

Board Meeting

February 26, 2007

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on February 26, 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 and Village Clerk Seal were present. Mayor Pontieri, Trustee Krieger and Village Attorney Snead were not present.

The flag salute was led by Mike Bruemmer

Deputy Mayor McGiff read the safety message.

Upon a motion made by Trustee Crean, seconded by Trustee Devlin, and unanimously carried, the Board approved the meeting minutes of February 12, 2007.

Deputy Mayor McGiff stated we have a "Patchogue Pride Award" for Mangia Mangia Italian Restaurant & Bar that we will send to them.

Village Treasurer Krawczyk presented bills for the period February 2nd through February 26, 2007 totaling \$665,583.86.

General Fund	\$504,240.91
Trust & Agency Fund	\$34,197.88
Capital Projects	\$2,823.99
Sewer Fund	\$99,590.53
BID Fund	\$8,233.00
Housing/Code Fund	\$3,007.42
Community Development Fund	\$11,534.75
General Bills	\$1,955.38
Total	\$665.583.86

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

No Public Hearings were held.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried the Board approved the transfer of deed for the property known as "old Brookhaven Town Hall" on South Ocean Avenue back to the Town of Brookhaven.

Deputy Mayor McGiff stated as you will recall, this was reverted back to Village of Patchogue probably a year or year and a half ago. Mayor Pontieri and the Board wanted to move Village Hall there, but the cost of remediation and once it was remediated to heat the building was somewhat onerous for our small Village. So that's being reverted back to the Town of Brookhaven with a covenant in that deed that it be used for municipal purposes. Just as an aside, there are negotiations being held that Congressman Bishop is going to move his local office there. He likes Patchogue and comes here quite often. He is now in Coram and likes the idea of having a local office in a downtown. So I think that's going to happen. And, hopefully, by him being there a lot of politicians will follow him and it will be fully occupied in no time.

Deputy Mayor McGiff stated it is going to be the same situation as last time. We almost get a right-of-first refusal on that. If they no longer want to occupy the premises, it reverts back to Patchogue Village. I don't know if the Town will have offices in there. I know that at sometime Supervisor Foley has talked about having some senior programs

there. I don't know. We are not really privy to their doings, but it's not out of the realm. I don't know when they are going to start doing renovations on the building. I am sure if Congressman Bishop wants to get in there that they will get moving on it.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the Board authorized the Mayor to execute an Assignment of Rights Agreement with SBA Network Services, Inc. regarding assumption of rights under the existing antenna tower agreement with Beacon Wireless.

Deputy Mayor McGiff stated as you are aware, there is a wireless tower located at the DPW yard and we had a rental agreement; I believe our rent was \$50,000 a year. It was a 30-year lease, but essentially it was a five year lease with an option. And we were approached by Beacon with almost like a prepayment of a lump sum and as a Board we discussed it. And we thought it would be prudent, given technology and the way things happen that maybe these cell towers will be outdated and outmoded in the near future. So the lump sum was \$765,000. There is a 5% broker fee, but we are netting over \$700,000 for the use of this. So instead of getting \$50,000 a year, we take the money and run.

B.I.D. Report – Dennis Smith stated at the last BID Board meeting it was decided to contract with Target Group Media to develop a website to facilitate the mapping, an inventory project that is ongoing. This company seems best suited to develop the look and the interactive capability that we are seeking. The cost of this contract is \$7,000 and that also happens to be the best bid that we got out there. At that meeting the BID also decided to purchase twelve additional candle wreaths to enhance the upcoming 2007 holiday season. If you purchase the wreaths now, you realize a 35% savings. We hope to be able to go past and start up Waverly Avenue on the west end of Main Street and on the east go down to Bay Avenue and possibly start going down Route 112 with the additional wreaths that we are going to purchase. In addition to that, the BID is also in the process of formulating our 2007-08 fiscal year and we hope to have it in place by March 15th.

Chamber of Commerce Report – No report.

