

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on October 22, 2007.

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

The flag salute was led by Ryan Seal.

Acting Mayor Krieger read the safety message.

Upon a motion made by Trustee Devlin, seconded Trustee Crean, and unanimously carried, the Board approved the minutes of October 9, 2007 as presented with no changes.

Village Clerk Seal stated: We have a Patchogue Pride presentation for Tom Lau of 138 East Main Street, New York.

Acting Mayor Krieger stated: Mayor Pontieri and Deputy Mayor McGiff are not here tonight as there are guests at the ceremony at the White House. Lieutenant Michael Murphy has received posthumously the Congressional Metal of Honor for his service in Afghanistan. He is a real American hero.

Upon a motion made by Trustee Crean, seconded Trustee Devlin, and unanimously carried, the Board approved request to authorize the Mayor to execute a contract of sale for the purchase of 20 Terry Street at a cost of \$375,000.00. The property will be used for the future development of the Artspace project with \$250,000.00 of the purchase price being funded through the State.

Trustee Crean stated 20 Terry Street is located on the south side of Terry Street in the middle of municipal lots just east of South Ocean Avenue. With the cost of land being what it is, it is the most cost effective way of us assembling some property to house approx. 40-50 new residents in our downtown. Artspace will be doing that project. It will be a new development. They will tear that property down and start from scratch and make it a mixed use of commercial and public space as well as residential space for artists. It will be close enough to the core of our downtown to have foot traffic that will again assist our merchants in further success and we are all excited about the project.

Village Treasurer Krawczyk stated: The total amount of bills this evening for the period of October 12<sup>th</sup> through the 22<sup>nd</sup> is \$392,065.74. The top five bills are: NYS Employee Health \$82,547.91 monthly billing, Town of Brookhaven \$44,452.75 monthly billing, Somer Estrin as attorney \$37,500.0 down payment for Terry St. (Artspace), State Insurance Fund \$17,213.00 workmen's comp. monthly billing and Coughlin Foundotos \$12,500.00 auditing services.

General Fund	\$318,393.83
Trust & Agency Fund	\$3,229.93
Capital Projects	\$41,352.88
Sewer Fund	\$14,994.54
BID Fund	\$3,645.79
Housing/Code Fund	\$1,531.62
Community Development Fund	\$5,545.05
General Bills	\$3,372.10
<b>Total</b>	<b>\$392,065.74</b>

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

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the board approved request to appropriate \$3,220.00 from surplus acct 006-0006-0599 to BID account 006-3195-0424 Chamber events. It was approved at the 10/9/07 BID meeting.

Upon a motion made by Trustee Crean, seconded by Trustee Devlin, and unanimously carried, the board approved request for general fund to loan Capital Projects Fund \$715,693.50 that will be reimbursed through State projects and also BANDS and also Community Development Fund \$1,301.98, for a total of \$716,995.48.

Treasurer Krawczyk stated: You have in front of you the cash balances as of Sept. 30<sup>th</sup> for your information.

Village Clerk Seal read: “Notice is hereby given that a Public Hearing will be held on Monday, October 22, 2007 at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York, by the Board of Trustees of the Village of Patchogue to discuss creating a local law regarding the installation of a stop sign on Bay Avenue at the intersection of Terrel Street and Bay Avenue. At said Public Hearing any person interested will be given the opportunity to be heard.”

Trustee Dean stated: Late last year at the end of school year probably the middle of June I had received a couple of phone calls from parents whose children attended Bay Avenue Elementary School. They were concerned with their children’s safety during the arrival during the morning when the children were being dropped off. I had the opportunity to observe the arrivals—I work for a school district and see arrivals everyday—and what I saw there was definitely cause for concern on the part of the parents. They had some well-founded concerns. I met with the principal over the summer and we discussed a number of remedies that would improve the children’s safety. One of his suggestions was the installation of a stop sign at Terrel Street and Bay Avenue. We only control the west side of the street; the east side is Town property so it would require participation on the part of the Town. I don’t know exactly what a stop sign is going to do in terms of increasing pedestrian safety during the arrival portion of the day. Traffic moving too quickly really isn’t the problem at that point during the day. I think at times, other than the arrivals, I think it is an excellent idea and it is something that we should certainly consider. But, in terms of how it is going to improve what happens during arrivals and dismissals I am not too sure. The other side of the coin is I don’t know that it does too much without the Town’s participation with a stop sign on the other side of the street. We have been in contact with Tim Mazzei, our Town Councilman, urging him to take this action up at the Town level from the other side of the street. I think it has its good points, but I don’t think it is going to remedy the arrivals situation and what happens in the morning with the kids crossing. There is no set drop-off site so kids are exiting vehicles up and down Bay Avenue along the entire length of the front of Bay Avenue School and there is only one crossing guard there and she is trying to keep traffic flowing and making sure that the kids get across the street safely. I had discussed with the principal that more school staff should be out there to assist in controlling where the parent’s drop the kids off, how long they stay there, and how they get across the street. While I think the stop sign is a good idea, I don’t know that it will solve the problem there. I would like to take a closer look at it and obviously listen to the public to see what they have to say and that will influence what we decide. Right now I would like to reserve decision and discuss it more, meet with the building Principal and some of the parents and see what we can do. We had discussed moving the drop-off site to the back

