

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on June 23, 2008.

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

The flag salute was made.

Mayor Pontieri read the safety message.

Upon a motion made by Trustee Dean, seconded by Deputy Mayor McGiff, the Board minutes of June 9, 2008 were approved as presented.

Roger Baker presented the Mayor with a hat with the logo of the *2008 Optimist National Championship Regatta*. Mr. Baker stated: To date we have about 150 sailors registered. The registration goes slow up until this point when the kids get out of school. Then all the parents panic because in two weeks we get a 50% increase in the price for late registration. We do expect 500+ kids this year as opposed to 430 in 2004. We have check-in on July 22nd and racing starts on the 24th. We have Girls' Nationals on July 23rd and then we conclude on Sunday, July 27th. We have a lot of things going on. A lot of good sponsorship. The Brick House is going to take care of most of our food and on Saturday, July 26th, we are going to have a "Chairmen's Reception" and that is all to benefit the Bellport Bay Sailing Foundation. It is their annual fund raiser and we are going to do that on Saturday, opposite the kid's raffle. We are going to have a big raffle like last time and almost every sailor will get a prize, hopefully. We are working on getting donations for prizes for all the kids.

Trustee Hilton stated: We also have a "Friends of Shorefront Park Playground Refurbishing" project going on and I suggest that you get in touch with Maria Hendrickson from Parks and Recreation to benefit that as well.

Roger Baker stated: Maybe we can make a donation to that in the name of the regatta.

Roger Baker: Asked are we going to be able to let the sailors use the pool again in the afternoon after the sailing like we did last time?

Mayor Pontieri responded yes.

Trustee Hilton stated: Yes, for a nominal fee. We are looking forward to having the boats come back.

Treasurer Krawczyk stated: The five largest bills for the period June 9th through June 23rd total \$607,143.21. The five largest bills total \$277,741.60. The five largest bills were State Insurance Fund \$87,725.22 for worker compensation, NYS Employees Health \$81,632.98 monthly premium, Town of Brookhaven \$46,781.30 for landfill charges, Norco \$31,231.25 for pool refurbishing, JR Holzmacher \$30,370.85 for engineering services.

General Fund	\$310,094.25
Trust & Agency Fund	\$6,835.35
Capital Projects	\$71.50
Sewer Fund	\$14,303.54
BID Fund	\$5,891.50
Housing/Code Fund	\$1,570.52
Community Development Fund	\$6,996.25
General Bills	\$261,380.30

Totals \$607,143.21

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

Upon a motion made by Trustee Hilton, seconded by Trustee Devlin, and unanimously carried, the board approved payment of \$135,712.25 to Norco for refurbishment of Village pool.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the board approved year-end transfers as presented.

Upon a motion made by Trustee Crean, seconded by Trustee Dean, and unanimously carried, the board approved loan from General Fund to Capital Projects Fund of \$217,120.94.

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Monday, June 23, 2008, at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York, by the Village Board of the Incorporated Village of Patchogue to add a new Section 93-17(A)(4)(E) of the Village Code to set parking space requirements for condominiums, townhouses and apartments. A copy of which proposed local law is on file at the office of the Village Clerk. At said Public Hearing any person interested will be given the opportunity to be heard.

Mayor Pontieri stated: One of the issues that we have had with the construction of some of the developments is our parking regulations as put in place, the current standards that we have. What we need to do is to take a look at those and see whether the code as constructed and as published at this point is adequate for today's needs. Much of the ones that are in place go back as far as thirty years. Our planning and zoning boards have been very good at working with developers at this point, but we need to give them a little more direction from this board.

Attorney Egan stated: The proposal in Section 93-17, the number of spaces that are required for off-street parking. And again, we address a gap that has been in the code for condominiums, townhouses and apartments. They were told to put 2 spaces per unit and one additional space for every 4th unit. And also, the garage space would be credited towards the required units for the residence. For instance, whatever the board would feel that the credit that we would want to give for a garage space, whether it be one space or half a space per garage space with a total number to be set aside for these three specific types of projects.

Mayor Pontieri stated: One of the things that I have felt, and it has always been part of the conversation by this board and the zoning and planning boards, is the issue of garage space and how you actually use the garage space, e.g. bicycles, garbage cans and those kinds of things. My first recommendation for this board to consider is that it is a .5. So if somebody adds 60 units, one exterior space would be put in place so there would be 60 to start. . They would need a total of 120, two for every unit. You need a total of 120 on the property, plus the visitors' space. So you have the 120, one for every 4, and 30 spaces which would give you 150 spaces on the property. I think in terms of numbers of spaces whether it be 1/2 or 3/4 or 1/4 for the garage, it is something that really should be considered.

Trustee Crean stated: One of the things that I would like to mention is that in these types of developments, the owners/occupants don't necessarily have the lawnmower or wheel barrow to store or whatever it takes to maintain a yard. They may have a couple of bikes or recreational things to store, but in most cases these types of properties will be

maintained by an outside landscaper. That being said, I think a .5 credit is something I would feel comfortable with. One of the things I always have paid close attention to is the amount of storage space, e.g. closet space, attic space, basement space, that these types of developments provide as well because without those sorts of things, most people use their garages to store their Christmas tree or whatever. I think to give it a $\frac{3}{4}$ credit would be too much and $\frac{1}{4}$ would be too little. I think $\frac{1}{2}$ space is just about right. So for every 2 units, you would need a minimum of 5 spaces. For every 4 units you would need 11 spaces, one visitor space, two spaces for each home and another space for every two units.

