

Board Meeting

December 10, 2007

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on December 10, 2007.

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

The flag salute was made.

Mayor Pontieri read the safety message

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved the minutes of November 26, 2007 as presented.

Deputy Mayor McGiff presented Patchogue Pride Awards to Juan Largo, 372 Rider Ave. and Henry and Linda Testino, 173 Cedar Ave.

Treasurer Krawczyk stated bills for the period Nov. 26<sup>th</sup> through Dec. 10<sup>th</sup> total \$369,804.07. The five largest bills were Frances Palumbo Builders \$99,557.00 for modular payment, H2M \$15,040.33 for sewer engineering, Releighs Outdoor \$7,205.00 street light and turnkey maintenance, Tall Tree Landscaping \$5,895.00 for parking lot landscape maintenance, and Metro Fuel \$5,766.77 for diesel and oil purchases, totaling \$133,464.10.

Deputy Treasurer Monte stated the Tall Tree Landscaping and Releighs Outdoor are both the BID.

General Fund	\$206,658.10
Trust & Agency Fund	\$16,678.38
Capital Projects	\$102,254.98
Sewer Fund	\$18,819.77
BID Fund	\$15,619.99
Housing/Code Fund	\$1,232.47
Community Development Fund	\$540.38
General Bills	\$0.00

Total	\$369,804.07
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Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the board approved the bills as presented.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Dean, and unanimously carried, the board approved request for the General Fund to loan the Capital Projects Fund \$79,712.47, Housing Code Fund \$1,811.12 and Community Development Fund \$13,021.55, totaling \$94,545.14. Treasurer Krawczyk stated we will be reimbursed for these amounts.

Christopher V. Reino, CPA, Coughlin Foundotos Cullen & Danowski LLP stated: our firm has been auditing villages, fire districts and school districts for over thirty years. I have been with the firm for approximately eighteen years. This is our third year auditing the Village of Patchogue. We issue full reports, financial statement, Justice Court report, a management letter and something known as a SAS-61 letter which is our communication to the board that processes our audit and I have just handed out an analysis of your fund balance for the last three years since we have been auditors of the

firm. In 2004 the unappropriated fund balance is your surplus which is basically what you have left over which is not identified for any specific purpose. You started out with \$342,000 by May 31, 2005 you were up to \$900,000 and by May 31, 2006 you were at 1.5 million, and this past year we sold some property generating \$800,000 in revenue. You are now sitting with almost 2.9 million dollars fund balance which is outstanding. It can cover one third of next year's budget which I think is 8.9 million and you are in a very healthy financial situation right now.

Mayor Pontieri asked: operationally—thoughts and concerns: are there things that we need to address—from what you on a day to day basis see, how we operate? Is there anything that we can do to support the Treasurer and his staff in any other way in terms of staffing or technology or training.

Mr. Reino said: there has been some progress since we have been here. As far as our recommendations on the computer system, you have switched over to KVS, now you have nightly backups offsite, your computer system is more secure than when we first started here three years ago. We have minimal journal entries, we don't have to write them up as far as having to close their books which has happened in some of our other villages which has only one treasurer on staff and doesn't have the accounting background the these two people have. I have been helping Veronica out with the HUD filings because they are now running electronically. I am coming back in January to help her get it out timely at no charge. Once we get that done, you should be in pretty good shape.

Trustee Crean asked: what sort of rates are we getting on the close to three million dollar surplus and what sort of restrictions do we have on perhaps some reinvestment of that money?

Treasurer Krawczyk stated: our total budget is around 8 to 9 million dollars. We told the people on the street that bought our bonds that we would keep a 15 to 20% surplus. I think we can find some use for that money. I don't think we should be sitting on that large a surplus.

Mayor Pontieri stated: just for the public's knowledge, Chris mentioned the sale of some property. As many of you know, at our DPW yard we have the cell tower. Mayor Ihne put a very good deal together where we were getting approximately \$50,000 a year rental out of that. In a conversation I had with Beacon Wireless, I asked the question do they ever buy out the lease at any given point. We had it for about five years at that point and time so we had realized about \$250,000. They said normally they do and it could be anywhere from 10 to 12 times the amount of the lease, so therefore anywhere from \$500,000 to \$600,000. I asked for 18 times which was \$900,000 and they came back with fifteen times, \$750,000. We did sell it at that point. A thirty year lease at \$50,000 a year would have been 1.5 million dollars over a period of fifteen years stretched out at \$50,000 a year for the 30 years. After discussions with the Board, Mr. Krawczyk and Mrs. Monte, the decision was give us our money today. What we basically realized out of a 1.5 million 30 year lease was 1 million dollars over five years. The other half of that was after discussions with members of the Board, we will draw on that million dollars in a manner such as the pool—things that have a life greater than 15-20 years. We will repair the pool, do upgrades to the pool, upgrades to the sewer plant, purchasing of some items like computer systems. As you know, we are doing some reconstruction of this building. Things that will last beyond the terms of the members that sit here. The biggest mistake I think we could make would be to spend that money on day to day operations because once you spend it you have to replace it and it becomes an added expense—not the luxury that you want it to be. To get to point A was driven by a decision made the Mayor before me, and by this Board and the people that sit before you. In another year or so we will go back to Moody's and ask them to take another look at

our financial condition. We had been trailing around a dime store bond rating for a number of years. In the early 90's we had a number of years deficits and then began to come back out of the hole in the late 90's and stayed around the \$300,000 range for a number of years. The goal of this Board is to make the Village as fiscally stable and solvent as we can make it because over time that is how you end up stabilizing your tax rate--by stabilizing your finances.

Mayor Pontieri asked: were there any issues relative to the Justice Court that needs to be addressed?

Mr. Reino stated: there were no issues. I think it is the first year since we were here that there were significant improvements in the Justice Court funds. Nothing came to our attention in our test samples. We gave it "unqualified opinion" which is our best opinion. That means that the numbers were presented fairly...

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board accepted the Village's financial statements as presented.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the board accepted the Justice Court's financial statements as presented.

Treasurer Krawczyk stated: I would like to thank Chris and his staff for a very professional job. I want to thank Annie and her people. They do a wonderful job for the Village. It is because of them that my life is real easy.

