

Board Meeting

February 12, 2007

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on February 12, 2007.

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

The flag salute was led by Ed Halverson.

Deputy Mayor McGiff read the safety message

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the Board approved the meeting minutes of January 22, 2007.

Upon a motion made by Trustee Devlin, seconded by Trustee Dean, and unanimously carried, the Board approved change in minutes of March 8, 2004, that reads “southwest” to say “southeast.”

Village Treasurer Krawczyk presented bills for the period January 3<sup>rd</sup> through February 12, 2007, \$360,918.34.

General Fund	\$224,907.97
Trust & Agency Fund	\$11,444.69
Capital Projects	\$11,791.63
Sewer Fund	\$78,502.33
BID Fund	\$5,447.86
Housing/Code Fund	\$1,302.25
Community Development Fund	\$5,810.86
General Bills	\$21,710.75
Total	\$360,918.34

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

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

Upon a motion made by Trustee Devlin, seconded by Trustee Crean, and unanimously carried, the Board approved a General Fund loan to the Housing Code Fund \$2,879.79 and to Community Development \$21,538.60. Treasurer Krawczyk stated we will be reimbursed.

Treasurer Krawczyk stated we have the balance as of January 31<sup>st</sup> for your information. I would also like to say that we are in negotiations at this point to possibly sell our interest in our cell tower for quite a substantial sum. You will hear more about this as time goes on.

Deputy Mayor McGiff stated there are no public hearings tonight.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried the Board accepted with regrets the resignation of John Blake from the Planning Board.

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the Board approved an additional \$5,500.00 for Bove Industries to install a sewer manhole for the North Ocean Avenue Road Improvement Project.

B.I.D. Report - None

Chamber of Commerce Report – Gail Hoag, North Ocean Ave., stated I would like to let you know of some of the events we have going in the month of February. Tomorrow night we have Speed Networking at West Lake Inn from 6 to 9 pm; it's \$15. We had one last month. Everyone gets to tell about his business—they go from one person to the other, supposedly talking 30 seconds. On Feb. 17<sup>th</sup> at 8 p.m. we have a Ronan Tynan Concert at the Patchogue Theatre; there are still tickets available at the Patchogue Theatre Box Office. On Feb. 25<sup>th</sup> we have Passing of The Sash at 1 p.m. upstairs at the Brickhouse and are having a soda bread contest. There will be music, step dancers and Brian Egan is the Grand Marshall for this year. Feb. 27<sup>th</sup> is our next general meeting. Ed Lowe, the columnist, is our speaker at the Theatre Lobby at 7 p.m. There is no charge for that. If anyone is interested to coming to any of these events they are open to the public; call at 475-0121 or e-mail at info@patchogue chamber.com.

Greater Patchogue Foundation - Tom Keegan stated the traditional events we have had in the past will be aligned in basically the same timeslots we have done before. March 25<sup>th</sup> the parade begins at 2 p.m. We are asking that streets be closed from immediately prior thereto to the end, about one hour; from Rider Avenue to Route 112, march is west towards the Courthouse. We would like to have a green line from Rose Avenue to the Courthouse. On March 18 we are going have our 5K run if the Village allows us to do that. We will close the street starting at Division Street, by Holy Angels Hall--Division Street to Baker to Edwards to Bay to Smith Street to Brentwood..... We are asking to have use those roads; they don't have to be closed; Division Street may have to be closed for maybe 5 minutes--Division and South Ocean. That's the only full time closure. With Suffolk PD and the help of the Village Code we are always able to take care of the rest of the intersections. The soda bread bake-off will be on the 25<sup>th</sup>—all the soda bread you would like to eat and tea to drink. The entertainment is free.

Tom Keegan stated one other thing that doesn't require too much action from the Village at this time and we will be back again to visit this later. As many of you know, the Long Island Philharmonic will be presenting a Mostly Mozart Program on March 30<sup>th</sup> at the Theatre. And, we are working on a program through the Greater Patchogue Cultural Heritage Committee to hire a small troop of actors and have them roam around town a few hours before the show. We are going to put together a cooperative advertising program; the Foundation got a budget line for it. We are going to ask some of the restaurants to participate and maybe some of the other businesses would like to have Mozart visit you as well. We are in the planning stage.

