

Board Meeting

April 9, 2007

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on April 9, 2007.

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

The flag salute was made.

Mayor Pontieri read the safety message

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the Board approved the Board Meeting minutes of March 12, 2007, with change noted that flag salute was led by F. X. McInerney.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Dean, and unanimously carried, the Board approved the Board Meeting minutes of March 26, 2007.

Deputy Treasurer Monte presented bills for the period ending April 9, 2007 totaling \$406,115.26.

General Fund	\$204,085.94
Trust & Agency Fund	\$7,857.87
Capital Projects	\$141,657.43
Sewer Fund	\$40,066.76
BID Fund	\$2,041.32
Housing/Code Fund	\$1,518.02
Community Development Fund	\$4,252.92
General Bills	\$4,635.00
Total	\$406,115.26

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the Board accepted the bills as presented.

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the Board approved budget transfers for the general fund, the sewer fund and the B.I.D to start clearing up accounts for the end of year. The largest transfer is for \$150,000. Because of a sizable reduction in our workers' compensation premium, we were able to pay off a BAN as opposed to renewing it. It is taken off our books for the following year.

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

Mayor Pontieri stated on Thursday, April 12, 2007 we will have a Budget Hearing Meeting at 6 p.m. at Village Hall.

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Monday, April 9, 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 Architectural Review Board to designate property located at 178 East Main Street as a landmark as per Village Code Chapter 93-73 in accordance with Article 21 of Village law. At said Public Hearing any person interested will be given the opportunity to be heard.

Mayor Pontieri stated that 178 East Main Street is the building many of us know as “Madam Guiri’s.” It is the house east of the Post Office, between that and the Burlington building.

Trustee Crean stated: I was hopeful that our Village Historian could be here tonight, but was unable to reach him. As many of you know the property, it could be considered the last of its kind on Main Street. There are not many former residential/commercial structures left on our Main Street. After having a number of meetings with the current property owner and consulting the ARB and speaking to the Village Historian, it is my hope that this Village Board would consider designating this property as a landmark. It gives us an extra layer of review for any future renovations or alterations, in hopes that we could and will be successful in preventing the demolition of that particular property. The current property owner has a sincere interest to convert that into a artist studio where local artists would be able to use the property for work space and gallery space. It’s been spawned by the Mayor’s efforts in trying to attract art space to our downtown and we hope it is the first of many transformations of our square footage downtown to foster the arts. I think by designating this property as a landmark, in addition to it already being a historical structure, would help us preserve that building from the wrecking ball. At this point and time I would like to open up to the public if you have any comments; we would be reserving this decision at this time to the following Board meeting.

Mayor Pontieri stated this is the first of what will probably be three hearings which is how the process works out—there is a waiting period.

Trustee Crean stated at the next hearing, I will have Hans Henke add commentary in addition to his written comments. We will look to reserve decision at this point and time and provide further notices to the public and property owner for the next meeting.

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Monday, April 9, 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 amending Article III of Chapter 79 to provide a continuing exemption from taxation to the unmarried spouses of volunteer firefighters and volunteer ambulance workers. At said public hearing any person interested will be given an opportunity to be heard.

Mayor Pontieri stated: currently volunteer firefighters and volunteer ambulance workers that live within the Village of Patchogue receive a 10% reduction of the assessed value of their house which transfers into their general tax. What this does is saying the tax reduction that they had gotten as being a volunteer firemen, upon their death, their spouse would then continue with that reduction as long as they do not remarry. At the point they remarry, it would go back to full assessed value.

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

Upon a motion made by Trustee Krieger, seconded by Trustee Dean, and unanimously carried the Board approved request to adopt the Memorandum of Agreement between Local 342, UMD, ILA, AFL-CIO and the Village of Patchogue, effective June 1, 2007 through May 31, 2012. The sum and substance of it is, it is a 3.75 per year for 5 years and there are some other things such as uniform allowances which are reductions and additions to those things.

B.I.D. Report – No Report.

Chamber of Commerce Report – Gail Hoag, 15 North Ocean Ave., Patchogue stated: on Monday, April 23, is the Beautification Fund Raiser at the Pine Grove Inn—all inclusive lunch for \$22 and the dinner at 5 and 7:30 p.m. for \$35. This year we are honoring Eloise Straudnger who started the fund raiser 33 years ago—the first one was held at Pat and Jim’s Restaurant. On Wednesday, April 25, at 6 p.m. at the Holbrook Country Club, the Brookhaven Coalition will hold the “Member of Year Award Celebration.” J. P. Brown is the nominee from the Patchogue Chamber of Commerce.