of the building after school has ended, but he had just started and hadn't witnessed any arrivals.

Trustee Crean stated: The way Trustee Dean has described the arrivals there is an understatement--it is really hazardous. A stop sign, I personally feel, is not going to change the degree of safety at all for arrivals and departures. In my opinion, those arrivals and departures should take place in the rear of the building. A stop sign on just one side of the street poses more of a traffic hazard than currently exists. We don't have control over the other side of the street.

Trustee Dean stated: Without the other stop sign, I would want to hold decision to see what was going up on the other side of the street.

Trustee Devlin stated: I would only be willing to consider it if we could come to some sort of agreement about the drop off and know that the Town would be putting a sign on the other side.

Trustee Crean and Dean will meet with the building principal. I think it would be a huge improvement to put sidewalks south of Edwards to Carmen Street on the west side of Bay Avenue—there are intermittent sidewalks there. Perhaps the rumble strips that are in front of River Ave. might reduce traffic speed there. Those are two things we might consider in concert with a stop sign. I would be in favor of reserving decision on that until we will be able to meet with the principal and work with Councilman Mazzei as well.

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the board voted to close the hearing, reserve decision and leave the hearing open to take future testimony until November 26, 2007.

Village Clerk Seal read: "Notice is hereby given that a Public Hearing will be held on Monday, October 22, 2007 at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York, by the Board of Trustees of the Village of Patchogue to discuss creating a Local Law regarding the installation of a stop sign on Academy Street at the intersection of Taylor lane and Academy Street. At said Public Hearing any person interested will be given the opportunity to be heard." I also have a letter from the neighbors.

Trustee Krieger stated: Taylor Lane and Academy Street has a lot of truck traffic, delivery traffic, short-cut traffic and a lot of people trying to get around the crossing gates when they are down. A lot of people travel down Academy Street as a straight route down to Rider Ave. and there seems to be quite a bit of speed racing down this street. The neighbors have been dealing with this for a very long time and we would like to consider putting a stop sign there to slow down the traffic.

Trustee Dean stated: I think the stop sign is probably a good idea. I know the traffic engineers always tell you that stop signs don't calm traffic or slow it down. But, it still will get them putting their foot on the brake and slowing them down. We also have something that we can enforce and if need be and we have to take up other traffic calming measures down the road, it is something we can later on do.

Trustee Hilton stated: I agree with Trustee Dean. These people well deserve a stop sign.

Trustee Devlin stated: I think it is a great idea.

Village Clerk Seal read: “Dear Village Board. I have lived on Academy Street for many years and I would like to state that I am definitely in favor of a stop sign on the street. This is a wide thorough fare that has many signs, i.e. children at play, 30 mph speed limit and signs at each end depicting that it is not a truck route. Many drivers and truckers ignore these signs. Either they can’t read or they don’t care. Last week while pulling out of my driveway I had to wait for a flatbed truck pulling a trailer on which was a backhoe and that was followed by a bus—not a school bus. Some of our drivers treat this street as the Indianapolis Speedway and then come to a screeching halt at the end, really burning rubber. Perhaps stop signs along the way could slow traffic down and prevent a serious accident. Sincerely, Mrs. Daniel E. Kemp, Jr., 77 Academy Street, Patchogue, New York.” It was also signed by other neighbors, James Harrison, Jr., 65 Academy and Bob Goodhue, 73 Academy and Thomas Kemp, 77 Academy Street.

Upon a motion made by Trustee Dean, seconded by Trustee Hilton, and unanimously carried, the board approved creating a Local Law to install a stop sign at the intersection of Academy Street and Taylor Lane.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the board set a public hearing on Dec. 10, 2007, to consider amending various sections of Chapter 55 in regard to establishment and enforcement of occupancy requirements for an approved number of bedrooms.

Upon a motion made by Trustee Crean, seconded by Trustee Dean, and unanimously carried the board authorized and empowered the Mayor to execute a license agreement with First Harbor, Inc. for use of the municipal parking lot.

