a central part of that revitalization and it seemed that Tri-tec's hotel would be the finishing touch. The beautifully polished sketches and artwork of the potential hotel/development really allowed us to visualize the final result. It was the buzz around town. You could see the upscale people visiting Patchogue, walking our streets, seeing shows in the Theatre and eating in our restaurants. We talked about being able to shop in beautiful stores located on the first floor of the four corners and not having to travel to other villages to do our gift shopping. This feeling would travel throughout the village as more and more entrepreneurs would invest in our village and open more stores to browse and shop in. We all bought into this. I work with builders and developers on a daily basis and they are in that business for one reason, and usually one reason only, to make money. When they are done with a project they are out and there is no concern or care about that project—they are done and they are out. Tri-tec's original vision as they invested in Patchogue was glorious. It is very unfortunate that the economy took a downturn when it did, but they speculated. They assumed potential risk with the hope of making a lot of money and as businessmen they are still looking to make money on their investment, but it appears that it will now be at Patchogue's expense. The original venture was very colorful, but the only color that I could think of after last night's meeting is grey. It appears that the apartment complex will have very little, if any, retail space and the developer actually mentioned a bank as a potential retailer. This is a far cry from the boutique style shops originally planned with possible space for a larger anchor type store. The amenities offered will be mostly for the renters, not the Village. There will be a towering sunblocking apartment complex that will dwarf the Brick House and Reese's. Probably the most disturbing scenario is what may happen in a few years when Tri-tec sells. Another corporation buys, they cannot rent units, money flow dwindles, unit rental fees drops and maintenance becomes nonexistent. We will be stuck with another movie theatre just like we have on East Main. And the lower rent will attract tenants unlike Tri-tec is portraying. They realize this, they recognize this and let me tell you they do not care. They will be done and out. There

will be no way to stop renting to people that rely on government or local assistance programs. And, it appears to me that over the last few years we have already inherited an overflow of unemployed people from neighboring overburdened communities walking on Main Street during the day that already rely on these programs. Our Village population will be overgrown and hundreds of new homeowners that will occupy the Clare Rose property were only briefly mentioned at the meeting. Renters are a transient population. They have no investment in Patchogue. They have a transient interest—they come, they go and they do not care. Most of us who were renting prior to becoming homeowners know this. It is not a fault, but it is the way it is. When we purchased our first home in Patchogue over twenty years ago, we invested in a village that had so many things to offer. Our children were born here, they learned to walk, they learned to run, our son is off to college, and our daughter is not too far behind. We lived through several up and down cycles in our Village. Tri-tec's latest plans are not in our visioning Patchogue's future and they are not consistent with the vision that Patchogue First has had. Please vote, no." In my e-mail I wished you all best wishes for a happy and healthy new year and I can do that now in person. I would just like to continue, and please correct me if I am wrong or interrupt me. This has gone from this hotel situation to now a housing situation. That really all it is, a housing situation. Paul, when you and I first met years ago at Gerry's house, we talked a long time about housing and how the housing revitalization is so important to your administration and so it was to the revitalization of Patchogue. This is opposed to that housing revitalization. As the gentlemen said, we have not even seen the Village absorb the high density housing that we already have right now. We have high density housing projects that we don't even know yet what it is doing to the Village. We have two projects, one that is not even built yet that's a given. We don't know how that is going to affect the Village. We have the workspace, the Artspace, we are turning into this high density housing situation. I think we really need to look at what is going on here. I think this is a pivotal decision for this board and this administration. And, if you vote yes it is a potential death sentence. I know you all like to be optimistic. We all love the beautiful 3-D pictures that Tri-tec proposed, and we saw it in the *Advance*, and it was fantastic. But, those 3-D pictures were for a hotel and we envisioned people coming to town with disposable money, people that could afford to spend a few days or a week away from home to stay in a hotel, spend their money in the theatre, the movie theatre and then leave. I don't mean to be mean, but I thought that was a great situation. We had plenty room for retail. We were hoping on these beautiful stores; there is none of that here.