Trustee Krieger stated I would like to thank the Theatre Board and the volunteers at the Patchogue Theatre for all the work that they do. I would like to mention Dennis and the BID and all the work that they do for the Theatre and how much they are part of its success.

Upon a motion made by Trustee Krieger, seconded by Trustee Dean and unanimously carried, the Board set March 12, 2007 for a Public Hearing to consider a request to install thirty-minute parking signs on West Main Street in front of Briarcliffe College.

Trustee Krieger stated I understand there are some issues in front of there with merchants. Students are parking there most of the day and there is very limited parking in that area for those merchants and we would like to ease their burden a little bit. This is on the north side of the street. The south side has signs. There is ample parking in the Briarcliffe parking lot so there really is no need for them to park there for an extended period of time.

Upon a motion made by Trustee Crean, seconded by Trustee Dean, and unanimously carried, the Board approved request for the Long Island Growers Market to provide a Farmers Market on Fridays from July through November with Mays Farm, Davis Peach Farm and Gajeski Farm participating, location to be determined after speaking with the Mayor.

Trustee Crean stated we had a meeting last Thursday afternoon with Art Space in which a non-for-profit organization from Minneapolis is looking to provide affordable working/living space for artists. And they have started their survey in which they sent out information to the ten Art Counsels throughout the Island to get a response as to the types of spaces we would like to have built. Are they writers, sculptors, painters or musicians? And from this survey they will be able to determine not only the number of units that we would look to build, but also what type of space we would like to build. As that survey is ongoing we are continuing to narrow the choices of site selection where we would look to locate this development. This survey is critical to us moving forward. If we get a lean response or we don't get enough participants in the survey, they could just decide perhaps Patchogue isn't the right location. We are going to be looking to host a press release some time within the next week to ten days in which we are going to do a big media blast, a media push to get the word out in local print, radio and television to inform the public about this survey. We are narrowing dates down with the County which has been instrumental in assisting on this.

Trustee Crean stated at the last meeting I mentioned that John Giaccio is going to provide us with a synopsis on March 12th. He will be presenting to the Board a report from the charette that we had on Feb. 10th and I am looking forward to that. I had an opportunity to meet with him last week and he has quite a few good suggestions that I am looking to seeing presented in a final report at the next Board meeting.

Upon a motion made by Trustee Hilton, seconded by Trustee Dean, and unanimously carried, the Board approved request to hold T'ai Chi in the Park at Shorefront Park on Saturday mornings, May 5th through May 26th and again August 11th through September 1st from 9 to 11 a.m.

Trustee Hilton read, "The primary purpose of both of these events continues to be to provide an opportunity for those who have an interest in the health benefits of practicing the arts of T'ai Chi to see what the arts might have to offer them."

Upon a motion made by Trustee Hilton, seconded by Trustee Dean, and unanimously carried, the Board approved request to go out to bid for the replacement of the pump system at the Patchogue Pool.

Trustee Hilton stated we have been working with an engineer all year until we got the nod and now we are ready to go. He's putting together an equipment package that will handle different capacities necessary for the pool. And we are going out to bid on that.... The present pump is 53 year's old. The second phase of bringing the pool back up will be addressing the pool structure itself which up until now we have gotten great reports on and also the coatings that we are going to put on the pool--painting or liner of what have you. I am less concerned about the pool itself than I am about the pump; so that is why we are addressing that first.

Trustee Hilton stated we are really doing well at the Halycon Manor, 380 Bay. We have 3 or 4, depending on their other duties, carpenters in there at all times. They gutted the second and third floors. We had some mold issues, so we decided to get rid of everything. Fortunately, it is a slow time for Parks so we were able to do it without going outside of the Department for any additional labor. Now we are starting to do some carpentry. We anticipate having the back, which we are calling the addition, which is going to house the girls from Four Sisters up by the summer time. The asbestos will be removed Friday. Everybody knows pretty much that the Four Sisters has moved in back of the Fire Department on Jennings and we are doing very well. We took advantage of a very small space, but we were able to move most of the equipment that we needed to operate Parks and Recreation and the girls are happy and well taken care of. The

Railroad Club moved everything up to the third floor at 380 and they've submitted plans of turning the whole floor into a model railroad.... We need an elevator to use the third floor. The seniors are in the Ambulance Company and doing very well.