Mayor Pontieri stated: If they don't have the ability to do that, they can then go to the Zoning Board of Appeals to appeal that number to see if there is a way to make it work. This is a standard that is set that the Planning Board and Zoning Board would work from. Let's say they get into a situation where after it is all done with the 60 units they can only add 155 or 150. They would go to the Zoning Board of Appeals and see if there might be other contiguous parking if it is close to the downtown area. I think we just need a better standard. What it comes down to, it is not looked at as individual units, but as a project. And the project, based upon the number of units will allocate the number of spaces that must be there.

Comments from the Public:

Richard Kemp, 68 Jennings Avenue, asked: Mr. Mayor, are you aware of the Maple Ave. apartments by Thorne Street?

Mayor Pontieri stated: That's the perfect street for it to be on because it is a thorn in everybody's side over there because of the way the apartment was set up. It was approved well before my time, in the 40's.

Richard Kemp stated: That building has an underground parking lot. But even with that, for as long as I would remember, Thorne St and Maple Ave., as you campaigned upon... You do have a problem. What would you intend to do with the Maple Ave. apartments?

Mayor Pontieri stated. That is why we are doing this. There is nothing we can do about the Maple Ave. apartments. They were built and approved in the 40's. The parking requirements were approved then. There is nothing we can do legally to change that. This proposal attempts to rectify that with any future projects. Projects that have already been approved cannot be changed. If we don't do something about looking at what we are doing now going forward, then we are the fools. I can't cure the mistakes of the past. I can only take a look to remediate the ones of the future. And that is where we are at.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, with a modification approved to .5.

Mayor Pontieri stated: There was a request to set hearings on three different properties. In early 2000 there were three properties that proposals were made to become rental units. In each case they came to the Village Board as they were in industrial property and if they were going to put rental units on those properties, the Board would have to approve them. In each case, we gave them permission with a renewal of either three or five years. For each one of these we need to set a public hearing because those have now come due again. The first one being considered is setting a public hearing to consider renewal of a five-year special permit issued to the property owner of 130 Division Street. Those are the rental units just west of Harbor Crab.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board set a public hearing to be held on July 14, 2008, at 14 Baker Street, Patchogue, New York, to consider the renewal of a five year special permit issued to the property owner of 130 Division Street.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board set a public hearing to be held on July 14, 2008, at 14 Baker Street, Patchogue, New York, to consider the renewal of a three year special permit issued to the property owner of 103 Railroad Avenue.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board set a public hearing to be held on July 14, 2008, at 14 Baker Street, Patchogue, New York, to consider the renewal of a three year special permit issued to the property owner of 31 Baker Place.

B.I.D. Report – Dennis Smith stated: I have the 2007-2008 Business Improvement Annual Report. The BID has just completed another successful year. Working within the same \$168,500.00 budget which we have maintained for several years now and holding that same budget for next year, there is a lot to be mentioned and discussed. We will break down our budget into three distinct categories. First is the ongoing services that we do day in and day out year round, then current projects and then future projects.

I am going to start with the ongoing services. The BID for many years now has provided a full time maintenance worker on the street, Valentin Gutierrez. He cleans, maintains our streets, sidewalks and parking lots sweeping, washing, weeding, doing whatever is needed. You probably will see him almost every day, even in the winter shoveling snow. This year the BID with the help of the Village government has granted Valentin a complete benefits package. We appreciate the help that we got with that. Valentin certainly deserves it. Our beautification budget continues to grow. The beautiful flowering basket pots throughout the Village was this year expanded to include most of the new light poles within the business district on North Ocean Avenue. We continue to plant and maintain parking lot landscapes throughout the Village, irrigation and watering of all summer plantings and trees throughout the Village remains our responsibility. This year we were also able to plant a new garden spot on the corner of East Main Street and Rider Avenue by the Napa building which came out really well. We would also like to thank Paula Murphy and the Garden Club for their help with the planters and the projects that we have going on throughout the Village. During the holiday season the BID provides the decorations along Main Street and South Ocean Avenue with more items having been added this past year. We also contract to have these decorations refurbished and stored after the holiday season. A big part of what the BID does during the year is financially support other Village organizations and entities. We assist the Chamber of Commerce in their endeavors to promote Patchogue as well as the Village Dept. of Recreation with their summer concert series and holiday parade. For many years we have provided financial support to the Theatre for the Performing Arts to help them support major venues at the Theatre. The Theatre is a big part of the ongoing success of the Village and the BID is pleased to be able to continue to be a part of the positive influence and impact that this notable enterprise has had within the Village over the years. We also offer financial support to help promote the very successful Sea Fair event held on the Patchogue River each June. This event encourages upwards of 20,000 people each year to come visit the Village of Patchogue and we are happy to be a part of that each year. As we discussed last year and which will start to take place this year, the BID has pledged \$30,000 per year over the next five years to help with the cost of dredging the Patchogue River. In addition to everything just mentioned, the BID maintains various signs and directories throughout the Village including the information sign on the Napa building. We not only update the information on this sign, but we provide service for signs that are falling into disrepair throughout the Village. It should also be mentioned at this time that the BID had to relocate the equipment we use in our day to day maintenance activities. We were using a garage on loan from the Suffolk County Sports Hall of Fame on Church Street and that building was sold and we had to find a new place. Now to house our machinery and equipment we purchased a storage barn and with approval from the Village, we placed it at the end of the parking field behind the Bravo Supermarket which is accessible from

