

Board Meeting

July 9, 2007

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

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

The flag salute was led by Trustee Dean.

Mayor Pontieri read the safety message.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff and unanimously carried, the Board reserved decision on approval of the meeting minutes of June 25, 2007.

Village Clerk Seal presented Village bills for the period ending July 9, 2007:

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| General Fund | \$157,735.14 |
| Trust & Agency Fund | \$2,764.29 |
| Capital Projects | \$6,217.93 |
| Sewer Fund | \$9,289.51 |
| BID Fund | \$5,885.17 |
| Housing/Code Fund | \$992.31 |
| Community Development Fund | \$5,753.94 |
| General Bills | \$150.00 |
| Total | \$188,788.29 |

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

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

Public Hearings:

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Monday, July 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 amend Chapter 87-82 of the Village code to consider no left turns from Atlantic Avenue onto West Main Street. At said Public Hearing any person interested will be given the opportunity to be heard.

John Grauer, Furman Lane, stated:

Larry Murphy stated:so it's a good layout all the way around. It would help us restrict--the calming effect—I really like that. It would make people slow down and realize they really can't go left—they have to make a left hand turn on Park and take any one of the other six arteries going north to get back to Montauk Highway. And if people eventually, as they will, get used to not making a right hand turn on Atlantic, they will realize that they have to make a right hand turn on any one of those streets to go farther south. No one is really going to go come north to go east to go north to head west—human nature will kick in. It will take a while, but we believe it will happen. So this seems to be a way of achieving a few things—the speeding on Atlantic Ave., volume and

the safety issue, because that is a turn—a very sharp turn—it's the height of a turn. That's where all those accidents happen.

Mayor Pontieri stated: we don't control that side of the street.

Larry Murphy stated: I spoke to the County because they control that side of the street and they are not big on putting up traffic lights---it is the most laborious process to go through. It is the most expensive solution to anything that they have. And from the gentleman I spoke to, he said they would be willing to listen to anything that's a little less cumbersome than putting up a traffic light and going through all that. Since the topographical layout and the geographical layout are conducive to a little widening and maybe a bit more pronounced triangle in that corner, it would accommodate traffic going south as well as traffic going north.... That's a suggestion that my neighbors came up with and thought it deserved enough attention to go take some photographs and show what Islip Town did to solve the same problem. I went there today at the height of traffic and people just got used to the fact that you couldn't take that shortcut to get down to Montauk Highway. You have to go to Nichols Road... If you put up a traffic light, that's not going to get them to stop either because; they'll fly through traffic lights or they will inch their nose out to make that left hand turn. It's that inching out bit that gets you because the topographical layout—the curve is just too pronounced.

Mayor Pontieri stated: the issue that concerns me is that everyone coming from the east—boat trailers and all—are going to come down North Prospect.

Larry Murphy stated: by widening the street and making the curve more pronounced you would invite boats to come down Atlantic, but the boating is not the problem.

Mayor Pontieri stated: the way this is set up here on Sylvan Ave., all the traffic going down Corey Beach has only one way to get there—down South Prospect.

Larry Murphy stated: Blue Point Avenue, also. I have seen boaters put them in incredibly small places. If there is somebody paying them to get it down the street, they will. It is something to consider, other than a traffic light.

Donna Tripirowski, South Prospect, stated: when the two accidents had occurred on Montauk Highway and Atlantic, all the traffic did come down our road. Three different areas lost their lines and we lost our TV and phone lines. A lot of us have little kids living on the street and with the condos going up it would be notorious if we had a no left turn.

Lisa Ford, 49 South Prospect, stated: all of us have a concern with the proposed condos and things going in—I understand your concern about Atlantic. Jen was a student of mine and a friend and it was extremely upsetting to me and a lot of people. There needs to be something done. I am fully into part of it, but you are talking about putting in a CVS and a condo with now an entrance and an exit would be on South Prospect and no left turn.... I just can't imagine staying there. There are houses going up for sale on the block, including myself, because people are afraid of what's to come. It's a great little block with wonderful neighbors. I bought the house three years ago thinking that this is the place we are going to stay and I have really rethought a lot of things and if it turned out that Atlantic had no left and no right turn, there is no way that I would stay—with a condo unit and a CVS with a drive-through and all the traffic on our block; that would be, in my opinion, absurd.