Deputy Mayor McGiff stated I want to congratulate Brian Egan, who is Special Counsel to Building and Housing, being named Grand Marshall of the Patchogue St. Patrick's Day Parade. Gerry and I were down for the "Passing of the Sash" at the Brickhouse yesterday and had a nice time.

Deputy Mayor McGiff stated on every other Saturday we have a group of individuals who happen to work for Building & Housing that go to certain locations that we get complaints about. Two weeks ago Al Costello was nice enough to join us in his capacity as a constable. Academy was supposed to be a three-bedroom house and it turned into nine bedrooms, thirteen people living there, raw sewerage coming out the back; it's despicable having people live like this. The owner lived two houses down; I am figuring out he is probably making four to five grand in cash, renting this house out. From the outside it didn't look that bad, but we got a complaint. We went in. Our first goal is not to shutter the house or to have pictures taken and be in the Advance. It's to get people into compliance. That is what we are doing now. We are working with that owner to move the gentlemen that were living in the basement and the attic; it's just a fire and safety hazard. The goal here is not to have a tragedy on our hands. This is widespread as we know. So once again, if you see something on your street or in your travels, just call 475-8942 and we will put it on the list.

Upon a motion made by Trustee Crean, seconded by Trustee Devlin, and unanimously carried, the Board set March 12, 2007 to hold a Public Hearing to discuss creating a Local Law amending Sections four and ten of Chapter 56 of the Village code regarding occupancy permits for rental dwellings.

Upon a motion made by Trustee Devlin, seconded by Trustee Crean, and unanimously carried, the Board approved request to appoint Kevin Murphy as the newest Alternate member to the Planning Board. Kevin lives on West Avenue and we think he would be a great addition to the Planning Board. He is an environmental engineer that runs his own business. He has a keen interest in what goes on in the Village and he is extremely well informed.

Upon a motion made by Trustee Devlin, seconded by Trustee Crean, and unanimously carried, the Board approved request to appoint John Blake as Special Advisor to the Planning Board at an annual salary of \$750.00 John is a former member of the Board who was a tremendous asset, but recently he has moved outside the Village. We would like for him to continue on, but in an advisory capacity. John brings over twenty years FDNY experience and he also is a builder. He is a very talented guy.

Trustee Devlin stated I have a letter sent to the Trustees of Patchogue Village. I don't have the name of the organization, but this was sent to the Trustees by Jeffrey K. Blanch. He is seeking permission to hold an informational gathering on Sat., April 14, 2007, in the brick courtyard at 116 East Main Street. The gathering is being scheduled to raise awareness on the issue of global warming, a purely educational forum with no political agenda. What they are planning is modest. They will have a few tables organized with various forms of literature along with volunteers; there will be a few stands showing the effects of global warming and there will be a few speakers who will speak briefly. They will be advertising our presence mostly in nearby stores, but we will likely be dependent on pedestrians passing through to stop by and obtain information. They prefer to hold either from 11 a.m. to either 1 or 2 p.m. Trustee Devlin stated it is not Village property and I should check with the North Fork branch manager.

Trustee Devlin stated there is a NYS legislation which now requires training of members of the Board of Appeals, Planning and Zoning. This training is 4 hours long. According to the State each member of the Board of Appeals should complete a minimum of four hours training each year, designed to enable such much more effectively and to carry out their duties.

Upon a motion made by Trustee Devlin, seconded by Trustee Krieger, and unanimously carried, the Board approved request to adopt a policy that requires all members of the Planning & Zoning Boards to complete a minimum of four hours training annually as directed by newly adopted NYS legislation.

