



Inc. Village of Patchogue  
Board of Trustees Meeting

September 26, 2011

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on September 26, 2011.

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

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

Upon a motion made by Trustee Keyes, seconded by Trustee Crean, and unanimously carried, the Board minutes of September 12, 2011 were approved with corrections.

Mayor Pontieri stated: Just to make people aware, Trustee McGiff is in China, adopting a child. Trustee Devlin is someplace in New Jersey, trying to get here.

Village Treasurer Krawczyk stated: The bills for period ending 9/26/2011 was \$459,751.48. The five largest bills paid were: NYS Employee Health \$102,446.04 premium, Pilger Skidmore \$56,707.22 quarterly premium, Wire to Water \$44,460.00 sewer plant electrical work which we will get reimbursed for, Eastern Resource \$14,263.92 landfill fees, LIPA \$11,463.07 electric.

General Fund	268,734.97
Trust & Agency	99,418.20
CAP Projects	44,842.88
Sewer Fund	24,248.60
BID Fund	5,581.56
Housing Fund	1,613.76
CDA Fund	6,451.75
General Bills	8,879.76
Totals	459,751.48

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

Upon a motion made by Deputy Mayor Krieger, seconded by Trustee Crean and unanimously carried, the board approved request to transfer \$110,000.00 from Sewer Bond Principal to Sewer BAN principal for first payment due on EFC funding for sewer plant upgrade.

Village Treasurer Krawczyk stated: The cash balances as of August 31, 2011 are there for your information..

Village Clerk Seal stated: Notice is hereby given that a public hearing will be held Monday, September 26, 2011 at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York, by the Village Board of the Incorporated Village of Patchogue to amend Section 415-15; Article VII "Parking Prohibited" to prohibit parking on the east side of Jennings Avenue from the intersection of Thorne Street to a point 100 feet north, a copy of which proposed local law is on file at the Office of the Village Clerk. At said public hearing any person interested will be given the opportunity to be heard.

Mayor Pontieri stated: This is a request by a resident to limit the parking from Thorne Street north on Jennings for 100 feet. I would like to ask Mr. Kemp to come and speak first because he is the one who made this request.

Richard Kemp, 68 Jennings Ave., Patchogue, stated: I am here because I own a one ton pick up truck which is 25 feet in length. I have extreme difficulty parking my vehicle in my own driveway. I have problems because a neighbor who is present in this room they continue to park nearly opposite my driveway. And there is no reason for it; they have their own driveway, they have the front of their house, and they have the side. It is the corner property. I have asked them very nicely many years ago if they would please do not park opposite my driveway;. The answer was to move the car 6 inches back. I have only spoken about my one ton truck, so far. I also own a camper trailer, which when coupled together with the truck is 48 feet in length. The width of my street from curb to curb is 43 feet and 1 inch. Therefore, it is physically impossible to pull out

or back in without coming on the radius. If there are any vehicles parked within that range that this hearing is about this evening, it is practically impossible. This is further compounded by the fact that one of the neighbors parked a black SN pick up truck during the winter months and left it out there all during heavy snow storms which causes the snow plow to go out 8 feet away from the curb so that cuts it down even further, the width of the road. This is further compounded by the fact that this neighbor has guests pull up as I am in the process of backing out of my driveway. Mr. Mayor, my tailgate is 4 feet off the roadway. I cannot see small vehicles that pull up except through my sideview mirrors; that is the only way I can catch it. There have been times when in the middle of the street I have to stop my vehicle and get out because somebody in a small car has pulled right behind my vehicle and stopped. This is not right and it is not acceptable. I have looked at this situation and this is the most practical solution to alleviate these problems. This house has property on Thorne Street; they can park their vehicles there. This house has a driveway with, I assume, a right of way, a curb, an apron, that has been there as long as I can remember. And yet they never park any car on the concrete slab that was an existing garage. They always park, if they park, in the driveway, so only one vehicle barely comes off the street. There have been occasions when Alive After Five has been going on when your code people or officers have issued summons to vehicles blocking that driveway. There have been other times when it was just ignored.

Trustee Crean asked: How frequently do you take your camper out of the driveway in the last six months?

Mr. Kemp stated: None. I have owned my camper for ten years and have used it two times, once to go to North Carolina and once to go to the north shore.

Trustee Crean stated: Let me get this straight; you want us to restrict parking on your street because you used that camper, pulled it out of your driveway, two times over the past ten years.

