

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on November 28, 2011.

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

The flag salute was made and the safety message was read.

Village Clerk Seal stated: The total bills for period ending Nov. 28, 2011 was \$858,035.74. The five largest bills paid were: NYS Retirement System \$590,987.00 for annual contribution, LIPA \$15,824.47 for various electric accounts, Egan & Golden \$12,933.49 for Village Attorney fees 9/11-10/11, Eastern Resource Recycle \$10,813.13 for landfill charges, JR Holzmacher \$9,229.00 for engineering for New Village & 270 E. Mai St. (funds paid by them to Village already).

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| General Fund | 806,872.44 |
| Trust & Agency | 12,450.15 |
| CAP Projects | 75.00 |
| Sewer Fund | 27,295.94 |
| BID Fund | 3,753.75 |
| Housing Fund | 1,421.45 |
| CDA Fund | 6,167.01 |
| General Bills | 0.00 |
| Totals | 858,635.74 |

Upon a motion made by Trustee Krieger, seconded by Trustee Hilton, and unanimously carried, the Board approved payment of the bills as presented.

Village Clerk Seal stated: Notice is hereby given that a Public Hearing will be held on Monday, November 28, 2011, at 7:30 p.m. in the Municipal Building, 15 Baker Street, Patchogue, New York, by the Village Board of the Incorporated Village of Patchogue to amend Section 435-71; Article XI; Amendments of Zoning; Ordinance or Map for property located at 172 North Ocean Avenue. Petitioner seeks a change of zone from "A" Residence to "B" Residence and Office. At said Public Hearing any person interested will be given the opportunity to be heard.

Mayor Pontieri stated: For the purposes of SEQRA, the Village Board will take the lead agency on that. It is a Type II-Unlisted action.

Upon a motion made by Trustee Keyes, seconded by Trustee Devlin, and unanimously carried, the petition for a change of zone from "A" Residence to "B" Residence and Office for 172 North Ocean Avenue has voted to have the Village Board as Lead Agency in the Type II-Unlisted Action.

Mayor Pontieri stated: I would like to have the Village Clerk read into the record the recommendations of the Planning Board.

Village Clerk Seal stated: Memo from John Rocco to Mayor Paul Pontieri & the Village Board, Re: 172 North Ocean Ave., property of Susan Montana. "The Planning board met with the applicants at multiple recent sessions and approved a site plan subject to Village Board approval of Zoning Change for the Parcel. This applicant was very accommodating to the directions of our Board and we believe that the site plan as approved is more than adequate for the use of the parcel as a professional office. We have provided you with a positive referral for the above reason as well as the following facts which should be considered: 1) The parcel is in character with neighboring parcels with professional offices being the norm for this part of our Village. This parcel would not at all be out of character if the zone was changed. 2) The past history of this house included multiple violations with the residence being misused as an illegal boarding house. This, of course, will not be the case if it is converted to office space regardless of who is the owner. 3) The planning Board has spent many hours with the applicant and the applicant has spent a considerable investment in redrawn and reworked plans at the behest of the Planning board to insure a site plan that will provide adequate parking as well as insure neighboring parcels not be effected by the office use of the site. 4) During the public hearing phase we did not

receive one concern expressed by any of the public about the project and have in fact gathered anecdotal comments that the surrounding residents are pleased about the “clean-up” of the site as well as the proposed use as a professional office. In summation, we feel this project is with merit and should be considered by the Village Board for approval. Sincerely, John Rocco”

Sue Montana and Robert Bennett, owners of said property. Michael Mordello, Architect and Agent for the applicant, Hensmeyer Design Group located at 6050 Sycamore Ave., Bohemia, NY.

Mr. Mordello stated: I am here to make a brief presentation. The application is for a change of zone from Residence A to Residence B and Office. The site is approx. 9000 sq.ft. and it is located just north of the current Residence A zone that is located on North Ocean Ave. and we are just border line of that, right across the street, on the west side on the northwest corner of Thorne and North Ocean Ave. As was just stated, the site plan had been reviewed and modifications made and ultimately the design was granted by the Planning Board on May 24, 2011. Basically to summarize, the current owners purchased the property with the intent of making improvements to it to improve the condition of the property. They would like to do it as proximity to the current zoning district and its unique location relative to the office and residence, they are seeking to have this one parcel to have a change of zone. It is my client’s intent to maintain the residential character of the house, the current structure on the property. During the exhaustive site plan review with the Planning Board, they made recommendations to buffer and conceal the parking as is similar to other locations just adjacent to this property. As was also mentioned, previously the property was used as some type of boarding house. But, that is not my client’s intent whatsoever to utilize the property in that fashion. She is a profession within the community and would like to utilize it in part as her office. And due to these factors we are seeking approval for this zone change. We appreciate your time and if there are any questions we will answer them.

Trustee Keyes asked: You said Ms. Montana will have an office in the building?

Mr. Mordello stated: Yes. That is correct.

Trustee Hilton asked: Will there be any residents in the building?

Mr. Mordello stated: Not at this time. There is a second floor to the building, but there is no intent to utilize it as a residence, although I know as a right they would have to make more substantial modifications to the building in order to have both office and residence. At this time initially they intend to use the entire building as residence. It is a two story building and the offices will be on the first and second floors. There is a small kitchenette that is inside the house. It not for any commercial purposes, but something that would more suit like a coffee area that you would have in an office building, e.g. water cooler, little washing in there, refrigerator—something consistent that you might find in any office suite in the Village. There is no kitchen on the second floor. It was my understanding that they were using it as a boarding house; it appears that they were renting out room by room only. On site there is a group of 4 parking spaces and a couple of spaces are located on the site plan. The parking is located on the west side of the property, towards the back of the property. The proposed business, right now Sue has her own company which is medical consulting.

Ms. Montana stated: Basically, I do health care reimbursement consulting. I work with medical practices and help them improve their bottom line and deal with the insurance companies more effectively.

Trustee Devlin asked: Will you be utilizing the entire building just for your business, or do you have plans to rent out or sublet offices to anybody else?

Mr. Montana stated: I will probably sublet some offices—strictly professional. I have no employees, just myself.

Trustee Hilton stated: So, with that sort of vague usage, how did the Planning Board establish eight spots. And, does the application specify an actual use?

Mr. Mordello stated: It was based on the area that would be used as office space. Basically, office, professional office.