Mayor Pontieri stated: we don't get to where we are by us guys sitting up here. It really happens down at your end. I think I speak for the whole Board. You make us look good every day. We will start putting the budget together sometime after the first of the year—pencils sharpened and erasers on.

Trustee Seal read: Notice is hereby given that a Public Hearing will be held on Monday, December 10, 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 consider a request by the owner of West Bank Marina for an out of district sewer connection. At said Public Hearing any person interested will be given the opportunity to be heard.

Mayor Pontieri stated: West Bank Marina, Mr. Breummer is here, has requested to tie into our sewer system. They have run the sewer lines down River Ave. to connect onto West Ave. Mr. Breummer has been in contact with the Riverview LLC, Jay Quinn, in terms of hooking into that system.

Attorney Snead stated: the DEC has been contacted. There is capacity in the sewerage treatment plant to do this. I know Mr. Breummer's group has spoken with Riverview and Harbor Crab and they are in the process of trying to come up with an understanding on how this is going to be costed out. With plenty of capacity there would be no reason to not deny it at this point. I would suggest that if the Board wishes to go forward with it that it be an unlisted action under SEQUA and that a negative declaration would be appropriate.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved request by the owner of West Bank Marina for an out of district sewer connection and for it to be listed as an unlisted SEQUA action.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board postponed hearing request to consider amending Chapter 55, Article II of Village Code regarding occupancy requirements related to bedrooms. It will be re-noticed at a later date.

Trustee Crean stated: as the Board is aware, there will be a number of different projects that is going to be coming before us within the next couple of months. In addition to ArtSpace and what Tri-tec is looking to propose, there are a number of other projects that Joel Peck could lend us a critical eye on consulting in the design of these things and facilitate perhaps a streamlined approval process where he can work in conjunction with not only our Board, but the Planning Board, Zoning Board and Architectural Review Board. In our agenda packet there was a resume that he has provided us and he has a pretty good handle on what our vision is as an administration and what we are hoping to try and facilitate within the Village. What I would be asking for is the Board's approval to hire his company at a rate of \$35.00 per hour. He will be assisting us in various work sessions and project meetings to be held with not only the developer but their architects. He has a very keen critical eye on certain things that might escape our perception and I think would be a tremendous assistance in these projects.

Mayor Pontieri stated: I think it should be for a design consultant for downtown development project, ArtSpace and any other projects determined by the Board.

Trustee Crean stated: I think that would give us some latitude from everything from the pool to any number of different projects. Joel has been sitting with us at a number of meetings already--meetings that were held at the offices of Tri-tec and meetings held here with ArtSpace. He has already been a big help in pointing out certain details of these projects that have come before us.

Joel Peck stated: I see myself helping out in construction design and the process. Keeping everybody informed, up to date, in what's going on with the various projects. I have been involved in the downtown business district over the past two years and think I have a lot to add to the process. With so much going on, I know the Board has a lot to handle.

Trustee Crean stated: what he would like to do is come up with a website that would link all of these things together. Where there would be an opportunity for residents as well as Board members to go on and visit this site, review plans, make commentary. It would be an ongoing thing where not only our Planning and Zoning Board members but residents as well would be able to review these things as they develop.

Joel Peck stated: any residents that may not be able to attend Board or Planning Board meetings would be able to go on the website and see any progress renderings or any critical dates that might be approaching such as hearings and for the involved parties and developers and there would actually be a more detailed log where you would be able to review project meeting minutes, schedules, any critical dates that might be approaching, and during the every day activities at work could just log on a catch up on these things. I am in the process of building the site. I need to get permission from any developers or architects that are involved. I would like to have a link on the BID site for any residents that want to catch up on the projects. The way it is going to be set up you could either go to a four corners development site and view any recent activities or renderings or you could go to the BID site and go direct to it as well.

Trustee Crean stated: it could be a great marketing tool for further interest in investment in our downtown as well. As the word gets out, I am sure there will be a media campaign, but this would just be another advertising venue of the various things that work in our Village. It will be a tremendous resource for us all.

Trustee Hilton stated: Joel Peck has helped us in the Parks Dept. time and time again on a volunteer basis, put together most of the bid packages for the Winona as well as other projects we have taken on. He has with his drive and timeless actions been able to help us intelligently address the problems that we otherwise would not be able to as trustees

ourselves being able to take on. My hat is off to Joel as far as his devotion and drive. He has been able to really put us a couple of clicks higher than we otherwise would have been able to achieve on our own and has saved us tens of thousands of dollars in outside engineering consultants and what have you. I look forward to, upon the board's approval, him acting as this consultant. I really appreciate everything Joel has done.

Mayor Pontieri stated: one of the things we as a board realize is that there are things that we have strength at and things that we think we understand and then there are those people we need to go to and ask questions to. Joel is going to be one of those people. We need eyes and ears at Planning board and ARB meetings and those meetings we can't make and that we shouldn't make, but have someone bring back the message of what's happening.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved the hiring of J. Peck Consulting as design consultants for Downtown Development & ArtSpace projects and any other projects determined by the board at a rate of \$35.00 per hour.

Village Clerk Seal read: Notice is hereby given that a public hearing will be held on Monday, December 10, 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 consider a request by George F. X. McInenery, property of 18 Beach Street and 83 Brightwood Street, for relief of the Patchogue River moratorium to construct a marina/yacht club on his property.

Mayor Pontieri stated: one of the issues of this clearly is that that property is not zoned for that use so therefore there is a whole series of processes that he needs to go through from zoning changes to getting architectural drawings to making presentations to this board.

Attorney Snead stated: every time we have had a request for relief from the moratorium it has been based upon preliminary plans with an idea of numbers of buildings, number of units, particularly with marinas there was a discussion of number of boat slips and things like that. I will be happy to draft a letter to Mr. McInenery laying out some of these things who then can get in touch with Carol Giglio who can give him a better idea of where to go with this. But, at this point I don't know that you would want to be setting a public hearing because we don't know how much time it is going to take him to prepare what he needs to be prepared to get before you.

Mayor Pontieri stated no action to be taken.