Academy Street. The barn is nicely finished, aesthetically pleasing, and it fulfills our needs for storage. Some of the accomplishments we are proud to discuss taking place this year would include the placement of some twenty benches with mosaic art panels on Main Street with more to come throughout the Village. In addition, the BID has leveraged \$5,000, at least three benches, with monies from other Village organizations and private owners pledged to secure, and that was pledged to help secure a \$100,000 Suffolk County grant to improve the Roe walkway between East Main Street and the Terry Street parking field. This grant was written by the Chamber of Commerce through the Patchogue Grants Committee with the intention of improving the aesthetics and safety of this walkway in an effort to encourage people to park in the Terry Street parking field and walk to Main Street to go into the Theatre, the retail shops or the restaurants. While we are on the subject of municipal grants, I mentioned last year that the BID had applied for a NYS Main Street grant. Unfortunately, we fell a few points short and we did not get it last year. I am happy to say that with much help from Marian Russo from the Village CDA office, the BID has once again applied for a \$200,000 NYS Main Street grant. If approved, this money would be partnered with private funds for sod improvement on Main Street and much of this is going to be targeted for budget buy and sell in an effort to complete the anticipated upgrade on the four corners. Word of this should come the beginning of August. Projects that we are currently working on or in the immediate future would include the defoliation of weeds on Main Street from West Ave. to Bay Ave. and South Ocean Avenue from the four corners down to the tracks. This was accomplished on May 31st and hopefully that will be a much more pleasing site this year than it was last year. In addition, 20 new trash receptacles have been purchased and will be placed on South Ocean and Waverly Ave. in the next couple of weeks. Started last year and coming into completion now is the kiosk sign project to place directories at the railroad station and ferry terminals. These directories will highlight local eateries and highlight points of interest within the Village. The railroad kiosk has been up for almost a year now. The other kiosks we are hoping to place at the ferry terminals within the next couple to weeks and an addendum to that recently has been the permission that we had received from FINSS to place it on their property has been withdrawn. Unless that changes, we will not have one at the FINSS ferry terminal, but we will look for another high volume, pedestrian traffic area to put it in, possibly even the Roe walkway. Lastly, on the "to do list" is the BID interactive website. This project has been in the making for almost two years now and is also nearing completion. This website would create an inventory of all businesses, business space within the Village and space that would be available for future business. It would also include links to Village offices and provide information and happenings within the Village offices and provide information on events and happenings in the Village. Look for this to become active, hopefully, within the fall. In closing, I think it would be safe to say that the BID Board of Directors works hard to maximize the efficiency of the tax dollars collected from commercial owners to benefit not only visitors but the general appearance and vitality of Patchogue Village. As stated previously, the BID has not raised BID taxes in years and has again chosen not to raise them this year. We will continually look for ways to effectively manage our day to day activity as well as projects in the future. The Mayor and this board deserve a lot of credit for the many improvements and initiatives put into place over the last four years. The BID is happy to be of help or service wherever we can. We would also like to thank Village government, the various groups and organizations within our Village for the cohesive working conditions and support shown between these various entities. We would also like to thank John Lund and the DPW. We call on these guys at least once a month and they help us implement some of the various projects that we have going on. It is a good time to be in Patchogue. The feeling is if something needs to be done, we get together and we do it.

Mayor Pontieri stated: Well said. I always believed and I think whether it be redevelopment of the community or things that happen, it doesn't get done by any single one person or any single board. It really is done through the cooperative efforts of all. After you speak, the Chamber will be up. And it is the cooperation of those entities that

we are able to get the things done. It is tremendously important and very much appreciated. Any there any comments or questions from the Board?

Trustee Crean stated: I would just like to commend Mr. Smith and President Tom Ford and the rest of the BID board. They are very hard-working, committed volunteers. Mike Bruemmer works tremendously hard on developing new ideas for the business district and a lot of their hard work isn't recognized. You see the baskets and the clean streets, but nobody really stops to think where does that come from. A lot of times it gets overseen. I want to thank you, Dennis, for all your hard work and kudos to all the board.