Mayor Pontieri stated: that is exactly why we have hearings when we have them because we could look at something from the prospective of driving by and looking at it. You

look at it from the prospect of living there, as Mr. Murphy does from where he sits. That is why we hold public hearings; we try to bring in the information and to make an informed decision.

Susan Benincasa, 27 South Prospect, stated: the only thing I want to say about the no left turn is that I know it takes a long time and it may be financially a lot of money—but, a traffic light has been needed on the corner of Atlantic Ave. for over 50 years. It is only getting worse. A no left hand turn is going to help; it is only going to get worse. I know it is a laborious process, but I think we need to start it. How many more fatalities do we need on that corner. I think a few things could be done—across on the south side across from Meson Ole, if it was no parking so that when you pulled up on Atlantic Ave. to Montauk Highway, you could actually look left because there would be no cars parked along there especially on a Friday or Saturday night. And the bus stop should be moved. I just don't think it makes sense to send them down to all those other little arteries—they are all small residential streets with children. That is what they are going to do—they are not going to go down Blue Point Ave.

Trustee Dean stated: I would like to thank the residents who came out for this Public Hearing. The thing that we were considering—no left turns—and after hearing the public's comments we realize just how complicated an issue this is and while fixing one, we run the risk of creating other inconveniences and traffic problems and safety issues on the adjoining blocks. I am still not sure that no left turn is not the answer—it could quite possibly be—but, I would like to make a suggestion that we reserve decision until we had the opportunity to have a traffic consultant take a look at Atlantic Ave. and estimate the number of trips it might create on South Prospect and based on those recommendations, revisit this with the community and make a decision then.

Mayor Pontieri stated: I am going to ask the Village Clerk to draft a letter to the County, asking them to consider to move the bus stop and to the Town regarding no parking on Montauk Highway and also ask them to take a look at consideration of a traffic light also.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin and unanimously carried, the Board reserved decision on the above matter.

Public hearing to consider amending Chapter 87-56 of Village Code to remove the no parking restrictions on the west side of North Ocean Avenue between Thorne Street and Cedar Grove Street.

Public Comments heard from: Maureen Campinelle, North Ocean Avenue, Richard Kemp, Jennings Avenue and Mary Kassner, North Ocean Avenue

Proposition was withdrawn. No motion was made.

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Monday, July 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 amend various provisions of Chapter 93 Article 7 of the Village code regarding commercial signage and illumination. At said Public Hearing any person interested will be given the opportunity to be heard.

Mayor Pontieri stated: one of the issues we have been dealing with, the Architectural Review Board and the Planning Board, is the issue of neon signage in the Village and illumination of signage in storefront windows. Currently it is something we restrict very tightly within the entire Village and some of the discussions are area, types and amount.

Trustee Devlin stated: currently we do have neon in the Village—maybe it's non-conforming--pre-existing. The Planning and ARB do not approve of neon. I have had some conversations with them and they are not completely against neon per se. Up for discussion is now is to prohibit anything that has a brand name. We would like to eliminate neon borders. We would like to allow neon with nice taste—such as the Patchogue Diner coffee cup. My suggestions would be to allow neon that does not take up more than X % of the window—but, with ARB approval for the design, just like we do with the signage. We eliminate the borders because no one on the ARB is in favor of the borders and we had discussion on whether or not to allow advertising signage in neon.

Mayor Pontieri stated: one of the things I would like to do now is to discuss in open session and then from what we get from here we can go back and craft with the ARB. So this is really not to pass a resolution tonight, but to discuss those kinds of items that we feel that we would like to see as a Board, as some direction for the ARB to work with.

Trustee Devlin stated: walking around the Village, is it really wise to sunset every backlit box sign. I don't know how much the ARB wants to come down. The issue with neons is they don't believe it has a Village look. It is going to be part of our proposal to allow neon on roads like Waverly and Route 112 and there is a lot of traffic and there might be a reason to catch someone's eye there. But, on Main Street they want to eliminate it. My proposal is to allow some neon within certain parameters and guidelines. I spoke to someone from another Village and what they did was a sunset clause over a three year period. That gave the business owner plenty of time to change over to signs that were conforming. So if you wanted to phase out the backlit signs, painted signs with no dimension which make the sign look cheap. Maybe signs before a certain time are exempt from this legislation, e.g. Richard York, Weiner Shoes; those are kind of funky from a different time period. I think if you bring everything up to date, you run the risk of becoming too cookie cutter. And I think that is what we got with those wooden signs. We already have an ARB that addresses signage. What we are trying to do with this is all get on the same page and address some of these issues that have been up in the air.