Mr. Kemp stated: There are two issues. One is my one ton truck which just in itself without any trailer hitched to it is an extreme difficult situation to back this vehicle into my own driveway. And it is much safer if I back my truck into my driveway because to exit my driveway, to back out, I never know what is going to be behind me. It could be one car, two cars, a car pulling up and stop—it is ridiculous.

Trustee Keyes asked: Mr. Kemp, if your neighbor had a one ton vehicle and then the neighbor beside him and the next neighbor, then we would have to restrict parking on the whole street, is that what you are looking at? No parking on the entire street.

Mr. Kemp stated: Now that you bring that up, you have to consider that we have a DRD development pass one block away. So, Jennings Avenue is going to be severely affected so you might want to consider even the whole street because Fire Chief Perry has sent a letter to this Board addressing parking issues on Lake Street, a two page letter.

Mayor Pontieri stated: Let's just speak to the issue which is before us which is parking before your home. Your normally legislative action to take when it has a direct effect to multiple residents, not singular resident, that legislative actions are very rarely taken to solve the problem of one, but for the health and safety of many. That is what this Board will wrestle with as we do this. Are there any other comments, Mr. Kemp?

Mr. Kemp stated: Yes, absolutely to the statement that you just made. I find that statement to be very discriminatory in nature. This Board has acted to create no parking zones and 15 minute parking zones galore.

Mayor Pontieri stated: Absolutely we do. When you put a 15 minute parking space on Main Street, it is never for a singular business. It is for the multiple businesses around there. It is about economic development; it is about taking care of those businesses. At the last meeting that you were at, we had the discussion about the parking at the end of South Summit which is similar to what you were talking about—where people come to the end of the block; that is a whole neighborhood that has a concern about that—being able to get out at the end of that block. It is not for a single resident, as the 15 minute parking space is not for a singular business but for multiple businesses. Every parking space in the Village is worth about \$250,000 a year in revenue. People don't realize that when somebody parks in a space on Main Street, they are

probably taking from businesses on Main Street about \$250,000 because they are not spending 250. So, when you create spaces that turn over, you create economic development. My point to you is when you take a look at any of the other municipal and restrictive parking spaces that we have, none of them are put in place for a single resident.

Mr. Kemp stated: That is not so.

Mayor Pontieri stated: Please, that is not a debate that you want to get into tonight. Is there any other comment by you, otherwise I will ask for other comments from the audience?

Mr. Kemp stated: Yes. I would like to comment on the hearing that was for Electric Street when you did put up no parking sign for only two homes.

Mayor Pontieri stated: That street is less than 18 feet wide. You could not get cars and fire vehicles up and down that road if there was a car parked on the street. If you cannot get a truck or fire emergency equipment down Electric if there was a fire in woods back in there or the business back in there. I think it is probably 14-15 feet wide; you get one car at a time. We acted upon it based upon the health and safety of a neighborhood in a community, not to the convenience of a single resident. That is all I am saying to you; I am not saying that we going to not vote for this or vote for this. What I am saying to you is the premise of any legislative action is not for the needs of one, but the needs of a community. Are there any comments from the audience?

Dick Schroeder, Shore Road, stated: I am not taking any position for or against this, but I would like to mention that a similar request was made back during the Steve Keegan's administration and the position was pretty much as you stated there. My reaction to it is not so much that, but if you do it for one then somebody else wants it and you will have all of kinds of requests going up and down the line. It does not have any good for the public good and welfare, but just on somebody's needs.

Ann Flower, Thorne Street, stated: We have lived there for 21 years and I have three sons and my husband died, otherwise there would be another car in question. As the children got older, they got their own cars; so, this has been going on with him for about 16 years. He has actually jumped out in front of my car to scream at me not to park on the street. He has blocked my car in to the point where he told me to call the police if you don't like it. I called the police; they had to come. He tried to hit the police officer; he spent the night in jail and then sued Suffolk County for police brutality. I had to go to court over it. He is a vindictive person. He focuses on someone and will go for the throat. He will call the Village on you multiple times. We need the street. I have 50 ft. by 180 feet. He is only asking for 100 feet because the last 80 feet he lets his rangers park there. We need the 100 feet. I have sons who need to park and one of them is a firemen and he has to be on the street and ready to go when that siren goes off. I cannot park in my driveway because I am unable to turn my neck to get in and out of the driveway. We do use our driveway for snow emergencies, but it is much easier for us to just park on the street. We do not have parking on the corner lot. The other driveway belongs to James West at 7 Thorne St.; I can't park there. That is his driveway. As I said, this has been going on for many years and he is just being really vindictive. So now we had to come down here and tell you our worries. I hope you do not find in his favor; I feel it is very unfavorable to me. My children are growing up and eventually we are going to sell the house. As a selling point, what am I going to tell these people, Oh, by the way, you can't park all the way up in here because he has a one ton vehicle. He hit my son's car a month ago and the police officer found him totally at fault and told him "you are not big enough to drive that truck, why are you driving that truck." He said the salesman told him, that truck was perfect for me. The police officer told him what blocking the driveway meant. We do not purposely park the car directly across from his driveway for fear that he will run into one. My son's vehicle was not even parked across from the driveway; it was probably six feet down and he hit that. The police officer also noted he said to him, you appear to be really heavily medicated so why don't you go into your house and leave these people alone. This has been going on for twenty years. Everybody knows the story of 3 Jennings Avenue and whatever house he lives at. He is a nuisance. I am very upset that I had to come tonight to defend my right as a homeowner, who pays taxes, buys hand me down special car, and get this junk. Leave us alone. We don't bother you and you don't bother us.