Attorney Snead stated: First Harbor, Inc. is the company who operates Louis XVI and they have just ended a five year agreement with the Village for the use of the municipal lot across the street which is just north of Mascot Dock and they use it for purposes of valet and overflow parking when they need it. It is for from 10 a.m. to midnight daily for five years. The fee per year is \$2,400.00. Presently they are under a lease agreement. Looking at that, it appears to have been an old agreement and probably should have been a license agreement so it will be modified to be a license agreement. Their present agreement ended on October 15<sup>th</sup>. It is non-exclusive. I also have built in to this agreement a provision that if we have a special event or an emergency nature kind of thing, we coordinate with them and they allow us to use it. The reason the dollar amount is staying the same is because there is very little actual use.

B.I.D. Report – Dennis Smith stated: The landscaping at the Terry and Main St. has been completed and looks beautiful and adds a lot to this corner, the Nappa Building. In addition to that, this completes our commitment to the Suffolk County grant that was received earlier this year. In that light, I would like to on behalf of myself and the B.I.D. thank the Mayor and DPW Supervisor John Lund for moving this project along. We were mired down with some logistics on that corner and they were a big help in getting that taken care. Item two, permission has been granted by the LIRR to place the tourist information sign at the railroad station—weather permitting this should be done by this week. I mentioned at the last meeting that we are going to hold the two ferry signs until the spring when it makes more sense to put them in, particularly since the Sandspit is going to be renovated. The B.I.D. would like to thank Mrs. Seal for her help in providing the contact information with the railroad to get the permission to get that accomplished. Lastly, all 30 benches were finished and delivered to Mosaica two weeks ago. The plan still remains to get two out by the Theatre within the next two or three weeks. It is yet to be decided if the rest will be put out incrementally or have a mass rollout.

Chamber of Commerce Report – Gail Hoag, Greater Patchogue Chamber of Commerce, 15 North Ocean Ave., stated: On Thursday, October 18<sup>th</sup>, we had our Annual Dinner and Installation of Officers at the Mediterranean Manor. We want to thank Mayor Pontieri and Trustee Devlin for attending and helping us honor our businesses in Patchogue that have been here over fifty years and honoring Keleen Geyer for moving our Chamber office into the 21<sup>st</sup> century. Our new president is Charles Baker of Bellbrook Realty and he is doing a really great job already. Patchogue has many multi-generational businesses—we have some that are here for over 100 years and we have some new ones. And, going from both ends of the spectrum on this, I want to announce today that Eloise Staudinger who is 99 and still working every day that she can and still ironing clothes at the Colony Shop is celebrating the birth of her third great, great granddaughter, Anna, who was born last week. Irish Crossroads at 22 East Main Street is opening; please stop in a welcome her. She wants to be a part of doing a lot of things in Patchogue. If she is doing well within the next six months, there may be other shops coming from Sayville. Since Halloween is coming up, we are working in conjunction with Mike Breumer and the Riverfront committee; go into a store where you see a scarecrow and you can vote for your favorite scarecrow. The one at the Chamber was built by the YMCA. On the 31<sup>st</sup> we are having a scavenger hunt for children 3 to 11 years old, where we put something in the window, like a black cat or a witch, and the children know to go into that store—the merchant gives them candy and we give them a trinket. They are supposed to get ten of them and then they go to Remember Yesteryears for the Pumpkin Patch and there is a big bowl where they can select another item. The children love it and the parents do enjoy it. Each year we get more children.

Acting Mayor Krieger stated: This weekend we had some great shows at the Theatre. Go on line and check out the website; there are a lot of great shows coming up. Tickets to the Patchogue Theatre are a great Christmas gift and also we are selling gift certificates. We appreciate everyone's support and also the volunteers.

Acting Mayor Krieger stated: As many of you are aware, there have been some problems with the Theatre roof. Trustee Dean has spearheaded to take care of the business there. Tonight I am going to request approval for a resolution authorizing the issuance of \$175,000 serial bonds for the reconstruction of the roof of the Patchogue Theatre.

Trustee Dean stated: \$103,000 was the winning bid amount that we received. That would be for the demolition and reconstruction of the roof. We have some asbestos issues up there and we have the old skylight that is all going to be dismantled—the roof sheeting and the plywood is all going to be replaced and a new roof installed over that with new flashing, gutters, etc.

Acting Mayor Krieger stated: On top of that, there was some damage done to parts of the Theatre because of leaks.

Trustee Dean stated: Some of the structure over the gantry and the catwalk needs to be addressed as well as some beefing up of some of the lash points and areas where some of the sets are hung from, etc. All that is going to be addressed with the BAND.