Trustee Crean stated: I appreciate your going around town and taking these photographs. We drive past them all the time, but to see them all on an 8 x 11 sheet is helpful. One of the newer and I find to be the most appealing signs is the *Mangia Mangia* which requires not only an artist's touch to it, but investment dollars, to put something of that caliber on a storefront. I am not here to spend anybody's money, but is there a way to restrict neon or lighting to only advertise the business and not the products or services. You wouldn't have coffee cups. If someone wanted to put lighted or neon signs on their front it would be *Gino's Pizzeria* or The Colony Shop. It would not be *Bud Lite* signs.

Trustee Devlin stated: I like something like a coffee cup. With a place like Barbeque, I could imagine a little pig in the window—something artistically done and simple that doesn't take up a lot of space could be attractive. The ARB is there to do the review the taste. On the neon issue, my point is there can be attractive neon and there can be a place for it. That's why I proposed limiting it to a certain percentage of the window—the whole window could not be neon—say maybe 10% or 15%.

Trustee Krieger stated: when everything uptown is lit up at night, it is nice not to have to go past dark stores. I like neon. I want to make sure we are not eliminating it.

Trustee Dean stated: maybe we could set some standards—certain percentages.

Trustee Devlin stated: it's open for discussion that we have a clause in here to sunset certain types of signs. After looking at my pictures, maybe you could come up with a

definition of what we should sunset. I was thinking of signs that were flat with no dimension--if they are wooden they have no dimension—you see a number of examples of that. A number of these you see were approved not too long ago.

Mayor Pontieri stated: nothing will change with what is already there. The other piece of it, as importantly, is do we restrict and be a little more lenient on Route 112 and Waverly where the speed is a little greater and is a little more honky tonk in its own way.

Trustee Devlin stated: we could reserve decision on this portion of this—just give me your thoughts and suggestions and maybe we can have a meeting with the ARB and the Village Board to have further discussion on this before we come back.

Trustee Crean stated: is the problem objective opinion and there is no standard and that is what needs to be defined.

Trustee Devlin stated: I don't know if some of these predate the ARB. But, there have been situations with storeowners who have been told not to put neon in their windows and have done so anyway. And there have been contentious situations going on.

Mayor Pontieri stated: the ARB doesn't work with a strict set of definitions to work within. Melissa and Mary deal with it at every meeting. If they could say to someone who is making an application, "if you are going to do this then it must be no bigger than this." Or, "in this section we only allow this. If you are on Route 112 you can have that." They are trying to get some control over design, but the code doesn't allow that control because it is very nebulous and it becomes a battle for them. And it is not very fair to that Board. That's the genesis of this. That's why I wanted it to be a public discussion, so we as a Board can have the opportunity to think it through and set up that meeting like you said.

Trustee Devlin stated we have one other section which I don't think we will have much debate about because there was a lot of model codes to follow and we were able to come up with something that I think probably the rest of the Board will be in agreement on. This has to do with paper signs and I think the issue here is with the tremendous amount of clutter that you find in the windows in terms of paper signs what we have come up with is: 1) In no event will paper signs be put up on the exterior of any building; 2) paper signs may be used within the interior of a glass pane windows, but if so used, shall not exceed 25% of the area of the total glass and shall not number more than two per frontage without obtaining approval of the ARB. If they would like to get approval of the ARB, let's say *Payless Shoes*--there have four signs and they have been that way and they are very nice. They do take up more than 25%. I wouldn't want to have to limit them. I don't think that's not the problem that we are trying to address—those are professionally done signs; 3) And, in no event can they be handwritten. We have the situation with storeowners just writing things with Magic Marker on construction paper and putting them in the window—it is a very unprofessional look. Those are the types of things we are trying to eliminate. The 25% is of the entire glass—that 25% came from other village's sign codes. The last thing as far as sun-setting is the sandwich boards. The ARB and myself definitely feel they should be eliminated. First of all, the sidewalk is extremely narrow there and from the pictures you can see they jut out into the space. If somebody was disabled or in a wheelchair they would not be able to get by and I am always concerned about winds and storms. I think that there are other ways that we could suggest to these storeowners that they maintain their visibility and it would be a suggestion that I bring to the Chamber of Commerce and the B.I.D. that we start to move towards, in addition to the signs, the perpendicular signs that hang out on the brackets. I have to try and work with some of the sign companies in town to make up some mockups that we can bring to some of the meetings and get people on Board.