Trustee Hilton asked: If Mr. Kemp came to you and said “tomorrow I am going camping, would you be able to provide me enough space to back my trailer out?”

Ann Flower stated: Sure; we could accommodate him. But, like he said he only took the camper out twice in ten years. And, before he would block up the entire Jennings Ave. trying to back up that trailer camper thing up into his driveway trying to turn it around, him and his girlfriend at the time who used to break beer bottles in front of my house to try to get me to fight him. It is horrible. He would have to write his request, a 20 day notice.

William Tighe, 72 Jennings Ave., stated: I myself live next door to Mr. Kemp and have a Silverado pick up truck, which I believe a little bit shorter than Mr. Kemp’s. I have no problem backing out of my driveway with cars parked around me. One of the cars which is always there is a tenant from his house who doesn’t park in front of his house but diagonally across from my house. Is it difficult; I believe it is but I know how to use my mirrors and know how to drive and don’t believe it is a big deal. The camper has not moved in years, it has a covering over it—all tied down, all buttoned up. In the past I have helped him back his trailer into the driveway because he couldn’t do it, just doesn’t know how. It is not a matter of whether the space is available or not, there were no cars in the street and he couldn’t do it. So, I went over there and did it for them. To think that if I had a get together at my house and nobody could park in front of my house seems a little outrageous. I don’t agree with it. You have got to learn how to drive; you have to know what you have got. I do it every day. It is not an issue for me; some people may need to take an advance course on how to drive a truck. I know Ann parks her car in what would be a driveway on Jennings. It is not always her car, sometimes it is her son parked there. It is not never used. They have 3-4 cars.

Ivan Frank, 85 Jennings Avenue, stated: I too had some doubts about the problem of backing a vehicle into the street having had a commercial driver’s license, having maneuvered a bucket truck over 18,000 lbs in and out of a tighter driveway than Mr. Kemp’s with a chipper or trailer behind it. It can be done. I realize that there are a lot of range of skills with driving. As far as the camper goes, maybe he should have given some consideration to the difficulty of maneuvering a camper in and out of the driveway that long before he purchased it. I know at this time he probably can’t do a lot about it; he has it. In my opinion, there is no local reason for changing this particular 100 feet of Jennings Avenue to a parking prohibited zone. This 100 feet of street does not differ in any way than other parking and traffic problems greater than on the remainder of Jennings Ave. from Lake Street to Lakewood. I just don’t like to see 100 feet taken away of parking spaces on the street. As you know, on most of the streets we already have quite a few houses that have more than one family. There is a need for additional parking on the street. Taking away 100 feet is taking away quite a bit. Therefore, I oppose amending Section 415-14, Article VII “Parking Prohibited” to prohibit parking on the east side of Jennings Avenue from the intersection of Thorne St. to a point 100 ft north.

Devin Brown, 76 Jennings, stated: I am a neighbor of Bill Tighe and I also feel that taking away 100 feet of parking space in our downtown, especially for Alive After Five and all the things meant to get this community to thrive again—the residents of the streets don’t mind because they are few and far between like Alive After Five and the Christmas parade. Should that 100 feet be taken away when you have incidents like that it would be a debacle as far as parking. I am also in support of Ms. Flower. There is almost a car parked in there every day, but all children are of driving age and the homeowner as of now, there is not enough room for the entire family. Taking away 100 feet would just create a parking problem on Jennings Ave.

Steven Flower, 3 Thorne St., stated: I am a neighbor of Richard Kemp. The night that he hit my brother’s truck he has been after me ever since. He blocked it with his car with both his trucks; he made a punch at two Suffolk County Police officers. He is completely irrational on whatever he wants tonight and I hope he doesn’t get it. It’s not right.