Trustee Krieger stated: I would like to congratulate the Theatre for the great event we had with the Long Island Philharmonic which was well attended and enjoyed by everyone who came. It was very special for the Theatre and puts us onto a new level. The music was fantastic and the performance was great. It is the hard work of the Theatre Board that brings events like that to the Theatre.

Trustee Krieger stated: We have The Nelson Riddle Orchestra coming on April 22nd at 3 p.m. We have Peter Tork from the Monkeys coming on April 21st at 8 p.m. We have the Atlantic Wind Symphony-Spring Spectacular coming on April 29th at 3 p.m. On Monday, April 30th, Jeffrey Wands the psychic is coming. Gateway Playhouse comes in on July 11th—opening up with Dreamgirls.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved request to reschedule Board meeting of May 14, 2007 to Tuesday, May 15th at 7:30 p.m. There is a scheduling conflict with the Suffolk County Village Officials.

Trustee Crean stated: On April 19th the Mayor, myself and perhaps some other Board members and certain members of the Commissioner of Development from the County’s Office will be taking a road trip to Bridgeport. The purpose of the trip will be to visit a site in which art space in conjunction with the City of Bridgeport had redeveloped for artists’ lofts. It will give us a good opportunity to meet not only the residents and artists of the development, but also to meet the community members, e.g. civics, Chamber, and get their feedback as to the benefit of what art space has brought to their community. It will give us a good opportunity to get a sense of what Patchogue could expect once it comes to fruition to our downtown.

Mayor Pontieri stated: The New York Times is going to be doing an article on April 27th in the Real Estate section.

Trustee Crean stated: We had a very thorough interview with Marcel Fishler from the New York Times and gave her some feedback as to process--the survey that’s ongoing, the types of spaces that we are looking to get redeveloped--and she will be coming out on April 20th to do a little site visit as well.

Marion Russo stated: On April 20th the Sustainable Long Island is having a sustainability conference at Stony Brook University. There will be a number of community development agencies and people from the County there.

Trustee Hilton stated: Tomorrow we are posting notice of bid for removal and installation of filtration recirculation control and chemical equipment for the Patchogue Village Pool located on Maiden Lane. The filter room was made when I was made in 1953. The contractor will remove the existing system and provide pool filtration recirculation equipment and necessary work to completely install specified equipment as indicated in the bid package. The Parks crew has been nursing the filter system for a couple of years.

Trustee Hilton stated: Regarding the Halycon Manor report, we had the asbestos tiles removed and we successfully exposed the original oak floor. We also went out to bid on 380 and removal of that asbestos as well. Men are down there every day so anyone may stop and look around if they have the opportunity. The Village Parks Dept. as well as with Highway help has worked pretty much the winter on their own without any outside help to bring the building to the position where we can now go out to bid on the HDAC, sheetrock installation, windows, etc. They have completely gutted the building from top to bottom and done a fine job. My compliments.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved request for PMYCS to use the Rider Avenue tennis courts on Saturdays from April 28th – June 16th from 10:30 a.m. to 12:30 p.m.; and request for Holy Angels Regional School to use Shorefront Park & Rider Avenue Complex for their annual Walkathon, Friday, May 25th from 9 a.m. to 2 p.m.; and request for Grace Gospel Church to use Rider Avenue fields for their annual softball camp, August 27th – August 31st from 9 a.m. to 12 p.m.; and request for Stony Brook Sigma Alpha Mu to use Shorefront Ball field on Saturday, April 21st from 9 a.m. to 5 p.m.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved request for the Cemetery Committee to hold a garage sale in the Terry Street parking lot on June 2nd (rain date June 3rd); total time is 8 to 5. The yard sale will be from 10 a.m. to 4 p.m. We are requesting that we will be able to cone-off half the parking lot, corner of Terry and South Ocean.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the Board approved list for the 2006 Service Award Program for the Patchogue Ambulance Company.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the Board set a Public Hearing date of April 23, 2007 to consider amending Section 56.11 to require proper advertising for sale of homes in a manner consistent with the approved number of rooms. We have seen a lot of people, when you pick up Newsday or some local paper, where the card has it as a 3 bedroom house and it is sometimes advertised as 5 bedrooms. It is another mechanism to help conversion of the minds of some of the residents or people who sell houses in the Village.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Krieger, and unanimously carried, the Board voted to authorize the Mayor to enter into a lease agreement between the Inc. Village of Patchogue and Patchogue-Medford Youth and Community Services for the property at 380 Bay Avenue.