Chamber of Commerce Report – Gail Hoag, 15 North Ocean Avenue, stated: At this time we are beginning all our summer promotions and I would like to thank the Village and the BID and all our other sponsors for helping us make these things happen. Our first one is *Carnival Days* on July 10th and 12th when you have the best sales in town all year. And this event has been going on over thirty years. Entertainment is on Friday evening, East Main Street only, from 5 to 9 p.m. And, it is going to be all family entertainment. *Alive After Five* starts July 18th and it is going to be for five weeks straight, every Friday night from 6 to 10 p.m. It is going to be bigger and better this year. Marian Russo is one of our co-chairpersons; the other is Mindy Spear. Our directories are here now. If anyone needs some for any businesses, just call the Chamber at 207-1000 and we will see that you get some directories. We have a meeting tomorrow at 6 p.m. at the Brick House and it is going to be about health insurance. We know with all businesses and with individuals, the rising cost of health insurance is an issue. One of our members, The Perfect Health Insurance Company, which is actually based in Staten Island, is working with all our other insurance agencies that are local to try and provide the Chamber members with a cheaper health insurance which is a new type of health insurance. They all assure me that the health insurance is going to be changing over the next few years. I would like to thank especially Patti Seal for making sure that the lot on the corner of Oak Street grass has been cut again. That is an important site as so many people walk that corner.

Trustee Krieger stated: I would like to thank Dennis Smith and the BID for their help at the Theatre. That \$10,000 goes a long way at the Patchogue Theatre for advertising, promotion, marketing and all the things that go on at the Theatre. We appreciate it and also the Chamber who do a lot for the Theatre too. Gateway is presenting two great shows at the Patchogue Theatre this summer, *Beauty & the Beast* and *The Producers*. I would also like to announce another new member to our board, Jennine Egan We appreciate her volunteerism at the Theatre and we know that she will do a great job. The new board members are very active now and very vocal with all things that are going on in the future at the Theatre. We appreciate their work all the time. The theatre board is a working board so people actually have jobs and do things to help benefit the Theatre. I would like to thank Joe Dean—at the Theatre board meeting they were so happy about the duct cleaning.

Mayor Pontieri stated: They project about 125,000 people come through the doors of the Patchogue Theatre next year. Of those probably 40 to 50% have never been into the Village before. It is a very unique opportunity for all to show who we are.

Trustee Krieger stated: I know we have some issues with parking and they been very patient and we have been trying and with Deputy Mayor McGiff, Code Enforcement, Patti Seal who helped out a great deal to make those things happen. There are sometimes glitches, but probably the benefit to the Village most of the time outweighs the problems that it causes. It is great to be a part of the Theatre and to sit down with the new members of the Theatre Board and see all the plans of the future. There is going to be some great shows that we will be announcing soon. It is a lot of fun. I appreciate the opportunity to be a part of this organization. It means a great deal to the volunteers and the board that the Village community supports the Theatre. So please go out as much as you can go to the Patchogue Theatre.

Upon a motion made by Trustee Krieger, seconded by Deputy Mayor McGiff, and unanimously carried, the board set a public hearing to be held on July 14, 2008, to consider creating a local law to designate Oakland Drive, Bayview Drive and Pinehurst Street as seasonal parking by permit only streets.

Upon a motion made by Trustee Krieger, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for the residents of Marshall and Harold Streets to hold their annual block party on Saturday, July 12th from 2 to 10 p.m. The alcohol restriction should be lifted.

Trustee Crean stated: Given the current conditions of the economy in relation to the housing market, I spent this afternoon going down to a couple of developments that were approved and built over the last couple of years to get an assessment on how well the sales are going, both at Bay Village Development at the end of South Ocean Avenue and also Pinewood Village which is close to the recycling center. I am pleased to report that sales have picked up over the last couple of weeks. It seems some recent activity on the number of contracts that have been signed. We read everyday in the newspaper what's been going on in the housing market, not only on the Island but nationwide. The developers are committed to success in both of these developments and are working quite hard with mortgage lenders, offering a number of different enhanced amenities to attract buyers to the developments. Bay Village is nearly 50% sold out. They have 21 units that are occupied and 10 that are in contract. They have 4 additional units that have binders on them. Things are moving along quite well with regards to Bay Village. Pinewood is a 38 unit development that has 11 occupants, closed contracts of new residents to our community. They have 3 contracts and 1 additional binder—they have 15 units out of the 38 that have been built pretty much sold. So it is moving along pretty well. I am hoping by the next board meeting to give an update on the Riverview Development on Bransford Street. By then I will have some updated numbers on that.

Deputy Mayor McGiff stated: When I talked to the realtor, the type of people moving into Patchogue—one is an attorney in the city and bought it as a weekend place, two doctors from Brookhaven, and a couple from Bayport, who moved into Patchogue. It is impressive, the type of people moving into Patchogue.

Trustee Crean stated: He relayed the same thing to me about the occupations of some of these new residents and I was quite impressed. I wish them all continued success.

Trustee Crean stated: The Farmers' Market is returning July 11th. I spoke with Ethel Terry from the Long Island Growers' Association. This is a consortium of three different growers who will be selling their produce there. I look forward to that. It is always a nice summer amenity to our residents.

Trustee Crean stated: I have been visiting some downtown areas throughout the island and one thing that I have noticed is that, for example Riverhead, has a number of different handicap parking spaces that have been designated right along their curbside. I haven't been above to find anything like that in our downtown. We have some in the rear parking fields, but what I would love to have this board consider is perhaps approving a public hearing to consider designating a certain number of parking spaces street side.