Mr. Kemp stated: I want to make a rebuttal.

Mayor Pontieri stated: We don’t have any rebuttals here tonight. This is not a court of law; this is a legislative hearing.

Upon a motion made by Trustee Hilton, seconded by Trustee Keyes, and unanimously carried, the board denied request to amend Section 415-14; Article VII “Parking Prohibited” to prohibit

parking on the east side of Jennings Avenue from the intersection of Thorne St. to a point 100 ft. north.

Trustee Keyes stated: Mr. Mayor, I would just like to remind the residents that during winter snowstorms we want the vehicles parked off the streets to help the snow plows.

Mayor Pontieri stated: Yesterday there was the 5K Liz Kelly Run for the Sun which was sponsored down at the Dublin Deck. I would like to commend Maria Hendrickson and the work that she has done to put this together. And, Bill Hilton for thinking that he had helped.

Patti Kelly stated: Yesterday was the First Annual Liz Kelly 5K Run for the Sun and it was a huge success. We raised over \$9,400 for SBU Pediatric Cancer Research. Next year we hope to partner with Stony Brook to help showcase the Village—it would still be a Village event—but, Stony Brook wants to be part of a four part series that they also host. A lot of people who come from Stony Brook area got a look at the Village—run by the Beach Club, Bay Village, down by the river—and saw the Village as they never really did before. As many of you know, I have a long history at the Beach Club where I have met many of you today. I would like to thank the countless volunteers, runners and supporters who participated yesterday. Mostly especially, I would like to thank you Mr. Mayor, Billie, Maria, Lou Ann, Patti Seal, Joe Dean, Patchogue Village code enforcement was, as always, profession and did their job great, the Police Department, Patchogue Ambulance, employees and residents of the Village of Patchogue who helped make this possible. And, I would like to thank all the residents for understanding—the roads were closed for an hour—but, it benefited a local hospital. This could happen to anybody, at any age, no matter how healthy. I just want to so thank you to everybody.

Mayor Pontieri stated: We have a request for approval for a decision on a public hearing held on Sept. 12, 2011, amending Section 415-19 to clarify parking permit policy and add non-resident parking permits.

Village Attorney Egan stated: This was held over from the last board meeting. This is a continuation of a public hearing with regard to adding non-resident parking permits to the previous resident only parking that was in the Village code.

Mayor Pontieri stated: I know that we have done some research on it. What we have now is to allow to happen to allow non-residents to purchase non-resident parking permits to park in those areas that we have designed no parking by permit only. It really then balances out the legislative actions that we have taken prior. One of the issues that you have is when you limit public parking on a street for resident only, you have to balance it out with a fair number of non-resident. So, that is what we are looking to do this evening. Any discussion by the board?

No comments were made.

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the board approved request to amend Section 415-19 to clarify parking permit policy and add non-resident parking permits.

Upon a motion made by Deputy Mayor Krieger, seconded by Trustee Keyes, and unanimously carried, the board approved request effective January 1<sup>st</sup> for sale of \$150 non-resident parking permits, limiting sale to 350 permits, which would include railroad parking but not Mascot Dock after 6 p.m. and the Pool Parking Lot which is for club members and residents. Permits will be for annual period of Jan 1<sup>st</sup> to Dec. 31<sup>st</sup>.

Upon a motion made by Trustee Hilton, seconded by Trustee Keyes, and unanimously carried, the board approved request to remove the BID fee on the tax bill for vacant land located at 386 W. Main Street owned by Suffolk County in the amount of \$22.61.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the board approved request to waive the fee for a plumbing permit for the United Methodist Church of Patchogue.

Upon a motion made by Trustee Crean, seconded by Keyes, approved by Deputy Mayor Krieger and opposed by Trustee Hilton, the board approved request to allow the use of Village Hall on Saturday, October 15<sup>th</sup>, from 1-5 p.m., for the purpose of providing free flu shots to the local immigrant community in honor of Marcelo Lucero. This program is sponsored by the Brookville Reformed Church and supported by Bethpage Federal Credit Union.

B.I.D. Report – None

Chamber of Commerce Report – This Saturday is the Annual St. Liberata Festival from noon to 6 p.m. It is the same as last year, but the bocce court will be adjacent in the empty field. The ceremony will be from 2-3 p.m. We will have our 88<sup>th</sup> Annual Installation dinner on Oct. 20<sup>th</sup>. We are honoring the Patchogue-Medford Library this year. The website is up and running and, hopefully, will be linked to the Village. We expect to get a lot of traffic off this site and, hopefully, we can be reciprocal with you and the B.I.D.