B.I.D. Report – Dennis Smith stated: at the last B.I.D. meeting it was decided to reduce the B.I.D. size from 19 members to 15 members. Chip Hunter has tendered his resignation and three members will be asked to resign to reduce the size from 19 to 15. This would be the makeup of the board: 3 Village appointees and 12 elected members. In the future the B.I.D. might look again to increase the board size... We were having a little problem with making a quorum and having equal participation of what we want to do in the village. It was felt that a smaller board at this time would be more efficient than the 19 members that we carry right now. Also at the last meeting we decided to appropriate funds to purchase a storage barn for the sole purpose of keeping the equipment that we need and use to maintain the work that we do to help keep Patchogue beautiful as well as successful. The storage barn will be finished in a way that will work aesthetically with Patchogue Village and will be placed in the Terry Street parking lot behind the garden area off of South Ocean Ave. The reason for that is we need to leave our current spot on Church Street as the building we occupied there for 7 years has been sold. Lastly, the B.I.D. board would like to thank John Lund and the DPW for the fine job they have once again done in hanging Christmas decorations.

Trustee Crean stated: we had the opportunity to meet with the people from Tri-tec last week. We would like to shoot with the meeting in February to perhaps address both the BID board and the Chamber at a joint meeting to role out some initial renderings of what they are looking to do.

Chamber Report – Gail Hoag stated we have had a busy holiday season. Mike Breummer, our Chairman, did a terrific job. We had breakfast with Santa at South Ocean Ave. School. I think we should congratulate Trustee Hilton on the parade on Main Street. It was fabulous this year. It was the longest I have ever seen and it was great. The Menorah lighting was last night and I do thank Mayor Pontieri, Trustees Devlin and Dean for being there. It was really nice as usual. In the past year we have worked together and have seen some really great things happening in Patchogue and we look forward to working together again this coming year. We know that there are really terrific things going to happen. By working together--the BID, the Village and the Chamber--this is happening.

Mayor Pontieri stated: it really is that critical triangle of the Village, the Chamber and the BID and how we connect ourselves and how we work together is critical to our success in anything that we do.

Village Clerk Seal stated: tonight we are seeking board approval for a decision on a public hearing that was held on Oct. 9, 2007, for a request by Fat Fish Marina LLC for a special permit for multi-family dwellings in C Residence, a special permit for multi-family dwellings in E Industrial, relief from the moratorium on condo and townhouse development and relief from the moratorium for the development on the Patchogue River.

\_\_\_\_\_ stated: we presented this project about a month ago and I think the board is familiar with the project somewhat. There has been some concern and some comments made from different departments from Planning, and from the town board from our presentation. Some of the concerns I think we have met and actually have altered and revised our drawings to meet some of the concerns that have been brought by some the boards. I think back from the beginning we had started with reducing the amount of units. We actually reduced the units from 24 down to 22. That's a major revision we have made. We made a revision to include a park at the end of Mulford Street; that was one of the comments. Another comment was to create some kind of floating dock or some kind of apparatus along our boardwalk so that people from the village can walk down and actually stand on the floating dock, fish, and have access to the water. One of the other comments was we were looking to take the existing house and make it into a restaurant. That was removed from the concept of that plan and now that is going to be converted into a clubhouse that will be private for the marina and the condos. Another comment that was made was everybody likes the existing house on the corner of Mulford Street and West Ave. and as you can see from the revised site plan, that house will stay within the new drawing. We have lost some of the parking due to that but the engineer was able to accommodate having parking for the condos and for the marina. I think that is the differences that we had from the last hearing. One of the major differences was reducing the amount of units by 2 for a total of 22 and maintaining the house on the corner of Mulford and West. I do not believe that that was part of the drawings that we originally presented to you 4 to 6 weeks ago. The architectural development are still staying the same as the original presentation. There was some concerns on what the view of the condos would be based on the view from West Ave. The buildings are set back on Mulford and there is only a small portion of the building that is actually in the residential zone. Most of it is in the industrial zone. I believe in the industrial zone the height allowed is 45 feet. Our buildings are 38 feet. The building that is towards the south, only 30 to 20% of that building is actually in a residential zone. So we set it back as far as possible. So based on the line of sight from Mulford and where the building is in

relationship to the parking in that corner, we are planning on putting vegetation in that area. There will be limited sight with vegetation that we are planning.

Mayor Pontieri stated: one of the concerns that has been raised by this board and others is on building #1 and is closest to the industrial property.... And your plans to mitigate the impact of the commercial industrial next to it.

\_\_\_\_\_ stated: we had a similar situation happen in other municipalities across Long Island where you might have a condo project that's abutting a situation that might have either a railroad track. What we do is design the walls and the exterior of that building with soundproof windows and wall construction. It's called a STC rating, sound transmission coefficient rating. We build up those walls and windows with high STC. So there is limited transmission of the sound coming through the building. That is something that we would actually build into building #1 on the north façade. I think that would address some of the concerns that the neighbor to the north has because I think he is concerned on how much noise he will make. The window is called "city window" and the sound rating is amazing. A lot of municipalities actually put it into their covenant restrictions to make sure the architect implements that into their drawings. It is something that we were planning on doing anyways.

Mayor Pontieri stated: they do have a very active boat yard with larger boats so therefore the noise element is bit greater.

Trustee Crean stated: it is not only the sound but also it seems that the setback is less than ten feet and when barnacles are being sandblasted off the hull of these boats and end up flying through the air, it is going to be more than sound that those residents will dislike.

\_\_\_\_\_ stated: along this whole property line there is a boat which is about 30-40 high and about 30-40 feet wide which has been there for almost ten years. I think that is a natural sound barrier at this point, but I wish he would get it out of there myself.... It is the responsibility of the yard to make sure that all their debris is contained by EPA law. Federal law prohibits them from sandblasting barnacles off very, very clear and it needs to be caught in a catch basin. We can do as much as we possibly can, but if they is blowing stuff in the air and making it is air borne, they are in violation of Federal EPA violations. That means that they may need to address that on their own, not us. Doing whatever we can do to prevent that because basically we are intending to build condominiums that are going to go for \$600,000. Someone who is going to be spending that kind of money would certainly be concerned. We won't be able to sell them if we can't mitigate both the noise as well as the air borne material which should not be airborne in the first place. We will do whatever we need to do, the barriers and the berm and with that monster sitting there that everybody is looking at and asking why that thing is still there, I think we ought to be able to come to some resolution that would be acceptable to both parties.