Village Attorney Egan stated: The available uses permitted in B Residence is any principal and accessory use permitted in the Residence A district as well as offices and professional buildings when authorized by the Board of Appeals by virtue of an application under the Section. And, the Code defines Professional Office includes the office of accountant, architect, attorney, chiropractor, dentist, engineer, medical doctor, surveyor or other such occupations which in judgment of the Zoning Board of Appeals are similar in character to the aforementioned occupations. That definition, by the way, was added in 2009 by this Board. That is why it is important in a B Residence district, if the Board does approve B Residence tonight, it allows us to go to the Zoning Board for permission. Those are the allowable uses, when authorized by the Board of Appeals. The uses without a permit would be any principal accessory use permitted in a A Residence District. A Residence is restricted to one family dwellings, churches, public parks playground or recreational area, duly organized elementary school. If they want anything outside of a A Residential use they would have to go to the Zoning Board of Appeals. And the Zoning Board of Appeals is only limited to professional offices. If the Board of Trustees approves the change from A Residence to B Residence; if the applicant wants to pursue the use as an office, she would have to then make an application to the Board of Appeals. It is prohibited now by its own definition because it is an A Residence; there cannot be office use in A Residence.

Trustee McGiff stated: My one concern is that Thorne St has always been a DMZ and everything north of there has been strictly residential. When you drive to different towns and see the streets that used to be strictly residential—in Deer Park and the Village of Babylon---and now it is just a miss match. That is my one concern, keeping the aesthetics of the neighborhood. Also history being a guide to us—you know you say, the sins of our fathers--, if you drive down South Ocean Ave and see houses built behind houses, you think who allowed that to happen. That is my one concern is that in 30 years someone says, who the hell let this happen. This applicant, a very nice person, it is the future—it is not the next resident, it is two down. Will this be a chink in the armor, that is going to allow all North Ocean to become either profession, or whatever you want to call it, but not A Residential. That is my concern. I don't know how to address that. I understand she bought this property, but that is one thing that sticks in my head.

Trustee Hilton stated: But, that is one thing that would come out in a public hearing?

Mr. Mordello stated: Yes. It was several Planning Board public meetings with a site plan and mailings and the cards came back.

Trustee McGiff stated: Just because none of the residents objected or came to the forefront or became involved, we may have to make a tough decision.

Mayor Pontieri asked: How many meetings did you have with the Planning Board?

Ms. Montana stated: We had at least three meetings. The mailing went out once.

Mr. Mordello stated: Certainly, I understand what was said about changing the character of the neighborhood. I think part of what drew my client to the property was that it did border that zoning area and the property was in need of improvement. So, she realized it was not an inherent right in purchasing that this wish be granted, but it was her hope and desire. Again, it was the uniqueness of this certain piece of property—farther up the block in a different direction, I think you would, I agree, would be more questionable. But, we are looking at the uniqueness of this property compared to others.

Public to be heard:

Ann Flower, 3 Thorne St., Patchogue, stated: As far as the parking, would it really be ample? It is a very small street and there is not much parking for the residents, especially when they have guests.

Mayor Pontieri stated: Two things have to be remembered. Number one, it is office space and the primary use will be from 9 to 5 during the course of the business day, not on weekends. Number two, the Planning Board used the square footage basis of the building to determine the eight spaces. Eight spaces seems adequate to me, but the kind of the business I can't tell.

Trustee Hilton asked: Mr. Kemp, the gentlemen who was in the house in the '50's, did he also live there?

Mr. Kemp stated: I believe so, but it was many years ago.

Trustee Hilton stated: Number three, unless they become a church, they are going have to approach the Zoning Board and the Planning Board, and then eventually us probably for a special permit. And then we are going to take into consideration how many spots they have available and whether the usage that they are proposing is going to exceed those spots. That's going to affect our determination as to whether that usage can go in there. So, that was why I was asking questions what they were going to have there. Because other than a church or school, they are going to have to approach the Board again and then we will take that into consideration, the amount of spots that they have available.

Ann Flower stated: I am just assuming that she will have to tear down the garage; but that's her business.

Trustee Devlin state: They are actually moving the garage. On the site plan it is turned. I remember the Planning Board asking them to move the garage so they could create additional parking.

Mayor Pontieri stated: I think it is a question well taken. But, I think the Planning Board met three times and really kind of hashed out that part pretty thoroughly.

Ann Flower stated: I didn't receive any mailing about the house. But, I did get one for this hearing. Another question, would it affect the taxes of the other property residents? She did a great job, aesthetically it is beautiful.

Mayor Pontieri stated: No; it would not affect the taxes of other residents at all.

Mary Kessner, 193 North Ocean Avenue, Patchogue. The applicant is a lovely women; however, I think we do need to remember that spot zoning becomes problematic. We are now saying the line in the sand we are going to move. Every time we move that line we make North Ocean Ave. less residential and more professional. I don't care to wake up one morning and find that I am the only family that is living on North Ocean Avenue. If I wanted to live in an industrial park, I would have moved to an industrial park 20 years ago. I chose to live in a residential neighborhood. I also think that we need to remember that while she says that she only has one employee, I had spoken to her at the bus stop this morning and asked her about that she said she works with teens. So, at times there will be multiple people walking in and out of that house. Anyone familiar with Thorne St knows there is a bus stop on Jennings and North Ocean Ave, both elementary schools. So, we are now having a bus come down Thorne, a full sized school bus, making stops and picking up elementary school children with the possibility of cars being parked on one or both sides of that street—North Ocean has no parking, so they would have to park on the side street. The dentist office just south of that can park on North Ocean Ave. So we are now going to have a bus picking up elementary children, mothers walking down, cars parked on either side, blocking vision. The kids are not going to be able to see. I am concerned about the safety of the children. I am concerned that we now are beginning to say we can move that line a little bit. She bought that property knowing what the zoning was. To say to us in the neighborhood, before it was a boarding house and I am better than that, it is an insult to the community. We fought to get rid of that boarding house. I made multiple calls to the Bldg. Dept. for years about that house. It wasn't for the lack of trying on the residents' part to get rid of that and we know how difficult it is to combat multiple family houses in the community. So, to say to us, well I am making it better is not necessarily true. You are taking my residential neighborhood and making it into a business zone. I just ask you to consider that there are families on North Ocean Ave. It is a very interesting block--we got the seniors, families with children and without. We are a community. We socialize together and we like our community the way it is.

Richard Kemp, Jennings Ave, stated: I live one block away from this structure and am very familiar with the uses and previous uses, going back to the 1950 when Mr. Mackey lived there and had his sign posted in the front yard—saying either notary public or accountant. It was used

for that purpose at that time. But, there did come a time when the church, two houses north, when they had a school, there was a lot of problems with cars parking at the intersection of North Ocean and Thorne Street. There had been mentioned that there would be 8 parking spots. Would these be on their property? I don't see how that can physically occur because there is a one car garage existing there right now and probably cesspools.

Mayor Pontieri stated: Parking will be on their property. The site plan shows they are moving the garage and are putting 8 spaces on there.

Deputy Mayor Krieger stated: It looks like there might be a little difficulty getting in and out of it.