Trustee Crean stated: if you go to Sayville, you will see at a jewelry store just west of Candy Ave. a beautiful example of something that you are referring to.

Trustee Devlin stated: they normally do not allow stick-on letters, but people put them up anyway—that's another area. Again, we could make that like paper signs—no more than 25%--or eliminate stick-on letters. Why don't we reserve decision and set up a meeting between ourselves and the ARB?

Laurie Campanelli, 191 North Ocean Ave., stated: I think we have to let the subjective opinion of the Review Board rule on the neon signs because even if you say a small sign, say 10% of it, you get like a smoke shop in their with a cigarette with smoke leading out of it—I think that would be really offensive. It doesn't say a brand but it does give an opinion and something that we really don't want in the Village. Maybe what they need to do is come before the Board and tell them what their idea is and have them have the leeway to approve it or not.

Trustee Devlin stated: that was my suggestion. It should be like any other signage—that it is still ultimately up to the Board, but at least with some guidelines because now those guidelines are very nebulous. They would still have the final approval.

Joe Toveria, Patchogue, asked: would it be necessary to include a provision for storeowners to put up posters like when we advertise Theatre shows, etc.—that's going to take up more than 25%--promoting something like the Theatre—and then it will take up more than 25%, but temporary in nature.

Trustee Devlin stated: we will add it to the list we have to discuss.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff and unanimously carried, decision was reserved on the above matter.

Mayor Pontieri stated: I would like to request approval to set up a Public Hearing to consider a request for a change of zone for a proposed project known as "West River Landings," the property located at Bransford Street and River Avenue. It is currently the US Tape Company. There is a proposal that has come before us for the redevelopment of that property.

Upon a motion made by Trustee Devlin, seconded by Trustee Crean, and unanimously carried, the Board set a Public Hearing for 9/24/07 to consider request for a change of zone for a proposed project known as "West River Landings" for property located at Bransford Street and River Avenue.

Upon a motion made by Trustee Devlin, seconded by Trustee Dean and unanimously carried, the Board set a Public Hearing 9/24/07 for consider relief of the moratorium on the river corridor for development of "West River Landings."

Upon a motion made by Trustee Devlin, seconded by Trustee Dean and unanimously carried, the Board set a Public Hearing for 8/27/07 to consider request for a change of zone for a proposed project known as "Atlantic Avenue Developers, LLC" for property located on West Main Street between South Prospect Avenue and Atlantic Avenue.

B.I.D. Report – Dennis Smith – No Report

Chamber of Commerce Report – No Report

Trustee Krieger stated: there was a wildly successful concert for *Live in the Lobby* on Thursday—they raised over \$1,000. Thanks to the volunteers of the Theatre that were there who work tirelessly. That money is going into the lobby of the Theatre. Also, the Theatre had their first event of *Alive After Five*—they had some of the bands playing on the Roe property—although it did rain, a lot of people stuck around. Officer Costello did a great job. I urge everyone to come.

Starting Thursday, Gateway Theatre comes in with *Dreamgirls*. Everybody I speak to say it is a fantastic show. We will have a code officer stationed in the parking lot during the matinee just to make sure people don't park in the two-hour parking stalls because we are going to give out tickets. One of the things about the Gateway matinee crowd is that they do have lunch and shop and spend some time on Main Street.

Mayor Pontieri stated: there are a number of children shows coming into the Theatre at 10:30 a.m. and 1 pm on Saturday. They are quality and well done Gateway productions.

Trustee Krieger stated: I think not only Gateway, but we have 12 children's programs coming up over the next year and a half. And they are quality programs and entertainment- a good way to spend the afternoon. You can go on the Patchogue Theatre website and add your name to their e-mail list for press releases. One thing that is going well is that we are selling a lot of gift certificates.

Upon a motion made by Trustee Krieger, seconded by Deputy Mayor McGiff and unanimously carried, the Board approved request for the residents of Lee Avenue to hold their annual block party on Saturday, August 4th from 1 to 11 p.m. with live amplified music from 5 to 10 p.m. and to waive the alcohol restrictions.