Mayor Pontieri stated: When I was on the board in the early '90's, we were told to take them away by NYS DOT. I understand the Post Office has gotten another ruling from NYS that we can put them back on Main Street.

Trustee Dean stated: The standard space is, I think, 11 feet wide and I think you need another 3 or 4 additional feet on one side or the other for off-loading and on-loading.

Trustee Hilton stated: The off-loading into traffic was a problem.

Trustee Dean stated: We could perhaps remedy that with a curb cut.

Attorney Brian Egan stated: They gave the local authority the power to do that. It is truly up to us. There are no more DOT requirements.

Mayor Pontieri stated: I could see doing it in places such as the first space going east on Ocean Ave or Main Street where it is just straight pull in and maybe the last space across the street, the easy pull-in ones and maybe in front of the Bank of America.

Trustee Crean stated: The south side of Main Street just east of Ocean Ave. would be a prime spot, somewhere central close to the Post Office, the Theatre or the heart of the downtown, right at the four corners itself.

Trustee Devlin stated: The Post Office has the one spot in the middle with the curb cut all ready there. It seems like it should have one there.

Mayor Pontieri stated: As an update on Artspace, we will be hearing from HRC which is a state organization that funds tax credits. We should hear probably by the second week in July. If that happens, we will probably be breaking ground by early spring of next year on Terry Street.

Trustee Hilton stated: I would like to say there is a lot of things we can do to clean up the river--dredging it and trying to manage the storm runoff. But, one of the better things that we can do is bring people to the river and I would like to compliment the *Sea Fair* and the Riverfront Committee for having another fantastic event this year. It is such a pleasure to be down there and hear people who have never been to Patchogue before comment on the beauty. We as the board try to take care of some of the things not seen, but the river committee themselves did a fine job his year.

Trustee Hilton stated: The public hearings we have coming up pertaining to the public and zoning are renewals of special permits which I happen to be a real advocate of because special permits allow you to take another look at a property that it's a wait and see to see how it works out. It is not something that we make a decision on and then regret. It is something that we make a decision on and then we are allowed to come back and take another look at. I am really happy to see these special permits come back for renewal.

Trustee Hilton stated: The pool itself is doing very well and I would particularly thank the Mayor. I asked him to dig deep into his bottomless pockets to allow us to upgrade the fence in front of the pool which I think is a huge improvement over the black chain link which was included in the original bid. I think that it looks great. Hopefully with approval of Suffolk County Dept. of Health, it will be opening on time, this Friday at noon. The ripple alarms are still up in the air. We stamped the Village seal around the parameter of the deck and it looks great.

Trustee Hilton stated: Trustee Devlin has been gracious enough to take over a lot of the responsibilities of the Parks Dept.; in your approval for the salaries for the pool, what we have started this year is that we had so many applications for sailing instructors that I started a sailing instructor training program because I did not want to lose these sailors. These sailors came up through our beginning program to our advanced program and they grew out of the program and there were not any openings for them as instructors so we started a program which we are going to help with the instruction, the launching of the boats, the maintenance of the boats, and the rigging of the boats as well as the maintenance of the beach. And once again, this is because I did not want to lose these

sailors to the Town or any other program. As I have said before, I am very proud that all of our instructors are all homegrown; they have all come up through the program. I think that is very important. It is very important to the parents and it is very important to me to address the safety and concerns of our sailors.

Deputy Mayor McGiff stated: Regarding 73 South Summit Ave. tax bill is reflected as a two family refuse. Victor Cruz inspected the property on June 18th and confirmed that it is a single family home. To remove it from the tax roll, the home owner is due \$680, the difference between a one family and a two family refuse bill.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, the request was approved as stated above.

Deputy Mayor McGiff stated: There was a lawsuit brought by Tiff Realty Property the owner of 1 Maple Avenue against the Village. We got a letter from our tax attorney.

Attorney Egan stated: The Village in these tax proceedings is generally the tail that wags the dog because usually the Town settles it first because it is the larger portion of the tax assessment. In this case the Town settled with the property owner and also we granted by our own tax assessor who agreed the assessed value of the property should have a reduced equalized value from 8.5 million to 6.6 million based upon 2007-2008 equalization rates. So the tax certiori counsel request that the board approve the settlement of a lump sum refund of \$125,725.00 through 2008-2009 which was also put on as part of that moratorium for tax years 2009-2010 and 2010-2011. Again, this recommended by our tax certiori counsel and also approved by our tax assessor Carol Sweeney.

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

Deputy Mayor McGiff stated: We have been getting some complaints at the end of River Avenue and Cedar Avenue. There have been some teenagers congregating. If any residents are here, we have alerted Code to that fact and Suffolk PD has been going down there. We are addressing that and notifying those two entities.

Deputy Mayor McGiff stated: With reference to the three properties we discussed earlier that need renewals on their special permits, our housing inspector is going into those three properties to ascertain that they are in compliance with their special permit before the public hearing dates.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff and unanimously carried, the board approved request to hire summer staff as per list presented, including Jason Newham as a lifeguard at \$9.00 per hour.