Trustee Hilton asked: Mr. Kemp, the gentlemen who had the sign up, did he also live in the house? The RPO district could be extended north of there which is something Brian suggested in the beginning. That rather than have no residents in this house that we should just extend the RPO north of there. The Mayor and I worked on this years ago. And, at the time it was also one way to save some of those large houses in that area that at the time not one single person could afford to operate. So dentist office on the bottom, dentist lived above. And this application is somewhat different from that.

Mr. Kemp asked: I believe the gentlemen lived in the house, but it was many years ago. What would be the method of sanitation? Would it be a commercial dump truck? And I would have a problem with that. I have a dentist on the south side whose dump truck comes around very early in the morning and this is not favorable for a residential neighborhood. Those are a few reasons that you people should look at, study and make your own decision.

Felisa Mahabal, 190 North Ocean, Patchogue, stated: I did receive a letter for this hearing, but not any previous hearing. I agree with Mary Kassner in that we bought the house because it was over the line of Thorne and that we were in the neighborhood area and not in the business district. I think it needs to stay that way. We wanted to be in Patchogue for the historical value and I don't want in not even in 30 years, and not even in 15 years, for us to ask what happened. We want to just leave it—it is quaint and perfect.

Donna Garbone, 185 North Ocean Ave, Patchogue, stated: I also was not notified of any previous meetings that were held on this subject. A couple of things bother me. The zoning could allow for a health clinic there. You have children on either one of those corners. What is to stop alcoholics or unstable people or sex offenders from being there. We have been in our house for 26 years and have spent a lot of time, effort and money restoring the homes. We don't want to see them as businesses. In this economy, this is the start of moving it over north of Thorne. Somebody who is in financial difficulty will now sell their house saying, oh you will get the same deal; go to the Town and they will rezone it and it will creep all the way up North Ocean Ave. I don't want to have to move out after putting so much effort in restoring this home because it is now no longer a family area. She is putting in 8 parking spots—if there is only one or two people, then why do you need 8 parking spots unless you need more than that. We already see equipment going into that home. So, she already got her set up inside, assuming it is already going through and doing it behind everyone's back. It makes us a little uncomfortable as residents because what else does she have planned for the upstairs. It is still a flophouse set up there. So, we don't know. If she needs money to carry the house, she is not living there. She an absentee owner. When she goes home the problem stays with us and not with her. It is something to consider.

Marlene Minte, 189 North Ocean Avenue, Patchogue, stated: The ladies before me have said everything I wanted to say. I am against this house. This is commercial profession property coming, infringing on my residential neighborhood. I just don't understand why somebody would buy property and try to get change of zone for their own particular purposes. She does not live there. It is true that there is equipment in that house; we don't know who is coming and going. We do have children in the area. We have school buses. It is a major concern. I only received one letter and it said to come tonight and I live within the 200 ft. area.

Catherine Iadareo, 178 North Ocean Avenue, Patchogue, stated: My property physically adjoins Susan's property. I have been in my house for 18 years and the entire time that house was vacant. There was things going on, it was in very poor shape. I called the Village multiple times because

of grass and aesthetic issues. I do applaud Susan for the work she has done on the property. I am concerned about the future of the property. When Susan sells the property, because I am sandwiched between Susan and the church. I am concerned about what type of business can open in the house—a pizza parlor or a deli. You are not what is going to happen five years from this time. Is there a way that if Susan decides to sell the property the zoning can revert back to residential so I know I won't have a pizza parlor next to me? I don't have a problem with Susan right now because I think the property has improved 100%. I understand the concerns about the school bus; it is a very dangerous corner. The stop sign has helped, but there is still speeding going on and visual issues on that corner. I can believe that they are concerned and support them. But, I also see Susan's point because I have lived next to that house for 18 years. This has been an improvement; I don't know if it is the best improvement. But, she has done a great job with the house. I have spoken to her on a number of occasions in regard to the business. I do have some issues with the parking—I can't visualize the spots. My concern is what is going to happen to the property if she sells the property. Can something else go in there that is not going to be as physically aesthetic to the neighborhood? I am concerned about that. I know she doesn't occupy the property and the property is a 100% more secure than it was in the past. I am concerned about what is going to happen in the future. If you can guarantee that there is not going to be some radical changes—and I am not confident that that is the case.

Mayor Pontieri stated: The way the code reads today, those things cannot happen. Unless some administration in the future decides to change it, that cannot happen. There are no guarantees in life.

Village Attorney Egan stated: Before the applicant comes up, I just want to clarify what the code requires with regard to mailings. This is all pursuant to the Village Code. On a Change of Zoning application, the only mailing that the applicant has to do is to residents within the 200 foot radius of the notice of this meeting. In referral to the Planning Board pursuant to 435-72 is that it be published in one official newspaper in the Village at least seven days prior to said hearing. So publication of the Planning Board meeting was done in the official paper, *The Advance*. There is no mailing requirement for the Planning Board meeting.

Trustee Hilton stated: We should talk about changing that because one of the determinations of the Planning Board was that during the public hearing phase we did not receive one concern expressed by any of the public, which is something I would hang my hat on. John Rocco is a fine Chairman. If he said it is fine and it happened, then it happened.

Mr. Mordello stated: We have some testimony on that. I am not sure exactly what happened.

Ms. Montana stated: I did send out 32 packets to the same address via certified mail/return receipt. And I did turn it all in to Carol.

Mr. Mordello stated: I just want to comment on a few points that were made. One being the potential future use which was someone who addressed the fact that if this Board were to grant a zone change, we still need to go for a **ZBA** and any future owner or future office that might go in there would have to go before the ZBA for a special permit for review. There is another level of oversight. So that if somebody is not happy with what is going on with the property and somebody new goes to come in—there is another level where they can come and say I am not happy. Yes. She purchased the property because she saw an opportunity. She has done limited improvements on there because it is all subject to the approval of this Board. It is not expected that there be an approval, she does own the building, she does have a little limited use of the building but it is not to the full extent that we are looking to seek. To clarify to the people in the audience, it would be for office usage. I don't see retail or pizza places happening over there—it is not part of the character of the neighborhood. Nothing is written, but the Village has been around a long time and to see that area change to that type of use I think is very unlikely. As far as safety with school bus stop, the 8 parking spaces is based on 150 sq.ft. of building area. We are looking to keep the parking on site. You had mentioned about the feasibility related to a couple of parking spaces. Two of the parking spaces are designated for employees. So when they do come, two of the farthest are for all day parking and the other six are for people. We do maintain a 24 ft aisle; we don't have a big, giant parking lot. We are trying to strategically place the parking on site. Office hours are typically 9-5. This usually occurs after kids are picked up. We don't expect a big influx of vehicles and that they would be disobeying the traffic laws in that area, and certainly not parking on the street—that is why we are putting the parking on site.