Upon a motion made by Trustee Krieger, seconded by Trustee Dean, and unanimously carried, the Board approved request for the residents of Wiggins Avenue to hold their annual block party on Saturday, August 18th from 11 a.m. to 12 a.m. and request that the alcohol restriction be lifted.

Upon a motion made by Trustee Krieger, seconded by Deputy Mayor McGiff and unanimously carried, the Board approved request for the residents of Mainsail Drive to have a block party on August 11th (rain date Saturday, August 28th) and waive the alcohol restriction.

Trustee Crean stated: with the number of condominium projects coming before our Board, one of the things I would like us to consider is having a public hearing to review the parking requirements pursuant to our Village Code 93-17. They are 1 1/4 per unit. One of the things I would like to consider and have a discussion on is as to whether or not garages should be considered a space for these new developments. A lot of these units do not provide basements or attics for ample storage for these new residents and one of the things that I fear is that in the future these proposed garages that should be housing a car, won't be housing a car and cause a spillover effect in the neighboring areas. What I would like to do is to set a date to consider amending our code regarding parking requirements for townhouse developments. Whether it talks about square footages and storage space vs. living space or storage space vs. garage space, it is one of the things we need to look at to make a proper decision.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff and unanimously carried, the Board approved request to set a Public Hearing on 8/13/2007 to review parking requirements pursuant to Chapter 93-17 of Village Code.

Trustee Hilton stated: we are removing the asbestos shingles off the sides of the Halycon Manor and exposing the clapboard and then we will be able to determine the next step in restoring the siding. We had our third concert at the Bandshell and it went very well. I would like to thank Marian Russo and John Lund in helping us bring that project to its final stages which is right now the grass. I think the residents of the Village will appreciate having it.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff and unanimously carried, the Board approved request for additional summer staff as per list presented.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff and unanimously carried, the Board approved request for Grace Ministries to hold a service at the Band Shell on Saturday, August 4th from 5 to 9 p.m.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff and unanimously carried, the Board approved hiring Chris Hensen as Basketball Instructor at \$7.15/hr.

Upon a motion made by Trustee Hilton, seconded by Trustee Devlin and unanimously carried, the approved hiring Hannah Friend as Lifeguard-WSI at \$10.00/hr.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff and unanimously carried, the Board approved request to close the south side of Main Street for Great South Bay Powerboat Display on Friday, August 24th from West Avenue to crosswalk in front of Library from 5 to 10 p.m.

Upon a motion made by Trustee Hilton, seconded by Trustee Dean and unanimously carried, the Board approved request for the Great South Bay Yard and Craft Sale on July 25-29 at Shorefront Park in support of the Friends of Shorefront Park Playground Committee.

Trustee Hilton stated: Deputy Mayor McGiff and I have been discussing the possibility of creating a Park Ranger type position in order to patrol the parks to control some of the vandalism we have had at Shorefront, Halycon, Band Shell and the pool. I would like to entertain discussion on that in the future so that we can perhaps have a permanent position for someone to patrol just that area. The vandalism is outrageous. Code has been doing a wonderful job, but same as always, as soon as they disappear the kids come out of the woods and destroy everything. We have had extreme vandalism at the pool which prevented opening the other day and once again the bathrooms at Shorefront to the point that we had to have a plumber there all day.

Deputy Mayor McGiff stated: last week, Wednesday through Sunday, we put an extra code officer on just to patrol that area. I spoke to Trustee Hilton about creating a title, Park Ranger, because it might almost be usurping the power of the County. But, if we can get a code officer dedicated to patrol the areas just mentioned, we might be able to do it.

Trustee Hilton stated: some of the funding for this could possibly come from the midnight to six shift at the dock which could possibly be eliminated if we were able to have code enforcement and use the dock as a stationhouse.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Dean and unanimously carried, the Board approved request authorizing the Village Justice Court to apply for a grant through the Justice Court Assistance Program.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Dean and unanimously carried, the Board approved request for Debra Newham and Nancy Auer to attend the annual Court Clerk's Conference from September 30th to October 3rd at a cost not to exceed \$1,000 per person.