Trustee Dean stated we have had a couple of severe weather incidents in the past couple of weeks, snow, ice and sleet. I want to commend the Highway Department of their fine job in keeping the streets safe and clean.

Upon a motion made by Trustee Dean, seconded by Trustee Crean, and unanimously carried the Board authorized the Mayor to enter into an agreement with the Hess Corp. for use of the Hess property as a spoil site for the dredging of the Patchogue River.

Trustee Dean stated that will be at no cost to the Village. The Hess Corp. is going to allow us to dewater the dredge spoils there at no charge. We are very fortunate and grateful to the Hess Corp. for their cooperation in this.

Trustee Dean stated they are asking for a lot of the things we have given them in the past years. Going over it, I think there are a couple of changes I think we need to make. As far as closing Division Street, it shouldn't be a problem as long as it is closed where Division crosses the river, east of their so there is access to the Harbor Crab parking lot. And on Friday you are seeking to close it from noon. That's a little earlier. I think you can close it at 5 p.m. and that would be a more reasonable time; to give people an opportunity to get home. They are also seeking the Village to drop off garbage receptacles, a dumpster, waste transportation, road barricades and snow fencing. All of those are not a problem. If there is any added code enforcement that we need to supply for the event, we will be seeking compensation for any man hours that we need to supply for this. Lastly, I would like to see us approve those quick changes, pending our receipt of a certificate of insurance naming the Village of Patchogue as additional insured and proof of the non-for-profit status of the Patchogue Riverfront Committee. I would like to make that in the form of a motion.

Deputy Mayor McGiff stated the first thing we did was put a call into Mark Miller's establishment. I talked to Brian Kearns because they are very affected by it. That's their season and it's a weekend. And they said for safety issues, we would like to see Division closed. I realize it is a lot of inconvenience to a lot of people, but we would rather inconvenience some people rather than..... Signs need to be put up directly instructing cars where to go.

Mike Bruemmer of the Patchogue Riverfront Committee stated one of the points that was brought up with the discussion with Trustee Dean was the Division Street closing. Generally speaking, the event got really high marks last year. We got really good crowds, we teamed up this year with the Fire Island National Seashore to bring more educational stuff into the event. Along with 2,000 people that we actually put on the ferry that went up and down the river and learned about the river. One of the points that I wanted to bring up is the Division Street closing last year was kind of a new concept. We used to bring people in through the back alley of the bowling alley. And frankly, it's not a good first presentation of the river. We had the new park up on Division Street. The

first couple of years we ran this thing, we didn't have great attendance to it and we decided not to close West Avenue when we would bring people down. The Mayor saw that and said "no good" and closed the street down. Just on the safety part of it alone, I think it is essential to have the street closed where the main entrance is going to be. That year when the Village closed the street when it wasn't planned to be closed, I think our attendance was about 3,000. Last year we had the better part of 12,000 and we are hoping to have maybe 16 or 18 this year. Just from the safety part, I really think it is essential. I do appreciate that we did not have many vendors up there. But again, this is a volunteer organization and we are working on it. Last year we had four enormous signs, one on each corner—Main Street & River, Division & River, West & River and West & Main Street. They were 10 feet high and 4 feet wide and had all the detour and event information. They went up the day of the event in a couple of hour's period. We will put them up earlier; get them out first thing Friday morning. And we are already set up to have 50 additional "road closing event" signs that will have closing and detours that will be 3 ft x 4 ft. And on a temporary basis they will go on telephone poles and whatever with arrows and special instructions. It will be before you get stuck in the middle of it.

Trustee Dean stated I had recommended 5 p.m. to minimize any inconvenience to the Village residents coming home on a Friday and the commercial trucks. He is looking to have it closed no later than 1 p.m.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the Board approved request by the Patchogue Riverfront Committee to hold the 4th annual Sea Fair on June 8, 9 and 10, 2007 at the Fire Island National Sea Shore property, to close Division on Friday at 2 p.m. and on Saturday and Sunday from 9 a.m. to 10 p.m. the dumpsters, fences, barricades as specified, depending on receipt of non-for-profit status and certificate of insurance naming the Village as additionally insured.