Trustee Keyes stated: I too want to tip my hat to both Trustee Hilton and Maria Hendrickson, and now realize how much work goes into that. We have received some complaints from the residents on the west side of the Lake--of people hanging out, possibly illegally parked. We are aware that there is an issue up there and have talked to Jim Berberich from code and Suffolk County PD.

Trustee Keyes stated: Some of you may have noticed that South Summit has been paved. There is a big difference down there; great job. We should be beginning drainage repair on Brightwood Street tomorrow and, hopefully, the paving begin on Monday, weather permitting. We have had some brief meetings with FEMA. We haven't had our official kick-off meeting, but we have submitted our request for proposal application for the work that we have done already. We are going to submit our request for reimbursement when the project has been completed--sidewalks and curb repairs and other issues. We did have some brief meetings with them to get this, hopefully, going. Also, we are awaiting approval for Mascot and Little Creek which are two big ones. The repair of Mascot could be between \$700,000 to \$750,000. A couple of months ago we started a work management program which has been so effective in tracking the work, planning our maintenance, getting our work orders updated, getting them early to Annie for bill paying. And, now we have been able to link into our work management program. Every time we do even a pot hole repair, that will go not only go into our payment management program, but will go into our pavement management program which keeps us updated on what kind of shape our roads are in before we decide what kind of repairs we have to make.

Trustee Keyes – CDA Report – stated: The band shell mural is complete, a beautiful job. Andrew Silver who lives on Bay Avenue and is a muralist worked with the students from Patchogue High School and painted the band shell. We are very pleased with the work done and the students were enthused and proud to do it.

Upon a motion made by Trustee Keyes, seconded by Trustee Crean, and unanimously carried, the board approved request for the Patchogue Medford High School class of 2013 to use the DPW lot for the preparation of a Homecoming Float during the week of October 7-21 from 4:30-9:30 p.m.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the board accepted, with regrets, the resignation of Senior Code Enforcement Officer Robert Black.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the board accepted request to revoke the hiring of Frederick Winter as a Public Safety Officer.

Trustee Crean stated: I have been continuing the work with Caroline Faye from the County and Marian Russo. I just formed a boilerplate of a resolution that we are going to look to modify to a certain degree and tailor it to an incentive program that we would like to implement within the Village for industrial and commercial properties--that they qualify under certain criteria to improvements that they make to their property. And look to attract certain types of businesses that we would like to see not only in our downtown but our riverfront. They would be provided with a tax abatement which would be a graduated abatement and provide a little incentive for retailers and manufacturers that we might want to see in our downtown and our riverfront. By the next board meeting we look to come up with a more formal resolution which would be tailored to the Village. We are going through a rather exhaustive list of property codes to define the

boundaries and locations that we would like to see these businesses to move to. So, in early October, if we could pass this resolution, I would be able to pass it onto the County and provide some incentive to locate some businesses. It got me to think. It is nice that we have something like this for commercial and industrial properties. And with the economic conditions that we live in with new housing not being developed, the renovations of properties and who that might assessed the values of properties. At the last Board meeting, Carol Sweeney was talking about the decline in assessed values. What I would like to consider is if we were able to put together some incentive for residents themselves.

Mayor Pontieri stated: Take a look at what is in there. I think something was passed in the early '90 ('93-'94). There might be something in there that talks to that.

Trustee Crean stated: I recalled seeing some of the other incentives and I would like to see if we could update that and modify and change the figures that were put in place at that time. And maybe even look at what the abatement might have been at that time. If we are able to give an incentive for people to renovate their homes, in the long run it may improve their assessed values. But, I would like to maybe consider modifying that and providing an abatement to those people and give them some incentives.

Mayor Pontieri stated: Ask Carol what we have and take a look, maybe just take a look at the modification of what is already there. Or, even delete that whole section, instead of leaving it in. Find out what is there. Instead of doing what we normally do which is we add another section that confuses the last section. Maybe look to revamp the whole thing.

Village Attorney Egan stated: It is Section 387-15 done in Feb. 14, 1994.

Trustee Crean stated: I will speak to Carol and see what we can do to get it updated. Lastly, I would to thank Attorney Egan, once again, for his work on trying to modify an access the agreement for the engineers who are still trying to coordinate a date and time. I have extended an invitation to Chief Perry to come to the next meeting to formally report on the Library site location. We will get him down here and start the conversation; get that formalized and then we will be able to get the engineering done.