Mayor Pontieri stated: one of the issues addressed by both the NY Conference of Mayors and actually the Assembly and State Legislature is that a lot of the small courts have had some very serious problems and it is extremely important that we put this in place and allow them to go.

Deputy Mayor McGiff stated: it has been extremely slow in Bldg. & Housing, but last week we identified another illegal boarding house and we moved to get them into compliance. We have a couple of other houses that are on the radar and are sitting down with our Special Prosecutor Brian Egan and will be hitting those places in the next two or three weeks. A lot of these places crop up in the warmer months and we are taking steps to eradicate them.

Trustee Devlin stated: on July 26th the Local Waterfront Revitalization plans to have its first public information meeting at Village Hall, 14 Baker Street, at 7 p.m. I would also like to announce that The Friends of Winona which is a subgroup of the Friends of Shorefront Park which is comprised of members of the Garden Club will be sponsoring their First Annual House Tour called "Home for the Holidays" on December 9th at 2 p.m. There will be more information forthcoming. This will be the first fund raiser to raise some money toward the renovation of the small cottage next to the Winona Hotel.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff and unanimously carried, the Board set a Public Hearing on July 23, 2007 at 14 Baker Street, Patchogue, New York, to review garage requirements for all residential property pursuant to Chapter 93 of the Village Code.

Trustee Devlin stated: in my time on the Planning Board and attending Planning Board hearings, I have observed that this portion of the code sometimes imposes an onerous burden on some homeowners, in that if you have a garage you are required to maintain a garage. I have noticed a number of people coming before the Zoning & Planning Boards where their garage was maybe quite old, their property is very small, and for whatever reason—the garage either collapsed or fell down—there really wasn't adequate room to build a new garage to current code for many reasons. I would like at a public hearing to review those requirements and maybe make some exemptions.

Mayor Pontieri stated: there are issues where many of these barns and garages were built early in the 1900's on some properties there are 60 x 75 with side yards of 8 feet—not enough room sometimes to get a driveway down one side of a house to the garage that we are requiring him to build because he already had one. This is to rectify some of those inequities and those problems and I think even in this one case since the garage went down, they put cesspools and the only place you could put the garage is on top of the cesspools.

Upon a motion made by Trustee Dean, seconded by Deputy Mayor McGiff and unanimously carried, the Board approved request to go out to bid for fuel oil contract for Village buildings.

Trustee Dean stated: we need to install an additional pullbox on the southeast corner of North Ocean Avenue and Oak Street; we need to mill and dispose of existing asphalt pavement; and we need to install two additional inlaid ... crosswalks that are reflective.

That amount is \$14,600 and I believe that we are going to get a substantial amount of that back from the B.I.D.

Mayor Pontieri stated: when they do the additional crosswalks under the new project, they are inlaid and reflective ones. The same ones are going to be done before the Library and the Brickhouse. The B.I.D. two year's ago had approved funding for the one in front of the Library, so we are actually basically adding one which has not been funded through the grant.

Trustee Dean stated: additionally, we are looking to mill and dispose of asphalt and overlay sections of North Ocean Avenue and Main Street and a 100 ft. section along Oak Street with a 1 ½" thick asphalt top course and the same thing would be a 1 ½" asphalt sidewalk along the west side of North Ocean Avenue, just north of Main Street. The grand total is \$45,700.68, less the B.I.D.'s contributions.

Mayor Pontieri stated: in terms of that asphalt, it is those areas around the old Swezey Dept. Store and the ones around Oak and North Ocean; hopefully, there will be something happening on both of those properties. It doesn't make sense to spend any more money on lights and new concrete if there is the possibility of some heavy construction going on and then to have them take it apart.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin and unanimously carried, the Board approved a Change Order for the North Ocean Avenue Road Improvement Project in the amount of \$45,700.68.

Public to be Heard:

Donna Trpicovsky, 16 South Prospect, stated: I would like to be put on record as being opposed to any change of zone permitting of condos or multi-family dwellings on our block. The original proposal of condos was in the Business District only. Any hardship that may be addressed was created by the applicant. To change the zone to a multi-family dwelling will alter the characteristic of our neighborhood. I purchased my home in the area and since then I have made many improvements in my home. Residents who are within the proposal stand to benefit from a zone change while we risk having our houses devalued, increased safety issues, not to mention ... of a single family neighborhood. Please look after our interests and preserve the characteristic of our neighborhood if you could.