Certainly we understand the concern for children's safety and the applicant would not do anything to hamper safety in the neighborhood. The other thing, there was a question raised about health clinics, treatment houses and other things. It is not the initial intent of the applicant, but again, any future use has to go before the Zoning Board. And if it was a use that people were not happy with, I think that is the purpose of that level of examination. We feel this is a unique property/. That it why I came here before you. There been a history with it and my client is looking to change the history of that property. We are putting on the record that we feel that this is a unique application and not to establish a precedent for future development. But, because of the character of the property and the fact that it has been somewhat missed and somewhat unimproved, my client saw an opportunity. She hasn't fully acted on that opportunity because if this doesn't come together she will have to look at other options. If it does, then she will look to make further improvements on the property itself. To say that it is not owner occupied, it is her building. This type of office is for small business—it is not big medical conglomerates that are coming in. It is meant for small practitioners, the type that are allowed by code whether it is doctors or architects or accountants. That is the use we are trying to get; we are not trying to get corporate offices in here and overwhelm the neighborhood. We are hopeful it will make an improvement in the neighborhood. We are not looking to establish a precedent. We are looking at this one piece unique to circumstances, its proximity on the edge of the existing zoning district. We are hopeful that if the Board sees fit to approve this, that we will be able to further make improvements to maintain the property. And certainly go before the Zoning Board of Appeals for further review.

Ms. Montana stated: I just want to mention that I love Patchogue personally. We are here a lot. Bob volunteers at the Theatre. I have business lunches in the places downtown all the time. We participate in a lot of the activities that go on after hours in a lot of the different establishments, with the music. This is some place we are really excited to be and to work out of. I used to rent space for many years in the area, but it just wasn't big enough. That is one of the reasons we would like to do this.

Trustee Hilton asked: Brian, is there criteria that is involved as far as the zoning change, that the property can't be used for any other?

Village Attorney Egan stated: The applicant has fulfilled its requirement for submittal which is submission of the radius map, the statement, the site plan. There is no requirement like a special permit for our consideration. There are no guidelines in the code. They don't have to prove that it can't be used for the use that it is intended for.

Trustee Devlin stated: They still have to go to the Zoning Board after this. And anybody else who would propose to put a business in there would have to go to the Zoning Board for a special permit within the parameters.

Trustee Hilton stated: I agree in Chairman Rocco's recommendations, but we do hear concerns from the surrounding residents.

Village Attorney Egan stated: B Resident district is unusual because it does have architectural design requirements that have to be met, e.g. small scale, residential appearance, pitched roof, no roof top mechanical units such as air conditioner units and such. So there are requirements that are in that are here in granting those things and in a very detailed way lays out what the Planning Board—the code speaks alternatively both the Planning Board and Zoning Board—talks in detail about what they would have to do with regard to any alterations or those kinds of things.

Upon a motion made by Deputy Mayor Krieger, seconded by Trustee Keyes, and unanimously approved, the Board reserved decision on request to amend Section 435-71; Article XI; amendments of the zoning ordinance or map for property located at 172 North Ocean Avenue.

Village Clerk Seal stated: Notice is hereby given that a Public Hearing will be held on Monday, November 28, 2011, at 7:30 p.m. in the Municipal Building, 15 Baker Street, Patchogue, New York, by the Village Board of the Incorporated Village of Patchogue to amend Section 205-4 of Chapter 205 of Village Code to add a penalty provision for failure to pay fire inspection fees and an exemption for non-profit applications.

Trustee McGiff stated: This is at the request of the Bldg. Dept., specifically Fire Marshal Riccio. We have a number of commercial establishments that haven't paid their fire inspection fee. In total, I think it is over \$3,000. There was really no penalty provision, so with the help of Attorney Egan, we crafted it and I think the penalty is going to be three times the inspection fee. Once again, we want to stress that it will be waived for any entity that is classified as a non-for profit under either Federal law or New York State law, e.g. AmVet, American Legion, churches, etc.

Upon a motion made by Trustee McGiff, seconded by Trustee Devlin, and unanimously carried, the board approved request to amend Section 205-4 of Chapter 205 of Village Code to add a penalty provision for failure to pay fire inspection fees and an exemption for non-profit applications.

Mayor Pontieri stated: One of the things we have been looking at as a possibility is—as you know at our DPW site we have a cell tower. We have been looking at the possibility of placing one behind 380 Bay Avenue, the new Recreation Center. For just a little financial background on the one at Waverly Avenue, when that one was put in under the Ihne administration, it was a good deal in essence. After 5 years, we got \$250,000. In year six they paid us out for the remainder of it I think was about \$785,000. So in the first six years we realized over a million dollars for that tower. These are profitable. Towers such as these, allow us in terms of dollars to do some things for the community. We need to take a look at the viability of it--where they are presenting it. And we need to take a look and negotiate those costs to make sure they are to the advantage of the community itself.

Presentation by Tayna Nicaroni, Business Development Manager – Elite Towers, LP. – stated: We are here to see if there is any interest in a cell tower, preferably one that looks like a flag pole. The reason why we do that is because the other structures that you have within the Village do not look like the flag pole. We figured it would have less of an impact aesthetically if it looks like a flag pole vs. having a tower which is the previous structure we developed. We have a couple examples of the old structure vs. the new. We have 8x10 photos here for anyone to look at. The pole locations chosen are one by the dock, one by the Community Center, and one by the theatre and the ball field just north of that. I have photos here with the locations depicted. There is an aerial on page 12 which shows the different locations. There are no more microwave dishes. We use GPS units that can be mounted at the lower portions of the pole. The only thing that we do have is a disclaimer for the flag poles is if you intend to need emergency services, like fire district or fire department in the area, and they need to put an antenna on there, usually it is on the top. So instead of a ball you have an antenna on the top. That is the only other thing on the tower that doesn't look like a flag pole. Right now we are proposing 120 ft. high. Obviously, we could scale it down, depending on how many users.

Trustee Hilton asked: Who do you have in mind; who will need service?

Tayna Nicaroni stated: We are definitely going to go to all the major carriers, e.g. ATT, Verizon, Metro, ACS, Sprint and T-Mobil. I know that there is talk of T-Mobil and ATT merging, but they have different frequencies and different technology so they would be leasing to separate places.

Trustee Hilton asked: Would there be a cost if we wanted to use it for municipal use? And why are you approaching us and not Sprint?

Tayna Nicaroni stated: There would be no cost to the Village at all. I have been doing this for 15 years and what happens the carriers themselves don't necessarily go out and build towers. What they do is rely on the local people like ourselves who live on Long Island to basically figure out the appropriate areas and applications where the towers would be accepted. In that respect, that is why they use companies like ours and not have someone else from say Jersey or Kansas City. So they don't use people who are not from the area to build these towers.