Trustee Hilton stated: Last Saturday night was our last concert of our very successful Summer Concert Series, Eddie Travers band. It was going opposite against the Firemen's Park Country Western band, and was somewhat a battle of the bands. The weather held off and everybody was pleased.

Trustee Hilton stated: Thanks to Joe Keyes and DPW and dredging of the corner of Mascot Dock, we have some new sand on the beach at the Beach Club. It is nice stuff and they spread it all out on the beach. We had to move back the little boat off the beach and hope it never makes it back. In fact, I am afraid it was somewhat damaged in the move and is in need of repairs. It gained some beautiful sand from that dredging project and I think it is good use of recyclable material.

Trustee Hilton stated: The Village co-sponsored the Liz Kelly 5K and was a tremendous contributor to that 5K as well as Mark Miller by Dublin Deck who hosted the event. He also donated two bikes that came from Clare Rose. The Underwood family contributed quite a bit and Beth Corpac and Dina Underwood. We had 300 registered runners and Dr. Bret Densing from Densing Chiropractic donated 150 hot/cold packs to the tote bags that we gave to the first 150 runners. I would also like to thank Joe Keyes, who was my shot gun for the day, who donated 5-6 hours of his time and was much appreciated. And, I would like to thank all the other Trustees who were there.

Deputy Mayor Krieger – Theatre Report – stated: I do want to congratulate the Patchogue Theatre and JVC Broadcasting for a great show. The Vince Gill show at the Theatre was a tremendous success; nearly every seat was taken and I think everybody seemed to have a good time.. If you were there, you enjoyed a great show; if you weren't there, make sure you catch it the next time it comes through town. I think Vince Gill was very happy about playing at the Theatre and so were the people from CMT Radio and JVC. We are going to sit down with JVC Broadcasting to try and put together a bunch of more programs for the Theatre next year. It seems that Patchogue Theatre may soon become Long Island's country music venue. So, for all

you country music fans, we will keep it coming for you. This Saturday night we once again had a sold out show for the Mickey B's Golden Oldies Fall Spectacular. This weekend with the St. Liberata Festival comes Danny Aiello, a night of song and memories and stories, and should be a fun night. On October 8<sup>th</sup> will be Frank D'Ambrosio, a Patchogue-Medford graduate and was the longest running Phantom appearing in *Phantom of the Opera* on Broadway. Also coming up is The Led Zeppelin Experience: Hammer of the Gods on Oct. 15<sup>th</sup>, Julius LaRosa and Anna Marie Alberghetti on October 16 and Alive in the Lobby: Hazel Moon. And, the Fourth Patchogue Arts Festival is coming up on Sunday Oct. 23—it is a day of art, music, poetry and performance at the Theatre—and a walking arts tour throughout the Village. Sousa Celebrates Veterans Day on Friday, Nov. 11<sup>th</sup> which is a 60 piece Patchogue Theatre Orchestra. And, Mickey B's Thanksgiving Disco Fever on Nov. 12<sup>th</sup>. Taylor Dayne whose show was cancelled because it was the Saturday night of the hurricane is coming back Nov 18<sup>th</sup>. And, on Nov. 19<sup>th</sup> B. J. Thomas is coming with *Raindrops is Falling on Everybody's Head*. Another band that really sells out is *Zebra with MAD Co: A Tribute to Bad Company* on Nov. 25<sup>th</sup>. Then comes holiday stuff, *Clara's Dream—The Nutcracker* on Dec. 3 & 4, *Winnie the Pooh's Winter Tail o Dec. 9*, and *The Nutcracker Suite* on Dec. 10 & 11. Gateway comes in on Dec. 16 & 19 with their holiday show, *Cirque Le Masque's Noel* and on Dec. 18<sup>th</sup> *A Forbidden Broadway Christmas*. And *Gateway's Holiday Hop* on New Year's Eve party is Dec. 31<sup>st</sup>. *Patchogue Pizzazz Talent Search* is on Jan. 14 and *Patchogue Star Shine* is on Sunday, March 25. There is going to be a lot of other good things coming up at the Patchogue Theatre which will really heat up Main Street.

Upon a motion made by Deputy Mayor Krieger, seconded by Trustee Keyes, and unanimously carried, Mayor Pontieri and the board approved request to appoint Laura E. Feitner as a full member of the Zoning Board.

Upon a motion made by Deputy Mayor Krieger, seconded by Trustee Keyes, and unanimously carried, the board approved request to waive all Building related fees for the Patchogue Arts Council who are moving their galleries into Artspace. They are doing to do a little bit of painting and kind of reconfiguring the place to fit their needs.