Upon a motion made by Trustee Hilton, seconded by Trustee Crean, and unanimously carried, the Board approved request made by the Greater Patchogue Foundation to hold the 8<sup>th</sup> annual “May the Road Rise to Meet Ye 5K Run Walk” on Sunday, March 18<sup>th</sup> beginning at 8:30 a.m. They also requested use of the Railroad Parking Station for runners and staff.

Upon a motion made by Trustee Hilton, seconded by Trustee Dean, and unanimously carried, the Board approved request by the Greater Patchogue Foundation to hold the 12<sup>th</sup> annual St. Patrick's Day Parade on Sunday, March 25<sup>th</sup> beginning at 2:00 p.m. They also requested that additional waste receptacles be placed on Main Street, especially at Rider Avenue and 80 traffic cones to be used to aid in the assembling of the parade lineup. In

addition, we ask for the help of Patchogue Public Safety to assist in security and traffic control.

Deputy Mayor McGiff stated, Gail, I want to congratulate you on the opening of your new office. It looks great. Good luck with it.

Upon a motion made by Trustee Crean, seconded by Trustee Devlin, and unanimously carried, the Board set the Village auction for May 5, 2007.

Upon a motion made by Trustee Crean, seconded by Trustee Dean, and unanimously carried, the Board authorized the Mayor to execute a contract with Johnson Electric for 2007-2008 traffic signal maintenance.

Trustee Crean stated on Saturday there was held a rather successful community workshop to take a look at the block from Ocean Avenue down to West Avenue between Lake and Main. There was a great deal of participation from both former mayors and fellow Planning & Zoning Board members to come up with a wish list of uses--of things that we would like to see in our downtown as there are proposals for redevelopment that are starting to stir on that block--take a look at the possibility of presenting an overlay zoning to set the possibility of certain heights and uses that we would like to see in our downtown. There was a great deal of support for a variety of things that we would all need as services, e.g. supermarkets, recreation, things along those lines. We will be getting a report from John Giaccio of Arch Spire Architecture who by the first meeting in March will provide us with a synopsis of the day's events and certain recommendations and other things that he will be working on. It was a great success with a lot of participation.

Trustee Crean stated we received the appraisal on the Village parking lot on Havens Avenue and Lake Street. The numbers are quite favorable. We will be looking to discuss the participation of our value of our lot within that block and how we might be able to benefit—increase the parking or other development that we might want to see along Lake Street. It is something that we will enter into negotiations with other property owners in the surrounding area as well as the possibility of a developer.

Trustee Hilton stated I would like to compliment Trustee Crean on the meeting that we went to on Saturday. It was extremely informative and time well spent, looking on how we can put together on Main Street.

Trustee Hilton stated we have moved The Four Sisters from South Ocean Avenue to our temporary headquarters at the Jennings Fire Department Headquarters.

Louis Giancontiere stated I race boats professionally around the country and I would like to put something together for Patchogue which would be nice for the area and bring people in. Basically, we would be using the Shorefront area the weekend of August 24<sup>th</sup> and 25<sup>th</sup>. It would be a festival-type thing with music and concerts at the bandshell—festival on the Bay which would really be the viewing area, open to the public, couple of VIP tents for boat manufacturers. In open water we can run up to 110...in this particular situation probably it would be under 100 and goes down from there. We are getting more stadium-type racing where everyone could see it. The races are about one hour, depending on the boat count. The rest of it would be where the boats are set up for people to come and see days before—the pits and the racers. We should have 20 to 30 boats. We are also talking about a parade down South Ocean Avenue with the boats. The boats are tailored, parked probably behind Halycon Manor.

Paula Murphy of 125 Smith Street asked how loud is this race going to be.

Board Meeting

February 12, 2007

Trustee Hilton stated it is really loud, but not after 10 p.m.

Louis Giancountiere spoke (unclear).

Trustee Crean asked what about insurance purposes.

Trustee Hilton stated Fire Marshall Poulos was at our meeting and he had all the fire permits.

Upon a motion made by Trustee Hilton, seconded by Trustee Dean, and unanimously carried, the Board approved request to hold the 1<sup>st</sup> annual "Battle on the Bay" Power Boat Race & Festival at Shorefront Park on Saturday, August 25<sup>th</sup> & Sunday, August 26<sup>th</sup> with possible parade on August 25<sup>th</sup> on South Ocean.