Mayor Pontieri asked: What is the advantage of doing it at the locations you proposed?

Tayna Nicaroni stated: Any of the locations really would work. It is really up to the Village to decide on the appropriate location for it. They are not too far apart where it is giving me a large

deficiency in service. Obviously, a tower here would service within 1 1/2 mile. You don't have any trees down there. Obviously, it would definitely service the dock area, the ferry and Fire Island.

Trustee Devlin asked: How do you set those up into the ground as there is a high water table down there?

Tayna Nicaronone stated: It doesn't affect the construction. It affects the type of foundation that we put in. We usually propose doing a case bond which we drill down about 35 feet at least, maybe about 3 feet across, and it takes about 30 days to cure.

Trustee Hilton stated: The ground water at that point is about 5 feet.

Tayna Nicaronone stated: I know. (Photo shown by a beach) At the base of the tower we have equipment like this—this shelter shown in this application is not being proposed in this application. There are little cabinets—we are pushing to have outdoor cabinets so there is less impact. So we do require about 2500 sq.ft. of ground space which we can tuck away. It doesn't have to be at the base, but can be set off to the side but not too far away because there could be loss. It is something the Village would discuss and let us know; we are not forcing you into any type or specific. Usually it would be 50x50. It would be 100 ft from left to right. A part of that space we need to know if we need fire or anyone else in there because we have to make sure everything is laid out appropriately. There are antennas in the pole.

Trustee Hilton stated: The existing tower we have in the Village is in our DPW and maybe takes up 25x25.

Tayna Nicaronone stated: For us we are trying to think of 7 carriers and the Village. 50x50 is maximum size; that would allow for every carrier that is here now and what is coming. The more carriers there is, the more revenue to the Village.

Trustee Devlin asked: What is the impact if three feet of water comes up, like recently happened with Hurricane Irene?

Tayna Nicaronone stated: That is bad. These photos are on the beach and we made it so that it is up in the air so it won't get wet.

Trustee Hilton asked: If we decide that radius is really too big for where we are, is this an all or nothing?

Tayna Nicaronone stated: We are open to any ideas that this Village may have. Once we are in a lease agreements, it is kind of like a marriage; we want to set our everything—all the expectations up front. For us, we would rather work with you rather than say take it or leave it and walk away.

Trustee Hilton stated: If it is taking up too much room, then we could go for a small tower that would take up less room and less parkland.

Mayor Pontieri asked: Do you deal with the DEC?

Tayna Nicaronone stated: Yes we do.

Trustee McGiff stated: What is the lease term? And the proposed revenue to the Village is determined on how many carriers go on?

Tayna Nicaronone stated: Usually we propose 50 years, but we can cut it down to 30. We do not do less than 30 because it takes that long for us to kind of. Yes and there are various different things we can do with business terms also; there is various ways you can do with revenue sharing, base rents, some projects in the community we can help with that. There are various things we can do to help the Village; it is just up to the Village to let us know how we can make this work.

Trustee McGiff asked: Are there any health or environmental concerns we should know about?

Tayna Nicaronone stated: No. And I hate saying that because everyone does have a concern and it is a valid concern. We do have a third party expert that comes in and takes the summation of all the antennas in the area. And anything that is being emitted in the area, puts it into a report, and it shows that we are like 99% below what the Federal government says is a safe level. Again, all of that is done with the appropriate channels and then we submit it and it is open to the public.

Mayor Pontieri stated: We have three towers: the telephone company, Swezey Fuel and ours on DPW. I would like to set up a meeting in the next week to 10 days with a couple of members of the Board and the Village Attorney and take a look at those options. And then take it to the public hearing stage and allow the public for input. But, what we need to do is get some clear numbers and get the issues of location, so when we have the public hearing we are dealing from a position of where we should go and this is where we want to do it and this is the amount of space we have.

Upon a motion made by Trustee Hilton, seconded by Trustee Devlin, and unanimously passed, the Board set a Public Hearing will be held on Monday, January 23, 2012, at 7:30 p.m. in the Municipal Building, 15 Baker Street, Patchogue, New York, by the Village Board of the Incorporated Village of Patchogue to consider cell tower installation in the Inc. Village of Patchogue.

Mayor Pontieri stated: We have a deferred compensation plan for all eligible employees with Axel Financial. After reviewing there are certain parts of it that do not conform with NYS law. So we are going to be moving from Axel to State of New York Deferred Compensation Plan. Because it is a NYS plan we don't have to go out to bid. A deferred compensation plan is monies that employees are able to put into a deferred plan tax free towards their retirement at no cost to the Village. All fees are covered by the employee to their contributions.

Trustee Hilton stated: I just want to mention a recommendation to the employees that if they do decide to chip into this plan that it is speculative and it could lose money as well as make money. It is their decision.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor Krieger, and unanimously carried, the Board passed a resolution to adopt the State of New York Deferred Compensation Plan for all eligible employees.

B.I.D. Report – None

Chamber of Commerce Report – Mindy Skura, stated: Patchogue Printing has moved out of the Village, down east Main Street. She has invited all to her re-opening ribbon cutting at 6 p.m. on Dec. 9th. The following week, one of our members First Option on Dec. 15th has rented the Patchogue Fire House and is giving us a Christmas Party which we have invited you all to, no charge for food or DJ and there will be a cash bar. We had a meeting last week and came up with a consensus that before you meet again, we would like to sit down with you, the ARB, and John Rocco. On Thursday at 11 a.m. there will be a ribbon cutting for Bethpage Bank, Checkers and 7/11.

Trustee Keyes stated: I would like to congratulate Trustee Hilton and Maria Hendrickson on a very nice Christmas parade—it was a great crowd with Village Clerk Seal as MC.

Trustee Keyes stated: We took ownership of the bike lockers at the Patchogue railroad station. It is at the west end of the parking lot for you people who commute by train and are currently using the train can now bike there.

Upon a motion made by Trustee Keyes, seconded by Trustee McGiff, and unanimously carried, the board approved setting fee of \$60.00 per year, with a \$40 key deposit, for the bike lockers located at the Patchogue railroad station.

Trustee Keyes stated: At 380 Bay Ave, LIPA will soon be making the connections to the pole and DPW then can complete the interior. There is finally a light at the end of tunnel. Parks & Recreation should be there in a short time. Seniors have been looking for that to be open and things are starting to roll.

Trustee Keyes stated: West Avenue is making remarkable progress—weather is good so we should have the plantings and lightings in there. On West Ave it goes down from 4 lanes down to 2 lanes and will really look attractive.