Mayor Pontieri stated: There is 46,000 square feet of retail, all on the first floor.

Neil Starkman stated: The vision I got was a lot different from the hotel that we were sold a long time ago. Again, I think we would like to be optimistic, but I think in a case like this we need to be pessimistic and need to look at the worst case scenario. We are on an upswing economically, but what is going to happen in 5-10 years from now if economically we dip again. What kind of people are going to be living in Patchogue that this hotel complex is going to be encouraging. If I have my facts correct, I think 20 units or 50 units are slated for 50 families that live at 80% of the mean standard income of the area, 20 units are going to be slated to rent to people living at 85% of the mean standard income of this area. So, that means to me that by a yes vote you are lowering the standard of people living in Patchogue. I don't know if everybody sees it that way, but this is what you are enabling. I just think it is a bad idea. I do not think it is good for this village. It is not a little village thing that we have been going on that I have been buying into for a long time that we really loved. 300-400 units that they are proposing, 900 people, forget *Alive After Five*. I don't think that it is going to happen any more. Forget about the parade. Trying to place the stand at the curb for the parade; it will be changed, this Village. And, it's not going back. I see this as a bad idea. It is my opinion.

Mark Fauci, 541 South Ocean Avenue, stated: I agree with everything the previous speaker said with the only exception being is that I think that the hotel, frankly, is as bad if not a worse situation on the down side than the apartments. Talking about scenarios, think about a hotel that is not fully occupied which is evident by the fact that they cannot get financing and then suddenly Suffolk County decides to send a lot of Section 8 with vouchers into downtown Main Street into a hotel that is right smack in the middle of everything with public transportation. We have come to the conclusion that it should be green and that, in my view, is the best use of the property, especially given the fact that it was taken for public use.

Trustee Krieger stated: It was not taken for public use. Mr. Furman negotiated a deal with Tri-tec. The Village never took the property and the accounts in the newspaper were incorrect.

Mark Fauci stated: In any event, I agree completely that what you do with that corner is going to be one of the most pivotal moments that will impact this village for the next half a century. If you get it wrong, it is going to be a really big wrong. And, it is going to be a really big problem. Retail space, if you can do anything there, beside the Village green, that should be it. There are lots of retail spaces that could bring life to Main Street. You were talking about the variety of boutique kinds of retail centers that were planned looked very well. I would like to talk about some of the ideas I have with that regard. I know this has come down the road through a long way for many years, clearly by virtue to the fact that the initial plan has been basically replaced by something that was completely unanticipated. I think it is time to stand back and take a look at it. Up until this meeting, I was actually kind of ambivalent about it because I was willing to give the benefit of a doubt, but I want to be honest with you. What I heard a few minutes ago, especially from Mr. Crean here, really was an eye opener—I really felt that was a 500 lb gorilla in the room—indicating that there is some real concern here across as to what this property is going to be and that has given me a serious sense of—look, stop, think and take a real close look at this. No one likes to delay projects forever, as a business guy it is frustrating. But, it is a big call. Your name is going to be on it for the next half century if it is going to be a real problem.

Mark Fauci stated: On the subject of housing, last Monday my son was at Bay Ave. Elementary School witnessed about a half dozen police subduing what turned out as reported to be a sexual predator whose last place of registration was in Shirley, but apparently bought a beverage on Bay Avenue and was walking on the other side of the street when he was stopped by a policeman. Clearly, he doesn't live in Shirley—so he is living here somewhere. Talking to the Principal of Bay Ave., there is a property, I believe it is 113, that we have been working on for a long time—I believe is a Section 8--which is across from the school.