Mayor Pontieri stated: I would like you to come back for the Public Hearing on July 27th and put it on that record.

Paul Siepman, attorney for Patrick and Theresa Shortell, stated: it is my and their hope that by appearing tonight, it will make the Board aware of a certain situation and also the seriousness and the extent of frustration that my client's have encountered with this situation. I am speaking about the number of unfounded complaints that have been lodged against them through Village Bldg. Dept. code enforcement.

Mayor Pontieri asked: are those complaints lodged by the Bldg. Dept.?

Paul Siepman stated: no. The Shortells moved to Patchogue about 7 years ago. I met them first—they live on Rider Ave.—they did a beautiful renovating and adding an addition to their house—never had any problems with the neighbors. About two year's ago they moved south in the Village to our beautiful waterfront and once again they are trying to live a happy, peaceful life—the American dream that everybody wants. Unfortunately, some neighbors—there is no need to name names tonight on the record,

but some of the Board members know who I am speaking of—many of the Village Bldg. Dept. personnel specifically know who I am speaking of, have undertaken a concerted effort and have been consistently harassing them and using the Village Bldg. Dept. as a tool of that harassment. It got to the point that it was so bad, almost exactly one year ago, that I filed a FOIL request with Ms. Seal to obtain the Village Dept. records trying to identify these individuals to go at them directly. Unfortunately, it came to light at that time that the Village Bldg. Dept. accepts anonymous complaints with absolutely no record keeping as to a specific time that could be matched up to a phone call, no names required, nothing. So that these specific individuals call in to phone in a complaint, if that complaint is found to be unfounded and if it is done consistently by that individual or individuals who call and make unfounded complaints, it cannot be traced back to them. We had worked out an informal resolution which worked for awhile whereby when a complaint came in, Carol would run it by Trustee McGiff. For some reason something in the Bldg. Dept. has broken down and even now most recently my clients have been the subject of, I believe, four complaints within the past five weeks. There is Bldg. Dept. records which clearly show that there is a Bldg. Dept. investigation going on and each complaint that was lodged was unfounded. I am not saying every single one was, but some of the complaints that were founded was that their trees over the sidewalk weren't trimmed to 7 ½ feet over the sidewalk. The fact that I am 6' and could walk under it apparently didn't make a difference. Some of the other complaints were that they had improved the sidewalk area—there is no sidewalk along their side of the street, but they had a flowerbed and they had to remove the flowerbed because it encumbered the sidewalk. Mind you, they live on the corner of Maiden Lane and Cedar Avenue and there is no house to the south of them—there is no sidewalk on their side of the street. It didn't stop the Bldg. Dept. from doing their job, most specifically because these neighbors who complain will follow-up with a phone call and ask what did you do, how come you didn't go down there and cite them. We are hoping that by coming tonight and making the Board aware, some discussion can be had to come up with some plan whereby any Village resident who is the subject of harassment like this can at least have an avenue of obtaining official records clearly identifying the people who are undertaking this behavior so they can go after them civilly. Because otherwise, my clients who have loved the Village have no desire to drag the Village into litigation but will have no other recourse but to file an Article 78 petition to compel the Village to either cease being used as a tool of these individuals or to not accept these complaints without some kind of identifying information from the complain tents.

Deputy Mayor McGiff stated: we spoke today and essentially as you know, this is a neighbor dispute and it is really despicable that in this day and age that people in these beautiful waterfront homes engage in this type of behavior. I have instructed the Bldg. Dept. that there should be no more anonymous calls. That's really a double-edged sword because so many of our calls about illegal housing are anonymous. I told them to use their judgment on that. I agree with you that valuable limited Village resources are being used for this neighbor dispute and it is taking away from our focus on illegal housing which we really are in vanguard of the Town and the County—we closed more houses than the Town of Brookhaven with about three people working. That being said, we don't want to engage in selective enforcement. I think we are going to combat this by using some common sense—seeing who is calling, what it's about, if it is one of these repetitive calls that we get about flower beds, trees and bushes, it is going to come to me and I am probably going to call you or we are not going to respond to it because we have better things to do. That being said, it is going to apply to your clients also. They haven't been engaging in this, but I just want to make sure they don't do it in the future. I guess what is going to happen from this point forward, no more anonymous calls, reports are going to be taken. You know who these people are. I think all the people we are eluding to have attorneys and it is probably going to come down to a private nuisance lawsuit in Supreme Court. I thank you for calling me today and if it happens again, call

me. The Board said today that our employees are not going to be used as a tool in essentially a neighbor dispute.