Deputy Mayor McGiff stated: I think the Sherman's concern is, as you know, just like the DPW which has been there from the 30's and 40's, a \$600,000 homeowner is going to lawyer up and that is the Sherman's concern. They have been there a long time. And we know your residents are going to move next to a nuisance, but that is what there concern is about.

Trustee Crean asked: what has your response been to Chairman Rocco's request to change the use of the residential to perhaps commercial use on building one.

Dick Blakslee stated: we came in originally with a commercial application and the community didn't want it. They told us we want to see residential and we would love to see condos. We modified the original application. The community spoke and we listened and changed it to condos. If you look at the riverfront plan review committee,

which I served on two of them, every one of the conclusions on all the riverfront plans concurred a mixed use of residential/commercial with public access. We want more marinas, more residents, we want business. And we came in and fit that mold. That's where we went. Each one of those three independent studies where we did inventory of the river and all the boats and all the uses of the applicable uses on the river, the final conclusion—long before I owned this property or was a part of this property—the conclusion were this is what we want to see on the river. I don't believe that building a transfer station on this property is a plus to the neighborhood.

Trustee Crean stated: I would agree with you on that as well, but there are other commercial uses that might not have as much as an impact as a restaurant with an outside bar that might be appropriate for that—commercial office space, boat service for the 67 slips that you are hoping to fill, marine supplies sort of places.

Dick Blakslee stated: it is all about the bottom line, trying to get the highest yield out of a piece of property and not being obnoxious. I don't think what we are showing here is obnoxious. I am going to take one of those for myself. I am going to live there. I think it is a good project for the river. I have been here my whole life and can see what's going on on the river. You have condos across the river from me, townhouses.

Trustee Crean stated: you say it comes down to the bottom line, but the question remains are you trying to squeeze eight cents out of a nickel.

Dick Blakslee stated: I am trying to make a sow out of pig's ear is what I am trying to do. And that is what it is, a pig's ear. It was a contaminated piece of property that is a junkyard. Look at it and what's going on down there. We cleaned it up as best we could but it's a mess. Everyone knows what's there. We are putting some beautiful buildings there and the end of the street with public access with a park. I am very proud to put my name on that.

\_\_\_\_\_ stated: I would like to recap this. We came in here and said we wanted to build a marina. A couple of people asked what are you going to do with the rest of the property and I had no idea. I just wanted to build a marina. We were asked again and again, what are you going to do and thought how about a restaurant; it's zoned, it's good and will fit right in. We thought how about a hotel, but when we proposed that there was a lot of opposition to that—good transition was going to condominiums and everyone said that's great. We sit here today, over 1 ½ year later, talking about the same thing. To bring that up at this point when we have developed a site plan to this degree and start bringing up noise problems at this point, I think it is the wrong time to bring it up. You should have brought it up right in the beginning.

Deputy Mayor McGiff stated when you came here the whole totality of the story was not told. It was a marina, it was other plans, and as a board I can only speak for myself. I think myself and Mr. Crean we were a little put off by the way it was proposed to us.

Dick Blakslee stated you were advised that we didn't know what we were going to do upland.

\_\_\_\_\_ stated let me review how we went through this process for those who may have forgotten. When we first participated we were strictly thinking about the marina and we wanted to look at all the options on what could happen upland. If you recall, Diane Moje came in and told us right off the bat, you can't do anything. If you split it up you have to have a full SEQA. That's when we had to come to a conclusion for the upland, because we couldn't do the SEQUA just for the marina. One of the things we started from the very getgo is that we thought we wanted to do the marina and obviously use the small house for a restaurant. We also thought about closing off the road, but we understood that we were going to have to provide from the getgo access to

the public because one of the original planning for this whole river was to provide a broadwalk so the public could go on it. From the getgo we believed that was going to be part of the process. That we were going to provide a broadwalk for everyone to access. Now we start to develop what we were going to do with the property and the first thing I can recall I asked Dick Blakslee's partner was as soon as we mentioned Dick Blakslee and a restaurant we caused a lot of ire in the neighborhood. We immediately had to come up with some other thoughts. We know what the highest and best use is. It is obvious to us we can put a pretty nice catering hall on that; we don't have to put a restaurant. We can do a whole lot of things. But as soon as we realized that those are things that, even though we had a right, we felt condos and residential would work. We have been through a lot of money because I pay the bills for this group. I have a lot of outstanding debt because we have changed this and modified it based on planning board and individuals influence. We spent money for options on that house. We spent \$10,000 for an option on that corner house and it's gone. Somebody said they wanted us to keep that house. It's an older house, it is still consistent with the neighborhood, so we moved it. We spent thousands of dollars all of this from input from other people than ourselves. We know what the highest and best use is and it would have been a whole lot easier and we would have been done a year ago. We have come a long way. I know there are some minor items that need to be mitigated and I think are minor. At this particular junction, to go and say that we want to split that property and go commercial, it is too small for that. If you want to do that, we will go back to square one and we get the whole thing and back to the "as of right." But, that's not what we intended to do from the getgo. This is consistent with formal plans that took place. You have public access, visual access, site access, floating dock, public access over the broadwalk, and you are creating a situation where you are creating residential units that are going to be more valuable than the surrounding houses. I think at the end of the day this is a net plus and I think it works for all of us and I think we have come a long way.

Trustee Dean stated: it is a good project and I think you guys are on the right track and have come quite a ways. I tend to think there is still a little bit more to go. I have some grave concerns about that building on the north and I don't think sticking our heads in the sand is going to make it go away and digging our heels in is not going to be the answer either. I suggest that you take another look at that and try and be creative and come up with a solution. I don't have one just sitting here and looking at it now. I only got these plans this afternoon and haven't had an opportunity to look at it. I think had we had the plans earlier, this board would have been in a better position to discuss this. I see you are between a rock and a hard place with keeping the house on the corner, but traditionally we have been pretty firm with 100 foot setbacks from the water. I know the last time we had mentioned that 100 foot criteria and I can see by these plans it is not met. The other things we had discussed was a sidewalk that would be continuous from Mulford along West Ave. to link up to the sidewalk at the corner of Laurel and West Ave. I know we had discussed whether or not you could help the village out and put some curbs and sidewalks and drainage in and let us link up our drainage and do some storm water mitigation efforts at the end of Mulford Street. Again, not having time to go through all that, I haven't seen that on here and don't know if it is there. Those are generally my concerns. The house is going to be left there and that is going to keep the neighborhood happy. I think the public access is terrific. I think we need to put our thinking caps on and come up with something for building #1.