Acting Mayor Krieger stated: So there is some \$7,000 in there also for structural repairs to different parts. One thing I am happy to say, which I don't think I could have said three or four years ago, is that the Theatre will be paying for that. They will be paying \$25,000 a year to pay back the Village that money. We couldn't have done that a few years ago, but the people there have taken control of that situation and are able to keep the promises that they have given us. A lot of people have worked hard to make that happen.

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the board approved a request for a Resolution authorizing, subject to permissive, the issuance of \$175,000 serial bonds for the reconstruction of the roof of the Patchogue Theatre.

Trustee Crean stated: I would like to thank you for all your efforts with the Theatre. There is one other item from what we discussed earlier about 20 Terry Street. Again, it is in the right location—close to the Village garden, within footsteps of the heart of the downtown. With the assistance of the Mayor cajoling the State of assisting us in the acquisition price of that property, it is going to be a great location.

Trustee Crean stated: The only other thing I would like to mention is that this Thursday at 7 p.m. we will be going to continue the hearing to consider the condemnation of 1 West Main Street, most widely known as the Swezey property. At this point and time, I'm in great hope that it is just a formality. Tri-tec and Mr. Furman are getting closer and closer to the execution of their contract and it appears that everything is going along quite well. Tri-tec is in the midst of looking to assemble some other acquisitions in and around that area, in particular the Wedgewood Bldg. and the old library as well. The Mayor and I have seen some initial plans of what they are going to propose and I am quite pleased to announce that they are still sincerely and quite strongly considering a hotel in the heart of the downtown. All of their purchases or their contracts are basically non-conditional. They are not waiting for any sort of Village permits or approvals of any sort of development plans. They are going to look to go through a very efficient planning process that this Mayor and this board and the Planning and Zoning board is going to have to work quite a bit over the next two years. We are all excited about that.

Trustee Hilton stated: I would like to compliment all the different trustees and every job that the Mayor has given them tonight. It really shows that everybody is doing a great job and taking care of business. Dennis, the Nappa plantings are beautiful and my compliments to John Lund and Joe Dean, Commissioner of Highway as well. We are in the final phases of completing the plans for the pool which are going to be made public as soon as the renderings are done. We are trying to add a wading pool. We have gone to different pool installations in the tri-state area and I think the wading pool is the way to go for a municipal pool because it's an oasis type, in a sense, for the young families with young children to get away from the splash activities of the main pool. Even though we are taking away 15-18% of the total main pool area by adding a wading pool, it is a huge addition to a futuristic type of municipal pool. Whether we can do this we have to look at the numbers; it is going to be an add on.

Trustee Devlin stated: As Trustee Liaison for the Community Development Agency, I would like to read a letter from Executive Director Marian Russo. "Please join us Monday, Oct. 29<sup>th</sup> at 11 a.m. when the Village will hold its official ribbon-cutting and dedication for the new bandshell at Shorefront park. The bandshell was a project of the CDA and was funded wholly with Federal community development block grant funds from the US Dept. of Housing and Urban Development administered through Suffolk County Community Development. We invite everyone to join Mayor Paul Pontieri, members of the Board of Trustees and Community Agency Board as well as Congressman Tim Bishop in celebrating the completion of the bandshell. A musical selection will be played by students from Patchogue-Medford School District South Ocean Middle School. Refreshments will follow." The CDA meets on a monthly basis. Our next meeting is Nov. 1<sup>st</sup> at 7 p.m. At this meeting we will finalize the spending of this year's budgetary dollars that we get from HUD. We are open to suggestions from the public for how this money should be sent for community development. One of the options that we are seriously considering is the Chamber recently went out to Suffolk County Downtown grant for the walkway between Stanley's Furniture and Remember

Yesteryears past the library. There is sort of a shortfall there. The Library is contributing funds. There is the amount that Suffolk, hopefully, will provide and the CDA is looking to make up the difference—repaving, security measures, improving drainage and beautification. Those are the types of things that the community development does and we don't really speak about it much.

Trustee Devlin stated: On Oct. 25<sup>th</sup> for the Benefit of the Great Patchogue Lake Save Patchogue Lake Committee is holding a wine tasting reception in the lobby of the Patchogue Theatre. The suggested minimum donation is \$50 per person and from what I understand they are raising funds to help with the invasive aquatic plant species that seems to have taken over the lake. I believe there is a grant application pending with the DEC.

Trustee Devlin stated: This Saturday the Friends of Shorefront Park is sponsoring a walk in the Rider Avenue Park at 9 a.m. at \$25 per person. These funds are going toward the new playground which Maria Hendrickson our Director of Parks and Recreation has been working very hard on. There is also a grant application pending toward the new playground.