Trustee Keyes stated: From the time that I came on board, Superintendent Dean and myself have been looking for a less expensive and environmental cleaner way to de-ice our roads. We started checking into using a brine which some municipalities use. However, there was a problem in the cost of storing it and retrofitting all the trucks. We put it on the backburner because we kept hitting stumbling blocks. Somehow some useful information came his way; now down at DPW by using the old RPC we can actually use our own brine. It is a water-salt solution. You know, we are losing our contract with the Town of Brookhaven. There is a salt-sand mix on some roads and solid salt on others. The brine is a salt-liquid mix and we can make it ourselves in a big batch. It is almost like we are waiting for snow so we can try it out. It is a lot cleaner, comes out in liquid form and just washes away. We can manufacture it ourselves and maybe sell it to others. We had discussions with the Town of Islip who have been using it for many years and have been very successful and saved a lot of money. The guys at DPW are so excited and enthused about finding something new and put Patchogue a step ahead. We have always been a step ahead when it comes to cleaning roads. It is better for the environment because you are using a lot less salt.

Mayor Pontieri stated: Prior to a storm the County pre-treats the road an hour or two before the storm, it takes about 20 minutes and snow and salt blows off the road. This liquid actually coats the road, using ¼ the amount of salt that you would normally use. Again, the job that it does cuts down the amount of plowing and cuts down on the wear and tear on the vehicles. When you go down Hammond St, where the sewer plant was, there were 4 large RBC's where the affluent from the sewer came in and were separated. Those will be converted to make the brine. What they do is spin and mix it up. Virtually, there is no cost to us.

Trustee Keyes – CDA Report – stated: The Fire House obtained a piece of steel from the World Trade Center. Don Watson made the recommendation that perhaps the CDA could get involved and there was a presentation made at the last meeting made by Bill Miller, Architect. With what we can give and what perhaps funds raised at the Fire House we can make that memorial for 9/11. I mentioned a few times about the CDA fund cuts; we went from \$222,000 to \$81,000. We have some funds in remaining projects that we can still complete, but it will be a little tough to be imaginative or aggressive with other projects.

Trustee Keyes – DPW Report – I am requesting approval to seat a Storm Water Committee that would be open and accessible for public outreach and education, mostly they would have monthly public meetings. This past summer at *Alive After Five*, Barbara Stark was handing out pamphlets. This committee would take care of seeing that the public gets more educated; reach out again to try and influence ways to keep our drains clean by educating people. Again, having public input is good as well. This is mandated by NYS to fulfill our requirement for public education. On the committee will be myself, Superintendent Joe Dean, David Kennedy and Jeff Fulmer.

Upon a motion made by Trustee Keyes, seconded by Trustee Devlin, and unanimously carried, the board approved request to seat a Storm Water Committee.

Trustee Hilton stated: We had an amazing holiday parade. The Parks Dept., Maria Hendrickson, LuAnn Latagano, Joe Dean and Lou Garafola did a tremendous job. I would also like to thank Jim Berberich from Public Safety. We had our wonderful co-MC's Patti Seal and Deputy Mayor Krieger. The Best Overall trophy went to Starlight School of Dance, the Most Original trophy went to the World Outreach Church of God, the Most Holiday Spirit trophy went to Emanuel Lutheran Church and School, the Best Decorated Fire Department trophy was the Hagerman Fire Department, the Best Car/Truck Club trophy was the Model A Ford Truck.

Trustee Hilton stated: Mike Polansky from the Greater Long Island Running Company is here to talk about the proposed January 28, 2012 race.

Mike Polansky, President and Chief Executive Officer of the Greater Long Island Running Club, stated: We are an incorporated entity, a non-for profit corporation according to the laws of the State of New York. Our charter is to promote running, fitness and good health habits for Long Island. As furtherance of that charter we have running events all over Long Island. One of which

was last year's First Annual Sayville Running Company, Blue Point Brewery run—starting and finishing at the Blue Point Brewery. We understand it was the first year we were doing it and there were some inconveniences to the local community. We absolutely want to make sure that all those inconveniences are either eliminated or minimized if you give us permission to do this again. Our Secretary of the corporation and General Manager Mr. Taviano and Rich Debeglio who is a member of our Board of Trustees, who if you give us permission to hold the event this year, he will be the director.

Rich Debeglio stated: I know we inconvenienced some people last year and hope to mitigate that. What we plan on doing is sending letters out to all the residents and churches informing them what time the race is going to be held. The big concern is on River Ave. That will be closed about 15 minutes until the runners past there until we get to Weeks. Then we really don't plan on closing. From 8:30 to 9:00 it should be closed—the police will probably block it from the Brewery south, Underwood to Weeks Road. They will be parking at the Railroad Station, some at the school, and we are going to reach out to some of the local businesses around Division. Last year I believe you put out some barricades on some of the streets and if you do that again, we will set them up. As soon as we do get the permit, I will talk to the police. We were told to modify the race from last year; it would be easier for them to control if we went straight to Sayville and back on County Road 65. We will include the Village in any future meetings that you have. Last year we had a little over 500 and should expect the same.

Mayor Pontieri stated: When they come down Weeks for the return they should stay on one side—so we can basically over River to go north and Weeks to come east.

Trustee Krieger stated: So, the street basically from the Brewery to Weeks will be closed from 8:20—how will be people get to work?

Rich Debeglio stated: We are going to send out letters. I visited each one of the five apartments. We are going to send out applications and letters. It is a big group of people. In one of the apartments we will post in bulletin board in laundry room.

Trustee Hilton stated: There is a couple on River Ave. who run. We have a Liz Kelly Run and were very successful in keeping one side of River open.

Rich Debeglio stated: We would have to keep it closed for the last 20 minutes. We will send a letter like we sent last year.

Trustee McGiff asked: What is the Town of Islip doing for people living south of Middle Road?

Rich Debeglio stated: We are going to have volunteers on all of those major crossings. We are hoping that as the race starts they will spread out. It is a ten mile race that should last about two hours. We probably won't have walkers.

Trustee Hilton stated: Last year it was six hours.

Rich Debeglio stated: The way the course was set up last year, it was two five mile loops which tended to lend itself to walkers. You are all invited.

Upon a motion made by Trustee Hilton, seconded by Trustee Krieger, and unanimously carried, the board approved request for the Greater Long Island Running Company to have a ten mile race on Jan. 28, 2012, with safety plan being accepted by Peter Sarich, Village Safety officer, and meetings with Trustee Hilton.

Upon a motion made by Trustee Hilton, seconded by Trustee McGiff, and unanimously carried, the board approved request for St. Joseph's College to hold 5K community walk/run on Sunday, April 29, 2012, registration at 8:30 and race starting at 9:00 a.m., with safety plan being accepted by Peter Sarich, Village Safety officer.