Upon a motion made by Trustee Hilton, seconded by Trustee Dean, and unanimously carried the Board approved hiring of Joel Peck as a part time laborer at \$20.50 p/hr. Joel will be working at the Halycon Manor to assist another carpenter as well as Parks staff in renovating the Manor.

Upon a motion made by Trustee Hilton, seconded by Trustee Dean, and unanimously carried, the Board approved request by Patchogue-Medford School District to use Village fields/tennis courts as per schedule presented.

Upon a motion made by Trustee Hilton, seconded by Trustee Crean, and unanimously carried, the Board approved request by Island Softball League to use Village fields as per attached schedule.

Upon a motion made by Trustee Hilton, seconded by Trustee Crean, and unanimously carried, the Board approved request by ABA Sports to use Village fields as per attached schedule.

Upon a motion made by Trustee Hilton, seconded by Trustee Crean, and unanimously carried, the Board approved request to hold the annual World T'ai Chi and Qigong Day at Shorefront Park on Saturday, April 28<sup>th</sup> from 9 a.m. to Noon. Rain date is Saturday, May 5<sup>th</sup>.

Upon a motion made by Trustee Hilton, seconded by Trustee Dean, and unanimously carried, the Board approved request by Patchogue Youth Athletic Association to use the Village fields that they have used in the past for Little League, Rider Avenue Park and Four Sisters Tennis Court field as per attached schedule.

Deputy Mayor McGiff stated the Mayor is appearing on News 12 at 4 and 7 o'clock live-a debate discussing some housing issues and the landlord coalition. He also was the Village's leading star at the evening edition on News 12 talking about housing abuses in the Village. Just two Saturdays ago, we went into three more houses on Amity Street. All three were illegal boarding houses--people living in the attic, the basement. Two were owned by the same owner. We were alerted to that by a neighbor's call. If you see anything wrong on your street call 475-8942. This is something that we put together in the past year and a half. We have a building inspector, a Spanish speaking housing inspector who gains entrance by residents signing consent to get in there. We have a constable with us who writes tickets on abandon vehicles. It is something that we are doing pretty much every Saturday in different quadrants of the Village.

Trustee Devlin stated that Marian Russo got the information back from the DEC on the tree grant. The lowest that an application got was 30, the highest was 140. The cutoff on this grant was at 117 and we came in at 115. We were extremely close. She got the information from the DEC on how they score these. What we are going to do is go back, re-look at it, and figure out a way to improve our score. According to the DEC there will be more funding this year.

Trustee Devlin stated I also had a meeting with the Beautification Committee, Paula and Dave Vigliotta, and apparently the BID has some dollars left over to fund some trees so we may actually be able to get started on the project prior to getting any grant monies.

Trustee Devlin stated Trustee Hilton, Marian Russo and I met with the engineering firm that we contracted with, AKRF and John Giaccio of Arch Spire to check on the status of our Local Waterfront Revitalization Plan and they are in the early stages of inventorying the properties within the study area. That project is going to be moving forward. Trustee Hilton and I will be working together to identify possible individuals to be on the Scoping Committee. There was something put in the Advance a couple of months ago which generated a lot of letters from the public, but we've got such a large number of letters from the public and according to the engineering firm those individuals should really be coming to the public hearing. Jim McAllister, the engineer, is going to provide us with a list of categories, whether it is marina owners on the property, LIRR whose got the yard there, maybe representatives of larger groups of stakeholders is what we want on the Steering Committee. So I will be sending a letter to those individuals who did express an interest, letting them know that at some point in the process their input will be taken into account during the process of the public hearing. We look forward to that project moving on and hopefully being finished in less than a year. That's the status of the LWRP.

Trustee Devlin stated I have one other question for the Board. I don't know if everyone had a chance to read the memorandum from Attorney Snead on the use of BID generated funds for a façade program. Have we given any thought about what we want to do based on his recommendations or can I request that we discuss this at the next meeting?

Trustee Devlin stated, Mr. Snead, I don't know if you saw my answer to your e-mail today, but we would like you to go ahead and contact the counsel at Newsday regarding the litter that they have been tossing and ask them to adhere to the Village code which asks them to hang it on the doorknob.

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the Board authorized the Mayor to execute a contract for the dredging of the Patchogue River based upon submitted bids. A contract will be executed once all permits and funding are in place.