Trustee Devlin stated: From 4 to 7 p.m. is the “Halloween Happening” which is something Parks & Recreation does every year in conjunction with Westbank Marina. Free ferry service will be running continually from both ferry terminals. The ferries will have pirates and such exciting things.

Trustee Dean stated: Maybe not from Sandspit once the dredging gets going. We have already discussed it with Mike Bremmer, the Riverfront Committee, Trustee Hilton and the dredging company. For the “Halloween Happening” itself that is sponsored by the Parks & Recreation Department, service will be available from Sandspit, but during the week the regular ferry service may be intermittent at best.

Trustee Hilton stated: The Parks Dept. is going to have its usual “Halloween Happening” which we have had in the St. Francis gym, but we thought this year being we had such a successful event at the Sea Fair in conjunction with FINNS and the River Committee, that we would join them in the haunted house. The Davis Park Ferry service has generously given us a great price to ferry the children back and forth to the westbank. The ferry ride is going to be free, but we are going to be doing the \$5 coupon book for the pumpkins, the face painting and the touchy feely box--Jello in the box. Mike Bremmer will be accepting donations for Ronald McDonald House this year.

Trustee Hilton stated: Today I have met with Friends of Winona which is composed of members of the Garden Club and they are raising funds for the renovation of the small cottage south of the Winona Hotel also known as Halycon Manor where we hope to be able to do some community gardens. On Sunday, Dec. 9<sup>th</sup> from 1 to 6 p.m., the Patchogue Garden Club's Christmas House Tour, *Home for the Holidays*, will take place to raise funds. The tickets are \$20 per person, limited to 200 tickets and guests 12 year's of age and older. There are tickets available from Nov. 26<sup>th</sup> through Dec. 8th at Country Junk, Fantastic Gardens and Remember Yesteryears. There will be five different houses, both in Patchogue Village and East Patchogue, and the final house on the tour is Phil Butler's house.

Upon a motion made by Trustee Devlin, seconded by Trustee Dean, and unanimously carried, the board set a Public Hearing on January 14, 2008, to discuss prohibiting on-street parking on the south side of W. Main Street just west of River Avenue to take effect upon the completion of the Walgreens.

Trustee Dean stated: We held a public hearing sometime ago to discuss installing a no left turn from Atlantic Ave. onto West Main St. We opened this public hearing following a tragic accident which took the life of a young nineteen year old girl at that intersection. We heard from the residents of South Prospect, the residents of Atlantic Ave., the members of the ambulance company, we did a traffic study and we compiled accident data going back five years from the Suffolk County Police Department with regards to the frequency of accidents at that intersection and the severity of them. What we found was rather interesting; that there is not really a whole lot of accidents at that intersection. It is a phenomenon that occurs there rarely when an accident happens, but it is fairly a severe accident. It tends to stick in the mind more and people will say it is a terrible intersection and there are accidents there all the time. There really aren't accidents there all the time. They are very few and far between and, unfortunately, they are rather serious when they do occur. But, it is well below what the DOT would call high occurrence of accidents. What I would like to do at this time is to recommend that we close the public hearing and take no action and do not install a no left turn signal. I am not a big believer in government regulating things that don't need to be regulated. We shouldn't interfere with something like this. Our efforts are better spent elsewhere where they are needed. It doesn't seem to me to be prudent to install a no left turn and to create a higher volume of traffic elsewhere when we are not preventing a whole lot of accidents. The Mayor had spoken to Suffolk County and there was a bus stop that was just west of that intersection on the south side of Main Street. Suffolk County moved that bus stop farther west so that the buses don't stop there and further impede people's vision when making that left turn. It has been made safer and I know that they were discussing eliminating some parking spots from that side of the street as well to further improve people's vision when making that left turn.

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the board closed the Public Hearing held on July 9, 2007 with regard to prohibiting left turns from Atlantic Avenue onto West Main Street and to take no action.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the board approved request to declare one sewer ejector pump as excess for use by the property owners of 95 Laurel Street for the purpose of hooking into the sewer.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the board approved request authorizing the Mayor to make application, execute a State Assistance Contract and agree to fund the Village's portion of the Sewer Treatment Plant upgrade and that funds will be available to initiate the Project's field work within 12 months of written approval of its application by the DEC.

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the board set a Public Hearing to be held on Dec. 10, 2007 at 7 p.m. to consider a request by West Bank Marina & Yacht Club for an out-of-district sewer connection.