Deputy Mayor Krieger stated: Trustee Keyes, I got a big thank you from the Theatre for the new fire safety doors, that are AD compliant. This weekend we had a crowd of over 800 people to see L.I. own Zebra. If you were in the Village earlier on Friday, you probably had a chance to see all the people going out to dinner and the bars, enjoying themselves before and after the show. I

had the opportunity to be at the Theatre Board Meeting last week when Ken Serini delivered the recent audit; it was tremendous—a big change from 5-6 years ago. Hopefully, Ken Serini will come before this Board to present their audit as a courtesy.

Trustee McGiff stated: We should have written copies of that audit as it is a taxpayer asset.

Deputy Mayor Krieger stated: Trustee Hilton, it was a great parade and also the floats were better this year than any other year I can remember. They all did a beautiful job.

Trustee Devlin stated: Today Trustee Hilton and I met at the Winona Hotel with a number of Village citizens, spearhead by Mr. West. The gentleman wanted to create a community garden and Cornell is willing to give \$5,000 with matching money—perhaps to put something behind the cottage behind the Winona and continuing behind the PMY Services. Cornell not only has money but also has an educator.

Trustee Hilton stated: One thing that was very attractive to them which Marian Russo from Community Development explained to her was that we are becoming more and more a walking community and are also bringing more rentals to the community as they can afford to stay here. But, the rentals don't have homes or property so there is more and more of a need for a community garden which is what they look at and makes us qualify for more of these grants.

Trustee Devlin stated: We are going to put out the word to the community to see what the level of interest would be. But, we actually thought we would start with 20-30 raised beds that would be 5 x 10 feet—each person would pay a fee. Rather than set it up as a Village entity through Parks, set it up through the Greater Patchogue Foundation to funnel the money through grants. The one from Cornell with is State grant money, it is not your typical grant process. She really has the say so where it goes. She has one pool of money for one garden in the Town of Brookhaven. After meeting with us today she felt all the pieces were in place here—community support and location. The grant would be in kind which means that money that was spent already would qualify us—even some sidewalks that we put in. Part of the grant is walking trails. She also has State grant money for trails and things like that. This was an initial meeting that we had and will have more in depth meetings. I think the Garden Club is interested.

Trustee Devlin stated: Several weeks ago I became aware of a round of funding from an organization called Art Place.org. It is eleven foundations, some of them is The Rockefeller Foundation and the Blumberg Foundation and others, who work with the National Endowment of the Arts to give funding to creative place making. What that means is if you are a non-profit or a government entity and you have a building that you would like to house something arts related, last year they gave eleven million dollars nationwide. The average grant was \$350,000 with no match. The first step in the process was to submit a 350 word letter of inquiry—due about three days after I found out of it. I submitted two—one for the Carnegie Library to be used for use for a media arts labs and educational facility. And I did one for the Brookhaven Town Hall to be a cooperative artist studio space. I submitted that and if I hear of it by Jan. 2nd. The organization said you are not limited to one application and that each is judged on its merits. They would not choose one over the other, but you could have a change of getting two. I thought that was a very positive thing. In each case I asked for the maximum, one million dollars.

Trustee McGiff stated: Last meeting I reported about some abuses at the Terry St apartments. They are being addressed in conjunction services as there is a lot of Section Eight. It is Main St LLC. If they find what we believe to be the violations they will stop cutting checks and I think that actually happened on Terry St. That is how we get the landlord to get into compliance because as you know Section Eight pays top dollar. Also, we have found some boarding house situations on Waverly and Northridge that is being addressed. Also, at the last meeting about the connection agreement with Medford Avenue, you said there wasn't one. I would like to reiterate my request to Brian to see if he could reach out to Lee Snead to see what was done if anything. If in fact, Mr. Snead dropped the ball or someone did, at least we can ascertain that and see why there was no connection agreement.

Trustee McGiff stated: Just two other things. I was looking at things with the budget coming up. I was thinking maybe if we could talk about dialogue about it, maybe Board approval for all, not outside vendors but Village appointed Trustees—not so much Egan's bill as being excessive because I would never question that. But, just things with engineers; I know that we appoint a lot

of engineers. These vouchers are kind of signed and paid. There is oversight now, but maybe some more oversight. Because I think some of these bills, especially with engineering we always joke, but it is taxpayer dollars. And in these times maybe we should be looking at these a little more closely as a group. In that spirit, I don't know if anyone read in *Newsday* about Brightwaters and their health benefits. I don't want to take away anyone's health benefits, but maybe it is something in these times that we should talk about, salary reduction, or something, or paying into something, or maybe Village wide, or Trustee wide, I don't know—a portion of their health or something like that. Right now we pay 100%. I hate to be the one to say this, but with our budget going up and you are concerned about the 2%, it is about the dollar amount. You and I as electives have given us a raise and maybe taking a look at that.

Mayor Pontieri stated: I had a conversation with Anne Marie Monte who came to me and spoke basically about the same thing a week ago. This is a contract year but I think the negotiations become part of the whole process; you and I had talked earlier about sitting on that committee and putting that together.

Deputy Mayor Krieger stated: Ms. Belmonte would like to hear this, I am sure. There was one word at the last meeting that we took into account. We have advised our parking enforcement officer to crack down on illegal parking and overtime parking on Main St. So, when your customers come in who got a ticket, please apologize to them for us. But, ask them next time not to park over two hours. So, you should be seeing her more on Main St and we have advised her not to go into stores and advise store owners that their cars are going to be ticketed. So, expect a big flux of tickets being written on Main St. because as we learned at the last meeting that 25% of the cars that were parked on Main St are parked over two hours. She did voice her concern about some of those people who come out and move their car from one space into the next space and they can bypass the law; and I told her there is nothing we can do about those people. So there will be less tickets in the parking lots and the railroad station, because she will be concentrating on Main St.

Public to be Heard:

Liz McGuire, 54 Shore Road, asked: Why would there be less tickets in the parking lots and railroad in lieu of the tickets on Main St.?

Deputy Mayor Krieger stated: Because we have one parking officer and she will be concentrating on Main St. The intent is to oblige the merchants who asked us to do that.

Mayor Pontieri stated: The parking study indicated that 25% of the cars parked on Main St. had been there greater than two hours.

Liz McGuire stated: My question relates to the O'Hara Bros., something you mentioned earlier that they will be having their ribbon cutting on Thursday morning, which is a wonderful thing. But, what I am confused about, in the last few meeting, this has been touched on, but I don't have a clear picture of what the timeline has been in terms of the \$100,000 that was due the Village from their Bay Village project.

Mayor Pontieri stated: It wasn't \$100,000, it was to do walks down there and they have now committed towards the Parks.

Trustee Hilton stated: Trustee McGiff and I spent some time on this and there was in the decision for a swap on green space. Unfortunately, there was not a hard core monetary value put into the minutes.

Liz McGuire stated: In the Planning Board minutes there were. But I guess that is not in the Village Board meeting minutes.