Mayor Pontieri stated: I talked to Suffolk County PD about 113 and 311 Bay Avenue. We talked about that area itself. I was talking to their Narcotics and Crime Division and they have had undercover police doing exactly what you ask to be done. Other than that, we don't have a lot of authority past that. Billy Powell who was one of our inspectors and is an inspector for the Town, closed it down about six months ago. The Town was very aggressive with it and we will talk to them about being very aggressive one more time.

Mark Fauci stated: I heard that Lombardi's is planning on purchasing a piece of property on South Ocean, the blue house two houses north of the condominium. We had this conversation about them turning residences into parking lots. It is going to affect everyone on South Ocean, everyone on the other side, as well as to say nothing of the development. It is pretty close to the worse possible place you could put a parking place for a restaurant, have valets running up and down the street; it is not a good scenario. I don't know what these guys are thinking. They seem to be a person who thinks can buy a residence, knock it down, and make a parking; they seem to be pretty bold.

Mark Fauci stated: As all of you know, there has been only been sort of word of mouth about neighborhoods and school district and all this sort of stuff. Through the miracle of the internet, the amazing thing about the website Neighborhood Scout site, which is one among others, you can enter a zip code and get information about the school district. For example, that we spend twice as much in the school district, \$17,000 per child--which is more than other districts in the country—yet, run at 33 percentile, as an example. I think for the purpose of an exercise, sort of a report card, as a reflection upon the community and what other people who may be considering moving into the community may see. I suggest that you peruse it. That value is largely impacted by our ability to manage our housing stock. We have spent a lot of time increasing our housing stock; most of the things we have done are positive. But, if we can spend a quarter of that effort in creativity and trying to get our existing housing stock and the absentee landlord situation under control, I think that would have a larger positive impact on this Village than anything you can do in terms of new development. The way you to do that, frankly, is to make the people who are absentee landlords pay their fair share. They have a disproportionate negative impact on the community, disproportionate services from the Village and from the school district certainly. And their tax rate, fee, or whatever, should be proportional to what they are costing the village. It is the same concept that is used, for example, if I were to leave the Village and wreck my house, what would be the extra cost to me as an absentee landlord. However, if I want to hook-up out of the sewer district as opposed to inside of the sewer district, I understand the cost would be about \$20,000. Somebody made the decision that me hooking up to the sewer district causes all kinds

of other issues and someone has to pick up the tab, so I pick up the tab. I am not arguing with that decision; I think it is actually a kind of a rational decision. My question is why don't we apply the same rationality to absentee landlords? Everyone knows, it is demonstrable, that the impact they have on the community is vastly different from someone who is living and owning a house.

Mayor Pontieri stated: I don't know if legally whether you can differentiate from an absentee landlord. I beg to differ with you when you say we are not doing; we spend a tremendous amount of money and time on the housing issues. Deputy Mayor McGiff spends a tremendous amount of time in Building & Housing down here in an effort to manage and maintain exactly what you are talking about.

Deputy Mayor McGiff stated: It is very difficult. We have one full time building inspector and a fleet of part time guys and pretty much any time we get a complaint we get there that day.

Mayor Pontieri stated: You are right. We are all very enamored by Gov. Cuomo's 2% property tax cap—wonderful. My taxes will only go up by 2%---2% on our tax levy is about \$125,000 to \$130,000 because we are about a six million dollar tax levy. You hire another full time housing person—and that doesn't count the fact whether it be medical or pension or utilities (pensions coming in at about 28-30% over last year and medical come in about 15% more), so that that \$90,000 a month will now be 15% more, \$6,000 over the top of that. So, what you are starting to look at is how do we manage our budget going forward if in fact he does go with the 2% tax cap and what do we cut—not what do we add. Where do we cut? Do we cut out of DPW or road repairs? Do we cut the pool down to six weeks during the summer or close it down. It is something that I struggle with right now and take a very hard position on it—that you can't cap what you can't control. You can't control pension, medical, utilities, State mandates, or what we just talked about—those issues of building and housing. Mark, I agree with you a thousand per cent and would love to put two more people on full-time, but I don't know how you do that with the economy we live in right now.