Trustee Dean stated: The dredging started this week. The Mayor really put the financing package together; that was a huge piece of it. We really have to credit the property owners on the river. About a year or so ago, we held a public information meeting to discuss the creation of some sort of organization to collect monies to dredge the river for next time—10-15 years from now. The river property owners made it clear that they didn't have a problem paying, but they wanted to have it done now. The Mayor took that and figured out and put together a really groundbreaking precedent setting, inter-municipal public/private partnership—to complete a project that the Federal government is grossly negligent and remiss in accomplishing. It is a Federal waterway, an inter-coastal waterway, created by the Rivers & Harbors Act of 1902. And since 1969 the Federal government has turned their back on Patchogue and their vital waterway. This is

the little village that could and it is another example of how we are much better governed from the bottom up.

Acting Mayor Krieger stated: Veterans Day ceremonies will be held on Nov. 11<sup>th</sup> at 10:30 a.m. on the four corners. We hope that everyone will attend and honor our veterans and our people currently in the Armed services. Also, in observance of Veterans Day, our board meeting will be held Tuesday, November 13<sup>th</sup>.

Public to be Heard:

Geppie Celaro, 33 Medford Avenue, stated: I apologize for not being able to be here at the public hearing two weeks ago on Fatfish. I had attended all the prior public hearings related to that application. I own property at 246 West Avenue which is the subject of tonight's conversation. I came to clarify a couple of things. First of all, anything I am going to tell you tonight I mentioned at other public hearings so I am not talking behind the backs of those applicants. I would also like to say that I am not opposed to the project. I think if done correctly it would be an asset to West Avenue. I was not in favor of the design of the units the first couple of times, but I am not going to address that. All I am going to say is that I am in favor of nice housing that conforms to existing housing along West Avenue and Mulford. I am here specifically to address something that the applicants have not talked about in three of their public hearings although it has been addressed by the public, myself and your planning board. That's the docks. I have to give you some background. I made an application for dock permits at 246 West Ave. 3 ½ years ago. It took two years and eight months to get the permit approval and all I requested was to put the dock in the exact location that aerial photos showed it to be in the 50's and the 60's. Nevertheless, about two years into the process I got indication from the DEC, after some negotiation, of what they wanted me to do and I agreed to 100% of their recommendations, I got an indication that I was about to get an approval. Well, about 8 or 10 months farther down the road the application stopped dead. I can't tell you why the application stopped dead, but I can tell you that it was in that period that the adjacent property owners made their application for their marina. It could be purely coincidental; I can't tell you that. Whether it is or isn't. That's the background. It's taken me a long time to get the dock approvals. I did finally get the approvals in May of this year and proceeded and completed the docks---I am going to show you the pictures of the before and after. Before I got my approvals I FOILED the application of Fatfish because I was notified, as was the adjoining owner, what they were doing and I went and met, at my initiation both times—they have initiated not one meeting nor met with me that I didn't request although they said something different at the last hearing. I initiated both requests for meetings and asked if they could reconsider the location of the docks which go from property line to property line—300 feet. The reason I asked that was because the DEC has asked me—my property is 60 feet wide---my application was to put the dock on the north boundary of the property which is where all property owner's docks on the river are located. They are for some reason or other are located on the north side; because of the wind. But, that was where the prior dock was located, right smack on the property line. In any event, DEC asked me to move to the south side during this eight month period and I said I couldn't do it to the south side because the adjoining property owner's dock was on the north side which would mean I would have to sandwich my 4 foot dock next to his 4 foot dock which doesn't really make any sense. In any event, they finally, after some negotiation and prodding on my part, agreed to issue my permit on the north side. Basically, they have now issued a permit for my dock on the north side and the adjacent owner whose dock goes from boundary to boundary, so they would have the dock on their north side all the way to the south which puts me in a dilemma that there would be two 4 foot docks sandwiched together. There is no precedent on the Patchogue River where there are two 4 foot docks. I don't why I, as the south boundary owner, or the Sherman's who own the ferry company on the north side have to bear the burden of