Mayor Pontieri stated: Patchogue-Medford Youth has been upstairs next to the Patchogue Theatre on the second floor for the past 10-12 years. This 380 is part of the Halycon Manor. They are doing all the lease hold improvements, including a new roof on the building and all of the renovations to the interior building. Our responsibility will be the exterior to the building and the amount will be consistent with what they have been paying to date for the property on East Main Street.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the Board voted to set a public hearing on April 23, 2007 to consider amending Chapter 56 of the Village code regarding presumptions, penalties and enforcement for violations of the Chapter. Basically, this section of the Code deals with our rental law. We all know what boarding houses are and this is just another mechanism to tighten the legal definition. Some of the more salient points of this we are going to add the subdivisions: two or more gas meters, water meters, vehicles parked overnight. It

also addresses things that are advertised as boarding houses or rentals, number of rooms for rent--it's pretty voluminous and sets pretty hefty fines. It is going to authorize the Village Attorney or designee of the Village Board to institute actions in the Supreme Court to shut these houses down. It is something we do already, but this will codify what we do and practice.

Trustee Devlin stated: I have recently been appointed to the CDA Agency Board and in conversations with Marion Russo, we both thought it would be a good idea to have Marion come and speak to the Board briefly and give us an overview of what the CDA does and has been doing.

Marion Russo, Director of Community Development, stated: I asked for this opportunity because this week is Community Development Block Grants week. The National Community Development Association has asked those of us who work with CDBG funds to address our Boards and the public to explain exactly what CDBG funds are because Community Development Block Grant funds are important funds that we use in order to do economic development within our community. And as with most things that are good, they often get cut and this is one of the programs that may be subject to change or reduction. The President has, in fact, in his proposed 2008 budget recommend another cut of about seven hundred million dollars to this program and also another way to evaluate how funds are allocated to communities.

Just to give you some background, our Village receives a grant of over \$200,000 each year through Suffolk County. Suffolk County is considered an entitlement community; so they are entitled to a certain amount of CDBG funds which they allocate to the communities within their consortium which are all the towns and municipalities in Suffolk County except for the Towns of Babylon and Islip who get their own allocation of funds. The funds come through the Dept. of Housing and Urban Development and they can be used for a wide range of community development activities directed towards revitalizing neighborhoods, economic development and providing improved community facilities and services, including acquisition of real property, rehabilitation of residential and non-residential structures, construction of public facilities, improvements such as water and sewer facilities and streets, neighborhoods centers. We are hoping to use some of our CDBG funds to assist with the Winona Hotel Community Center. In the last few years approx. \$50,000 to \$35,000 has been used towards code enforcement. Code enforcement assists our Department with making sure that our Section 8 rentals are up to housing quality standards, but it allows us to use those funds for other enforcement proceedings for the code officers to go out. So we do make that contribution, we take an administrative fee which helps our CDA office run and we provide various services to the Village in an "as needed" basis and we help administer the funds that we receive from the County.

To give you an idea of what we have done with the funds so far, the CDBG funds have been used for the Terry Street parking lot, total redesign and rehabilitation of the Belzak Park, West Lake lighting project, we allowed sewer hookup to families with low to moderate income, Rose Ave. parking project, Recreation parking lots, Rider Avenue Park ballfield improvements, completely redesign and renovate Father Tatora Park, Four Sisters Park at Shorefront we completely redesigned the fencing and installing bleachers and flagpoles, funding for the Patchogue Theatre marquee project and renovations and electrical work as well as other general construction project. We assisted in the rehabilitation of the Four Sisters tennis courts on Boyle Lane as well as replacement of the tennis court fencing. Refurbishment of the Church Street parking lot. Purchase of period lighting for South Ocean Avenue. Refurbishment of the Fire Dept. and Village Hall parking lot. Currently, we are working on the big project, the bandshell. We have used over \$500,000 of CDBG funds to build that bandshell. Those were funds that were

accumulated over a number of years. We allocated those funds through the County approval. We hope the bandshell will be done by the end of May and we will have a ribbon cutting. We are getting a lot of interest about the bandshell; you can go to Monolithic.com you can see pictures of the bandshell. We also have an affordable housing project. The County has provided to our office a property that they received through a tax foreclosure, 48 West 6th Street, and as soon as we get approval from the County that we have approval of our 2007 funds, we will be able to go forward with that project. That house will be renovated fully and then will be sold in a lottery to someone who meets our affordable housing requirement.

We go to the CDA Board and they help us and work on those projects and we are always open to have the public come forward. The tennis court fences and repaving were done a couple of years ago because my husband and I came to a Board meeting a few years ago and asked for that. We are willing to hear the public on projects that they feel should be done and we can do projects that assist the public and help with our economic and community development here in Patchogue.