\_\_\_\_\_ stated: we had talked about this earlier tonight. We will do whatever we can do to create a better buffer.

Mayor Pontieri asked: what would happen if you turned that building to where it is looking due south?

Dick Blakslee stated: right now we gave a lot of consideration to the placement of the building so that you get a good water view from every unit. Once you start turning,

someone will be looking at the boat. We had the building farther back but the planning board asked us to move it forward. We will try and do whatever we can do if it is a concern and I think we have demonstrated that all along.

Trustee Devlin stated: I can comment to that as an observer I attended the planning board meetings and listened very carefully to public comment. The buildings were farther back and the comment from the people who lived closest to that area was that they didn't want to look at a big building. And the neighbor who was much more comfortable with the building being moved closer to the water so that along with the buffering and the maintaining the little white house that they would preserve the residential look of West Ave. I can understand how the building was moved that close to the water and I think the planning board was in agreement. I can confirm the buildings were taller, narrower and wider. There was a time when we talked about abandoning the road and you worked that out. You have worked out the gated parking in such a way so that the parking can be private for the residents of the homes, but that there can still be public access. The residents of the block want the buildings away from where they live; they don't want to be seen at all. The planning board has gone over through numerous work sessions to get to this point.

Trustee Crean stated: the amount of parking is no where near enough. The amount of parking you have on this legend here is assuming that every resident is going to own a boat. I would like to see that happen, but in reality that is probably not going to be the case. If I buy a condo, but don't buy a boat, and get the slip, is that slips going to be leased out or empty. And if it is leased out, it is going to create a further strain on the parking. Your assumption is that every resident is going to have a boat and is going to use it and is not going to require any additional parking. Let's take a look at it from the other side. Let's assume none of the residents have a boat. Are those 22 slips going to be empty or are we then going to look at a parking requirement that would require 47 spaces for the marina and then 44 spaces for the residents, so that would bring the parking lot requirement to 91 where you are only showing 53. That is a major variance.

\_\_\_\_\_ stated: the attraction to someone buying the condos is that they are boaters.

Trustee Crean stated: let's hope that this is the case, but we are making an assumption that every resident is going to own a boat.

\_\_\_\_\_ stated: you can also stipulate in the Attorney General's report that that the slip can only be used by the occupant, the owner of that condo. We had pretty much resolved the parking issue, but with the give and take of things, they wanted to leave the house on the corner.

Trustee Crean stated: even with the house on the corner, the parking was not sufficient. That was again assuming that every resident would have a boat. Parking is a serious issue.

Dick Blakslee stated: we spent \$10,000 in options on that house and based on a request we kept that house in and therefore put us in what you claim is a precarious position in parking. You have to give somewhere or other. This is consistent with what the planning board looked at. People wanted that house to stay.... I believed that David Sloane addressed that issue in a work session and we can still tweak that marina a little bit more to get more parking, to reduce the number of slips to where we need to go. We could be creative in that respect. We could reduce the number of slips. David spoke with the planning board and that was one of the conditions he spoke on in work session. If we eliminate that house and leave that house as the community wishes, we are going to have a parking issue and that means we are going to have to get some relief on that. And they said yes we understand that, but I think it is more important right now that we address

this issue. My understanding as David told us, we are going to keep working on it until we can get it as close as to where it needs to be.

Trustee Crean asked: if you will revisit the design of the marina, what sort of considerations would you take for Geppe Celauro.

Dick Blakslee stated: none, absolutely none. I will let Bob Strecker address that issue with Geppe Celauro.

Bob Strecker stated: we met in Geppe Celauro's office and we talked about his marina that was still in progress. We had submitted our plan to the DEC before he did although he got the jump on us on the Army Corps. It doesn't make a difference. The end result was Chuck Hamilton said in mitigation he would give Geppe and us a 6 foot wide dock, right on the property line—3 foot on each side---and we would share that dock. Geppe did not want to do that. Geppe went on his own and he went and put a 4 foot slip going out and Chuck Hamilton agreed to let that happen even though they don't like to let a dock go right next to another dock. They want a separation. So he made us move ours over two feet which we did. Geppe doesn't like the idea that we are two feet from him. He is right on the property line. We moved ours over two feet to accommodate him. He didn't want the 6 foot dock to share it. Now he is talking about a fence. First of all, I think he would need a permit to put up a fence. I would think you would need a DEC permit because a fence shadows the water and once you shadow the water—he already has a 2 foot area in there that is unshadowed. I think if you talk about a fence, maybe he doesn't want people jumping from dock to dock. I don't know why anyone would jump 2 foot over a dock to get to our dock or visa versa. I don't understand what the issue is to begin with. I have no clue. Why he is so insistent on this. If he wants something to prevent people from jumping over to the dock, he could put a simple white two-rung tubular railing. He told me in his office that he has a plan and has come to several meetings and said he has a plan. I asked him to show me the plan that day when I was in his office, before we even did the DEC thing. He still hasn't shown me the plan. The last meeting we went to he told me he has a plan where we can move our marina all over the place to accommodate whatever he has in his head that he doesn't want our dock two foot from his. He has a plan that we won't lose any slips and it will make it better for everyone. He has yet to show me that plan. I am willing to look at that plan. The people who drew our plan are professionals. If you can figure out how you can squeeze from here and have boats come in and out of here and have free space to turn around, I'll oblige you, but I don't see how it could happen. We moved ours over two feet. The Sherman's are right on the property line. If they have the right to use their property to their property line and Geppe has the right to use his property right to his property line, I don't see why we shouldn't have the right to use our property to our property line. I think it is unfair to ask us to do anything at this point to mitigate that.

Mayor Pontieri stated: it seems that Mr. Celauro made a decision when he put his dock in that then that is where his dock is. If he hadn't put his dock in and came to us as a board then the discussion could be different. Plus the fact, and you can tell me if I am wrong Mr. Snead, the Army Corps. and the DEC have both given approvals to this, do we have the right.

Attorney Snead stated: there is nothing in our code which explains how or where a dock should be placed from the standpoint of the Village of Patchogue.