them getting as many docks as they could possibly get. When I looked at their plan, what I did was showed them how their plan provides for 40 and 50 foot boats, over 40 slips for 40 foot boats. There aren't five 40 foot boats on the whole river. So, I brought them a plan, when I asked them to meet with me the first time, that increased their dock size a number of slips by 18 by shortening the slips to what we commonly have--the average boat on the river is 30 feet--but I did these as 32 foot boats, and left the rest of their portion of their marina intact. In any event, they would get 18 more slips. They told me they would take it under advisement and three months later when I asked them to have another meeting they told me they would take it under advisement. When I had a private meeting with one of them, they basically said they are not changing our docks, that they are approved by the DEC and that's it. Well, they can be approved by the DEC but they can also be amended. I will tell you that I read copies of the DEC and Army Corps. of Engineers rules and both permits, at least the permits that I have--I have approval from the DEC, the Army Corp. of Engineers--a final approval from the Village Planning Board and a building permit is required. Both of these permits, the DEC and the Army Corps. of Engineers, state that this permit does not obviate the need to obtain other Federal, State or local authorization. That's the Army Corps. of Engineers permit. The DEC permit crosses over that and says the permittee is responsible for obtaining any other permits, approvals, land easements, rights of way, etc., that are authorized by this permit. What I am saying to you is they need other permits. They don't have them. One of the questions at the hearing was, "do we need an Army Corps. of Engineer Permit." The answer is that they do. I asked them at the planning board hearing and they said they did not know if they needed to get one. They can't be accurate because I got comments from the Army Corps. of Engineers when they made their original filing in the spring and the comments were what do you think about their application. And my comments were the same that I am telling you and I told them three or four times. There should not be two 4 foot docks next to each other nor should there be a dock permitted right on somebody else's property line where they have a dock. It doesn't exist anywhere on the river which forced me to put up a cyclone fence. They did ask me to join in with them, share the dock and share the parking. I can't do that for several reasons. The first of which is the liability issue for people—which lot do they park in, when do they go over, vandalism, on and on. If they had a 4 foot dock next to mine, I would be forced to put up a chain link fence between the two docks. I am going to show you photos. I am going to show you their plan. Show you the before and the after. You could see that it really does not go to the strength of improving the river, but to making the river look like.....

Trustee Hilton asked: Mr. Celauro, weren't these concerns pointed out by the report from the planning board.

Mr. Celauro stated: In fairness, it says here in the last item, the marina itself must be reconfigured to be in compliance with the existing neighbor to the south. Well, it isn't just me who spoke at that meeting. It was the public requesting access to the docks and it was the Shermans who wrote a letter and spoke requesting that it was ridiculous to have a dock where they already got a dock with a ferry on it. The issue with both of us is that it would be back-to-back docks. I have no problem with the project. I have no problem with their dockage. I have a problem with the way that they have it designed and I am requesting that at some point somebody intervene and say you have to change you docks. It just doesn't lay out correctly. And certainly they should have to address the access to the public at the end of Mulford Street. They have addressed every other issue, I believe, that the planning board has recommended except this issue. And that's the reason I decided to come up. I would have said the same exact things two weeks ago, but I couldn't be here and I have said the exact same things at the last planning board hearing.

Trustee Crean stated: At the last meeting I had asked them pointedly, what sort of considerations did they undertake in regard to your project. I am looking at the minutes

right here and they said they were looking into it. I didn't get a clear answer from them then and from what you have said tonight, it doesn't seem like they have really taken any steps to remedy the concerns that we have.

Mr. Celauro stated: Last week I contacted Mr. Sloane and I took him physically to the site and for the first time he admitted that he sees the problem. No one had contacted me prior to then. I initiated that third contact as well because I thought it was important that they see what I was talking about.

Trustee Devlin stated: This issue has been brought up since the very first time they came to the planning board. There seems to be a concern on their part about the delay of having to go to the DEC again.

Mr. Celauro stated: I asked them to do this in January or February, my first meeting with them, and that was the answer they gave me, "We've already spent enough time." I have to tell you that they got their permits in about six months. It took me two years and eight months. They did not have Army Corps. of Engineers approval and without that they cannot do this project.

Attorney Snead asked: Do you plan to use both sides of your northern dock?

Mr. Celauro stated: No. I cannot use the north side.

Attorney Snead asked: In your original plan was it your intention not to use the north side?

Mr. Celauro stated: Correct. My application to both the Army Corps. and the DEC show docks only on the south side. The poles that you see on the north boundary line, those are exactly on the line. I had a surveyor there. So if they put their dock there, they are going to have to butt their poles next to mine and it will force a fence because people will be jumping back and forth. It will really create not only a liability issue, but how are you going to maintain and repair docks and do work with this situation like that?

Acting Mayor Krieger asked: Is this north side situation a traditional courtesy of the river?

Attorney Snead stated: I am not aware of how it works on the Patchogue River. I can tell you that most municipalities regulate the placement of docks. There are very few municipalities that do it--require you not to put it on your property line for this very reason. They are required to go in about 15 feet actually just so that anybody else who happens to have a piece of property next to you who wants a dock would have free way to use it on their property. But, the custom has been developed here on Patchogue River that is how it goes; there is no hard and fast rule.

Acting Mayor Krieger asked: Can we take this to the planning board and revisit the situation.?

Trustee Devlin stated: The planning board is very aware of the situation and they have been very vocal.

Mr. Celauro stated: I have said exactly the same things before the planning board with the applicants present and they nod and indicate that they are going to meet with me, but I am still waiting for the first meeting. I have had the meetings.