Mark Fauci stated: I guess what I was suggesting is that if we are, for example, spending 80 or 90% of our housing enforcement resources on that 50% of those houses, as understand, the fee that you charge people who are renting out the property---those fess (forget the taxes) for the privilege of basically running a business in the village should reflect the cost of the village enforcing those. For example, if you have an absentee landlord owned house and there are eight kids in that house who are going to the school district at \$17,000 a head, why should the taxes on that property and fees be the same as the property across the street from them; some of the houses across the street may not have any children in the school district whatsoever; does that make sense? Especially when we are entering this phase, as you say, where people do not want to be paying ever increasing taxes. We have become a magnet, like it or not, for people that do this. They buy a piece of property, they rent it out, whatever they do, and they don't really care. I just spoke with the Superintendent, if you have eight kids in an absentee landlord rental house, he has to take those kids and educate them. It doesn't make a difference what their education skill levels are. But, you are driving that housing stock, not the Superintendent; he can't do anything about it. So, the quality of the housing stock impacts everything. It impacts the quality of the neighborhood, school district, cost of the education and the fact that Patchogue Village School district no longer has a gifted talent program. It impacts everything.

Village Attorney Egan stated: Your school district taxes percentage is 16 or 17%.

Mayor Pontieri stated: One of the things that we do is, on the refuse side of it, the fee for multiple family dwellings goes up exponentially. Those are the ones that have the biggest complaints—it is about \$2,310 for a three or four family.

Mark Fauci stated: That is a good thing. I believe that private enterprise should pay. If you are costing the Village, especially in the situation where the State is reducing on revenue assesses, you had better get creative and start distributing the cost to the people who are getting the services—and charging not just the monetary cost but the quality cost that we deal with every day.

Mayor Pontieri stated: A three family pays \$2,310 in refuse tax where a single family is about \$590 and a two family is \$1,360. The sewer district is driven by gallonage and usage.

Deputy Mayor McGiff stated: When we came into office, we did increase the rental fees, but we will take a look at them again.

Sue Bermer, Waters Edge Apartments, stated: I listened to the proposal for the four corners and it was a beautiful presentation and you couldn't help but to love what was going on in that presentation—because it really looked like people were enjoying themselves, out strolling. But, I have the same concerns that other people have about just having apartments there. I was a teacher and moved to this Village after I retired because of the wonderful things that were happening here. I really have to commend you all, and the previous administration, for what all you have done here. I think the downtown is really becoming a vital part of Long Island, but I think the apartments are a bit of a mistake. I had sent a letter to the editor in the Advance stating that what I think should be there is an anchor store on the four corners. Not just a Macy's or something like that because those stores don't stand alone. My suggestion was something like a Pier I or a Crate & Barrel and I cited something like Burlington, Vermont. My family vacationed in Vermont and Burlington was not near, but we always went there because there was something special in that village and it was a huge Pier I flagship store and we would stay the whole day there because that opened its way to other boutiques. We would dine in the restaurants and spend the whole day there. What made us do that was that there was something special in that village to draw us there. If you have just apartments here, there won't be anything special to draw people in. You can have little retail stores and things, but there is vision that I feel is being lost here. You had vision and it is now being drowned by Tri-tec that seems to be forcing it down your throats and our throats. I want to speak to you as a shopper. I have friends from kindergarten and we get together once a year and go to a place that has shopping—we do destination shopping. This would be a draw to people like us—shoppers, woman that like to go shopping in a big store in the morning, have lunch and go shopping in the afternoon. This is not a rarity; we have millions of woman on this island who want to do that. My concern is just that with all the vision that you have had and with what all you have done here, you are losing sight of what Patchogue can be, the potential for it, and the making of it into something special.

Mayor Pontieri stated: Tri-tec has made a proposal.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned at 9:15 p.m.

Signed _____
Patricia M. Seal, Village Clerk

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