Trustee Hilton stated: If that is indeed the case, then I will look into that. Carol had done a research.

Trustee McGiff stated: They talked about it; it was a number of about \$100,000 in the discussion. But, when the decision was rendered and outlined, there was no number.

Trustee Hilton stated: This was something that we have—the Mayor and I and Trustee McGiff—had talked about getting this down.

Liz McGuire stated: But, if the Planning Board approved their application based on their commitment to give in excess of \$100,000 and they didn't deliver on it

Trustee Hilton stated: Let me go on. Was that we then had several meetings down at the Bay. Because originally what they were going to do was to put in a boardwalk along Shorefront Park. And my decision along with other Trustees was that even though they were paying to have the brick boardwalk installed with period lighting, it was going to cost more for us to maintain it because of the extreme weather conditions that happen down there with the overspray that we would be spending a ton of the peoples' money on replacing the lamps and wood going in the boardwalk. What we did was put that on hold until the expansion of the playground project came up. And that is where we are now. I understand that there is somewhat of a discrepancy as far as the amount of money they said they were going to contribute. Things have changed which is why I say we should put the money in escrow upfront. This is something that we have learned.

Liz McGuire stated: I think when they get their approval, they should make a commitment and we should get the money then, not three or four years down the road.

Mayor Pontieri stated: One of the things that we have done whether it be on sewer projects, connection agreements, the covenants, Attorney Egan has been very judicious about making sure those things happen. What we have found about the prior Village attorney was he didn't always follow through. And now we pay the price of his not following through. Now we all take responsibility because this board approved them.

Liz McGuire stated: I don't think it is an attorney issue though. I think at the time they were given approval based on their commitment to give over \$100,000.

Trustee Hilton stated: We did not follow through and have them written into the decision and the covenants.

Trustee Devlin stated: The decision is written by the Planning Board, correct?

Village Attorney Egan stated: That project was prior to me. I don't know the details of what the final approval was. But, whichever Board, whether it be the Planning Board or the Board of Trustees, to have their final approvals to be ultimately enforceable and the Village would want to enforce its rights, it would have to be in writing. The developer is not going to hand over a check without any kind of enforceable decision. Minutes often times are not enforceable, whereas decisions are enforceable. Our practice has been to have written decisions, whether it be the Board of Trustees or the Planning Board. That sometimes prior in the first term was not necessarily a written decision.

Mayor Pontieri stated: That is now the problem that we are dealing with.

Liz McGuire asked: So, how much have they actually contributed?

Mayor Pontieri stated: Right now we have a \$25,000 commitment.

Trustee Hilton stated: With possibly a match from them if we get the full amount.

Mayor Pontieri stated: Trustee Hilton, check those minutes tomorrow.

Liz McGuire stated: It just seems to me the Village made a decision based on a very substantial contribution and now it is gone.

Maury Dean, the Community Development Association, stated: Mayor Lechtrecker put a few ladders up on the west/south side of Mascot Dock for safety in case somebody fell in. What I really want to say is thank you. Mike Polansky who is here tonight is the President of probably the most important running club on Long Island and the best known runner on Long Island and a former attorney. Linda Fabiano is the model for all the stuff they sell. I am Vice President of the Bohemia Track Club, if you are looking for a closer club.

John Bogack, Noxon St., stated: There was an oral recording during the beginning of the meeting and why was that?

Mayor Pontieri stated: That was from the Library. There was some members of the Latino community that was here and she was translating what was happening in the meeting for them. It will be happening not always, only here and there.

Village Seal stated: It was a grant that was awarded for interpretive purposes so that we could have the Hispanic community participate in these meetings and be able to know what is going on. I believe it is for some of their ESL members that are learning the English language now.

John Bogack stated: Sitting in the middle of the room I found their technology was loud and intrusive.

Donald Wachsmith, Carman St., stated: Yes. It was distracting. Why couldn't it be recorded and played at a later date? It was distracting.

Village Clerk Seal stated: They were here in the back listening and what she was doing was interpreting what this Board was saying.

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Richard Kemp, Jennings Ave, stated: I have been reading the minutes of recent and there seem to be a problem of parking on Silver St. I question a lot of the activities of the expansion of Loper's Bros which has been a successful business. It has been allowed to expand. The Village of Patchogue obviously has granted them permits to expand—so if the Village gives with one hand and on the other hand put up no parking signs.

Deputy Mayor Krieger stated: It is not a good situation. Trustee Keyes and I visited the location a few weeks ago and spoke with the owners of Loper's and Sign-O-Rama and are trying to come up with a solution. People park on both sides of the street—it is a difficult navigation for cars and would be difficult navigation for emergency vehicles because a lot of Loper's customers come in trucks. And the Sign-O-Rama business is mostly a 15 minute parking. We are waiting to get some information from the owner of Sign-O-Rama about parking on his property because there is some possible parking available on his property. Mr. Loper is accommodating and wants to work with us. He owns property—two houses on both sides of the street. He doesn't have a problem with people parking in front of his houses because he owns the houses. It is the people beyond that point who have a problem with people parking on the street. We can probably accommodate both of those people and allow them to park there as long as it is possible for emergency vehicles to get through. The code says that there is no parking, but the signs were not up and we had to go and put them back up.

Richard Kemp stated: From 1962 when I was 12 yrs old that was originally a commercial structure with plate glass windows and was used for newspaper boys with bicycles and cannot recall any no parking signs in the area at that time.

Village Attorney Egan stated: Mr. Kemp may be right, but it is also one of the early '60's Enactments from the original 415-14; it may have been added in '63 or '64.

Deputy Mayor Krieger stated: I would like to see any photographs which you may have with no signs.

Richard Kemp stated: I wouldn't have any photographs. In the interest of being fair minded Trustees and to alleviate problems, you should discuss things with Mr. Loper and the private homeowners. If the homeowners have a problem with idling trucks, you could add that to the sign or no excessive noise. But, to put just a blanket no parking sign that discourages people from wanting to deal with Mr. Loper's business. He has a reputable business and has been allowed to expand. Like I said with one hand you give and the other hand you take back.

Deputy Mayor Krieger stated: That is why we spoke with Mr. Loper.

Richard Kemp stated: I have mailed a certified letter to Trustee McGiff and I would like to ask if you have any comments or answers or anything you would like to state.

Trustee McGiff stated: No. You called me Wednesday and I will call you this week—I always call you back. I was in Brooklyn today. Are you around tomorrow?

Richard Kemp stated: If it is going to rain, yes. This is a serious issue.

Upon a motion made by Trustee Hilton, seconded by Trustee Devlin, and unanimously carried, the meeting was adjourned at 10 p.m.

Signed _____
Patricia M. Seal, Village Clerk

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