Trustee Devlin stated: We had a CDA meeting earlier this evening. We are finalizing the affordable component of the house on West 6th Street. At the last board meeting I said the person who was first chosen at the lottery declined, the second person is thrilled that she is going to be able to buy this house. She has completed her counseling with the L. I. Housing Partnership and we are just finalizing how we are actually going to maintain the affordability of the house; there are a number of different methods. In addition, the original CDA budget had included from CDBG funds a project to redo the bathroom down at Shorefront Park with the plans to replace the aging playground with the Universal Accessible Program which is for the handicap. This is something that Maria Hendrickson has been raising funds through the Friends of Shorefront Park. The decision was made to put off the bathroom project and transfer those funds into the funds for the playground which leads me to the next. The NYS Park Dept. has a grant out right now.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request authorizing the Mayor to file an application for grant funds from the NYS Office of Parks & Recreation & Historic Preservation for the replacement of the playground at Shorefront Park. Whereas, the playground equipment at Shorefront Park has deteriorated beyond its useful life; and Whereas, the New York State Office of Parks, Recreation and Historical Preservation has a competitive matching grant to fund replacement of the playground equipment at Shorefront Park and make it universally accessible; now therefore, be it resolved by the Board of Trustees: that, this application and resolution is in the best interest of the Village and advances the strong public and community support for the project; and that, the Mayor of the Incorporated Village of Patchogue, is hereby authorized to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 12965, in an amount not to exceed \$87,500, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Incorporated Village of Patchogue for he Shorefront Park Playground and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

Trustee Devlin stated: Maria Hendrickson has already raised over \$30,000 and she is still going. She has a lot of service organizations committed to maybe sponsoring a piece of playground equipment, whether it be a swing or slide. She is doing an excellent job.

Upon a motion made by Trustee Dean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hire Bowne AE&T Group as consultants to provide engineering services for the rehabilitation and repair of various Village Streets. The County has a list of consultants and engineers that they went through an expression of interest procedure. We picked up a number of those expressions of interest and reviewed them, scored them (the Mayor and myself) and based on that Sidney Bowne came up on top.

Mayor Pontieri stated: This is additional monies that we received from Congressman Bishop. He has gotten us to date about 4.5 million dollars. Unfortunately, with the price of oil, the cost of blacktop has gone up from \$62 per ton to \$92 per ton, so we will get a third less done than we initially projected to be done. That being said, the Congressman has been very faithful to us as a community and it is much appreciated.

Upon a motion made by Trustee Dean, seconded by Trustee Hilton and unanimously carried, the board approved request authorizing the Fire Island National Seashore approval to hook into the sewer for their property located just north of 166 West Avenue. This is part of their new ferry terminal construction and updating.

Mayor Pontieri stated: Congressman Bishop has also championed that money also, so he has continued to take care of us.

Trustee Dean stated: Cunningham Duck Cleaning Services who we contracted with to do the duct cleaning job at the Theatre was a pleasure to work with. They were there exactly when they said they were going to be; they packed up and left; there was no interruption with any of the Theatre scheduled shows; they worked very closely with Clara Acapele the House Manager, and she was pleased with them. Again, they were very professional and a pleasure to work with. I want to go on record and commend Cunningham for the fine work they did over there.

Mayor Pontieri stated: The Theatre covers its own day to day operating expenses, e.g. utilities, minor repairs, all their payroll & medical benefits, all of those pieces that go into the day to day operations. With that being said, it is our building. When it comes to things such as duct cleaning, repair of the roof, the general capital maintenance of the

building, we take it as our responsibility because it is our building. When you hear these things, on the day to day piece—in fact we give this woman \$2,000 a month—we technically pay for that. The biggest piece of that is that they do cover themselves and they manage to do it very well. John Ashline has been the Executive Director for that and has done a tremendous job and with Jack Krieger's support here on the board, we try and get the things that need to get done

Public to be Heard:

Henry Terry, 16 Bransford Street.

Mayor Pontieri stated: Mr. Terry, just so you understand, with the amount of litigation you have before the board, the questions should be directed to the Village Attorney.

Henry Terry asked: What if they are issues not in litigation.

Mayor Pontieri stated: I am not going to determine that either.

Henry Terry stated: This week a code enforcement officer came down to my shop at Anything Marine and asked me to move a boat that he claimed that either the Fire Marshal or Fire Chief said it was blocking a right of way. I asked him if the Village would send me a letter making that request in writing. Just wanted to know if you know anything about it?

Village Attorney Egan stated: If there is an emergency situation, the code enforcement officers are directed to enforce that immediately if necessary. I don't know the circumstances of what was blocking the right of way. I will find out and let you know.

Mayor Pontieri stated: It was the Fire Chief. We had the Fire Chief take a look at the situation down there so he have made that as part of his recommendations to them. Was the boat in a position that if a fire truck came in there in an emergency situation to get to your marina, it may make a problem for the truck turning and coming down?

Henry Terry answered: Yes.

Mayor Pontieri stated: Then it was probably the Fire Chief who determined that.

Henry Terry asked: So it is the Village's position that they want that boat moved?

Mayor Pontieri answered: Yes. If the Fire Chief indicated that, then it should be moved. I'd appreciate that.