Trustee Dean stated we are only waiting on one permit, the Dept. of the Army permit. That public notice was issued late last week. It's a 15 day notification period so all the responders have to have their comments back to the Dept. of Army in 15 days. At that time the Dept. of the Army will take those comments under advisement and issue a permit based on those. As far as the funding, we are accessing that fund from the State Ways and Means Committee right now. We just had a couple of forms and a narrative to complete. We got some funding from the private investor. And shortly we will be going out to bid, probably some time in April or May for the remaining funds.

Trustee Dean stated the Village of Patchogue hereby finds that the bid from Blue Water is responsive and that Blue Water is a responsive bidder and hereby award the bid for this

project to Blue Water Environmental, Inc. in the base amount of \$1,210,344.00. It is a Type II action as far as under SEQUA.

Deputy Mayor McGiff stated we all want to thank Joe. We had a stakeholders' meeting last Monday with all of the holders on the river and Joe and the Mayor put all of these pieces together and got the funds, both governmental and private entities, to do this. This is something that we have been talking about way long before we took these seats. It's has almost reached fruition. I want to thank you, Joe, on that.

Trustee Dean stated the contractor's barges should be showing up sometime next week, tied up on the Hess property.

Upon a motion made by Trustee Dean, seconded by Trustee Hilton, and unanimously carried, the Board set a public hearing to be held on March 5, 2007 to discuss the creation of a Local Law to establish slip fees for marina owners for the purpose of Patchogue River maintenance.

Trustee Dean stated we had one of these meetings about a year ago and that was really the genesis of doing the project now rather than later. When the marina owners came, they said we like the idea of chipping in, but let's do it now instead of ten years from now.

Deputy Mayor McGiff stated this idea was ratified by the marina owners. It was not something with government just saying we are going to set a fee.

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried, the Board approved Bove Industries Alternate 1 and Alternate 2 for the North Ocean Avenue Road Improvement project previously approved on July 24, 2006, not to exceed \$400,000.

Trustee Dean stated when we approved, but we didn't approve the Alternate 1 and Alternate 2 because of a funding shortfall. This money dollars is being supplied by the Caithness project which allows us to complete the installation of the light poles, luminaries and brick pavers for the entire project, not to exceed \$400,000. In March we should be cutting up the road and putting in the new sewer lines and drainage. Once we allow for settling, then they will go ahead and rip up the sidewalks and curbs. The project should take about eight weeks.

Upon a motion made by Trustee Dean, seconded by Trustee Hilton, and unanimously carried, the Board approved request to declare one sewer ejector pump surplus for use by the homeowners Nora & James Ruth of 188 West Avenue.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the Board rescinded a previously approved Public Hearing set for February 26, 2007 regarding storm water management. We were going to review possible passage of a local law dealing with storm water issues, specifically illicit discharges into our catch basins and storm drain systems and sediment and erosion control. This draft legislation has proved rather large and unwieldy and it's taken a little bit of time to modify to meet our specific needs. We have to pass something to be in compliance with the EPS Stage II Program. But, it doesn't do us any good to pass expansive and meaningless legislation. It doesn't do anything for the Village. So we are modifying it as best we can to remain in compliance and actually have an impact on storm water remediation here in the Village. We need more time, so we will rescind that public hearing and reschedule it when we are ready to bring some draft legislation to the Board.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried the Board approved sending Trustee Dean to the Cornell Cooperative Extension Walkable Communities Program for a fee of \$15.00. Trustee Dean stated the Cornell University Cooperative Extension, in cooperation with the New York Sea Grant program, is holding an all day Walkable Communities Program. The Mayor had gone to something similar to this a year ago on downtown where he was invited to bring a specific problem relating to Main Street--everybody brings a problem--and it is then brainstormed for solutions. This is similar to that in trying to create a walkable community.

Public to be Heard:

Don Wachsmith of Carmen Street stated I was present at the last meeting and want to speak about excess signs and garbage. I am pleased to hear that there is action on the garbage situation and I do have photographs to offer showing the nature of the problem. The last photograph is a lot between Reese's and the barber shop which is pretty miserable looking.

Trustee Devlin stated we can send an Ordinance officer over there to issue a summons and try to rectify the situation.

Don Wachsmith stated but instead of getting rid of signs I have witnessed the birth of new signs. I would not argue if they were not justified. We are talking about safety issues--quality of life. So if I had to vote, I would vote for the signs. But, when I finished what I had to say the Mayor said maybe we will try and get rid of some signs during the rebuilding of South Ocean. I have two categories for signs, just pluck them out of the ground and it really wouldn't matter. Then I have the Associate Market syndrome. In that regard I have other signs taking a virtual tour of our Village.....