Trustee Dean stated last year's Sea Fair was a great event for a lot of people and a lot of fun. It had great weather and great music and we are looking forward to it again this year. The aspect that I think that was lacking and that's been talked about is its having more of an educational event with some more activities focused on the Great South Bay and the National Sea Shore, the river and the fact we are a waterfront community and the history to that. I know that the Sea Fair has been addressing that. I spoke to Shawn McGuinness this afternoon and he told me that the Sea Fair has put together an Educational Committee this year with some help from the South Shore Estuary Reserve and the West Sayville Maritime Museum. It was a great event last year and I am looking forward to this year.

Resident stated there are a number of us that are interested on focusing on the maritime culture and history of the Patchogue River in keeping with a lot of the good things the Village has been doing relative to waterfront revitalization, the dredging that is going to be happening soon, and a bunch of other things that is going to really help. I had a meeting with the Long Island Maritime Museum. They have agreed to come.... *Priscilla* was built in Patchogue in 1888 and we at the South Shore Estuary are interested in promoting the idea of the *Priscilla* becoming a mascot vessel for the SSER, something along the lines of *Clearwater* where it could travel from port to port and maritime centers and show off the maritime history of the SSE in general, but Patchogue specifically. They seem to like that idea. It seems, however, they have some scheduling conflicts and *Priscilla* has been restored, but they need a licensed captain to even move her much less take people out on her. As a kind of a fallback, I suggested that perhaps because the maritime museum has quite a bit of material related to Gil Smith who is the famous Patchogue boat builder that perhaps the exhibit that they do could focus on Bill Smith and what he did, how his worked and his boat building expertise. And the beauty of his

work could be focused on from a historical perspective. The reason I bring that up is because there is a three panel kiosk that's been designed and produced and will be going up at the Park in partnership with the Village and the FINS. Part of that is that one of the panels that interprets the history of Patchogue focuses on Gil Smith. It would be kind of neat relative to having Division Street closed so when people come in that entrance and actually walk down the river—people who haven't been to this part of the FINS and the high part of the river—could actually walk down, have access to Harbor Crab by going across where the boats are and then walk their way into the festival, see that kiosk and then see some of the other exhibitors. I am going to be helping with getting some of the maritime traditional exhibitors and maybe some environmental stuff and other things to complement some of the fun time that everybody has so that they will have a fun time and learn at the same time.

Trustee Dean stated on the agenda I was going to seek approval to enter into an agreement with McLave Engineering. We are looking to put a new roof on the Patchogue Theatre. We had gotten a price for some engineering services. That price was very excessive so we are going to take it off and are going to have to explore a different method of designing that project. We met with a couple of engineers and they were the only one that responded. On initial inspection, the roof doesn't look that bad. It's the roofs underneath it that are causing the leaks that we are having. So all of the roofs need to be taken up, all of the sheeting, the needs to be inspected and repaired, new roof needs to go on, drainage needs to be taken a look at and we are also looking to remove the skylight over the stage. It is going to require more than just your friendly roofer coming in. One of the things I may do is contact roof manufacturers, companies that produce the roofing material, and get some engineering ideas from them. I will be coming to the Board with other options and will keep them informed as we go along.

Public to be Heard:

Mr. Kemp stated I would like to make a request for a pot hole crew to be sent to the north end of Jennings Avenue near Lakewood Street. There are a number of pot holes. And also Jennings Ave. and Cedar Grove Street where the asphalt meets the concrete on all four sides of the intersection should be inspected; it's in very poor condition. And also, North Ocean Avenue, whatever crew did that job, left it in a terrible shape. It should never have been left the way it does.