Henry Terry stated: If you look at the LWRP and the money that you folks received from the State, in it it talks about one of your responsibilities to clear up the right away is concerning the river and its redevelopment. I was wondering if you have any knowledge of work done in that area.

Mayor Pontieri asked: To clear the right away of what?

Henry Terry stated: I have some documentation that you have a LWRP starting with #600; at least it defines itself as an LWRP. This is the one that is pending right now.

Trustee Devlin stated: It is not a document.

Henry Terry stated: On your previous LWRP you were supposed to..... did you get to the point where you were clearing up the right of way?

Trustee Devlin stated: It wasn't ever adopted; that was from 1987.

Henry Terry asked: Is it the Village's position that there is a right of way across the area that you are talking about?

Village Attorney Egan stated: I don't know the document so that I could give you a straightforward answer that would be comprehensive enough.

Henry Terry stated: Mr. Pontieri is saying that, the Fire Chief.....

Village Attorney Egan stated: Don't link those answers up because it was not the same. The question was there an assessment done by the Fire Chief this weekend. That's a separate issue that has nothing to do with any LWRP compliance and right of way. It is completely separate, not even connected even by the slightest bit.

Henry Terry stated: Well, was the Fire Chief saying that that is a right of way there?

Mayor Pontieri stated: What the Fire Chief is saying is that if he needs to get a fire truck through that area to put out a fire on your property, he could not get a truck through there. What do you want him to do? Hit the boat on the way through?

Henry Terry stated: I hear through hearsay, that if I put a fence up, he would be able to run the fence over.

Mayor Pontieri stated: If there is a fire on a piece of property, the expectation is that they will make all efforts to get to the fire and put it out. What part of this is confusing? They are a fire department, putting out fires. Would you expect them to stay on the other side of the fence and squirt the hose over the fence? Is your expectation is if that gate was closed where they can't get around the boat, that they would stand there and attempt to put the fire out from 100 yds away?

Henry Terry asked: What does my expectation have to do with anything?

Mayor Pontieri stated: If the fence is blocking access to any emergency situation, they will take the fence down and I would expect them to do it on my private property on my house if they had to get through my back yard because there is a fire next door, they are going to do it any way they have to do it. That is what they are charged to do, to put out fires. So either you move the boat or we will move the boat. But, you are not going to leave the thing in a dangerous situation that does not allow access to a property. If you want it in written form, I will speak to the Chief and put it in written form to you.

Henry Terry asked: Are you going to cover the dredge spoils down by the river on the Hess property?

Mayor Pontieri stated: We have permission to handle it the way we are handling it right now.

Village Attorney Egan stated: The dredge spoils are being properly handled according to all permits and all regulations. The dredge spoils are being handled pursuant to regulations.

Dr. Grannati, 100 North Ocean Avenue, stated: Carol Giglio gave me some suggestions regarding the fence between Reese's and my property. It is a 40 year old fence that's rusty, with sharp edges, a liability and weeds. The beautification that you have done on the street is phenomenal. This hitching post motif might be a nice replacement.

Mary Kassner, 183 North Ocean Avenue, stated: The people on North Ocean are very happy that we got hanging baskets; that the residents were included in it. It makes our "string of pearls" look much nicer coming down. It works for us and we want to thank you very much. We see the man coming at 4 a.m. watering them and we are most appreciative. Most of the residents would like to buy American flags. We are willing to buy the flags if we could have the same ones that are in the business district.

Bernie Siepman, Wiggins Avenue, asked: When are we going to see some progress on the building on Bay Avenue for Parks & Recreation?

Trustee Dean stated: We have contracted with Carter Melance after we put out a bid proposal on the building and I expect them to get started on the rear, two story section of the building shortly. They have windows and siding coming. So, I would think in the next couple of weeks, possibly in the coming week they will get started in the back because the windows for that are on site already. As the windows and other materials get delivered, they will start on the rest of the building. We do have a slight problem with the porch on the front. We did an asbestos abatement on the porch front roof and what we were hoping to do was do the abatement, re-roof it and then tie it in with the new sheeting and siding. Structurally 1/3 of the roof in front is shot. We are going to have to demo that and bid out a reconstruction of that portion with new footings underneath the porch and everything. We were hoping to postpone that segment of the work until we had the outside segment buttoned up with the new sheeting, siding and windows. But since it all has to be tied together we are going to have to put that bid proposal out. Joel Peck is working on that bid proposal now with Brian Egan. I hope to have that ready and will be seeking board approval at the next board meeting. Initially the work should start slowly. As we tie up the contract, get the bid proposals done, and the rest of the materials show up, it should go pretty quick on the outside. You are going to see all the old siding ripped off, new OSB sheeting going up, new Anderson double hung windows, composite clapboard siding. It looks like OSB but it is a very high density with a lamination over the front that looks like wood grain. It should hold up really well down there with the elements.

Bernie Siepman asked: Are the Parks & Recreation going to be on the third floor?

Trustee Dean stated: It will be on the first floor in the back and handicap accessible. We are only going to be able to bring in about 2,000 sq.ft. of building space into use. As the front becomes available, it is going to be a several year project renovating the rest of the building.