Mayor Pontieri stated: It really is amazing the amount that the CDA gets done with the limited kind of money that they have. The amount of work and time that your Board puts in is very much appreciated.

Upon a motion made by Trustee Devlin, seconded by Trustee Dean, and unanimously carried, the Board approved hiring of Carmen Maldonado as CDA Section 8 Coordinator at \$35,000 annually starting April 24th.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved request by Finest Fitness Health & Sports Club to hold the 1st annual Health and Wellness Expo on Saturday, June 30th from 10 a.m. to 5 p.m.

Steve (unknown) stated: Finest Fitness is interested in holding its First Annual Health and Wellness Expo. An event such as this would be instrumental to the strong movement to promote Patchogue and the surrounding businesses. The weekend would involve special events and seminars, exhibitors and booths, workshops and demos, and tons of raffles and prizes. Our concept would be to educate the public and host a fund event. The event would promote all aspects of health and wellness with the focus on encouraging families and participants of all ages to lead healthy lifestyles. The event will consist of the following: restaurants and healthy menus, cooking demos and nutritional advice, seminars and lectures by industry leaders, health and beauty, supplements and holistic approach, chiropractic and massage, complimentary healthcare screenings, fitness and exercise, kids safety and activities, interactive demos, free product samples. This event would strongly advertise everything that Patchogue has to offer and enhance the area's business. We would like to hold the event in the parking lot directly behind the Finest Fitness and Napa auto parts location. We predict an excellent response by holding the event and predict a demand for a repeat in the coming years. We would like to hold the event on June 30th between the hours of 10 a.m. and 5 p.m.

Mayor Pontieri stated: You need to touch base with Napa and the other businesses around there. You may want to go only $\frac{3}{4}$ --at least keep the one row, so people can come off of Rider. We will take a look at it. DPW can use barricades.

Trustee Devlin stated: I had John Lund take out the sick trees behind the Theatre. We had three with very small planting beds. What we did was eliminate one completely and took the other two beds and carved out a really nice planting area. Plans are to work with the BID and the Beautification Committee. BID will take care of the watering. The next

Conservation and Tree Committee meeting is April 26th at 7:30 p.m. We will be planning our tree inventory. One of the steps involved in becoming a Tree City USA through the National Arbor Day Society, you must perform a tree inventory. Ivan Frank is going to provide us with the information on how to go about this. If there is anyone who would like to volunteer to be part of the group that actually conducts the inventory, you could leave your name at Village Hall with the Clerk. We have to wait until there are leaves on the trees to identify them properly.

Upon a motion made by Trustee Dean, seconded by Trustee Krieger, and unanimously carried, the Board approved payment to Bove Industries, Inc. for the North Ocean Avenue road improvement in the amount of \$130,251.22. The project is going extraordinarily well. Bove is an extremely professional outfit. On the road-raising job on Argyl, Laurel, Campbell and Pine, Bove came in under budget and ahead of schedule. I am not predicting that on this project, but they do conduct themselves in a very professional manner and with as little interruption as possible.

Trustee Dean stated the Village of Patchogue has received its Dept. of the Army Corps. permit to dredge the Patchogue River. This was the last piece that we were waiting for as far as paperwork that would give us to go ahead and dredge and the Major has instructed the contractor to proceed with hast. As soon as they could mobilize and go on site, they will start dredging.

Mayor Pontieri stated in the paper over the last couple of days there has been some articles about dredging and how difficult it is. We are one of the few municipalities that has been able to get a permit from the Army Corps. We are very fortunate. The river hasn't been dredged since 1969; they have been trying to do it for the last 15 years—and it looks like we are going to get it done. We should see them on the river in the next 10 to 15 days.

Public to be Heard:

Donald Wacsmuth, 60 Carman Street, stated I have some pictures of the Newsday garbage supplement found around town on Saturday morning. The first half of the pictures is to show how they are being delivered and the second half is 24 hours later.

Trustee Devlin stated they should at least get them into the driveway or onto the property, not the sidewalk or the street, so the homeowner would have to pick them up. I appreciate your providing us with the photos. Attorney Snead is not here tonight, but we will certainly be speaking with him. We will see what are next course of action is with Newsday.

Bernie Siepman, 72 Wiggins Ave., asked what is going on with this building.