Public to be heard:

Foster Aviano, 21 Lake Shore Drive, Patchogue, New York stated: I know you did address the dead-end of west Second Street. I came on behalf of some of the people who are on the list (presented) to give you first hand information. I don't know how clear you are of the situation down there—people swimming up in our backyards, we have police coming to our house. We have issues with the Holy Sepulcher Cemetery; I have been working for six months with George Barrar to try and alleviate some of the traffic going through the cemetery—coming from the apartments, along the Lake they walk through the apartments and then the cemetery as a short cut. There is a gate there and there is a dirt path. It is not normal anymore—we have had some homeless people cooking some animals at the dead end, catching turtles and cooking them on open fires, not to mention hypodermic needles, baggies by the doses, drug paraphernalia, crack pipes, there is graffiti all over (I took pictures of it) . It has been going on for some time—enough to alarm him enough to install cameras. At this point and juncture, it is constant. I personally have seen enough drug activity where it was suitcase to suitcase, not just car to car. So we are talking about different types of things. If the situation were someplace else, I probably would not be here. But, because I see it and it is across the street from a park where children play we have other issues at hand. One of the problems that we are facing is that every other dead-end on the Lake has no parking, no loitering and no accesses,—every dead-end is completely overgrown to the point where you cannot access the Lake. Part of the reason is that according to the DEC there is a limit of line clearing—which means you cannot clear any vegetation within a certain amount of feet from water's edge. The distance from the lake's edge to the distance to the street is so close that the Village maintains the property by cutting down everything on a regular basis which invites two problems. It invites the problems of people wanting to be down there at an awkward time to be parked out and looking out at the Lake and being involved in illicit activity. Secondly, you are disturbing the natural balance of the water runoff coming down that street and going straight into the Lake without hitting any vegetation at all. So the problem that you have is storm water runoff, since the cars park down there, the garbage truck goes down there, you can see the grease and dirt and oil and things and it just runs straight into the Lake. We are having two different types of problems. I see that you were contacted about the issue which I am glad, as I did speak to Joe Dean on Friday. I had some other questions from the neighbors. The cemetery had put up some rocks that the Village had removed with the payloader. I am not sure whose

property it is, but I am sure he will clear it up if it is his property and he will clear it up. I am just giving you some insight as to the complete situation that is going on—it is not just the dead-end on 2<sup>nd</sup> Street because I have a gentlemen working on it. The place where you put the boats in is the place that they are now sometimes congregating and living as homeless people.

Mayor Pontieri asked: Is there a need for full access to either the Lake and/or the property next for that road to be as long as it is.

Foster Aviano stated: No. In the neighborhood's eyes, when you don't plow that road and leave a big embankment of snow it is the happiest days of our life. In the perfect world there would be a nice little barricade where you could take that road up, do some plantings, put some benches at the end of the Lake to actually enjoy what we have to offer. But, in looking at every other road on the specific lake there is specifically no access for a reason. The reason is because you are not allowed to clear the growth—so it grows in—and you have no traffic because there is no parking. So, whatever the reasons that you may consider permit parking would only heighten my awareness to reasons that—any other reason other than my neighbor next door who happens to live on 4<sup>th</sup> Street and have a dead-end between them and they have a feud going. And the Village took it upon themselves to put up no parking signs on each side of their property—that is only two people complaining about one little spot, and they got two signs. I have a list of names and could probably fill every seat in here for just a few more no parking signs. I just hope that the Board sees how, innocent as it seems, to ask for those no parking signs, it would make it safer in our neighborhood. I am sure he would be willing to give you the tapes of what was going on. He was a little upset last Friday when he realized the rocks were gone; I really don't know what happened because I didn't get to speak to him again. I am sure he will work that out with you guys. I am only here for a few no parking signs. The apartments that are right there, don't want anyone parking there either; they have their own sign up that says, please don't park here. So even the people that live there are asking to have no parking.

Mayor Pontieri stated: I think the issue that we need to look at is the storm water runoff. Maybe we should take a look and pull up the road at the end.

Foster Aviano stated: Some of the problem is the grade on every other road seems more level. In that specific case, it is straight down hill. There is so much going on down there. The apartments park constantly on that 2<sup>nd</sup> Street road. There is a lot of road traffic that still sits there on a regular basis as far as cars and oil. I have a guy that has been changing his oil there for 30 years next to the cemetery; I actually know him, he lives in the apartments. I am not going to change his way of life and he is not going to change mine. But, if you are talking about the environment and the runoff and you want to have a beautification spot, this is a great opportunity to just cordon it off at the top of the road. People used to walk from the park to the Lake to sit down there and feed the ducks. Now when you see the graffiti, the condoms, the hypodermic needles and the homeless people boxes with shelves in it, it is not the same. A little help from you guys would be most appreciated.