Mayor Pontieri stated: The goal last year was to get the bandshell done. This year it was the pool.

Richard Kemp, 68 Jennings Avenue, asked: Trustee Dean, I have a question regarding 380 Bay Avenue e-mail that I sent to you. Because I was interested in the first proposal, I visited the site...

Trustee Dean stated: Let me put this to rest right now. I remember the e-mail and it was in regards to the re-bidding of that job. What we did was we straightened that out so that we eliminated the walk-through requirement and we also made the bid packet available. The Village Clerk called your house and you did not return the phone call.

Village Clerk Seal stated: I talked to your wife and she told me she didn't have time to take my message. I told her you needed to speak to me. I had a bid package waiting for you and waived the walk through requirement for you and you did not return the Village Clerk's phone call.

Richard Kemp stated: I am sorry with respect to that. I am sure I could have done a very satisfactory job.

Richard Kemp stated: Regarding e-mails that I have sent to several of our Board members including our Mayor regarding the Patchogue Hotel on East Main Street across from the Post Office. Do you recall that? The Patchogue Hotel was a large structure that resorted to bands coming in on weekends; they had prize fighters. You did not respond to my e-mail.

Mayor Pontieri stated: Send it again tomorrow.

Richard Kemp stated: I asked you many times if you could establish a notice to interested parties to Tri-tec's development, people living more than 200 feet, and you said yes that was a good idea.

Mayor Pontieri stated: We haven't had any public hearings at all.

Richard Kemp stated: I would like to speak on a legislative aspect of the performance of Village Prosecutor Paul Feuer.

Mayor Pontieri stated: Personnel issues and those types of issues must be put in writing. We are not going to address it here. You are not getting into brow beating people or making any derogatory comments on any one in this administration. It's not going to happen.

Richard Kemp stated: I have e-mailed you regarding 3 Thorne Street. This is the one approx. one year ago you said, I will send a letter to that lady regarding the lid on her garbage cans. Her cans are all over the place and I have to look at them. Joe Brandi has been there several times and from what I was told by the Village Clerk the only letter that you sent was a 24-hour form letter which amounted to nothing.

Deputy Mayor McGiff stated: I don't check my e-mail. Call 475-8942 and they will send a guy right over.

Richard Kemp stated: I would like to ask about the tabled matter of garages. This was reported as ambiguous by former attorney Lee Snead. You responded that the code book was being updated by General Code or whoever writes the village law book, but this matter is still unresolved as far as I know.

Village Attorney Egan stated: You are absolutely right.

Richard Kemp stated: As far as ambiguous matters, I have asked you Attorney Egan regarding the law of commercial vehicles. Have you look at that law?

Mayor Pontieri stated: We have spoken before, we will discuss issues about health and safety and/or agenda items. I have let you go off on your little tangents tonight, but I am not going to let you go any further. You have had the opportunity. There are other people who would like to speak tonight.

Mike Bruemmer, 31 Baker Place, stated: I came down tonight really to put my ear to the rail. As you all know, the Tiki bar has opened in the last three weeks and has been very well received and a very nice crowd. It has gone through some growing pains, e.g. some noise, some other complaints that I have heard about. I came down here tonight to see if the public had come to express that, but I haven't heard that. I am gratified to hear that. We have worked on many minor issues that I think we have taken care of already. We are ready to take care of anything else that may come up in the future. We look forward to a

constructive relationship in terms of anything else that we at West Bank and/or the Tiki bar need to comply with and make this all nice and smooth.

Mayor Pontieri stated: I think the single issue that needs to be addressed and it has nothing to do with occupancy or kind of business that you are doing. It's how we keep Baker Place open for emergency vehicles. And that is where the fire department comes into it. The single thing that concerns me the most is if there is an emergency down on your property, a homeowners property, the factory next door, how do we make sure that once all those cars are piled in that people can get down. The rest of the stuff we can work out. That's the piece that Gerry and I were looking at the aerial, and I don't know where to go with it. I know the Fire Chief and Emergency has expressed some concerns on it and the neighbors have. The rest of it we can figure out. We figured it out for Dublin Deck, Blakslee's place and Harbor Crab. We need to figure out that piece of it.

Deputy Mayor Bruemmer stated: I will be happy to sit down and figure this out with whoever.

Mayor Pontieri stated: The first thing we need to figure is the access in and out and parking.

Mike Bruemmer stated: We hired a valet service and every car on that street has a driver and a set of keys in it. As far as access is concerned, I don't think it is any different than trying to get down Main Street at 3 o'clock this afternoon.

Deputy Mayor McGiff stated: The only thing that is different is that every other waterfront dining place is contiguous to a main drag to get down, meaning either River Ave, Division or West. You're a little different because you go off of River Ave., off to a narrow 19th century road with homeowners there.

Mike Bruemmer stated: There is only one homeowner. The street is 15 feet and I run all the way down the site. So for the price of a strip of blacktop which I would be happy to do we can make it wider. I want to let you all know that I am ready to make happen whatever we need to make happen.

Upon a motion made by Trustee Crean, seconded by Trustee Dean, and unanimously carried, the meeting was adjourned.