Trustee Dean stated that project is far from actually barely being started, let alone completed. That's just a scratch coat, temporary asphalt patch that is on there. That project includes replacement of water lines, gas lines, new sewer lines and all new drainage. So as those lines go in, they are backfilled, put a temporary patch on it, and all the ground needs to settle before we put a fresh road over that. If you don't allow it to settle, you are going to end up with gullies and problems on top of it. So I ask you to be patient and bear with us until we can complete that project, hopefully by May this year.

Mr. Kemp asked was the roadway opened for installation of piping and only part of the piping was installed.

Trustee Dean stated not all of the piping was installed for all of the components. Gas lines have been replaced and water lines have been replaced. We are going to tear the road open and replace sewer lines. And we are going to tear the road open and replace the drainage lines. Then we are going to tear the whole road up and replace the whole road and the curbs and the sidewalks and the lighting and the brick pavers. We have an engineer.

Mr. Kemp stated the roadway should be opened at one shot, closed it all down, whatever it would require.

Trustee Dean stated if you were to tear the whole road up and replace all the lines, you would have to leave the road closed while the fill settled before you could repave.

Mr. Kemp stated, Acting Mayor, I have requested FOIL requests for minutes, including a copy of your letter that you stated on the minutes that you mailed to 3 Thorne Street.

Deputy Mayor McGiff asked is that the neighbor that you were in litigation with in criminal court.

Mr. Kemp stated that is over and done with.

Deputy Mayor McGiff stated the Village Clerk stated she has already provided you with that.

Mr. Kemp stated I have received nothing in the mail.

Deputy Mayor McGiff stated come down tomorrow.

Village Clerk Seal stated what I gave you already; it is not a letter from Mr. McGiff.

Deputy Mayor McGiff stated I had said a letter was sent to the neighbor.

Mr. Kemp stated I have not received a copy of said letter.

Deputy Mayor McGiff stated come tomorrow.

Mr. Kemp stated I would like to know how errors in the minutes are handled.

Deputy Mayor McGiff asked is this the question you asked before. We amended that. You weren't here.

Mr. Kemp stated I looked at the ledger and the error was still on the page. I can only use Roberts Rules which states when an error is found in the minutes a motion must be made at a later date to amend the minutes.

Deputy Mayor McGiff stated we did it at the last meeting but you were not here.

Mr. Kemp stated I talked with Attorney Snead regarding my truck and the 10,000 lb law and he advised me that he would just kind of have a word with the code enforcement officers, but I can't live with that. I can't live with any unofficial, under the table...

Deputy Mayor McGiff stated I don't know what you told him allegedly or what he said to you. I don't know what you are talking about.

Mr. Kemp stated my truck weighs 12,000 lbs. Under the Village law I am not permitted to have it on my own private property. I need some kind of permit. I've read the law in and out and every trailer in the Village of Patchogue is supposed to have a permit. We are talking about my 12,000 lb truck required to tow the trailer. What do you propose to do?

Deputy Mayor McGiff stated I propose you talk to Attorney Snead as I wasn't privy to that. I will talk to Attorney Snead about that.

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Mr. Kemp asked would you make a motion to amend that law or make a motion to grant a special permit tonight.

Deputy Mayor McGiff stated no.

Mr. Kemp asked does the Board of Ethics still exist.

Deputy Mayor McGiff stated yes. You can contact the Village Clerk.

Mr. Kemp stated I have an issue that I spoke with Mayor Pontieri about several weeks ago regarding, I do believe this should be in Executive Session, because I have a claim against the Village.

Deputy Mayor McGiff stated I have already told you. If you are going to sue the Village, if you did sue the Village, if you are thinking about suing the Village we are not going to talk about it. You are not going to tell us what to talk about in Executive Session. Once again, the Mayor is not here. I don't know what you told him I can call and ask "what did Mr. Kemp tell you about Executive Session." But, I am not going to sit here and take this hypothetical question.

Upon a motion made by Trustee Devlin, seconded by Trustee Dean, and unanimously carried, the meeting was adjourned at 8:30 p.m.