Mayor Pontieri stated: so the issue of us even making the recommendation that they speak to him again, I don't know if we hold any jurisdiction at all over lot line to lot line on the water. And to cap it off, Mr. Celauro made a decision. The minute he put the first pole in the ground, he drew the line in the sand.

Trustee Crean asked: so when the DEC reviewed these applications for you to get approval, they didn't take a look at what was to the north or south of you.

Bob Strecker stated: they knew that Geppe was into his 4 foot dock and it was a conflict. I spoke to Chuck Hamilton about it and he said we will give you guys 3 foot and 3 foot, 6 foot dock, and you will share it. And you would have a wider dock, something they don't give out, as a mitigation. And Geppe didn't want to do that. It took 2 ½ years to get this permit. There was a lot of pressure on the Army Corps. not to issue this permit and I had to go up to get this permit. There was a lot of letter writing. They approved it. They are the professionals so let's go with the permit.

Mayor Pontieri stated: we do not have the power to supersede it anyway. As Attorney Snead said, there is nothing in our code that even addresses the configuration and/or slips or how docks should be laid out.

Trustee Crean stated: perhaps the only authority that we might have is through the parking requirement.

Dick Blakslee stated: Geppe Celauro got what he got and he is entitled to build on his property line just as the Shermans. We also have a right. The Federal government and the DEC said it is okay. We worked very hard and tried everything we could to mitigate this problem.

Trustee Crean stated: the DEC looked at the marina and from these plans that Bob just handed me, there are not enough parking spaces to serve that marina. But, what the DEC didn't look at was what you were going to do with the rest of the property and the fact that you are looking now to put in 22 units of residential housing. I am in favor of residential use for this property. I just think the combination of 67 slips and 23 residential units with 23 parking spaces, there is a problem there. Where do we shrink—do we shrink the number of marina slips or do we shrink the number of units?

Dick Blakslee stated: we are going to tweak the number of marina slips. Absolutely. Yes, if everyone showed up on the same day to take their boats out at the same time and they all drove two cars, you got to have a parking lot. The fact is, after 20 years on the river, on the 4<sup>th</sup> of July 50% of the boats are still in the marina and nobody is on them. That is just the way it is. There is a legitimate concern. We have to share in that concern as well because we want to be good neighbors and try to meet every one of the concerns in the neighborhood. I think we should be more in tuned to the house across the street from me with 20 cats in it. People have nice homes in that neighborhood, but put up with crap like that. I don't think that's good either.

Mayor Pontieri asked: Dick, you are going to work with us on the storm water remediation at the end of Mulford Street, correct? When and before you do the bulkheading we will sit down with the engineers. Has Bowne started to take a look at that.

Dick Blakslee stated: we have had some discussion with him.

Bob Strecker stated: everything has to be lifted, FEMA regulations, there is a lot of civil engineering.

Dick Blakslee stated: it is a serious issue. All the water runs right off Ocean Ave. right down Mulford. It is like a floodgate--opens up on a heavy downpour.

Mayor Pontieri stated: if we could clean it up as far as West Ave. to where that water comes down, then we can have a catch basin. The other question in terms of sidewalks and curbing on West and some drainage there also. To pick up that stuff.

Mayor Pontieri asked any comments from the public?

None.

Trustee Hilton asked: could you outline what is the future of this application as far as what steps it has to go through after us.

Mayor Pontieri stated: it has to planning out of the recommendations or anything that may come out of this hearing here. It will go back to planning for final approvals. And from there it comes back to us for one more just for approvals. What we will do here tonight is specifically lift the moratorium so that they can go forward with the final planning stages of this whole piece of it. Once that is done, the lifting of the special uses becomes just a formality.

Trustee Hilton asked: is the parking and the ferry property going to be looked at again.

Mayor Pontieri stated: yes, by the planning board because that is what our charge will be to the planning board. To take a look at that and to come up with some way of satisfying those issues. From what Mr. Blakslee and Mr. Strecker said, they will be taking a look at the number of slips and maybe there is a way of playing with the building. Then it has to go to the zoning board for relief on the parking. It will go back to the planning board and the zoning board for those issues and then will come back to us.

Trustee Dean stated: my concerns and thoughts remain the same as they were before. I am really concerned about building #1. We discussed the storm water, curbing and sidewalks. I am certainly satisfied about that. Trustee Crean brings up some outstanding points about parking. That is something that has to be addressed. At this juncture I would be inclined to grant relief from the moratorium, to send it back to planning, and then bring it back to us after that process for the special permit approval.

Trustee Devlin stated: having attended almost all of the work sessions and planning board sessions, I can attest to the fact that a lot of effort has been put into the plan in order to satisfy the objections and feelings of the residents of that neighborhood as well as the concerns of the planning board. At the very last public hearing the residents of the neighborhood were pretty much in favor of the project as it exists with maybe just one or two exceptions. And that was in huge contrast to the very first public hearing when everybody was against everything. I think by maintaining the little white house, some of the things we did with the gated parking, I think the street end is outstanding. That came a long way from the original proposal. I am happy that they are going to help us with the storm water remediation because that is very much needed. And I like the project architecturally. I just share the one concern about building #1. I would like to see more buffering. Maybe the fence has to be higher than six feet and maybe you can tweak the building a little bit. There are probably a number of things working with the planning board. Maybe there is something that nobody thought of yet.

Mayor Pontieri stated: if you take a look at Waverly Avenue, they actually built a four foot wall and then put a 6 foot fence on top of a brick wall.

Mr. Strecker stated: often times we build a berm and put a fence on top of that; so a 6 foot fence becomes 8 foot or 10 foot.

Trustee Devlin stated: I do like what you mentioned tonight about the soundproofing because I hadn't heard it at any of the hearings that I had attended. Maybe you can give us more information on how that works and all the specs. I would say at this point I am in favor of lifting the moratorium and sending it back to planning.

Deputy Mayor McGiff stated: I agree with that. I want to commend you for your efforts and because of them the residents down there are now in favor of your project. If they are in favor, we are in favor.

Trustee Hilton stated: most of us share Trustee Crean's concern about the parking. I don't know if it is actually a good idea to keep that front dwelling. We could put parking in their and move the landscaping out. That's my personal feeling. I am very confident that Chairman Rocco will address all of these issues. I am also concerned with building #1 and am sure there is a way to work with that. I think it is the best use for the property; I haven't heard of any better uses; I haven't heard any concerns lately of what we are doing down there or what we hope to do. I wish you gentlemen good luck.