Mayor Pontieri stated: We are having modules being built for the side of the building; it is going out 12 feet to the length of the building. Initially, when we started we were going to refurb the building and move across the street. When we sat down and looked at the numbers as to what it would cost and the cost to manage and maintain the building afterwards, it was about \$250,000 per year more just for utilities, maintenance and security. What we will do along here will cost about \$600,000 so we stopped this piece of the renovation. We are having modules being built offsite because they are less expensive to build off than on site. Building on site entails prevailing wage. And the construction, from what the engineers and architects say, is about the same quality. We will be rolling those things in three to four weeks.

Bernie Siepman stated: With all of these plans that are being drawn up for the public works—village streets, road, sidewalks, etc.—do you have an engineering review board?

Mayor Pontieri stated: Not an engineering review board because a lot of the money is being done with Federal funds which is required by DOT to have an engineer.

Bernie Siepman stated: Before the plans are issued by a contractor to bid on and before the final drawings are made for anything, is somebody going out there and looking at exactly what is being drawn up and is it exactly what we want? Or, is it to just build up the cost of the job.

Trustee Dean stated: When it comes to Federal money, DOT gets the final bite of the apple where all these plans are approved by them and the engineer draws them all up. Before DOT sends us a check, they have to approve the whole project and they have a final review on the project as well. Seeing that it is their money, they do the final analysis of the blueprints. As far as being what we want, we are pretty confident it is what we are looking for.

Bernie Siepman stated: I question the catch/drainage basins that are going in there; they look like leaching basins to me.

Trustee Dean stated: They are not leaching basins; they are over-sized catch basins and that gives us the opportunity for more storm water and sediment collection.

Bernie Siepman stated: I was in the business for 40 years and I don't recognize them as catch basins and why aren't they being tied in with a positive drainage system, being piped from one structure to the other and the water being piped out to wherever you are going to recharge basin.

Trustee Dean stated: It is all supposed to all be tied in to the existing drainage that comes out to Lake.

Richard Kemp, 68 Jennings Avenue, stated: I am glad that engineering was brought up because I reviewed the contract for the North Ocean Avenue project and at the intersection of North Ocean and Thorne Street there is supposed to be a leaching field. I have seen no evidence of any piping that is typically used for a leaching field. North Ocean Ave. is a very sandy soil and is able to be absorbed in sand vs. clay.

Mayor Pontieri asked: Then what you would like me to do is to check with Bove to find out what system they are going to use at the corner of North Ocean and Thorne.

Richard Kemp stated: H2M is an engineering firm that did a project on Roe Blvd.

Mayor Pontieri stated: They have nothing to do with roads. They have been doing sewers, not road projects. They have been working on our sewer plant since 1984 and Frank Russo, the engineer, has been part of that project since 1984 and will continue to be part of that project until we build a new plant. Even though he is an engineer for the sewer he had nothing to do with the diabolical on Roe Blvd. The public was very clearly informed.

Richard Kemp stated: I have to bring to your attention a Patchogue Village law that is flawed. I have ten copies for you. I call your attention to #87-84 Definitions and it describes commercial vehicles and underneath that it describes unladen weight of a vehicle. Now we go down to the next section #87-85 and you will notice where I have highlighted and arrows pointing to a line saying "vehicle having a gross unladen

vehicular weight of 10,000 lbs.” This is an ambiguity in that you cannot have a gross unladen vehicular weight; you have to have one or the other. It either has to be gross or unladen weight; you cannot have both. I have been in touch with the NYS Dept. of Motor Vehicles and they explained it very clearly.

Mayor Pontieri stated: It is duly noted and on the record.

Richard Kemp stated: I have a receipt from the Inc. Village of Patchogue, #58010 dated March 15, 2004 for \$190. I ask for this to be returned.

Mayor Pontieri stated: Small Claims Court.

Richard Kemp stated: As far as the North Ocean Ave. project, I have never seen a more inefficient project. They are opening roads and closing them every night.

Mayor Pontieri stated: Exactly, they must. You cannot leave the road open at night. You don't block traffic for the entire night.

Richard Kemp stated: They should work all night.

Mayor Pontieri stated: I am not going to have them work all night at 3 ½ to 4 times per hour at their hourly wage. It would be a four million dollar project.

Richard Kemp stated I would like to make an appeal to the Cemetery Committee regarding the east side of Waverly Ave., north behind the gas station, where there is a chain link fence. The sidewalk was made many years ago, perfectly level; however, the ground where the graves are (which is 5-6 feet away from the fence) is a sandy area and all the sand is washing away. My blood ancestors family plot and also the Conklin plot does not look very good at all. I thought of what would be the easiest way. I feel you should pour a concrete retaining wall and fill it in.

Mayor Pontieri stated: I will speak to John Lund.

Upon a motion made by Trustee Dean, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned at 8:40 p.m.