Deputy Mayor McGiff stated I am going to ask Attorney Snead. I don't know how much control we have of a lot of these traffic signs which are in conjunction with the County DOT. As a preface to your presentation, I don't know the legality of the Village just plucking out signs.

Trustee Dean stated even if it isn't DOT mandated in some way shape or form, it was probably put there by a Local Law here which would require a Public Hearing just to go and pluck it.

Don Wachsmith stated not every stop sign has a "Stop Ahead" sign.

Deputy Mayor McGiff stated there may have been a Public Hearing 20 or 30 years ago putting that sign in.

Don Wachsmith displayed signs and gave copies to the Board.

Trustee Dean stated I think Mr. Wachsmith photos speaks volumes for the problems that we have in the Village in regard to the over saturation of signs. Obviously, we need some type of inventory analysis of the signs that we have which may be redundant and obsolete at this point. It sounds like a job for Jack Krieger. Some of your photos may be taken out of context. While at first glance it does appear to be sign pollution, there may very well be an excellent health and safety reason why those signs are there as well as a sound economic and business decision why some of those parking signs are there. Obviously, we need to balance the need for signs to regulate parking and pedestrian traffic and health and safety with the esthetics of our Village. Perhaps we need to do a better job of that or perhaps not, but I think we need to take a closer look.

Trustee Devlin stated now with the new signs that have been put up by the BID, it would be very easy to have someone remove the redundant signs, e.g. the Theatre parking the signs that were not passed by Public Law. The Mayor was serious when he said when we get to the reconstruction of North Ocean Avenue, he said you and I could evaluate where the needed and legitimate signs have to be put up--how they could be placed. So we are going to have an opportunity to go from the Swezey Building all the way up to Lake Street.

Trustee Dean stated with regard to that there may be some DOT regulations in relation to the distance between "No Parking" signs, etc.

Trustee Crean asked is there anything in our Village code that prevents people parking within a certain distance of a corner or intersection.

Attorney Snead stated I believe there is, but I don't believe it is a blanket statement about that issue.

Trustee Dean stated we might be able to do something with those ground markers.

Don Wachsmith asked do you know what happened to the geese.

Deputy Mayor McGiff stated there are various rumors, but it wasn't done by the Village.

Don Wachsmith stated I trailer my boat and it would be nice if Mascot Dock had a little launching ramp. You can collect a user fee. There is a parking lot right there. It doesn't need to be fancy.

John Berger of Noxon Street stated the new signs are very nice and give a sense of community for the Village. They are great for directions. I am the guy who wrote the letter to the Advance about the geese. I am a little confused because it seems the Village was involved to some extent in the removal of the geese. It looked as if in the article of the Advance that the Mayor had conversations with the owner about techniques of removing the geese and their eventual fate if they were relocated. I'm concerned that we still don't know where the geese are if that is the case.

Deputy Mayor McGiff stated I was not privy to that conversation. I just know what I read in Mr. Nolan's publication. My understanding is that it was done by the property owner. I heard various versions of what happened. I have no personal knowledge as to what happened. It was not done at the Village's direction or by support of its agents or anyone else.

John Berger stated as I understand from that article, it was possibly a violation of Federal law. I have already asked for an investigation about the removal of the geese. Unless there is something in the next edition of the Advance that explains this mystery, I guess that is what is going to have to happen. We are going to have an investigator go out and find out what happened to the geese and see if they were treated according to the law.

Deputy Mayor McGiff stated as you said, it is a Federal problem and is nothing we addressed in the Village code.

Attorney Snead asked did you contact the DEC.

John Berger answered, no. If I were Mr. Knapp, who is apparently the guy responsible for this, just make a statement and explain and reassure the people of the community

Board Meeting

February 12, 2007

about the geese, rather than getting people riled up and getting the Federal people involved. That was a County lake; now we are going to have the County involved. I know Steve Levy and the Supervisor of the Town of Brookhaven. We can start and get questions going out to all sorts of different people and I will include them too until we find out what's going on as to what happened to the geese.

Attorney Snead stated one of the reasons I raise the DEC issue is because there is such a thing as a nuisance permit issued for geese. You might want to check with them to see if one was issued.

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