Trustee Crean stated: I want to thank you guys for listening and being patient and taking into consideration not only the consideration of this community but the opinions of this board and the planning board. I know there are a lot of sacrifices you guys have made to get to this point, not only financially but time and effort. We appreciate your investment in the community. Dick, you have been tremendous for the river and for the village as a whole. That being said, I am a big fan of the project. I like the residential use of it. I still have some serious concerns about the amount of the use. I don't have an answer as to what the right number of marina slips are or what the right number of residential units are. My biggest concerns you heard them here tonight and how the answer to building #1 is beyond me at this point and time. If I were to make a guess right now, my first suggestion would be to reduce that unit count on building #1 and pull it away from the property line. It would enable you to create a larger buffer and maybe by sacrificing two more additional units and the redesign that this architect might be able to come up with would give you much more than a 9 foot setback on that property line. I am sure that there is going to be a lot more questions that the planning board may have, but I think you have answered most of them at this time. I am in favor of giving them relief of the moratorium at this point and time and reserving the right to revisit the issue into the special permit, relief for the condominiums and relief of the riverfront moratorium based upon site plan approval by the planning board. Give the planning board another opportunity to review these minutes from this meeting, hear our concerns and continue to work with the applicant.

Trustee Krieger stated: I think it is a great project. I think it is beautiful and I think that it is going to improve the neighborhood. I sense through my fellow board members that this is the kind of project that we need on the river, residential. I appreciate the efforts of the applicants and their working with us and understanding where we are coming from as far as the residents go. I look forward to driving down West Ave. and seeing this project and taking a ride down Mulford St. and being to take advantage of the sights on the river. I am confident that Mr. Rocco and the planning board will iron out any issues that are here. I think we should grant relief from the moratorium.

Upon a motion made by Trustee Krieger, seconded by Trustee Devlin, and unanimously carried, the board voted to grant relief from the moratorium to Fish Marina LLC.

Trustee Krieger stated: Gateway is in. Everybody enjoy the holidays.

Trustee Crean stated: the events of the last week was long time coming. Tri-tec has closed on the acquisition formerly owned by Joel Furman and they have also closed on the Wedgewood Building and are in contract to close on the old library sometime in early January. They are going to look to assemble properties on that block. We have seen some exciting initial renderings of the scale of the project, talked in detail about a variety of different uses, and it's a project that, just to give you a sense of the size of it all, the parking that they are going to build is 20 million dollars, almost 600 spaces. I want to thank the board's support over the last couple of years. Dealing with Joel Furman has been a challenge. I appreciate your support in the eminent domain proceedings that we

had and I am thankful that those proceedings aren't going to go full distance. I am very excited about dealing with Tri-tec. They are a first class organization. They are going to bring some exciting energy to our downtown to say the least.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board voted to adjourn the condemnation meeting set for 12/13/2007 until a later date.

Trustee Hilton stated: we put the replacement of the Patchogue Pool out to bid. One bid was for \$893,400. The other bid was for \$1,400,000. We awarded the bid to Norco Ltd. and after some sharpening of the pencil and some reductions in what the contractor was going to be responsible for we were able to bring the price of the replacement of the pool down to \$690,000. We were able to work out some of the demo work with DPW. We have put the wading pool into a phase II operation. And the site drainage the highway department is going to do, trench drains, shrubs; we are going to be able to do ourselves. Instead of having the stampcrete which is very expensive we are going to go with colored concrete. We are also going to plant the grass.

Mayor Pontieri stated: as per Attorney Snead's request decision would be made after the board goes into executive session.

Upon a motion made by Trustee Hilton, seconded by Trustee Dean, and unanimously carried the board approved request to award bid for the replacement of the roof at 390 Bay Avenue to Long Island Roofing & Repair for \$29,200.00.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved hiring Tara Frawley as a volleyball referee at \$27.00 per game.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hold Volleyball Leagues at Bay Avenue School from January to May at a fee of \$350.00 per team.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hold Youth Basketball Clinic at Bay Avenue School from January to March at a fee of \$5.00 for residents and \$20.00 for non-residents.

Trustee Hilton stated: I request approval for a letter of intent to the Town of Brookhaven in support of a grant application for the 2007 Environmental Fund Grant Application for the Tuthill's Creek Watershed Management Plan. The Village will provide \$5,000 of in-kind services for the project. This is a project that is dear to my heart and I have been working on it for the last two years. It has been a tremendous amount of paperwork. What this gives us the opportunity of doing, this specifically refers to the west branch of Tuthill Creek which drains out through the northwest section of the village known as Democratic Hill. What this is going to do is give us the opportunity to have is it is not only going to allow us to address the drainage of this area which is under water most of the time, and because of certain interruptions that have occurred to the natural drainage system, but it is also going to be another objective of the Watershed Management Plan would be the development of an open space management plan for publicly owned parcels within the watershed including further development of an existing plan for a public trail system. The trail system plan would include a public education component. What this is going to be able to give us is that from the northern end, pretty much the old theatre which is above the Sunrise that the combined ownership of town, county and village property will allow the continuous belt of property from the upland area, the west branch of Tuthill Creek, the Patchogue Lake, down to the water property land which is next to the Ambulance, down through the Underwood property, and out into the Bay.

Trustee Dean asked the purpose of this Watershed Management Plan, is the end result supposed to address water quality in Tuthill's Creek? I see that there is a storm water component of this. Is this going to make recommendation on storm water mitigation or perhaps the cause of some storm water problems? Would it look to determine the root causes of storm water problems in certain areas as well? I am curious how far encompassing this is as well.

Trustee Hilton stated: what it is going to do is prioritize a list of storm water infrastructure improvements designed to mitigate non-source water pollution.

Trustee Dean stated: the end result is reduction in point source pollution. less of an issue would be localized flooding.

Trustee Hilton stated: what gave us the opportunity to do this was the development of the condos which are replacing the movie theatre area. And the developer as well as Tim Mazzei and Brian Foley have gotten together all of their offices.