Richard Kemp, 68 Jennings Avenue, stated: at the last meeting when Deputy Mayor McGiff was chairing the meeting, he made a motion to appoint a job for John Ashline with the Patchogue Theatre with a salary of \$24,000 a year which is roughly \$500 per week.

Deputy Mayor McGiff stated: I did not make that motion. The Mayor was here for that portion and then he took a leave of absence and I sat in his seat. Please say it the way it happened.

Richard Kemp stated: I ask you Mr. Mayor to make a motion to reconsider that because the taxes in the Village of Patchogue are astronomical.

Mayor Pontieri stated: that the Theatre in the Village of Patchogue will gross probably over two million dollars next year. We have one paid, full-time employee at \$52,000. We have four people that work in the box office at \$15.00 per hour for six hours a day, six days a week. We have one custodian part time. We have a sound man and a rigger paid by whoever is putting the show on. We are running a two million dollar operation on less than \$100,000 worth of salaries. The \$24,000 that Mr. Ashline will get as Executive Director will be coming from the funds of the Theatre. They will raise the money and they are paying the Village \$4,000 a month--\$2,000 for Mr. Ashline and \$2,000 coming into the Village that we will be bonding to repair the roof that has a leak in it. It is as many hours as it needs for him to get done whatever needs to get done to manage two million dollars—it is a good deal.

Richard Kemp stated: I have never been to the Theatre.

Trustee Krieger stated: to bring in an Executive Director would cost about \$80,000—somebody that would do the things that John does right now. His pay is not coming from Village taxes. If you knew anything about the Theatre, you would know that over the last two years that Theatre has gone from being in debt to making a profit and bringing maybe 100,000 people into the Village of Patchogue.

Richard Kemp asked: why haven't my taxes turned around and gone down, but have gone up?

Deputy Mayor McGiff stated: health care and paving roads.

Richard Kemp asked: so in other words, all the grants that you got from wherever you got them, Patchogue still had to kick in a lot of money?

Mayor Pontieri stated: there hasn't been a road paved in this Village, besides Main Street about five years ago and South Ocean Avenue, in 30 years. We are rebuilding what hasn't been built in 30 years; we are trying to do it in three years. Mr. Kemp, sometime during the end of March or the beginning of April we will be having a budget meeting; that is where you debate budget and taxes. You don't debate them after the fact.

Richard Kemp stated: the position of a Mayor and Trustees are to act in the best interests of everyone. And when you see tax bills going up and doubling in seven years something is wrong.

Don Wacsmith, 60 Carmen Street, stated: Ocean Avenue is beautiful. We see constant improvements in the Village. Property values I am sure going up with your home values.

Things are changing. I see it every day. People are taking interest in their homes. I think we have a common denominator here who is causing this. I think we have to thank our Board members and maybe not criticize constantly and applaud their foresight, applaud them for their efforts.

Melissa Gilligan, 59 Amity Street, stated: I wanted to mention something about parking on Amity Street. A few years ago, around the same time they did the restrictive parking on West Avenue they did restrictive parking on Amity Street too. I don't know why, nobody asked for it, but they did it—there was overflow from the ferry, people would park there for the weekend and it's there now. We have a serious parking problem on Amity at Cedar. I was at a friend's house on July 4th a few houses down on Cedar and he mentioned that nobody in his family goes on Amity because the parking on the corner of Amity at Cedar is so bad. Now it's restrictive parking—me and all my good neighbor's come down to Village Hall and get our stickers like we are supposed to and get guest passes for our visitors. But towards the corner end of the street, nobody does that too much—there are construction vehicles overnight, there are big landscaping trucks parked there all the time. I drive a big school bus and I can't even turn the corner in that bus, because you can't fit down the road. If we are not going to enforce the signs, they take them down. The restriction is Thursday through Sunday, May through Nov. They live in the big apartment house on the corner in the blue house—a lot of it is overcrowded housing.

Upon a motion made by Trustee Dean, seconded by Trustee Hilton and unanimously carried, the Board adjourned the meeting at 9:50 p.m.