Deputy Mayor Krieger asked: Foster, is the apartment complex down there a problem?

Foster Aviano stated: I can sit here all night on a soapbox and talk about every issue in the neighborhood. I have lived there for 46 years, have seen Section 8 come and go—some friendly and some not so friendly. There have been many stakeouts going on at the big apartments. These things that have been going on at the end is something that, unfortunately the rock added to the situation; that is why I am here today to help him. He is asking me how I can help with my property. And, I want him to close off his property. I know the Holy Sepulcher is a very big place. He was very upset. He actually was verbally assaulted by three boaters who parked on his property to use it as a boat launch—at which time they told him to go F himself and he was upset and went to the police station to file a complaint. The cop said he was not going to press charges and then he put up his camera and said he would take care of matters his own way with his boss and superiors so that he can secure his property. He can't put a fence up there, he can't put a fence on the other end because the limited line clearing—they would just go around near the edge of the Lake. But, what he can do is put up gates that can be closed just like Cedar Grove Cemetery. Those are things that I will work on with him. He is doing a lot of things, flag poles and camera. I am helping him and he is helping us. At the same time we are trying to clear up a little problem. I don't think it should be a major issue for the Board. As far as the apartments, in closing, I have had the police at my house because of people in those apartments. I do have a

gentleman who lives in there and asks little children to back to his apartment. But, we monitor that on a daily basis in life. If you guys have any idea what it is like to live in the Village in Patchogue and under those conditions, sometimes it is not so good.

Mayor Pontieri stated: It is a community issue—and what we are looking to do whether it be restricting the parking, or look at that dead end street and see if we want to peel up the blacktop.

Foster Aviano stated: We have three men come down there within the last hour. It is only normal for that spot because you have it designated. I went around the Lake and asked some questions. I said I might be asking the Boy Scouts to volunteer to clear their dead end so we can have other people in the community to use for kayaks and boats. They said they would be shocked. I also talked to another person that is going to get my lot cleared and he said that it would get more people coming near my house. In my mother's and my lifetime, it would be known as a swimming hole; in our life time is it a drug hole—it is not the same as it used to be. It is the only access for boats to the Lake. Even if you put something up on the top of the road that is fine, let them park by the cemetery and carry their boat down. It allows people to see who they are and what they are doing. And if you are going to encourage the boating and recognize that as a spot, I suggest that you put a porta potty there so they are not urinating off the side of their boats. The lighting is not ample; the closer to the Lake you go the worse the lighting becomes. It is illegal to fish with a light; it draws turtles and reptiles that are drawn to light and they hatch.

Mayor Pontieri stated: I am thinking of lighting more in the terms of security purposes. People have a tendency not to do illegal things under a street light. Take a look at the end of Laurel and Campbell and see if that is a situation you would want.

Deputy Mayor Krieger asked: Do you find the people causing the most nuisance are walking there or coming in cars?

Foster Aviano stated: Most travel to the location would have to be boat drug traffic. The most things you see out there are needles, drug bags drug paraphernalia, condoms, and liquor bottles—not beer. Not for anything that it is worth, but most of the time the guys that are in boats, just so you know, don't carry identification, they don't come from Patchogue, and they are not friendly, and they are there all night sometimes until 4 a.m.—sometimes get there at 4 a.m. and proceed to have conversations out on the lake. Those types of issues I am not so concerned with because parking up the road is going to deter them enough to not be such a nuisance. I don't want to limit anybody to enjoy what they are going there to do. But, I think what you are doing is inviting the problem by clearing the land and not letting it just grow in naturally. Nature will take its course in one summer if you would just let it, but they won't let it.

Mr. Kemp stated: I would like to submit my application for the position advertised in the Long Island Advance.

Mayor Pontieri stated: It is not here, you have to submit it to the Village Clerk's Office tomorrow.

Village Clerk Seal stated: Mr. Kemp, you are invited to come to my office tomorrow between 9 and 4:30 and fill out an application.

Mr. Kemp stated: As you know, at the last meeting we have problems and nothing has been resolved. Is there anything in regard to my FOIL request? I said this at the last meeting.

Mayor Pontieri stated: I will speak to the Attorney after the meeting.

Mayor Pontieri stated: The next Board Meeting is Tuesday, October 11<sup>th</sup>.

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

Signed \_\_\_\_\_  
Patrice M. Seal, Village Clerk

/id