Attorney Snead stated: I would suggest that we take a copy of the meeting minutes draft to the planning board so that they can get a look at this.

Mr. Celauro stated: It is not just my dock that I think has to be addressed in all fairness. The community should be looking at what are we going to do to the end of Mulford Street. The whole thing needs to be reconfigured. That should be a public dock, access to people to be able to go there and fish. We have just about closed off every other street access to the river and there are not many more accesses. And quite frankly, that's a promise they was made very early on by the public.

Trustee Devlin stated: I believe that they did address some of that. They took out five boatslips at the end of Mulford and put in a small park and there is going to be a floating dock where people can launch kayaks and things of that sort.

Mr. Celauro stated: They would have to go back for that floating dock permission to the DEC. To get that permission they can make the application at the same time that they do everything else. The argument that it is going to take time, it takes exactly the same time to go back for that as it does to move your dock. But, my request for them to move the dock didn't take away any slips; it added slips to them. Because the way the thing is laid out, it was not laid out by them. It was laid out by an engineer who was not familiar with the Patchogue River.

Acting Mayor Krieger asked: How far would they have to move their proposed dock in order to accommodate?

Mr. Celauro stated: I don't care if they move it 10 feet, but they should move it 50 feet and be able to park boats on both sides, that T-dock. If you look at the plans, you'll see that they have turn-around spaces of 50 feet. My property has 26 feet of turnaround space. The property next to me has 26 feet. The Oar House property has 28 feet between slips. So, to put 50 foot turnaround spots, if you just took 10 feet of that away—and there are 4 spots like that—if you took 10 feet away--it you create 30 feet automatically. Don't make them 28, but made them 40 instead of 50, you would have a 40 foot turnaround. If you shorten the size of the boat from 40 feet to 30 foot slip--that doesn't mean you can't put a 40 foot boat in, but you could shorten the shi--you pick another 10 feet. I showed them how they could pick up 50 feet very easily and thereby getting 18 more slips which did not take away anything financially. As a matter of fact, it benefited them, but they used the same argument that it would take too long to make the changes and so forth.

Acting Mayor Krieger asked: Would that size accommodate most of the boats on the river, what you are proposing?

Mr. Celauro stated: The average boat on the river is under 30 feet and has about 8 ½ to about a 9 foot beam; that's the bread and butter boat. You will find some in the 36-38 foot range, but to find many boats above 40 is unusual. There certainly aren't 30 of them on the river. And they have got 30 to 40 slips, as they outlined there, for 40 foot boats.

Attorney Snead stated: I would push everything over to the planning board because they will be looking at this issue and anything else that we think they should discuss.

Mr. Celauro stated: I realize there really isn't much you could do as a board other than encourage the planning board to follow their own thoughts on this thing. And their feeling is basically the same. In fairness to the Shermans, there are other issues. It is the same problem on the north side of the dock.

Acting Mayor Krieger stated: We will forward a copy of these minutes to the planning board.

Trustee Dean stated: This past week Highway Superintendent Jon Lund and I had the opportunity to meet with a representative of Traffic Systems, Inc. They sell speed limit signs that flash and show how fast your car is going. They are fairly interactive. They have some static ones which just show the speed limit, but they also have some that do data collection which would give you traffic counts, traffic speeds, you can move them from location to location, you could have them integrated with work zones—so if someone was exceeding the speed limit over 20 mph it would sound a horn within the work zone and the workers would know to get out of the way. One of the other tricks is you could hook it up to a traffic light. So, if somebody is going too fast, you turn the light red in front of them and slow them down. We are looking into them. The first one that we would want to purchase we would want to put on North Ocean Avenue. You can move them from pole to pole easily. What happens is they fade into the background pretty fast. Testing has shown that moving them just 100 feet changes the appearance and people notice it again. When we set it up initially, we can leave the flashing part of it dark so nobody really sees it and we can take the data collection and collect the average speed and then turn it on and see how it gets reduced by the use of this device. We are looking to purchase a lot more of them and Trustee Crean and myself are going to be meeting with a representative of Schneider Engineering, a traffic consulting firm. There is a DOT State grant program called “Safe Routes to Schools” which awards money to municipalities to complete sidewalks and do traffic calming measures in and around walking and pedestrian routes to schools. So we can access dollars to pay for these and sidewalks as long as we use these in and around school zones. The cost ranges for the static ones about two to three thousand dollars upwards to ten or twelve thousand dollars, depending how interactive. They do have a trailer mounted sign that interacts with the small box, but we don’t have road to accommodate those trailers so we are just looking at the cabinets and just mounting them on signs.

Upon a motion made by Trustee Crean, seconded by Trustee Dean, and unanimously carried, the meeting was adjourned at 9:10 p.m.