Mayor Pontieri stated: all of the Tuthill's Watershed is within the village limits, probably about 80%. That means the Town will be making recommendation for remediation that we are going to have to fund. It is a budgetary issue. Am I going to be looking at something two years where I have to come up with ½ million to ¾ million dollars for new drainage and whatever. That is my concern. Where does this obligation fall? If it is driven by the Town, their concern is not the same on a fiduciary, tax, dollar for dollar concern. Understanding the need, understanding the concern of the residents in those areas that we have to some way shape or form take care of it, but who is going to make the decision of what we have to do and what we don't have to do.

Trustee Dean stated: I think you are conducting the work and participating in it is a good idea. We are not compelled to adopt this plan when it is completed. I think we should go ahead and participate in it. I think we should be a part of this advisory committee.

Trustee Hilton stated: I think that recognizing the problem and going ahead with this plan is going to put us in a position where probably monies would be readily available to us rather than have the Village itself finance the whole.

Trustee Dean asked: it is that some of the participants might have another agenda.

Trustee Hilton asked: shall we find out more about it? There is a time limit of Dec. 6<sup>th</sup> for acceptance according to this letter; sent on Dec. 6<sup>th</sup>, but they need it right away.

Trustee Devlin stated: it says the Town is going to be contracting out for inventory and analysis. A good portion of this is within the LWRP and we have a consulting firm that is already doing inventory and analysis. Maybe there is a way that monies could be saved. There may be a possibility of some redundant work being done.

Trustee Dean stated: if we have the opportunity to hold off on it, I think we should take a better look at it. On the surface it looks like a very good thing.

Trustee Hilton stated: it says adoption of the plan would not commit either the local governments to a course of action, but would provide each with prioritize recommendations whose implementation will advance the goal of protecting surface water quality in this watershed. Let's put it off and find out more about it.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request by the Greater Patchogue Foundation to hold annual Alive After Five events.

Upon a motion made by Trustee Hilton, seconded by Trustee Dean, and unanimously carried, the board approved request by Chamber of Commerce to hold their annual Carnival Days.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Dean, and unanimously carried, the board accepted with regrets the resignation of James Carlson as a full time fire house attendance/dispatcher effective the 9<sup>th</sup>.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the board approved hiring Tyler Grauer as part time dispatcher at starting rate.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for two trustees to attend a seminar regarding LWRP in Albany on February 6, 2008 at a cost not to exceed \$1,000.

Trustee Devlin stated: this past Saturday the Garden Club held the first “Home for the Holidays”, a Christmas tour which was quite a success. They sold 200 tickets at \$20 per ticket. That money is going to be held in a fund, the Friends of the Winona Hotel. They would like to do in the future tours that would finish at the Winona Hotel. The Garden Club did a wonderful job. They would like to renovate the cottage that is on the property and use the property for horticultural demonstration classes. They are an organization that contributes so much to the village.

Trustee Dean stated: the dredging is good, sewers are good, roads are good.

Trustee Dean stated: I am seeking board approval to authorize the Mayor to write a letter of intent in support of a Shared Municipal Services Grant with the Town of Brookhaven for the development of a system to enable mapping of storm water infrastructure. This is a geographic system sometimes called GIS. It is computers that would map all of our storm water infrastructure. Some of this we are already doing ourselves, but the Town is applying for the grant and our application in the form of a letter would add points to their overall application and we may get some training and some housing information that we would get out of it.

Upon a motion made by Trustee Dean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request as stated above.

Trustee Dean stated: the Mayor, Trustee Crean and myself met with some representatives of Schneider Engineering and they gave us a comprehensive overview of a new and exciting program operated by the NYS DOT. It is a Safe Route to School grants program. This would give us the opportunity to do all sorts of things in participation with the school district and the local police department in terms of infrastructure improvements—construction of traffic calming measures, sidewalks, purchase of speed limit signs, education, printing of pamphlets that would go home with the kids through the school district, and enforcement, possibly paying for additional shifts by police officers to patrol in and around the schools. The aim of it is to get kids out of their parent’s cars and have them walking to school to help increase the overall health of our kids. The cost to prepare this application is \$7,500 and we certainly have the opportunity to getting upwards to ½ million dollars in construction dollars and several thousands of dollars more in education grant money. It is a non-matching grant as well. As you know, many grants are 50/50 or 75/25. This is pretty much a grant if we get approved—actually DOT designs the project if we are approved—we don’t even have to pay for any engineering costs. We spend the money, submit the forms and we get reimbursed.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried the board approved the request as stated above.

Mayor Pontieri stated: what we are really looking to focus on is Bay Avenue School. There are no sidewalks, basically none on Carmen Street, Bay Ave. This grant is specifically put in place for that issue. It comes at a timely portion as we have been trying to address that issue.

Public to be heard:

Pat Welsh, 211 North Ocean Avenue, stated: I would like to congratulate the entire board on all the hard work you did to get the Tri-tec situation closed. Hopefully, it will turn out to be as beautiful as it sounds. I have a recommendation to make. I don't think that someone standing here should have their back to the residents. It is difficult to hear and it is just not timely. If this would be moved one half turn, then they would address both parties. Since you are doing all the work you are doing, I think you should think about the sound system. Sometimes it is very difficult to hear you. About three months ago money was allocated to order caps for the lights on North Ocean Ave. What is the status of that?

Mayor Pontieri stated I asked John Lund to look into that on Friday. If you give Mrs. Seal your phone number, someone will call you tomorrow and let you know the status of that.

Don Wachsmith, 60 Carman Street, stated: Fat Fish is a beautiful idea. A suggestion may be to plant bamboo, it grows tall and fast and thick. It may be a natural buffer. We have some advances with sign pollution. John Lund was ripping out some signs today. Trustee Devlin and I came up with a list of 14 signs and I think he has taken most of them out. The Saturday morning papers is getting worse again. I think during the summer months the people were picking them up but now they are piling up.

Trustee Crean asked: Gail, those Saturday papers that get dropped on the sidewalk. How do the Chamber members feel about that? Do look at something worthwhile continuing or just a nuisance? Could be get a letter from the Chamber that we can forward to the people doing this.

Trustee Devlin stated I am of the mind since they are not a subscription that they are actually litter and as such are in violation of the code. How do we go about enforcing that?

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the board moved into Executive Session at 10:00 p.m.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the board returned from Executive Session at 10:05 p.m.

Upon a motion made by Trustee Krieger, seconded by Trustee Crean, and unanimously carried, the meeting was adjourned at 10:05 p.m.