

Board Meeting

February 9, 2009

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on February 9, 2009.

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

The flag salute was made.

Mayor Pontieri read the safety message

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved of the meeting minutes of January 20, 2009 as submitted.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the Board approved of the meeting minutes of January 26, 2009 as submitted.

Village Clerk Seal stated: For the period ending February 9, 2009 the five largest bills were: Sidney Bowne & Son \$140,807.73 for dredging and road projects, H2M \$13,198.00 for sewer projects, Department of Interior \$11,000.00 for water monitoring for non-point pollution grant, Frederick Wood \$9,500.00 for four corners appraisal, and LIPA \$6,658.49 for monthly electric.

General Fund	\$175,734.30
Trust & Agency Fund	\$9,500.00
Capital Projects	\$161,687.77
Sewer Fund	\$28,067.79
BID Fund	\$2,371.50
Housing/Code Fund	\$1,616.45
Community Development Fund	\$5,394.89
General Bills	\$0.00
Total	\$384,372.70

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the Board approved payment of bills as read.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the Board approved loan from General Fund to Capital Projects Fund of \$171,496.38.

Village Clerk Seal stated: You have the cash balances as of January 31, 2009 for your review.

Village Clerk Seal read: Notice is hereby given that a public hearing will be held on Monday, February 9, 2009 at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York, by the Board of Trustees of the Village of Patchogue to adopt a Local Law to establish and enforce erosion and sediment control plan requirements for land disturbances of one or more acres and require developer to submit construction plans prior to breaking ground, 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.

Trustee Dean stated: At the last board meeting we adopted legislation to control discharges from residential areas and to keep an eye on what goes into our storm water system. This is legislation that will affect the disturbances of commercial property. When we have commercial development and more than one acre of land is disturbed, this will require the property developer to notify us, submit a plan, and the plan has to conform with the guidelines that we are adopting. There will be silt fences, hay bales, those sorts of things you see at commercial developments. There will be inspections, storm water prevention plan, etc. Essentially what we are doing is adopting DEC guidelines which lays it all out very clearly and concisely. It is part of the State and Federal government Phase II storm water plan that we have to conform with, e.g. the GIS system, the illicit discharge, all of that.

Village Attorney Egan stated: This is just one more piece that we are required to do by the NYS DEC Phase II on the storm water runoff. Of course being located on the Great South Bay and having so many rivers that we do have in our 2.2 square miles, they are paying particular note to waterfront villages to get this kind of stuff done, especially what goes into our basins and what comes off our construction projects. This legislation tonight adopts the "Instruction Manual for Storm Water Construction Permit" which changes from time to time by the NYS DEC. But, as we adopt this permit manual it will be for construction projects to follow which are greater than one acre in size.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the board adopted the Local Law as stated above.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board set a public hearing to be held on February 23, 2009 to consider a request for a Special Permit for the owner of 98 South Ocean Avenue for a second floor apartment.

Upon a motion made by Trustee Hilton, seconded by Trustee Krieger, and unanimously carried, the board appointed Susan Henke-Brinkman as an alternate member of the Zoning Board.

B.I.D. Report / Chamber of Commerce Report – None

Ben Bertuch--Eagle Scout Project presentation, stated: All the labor will be done by the Boy Scouts and all of the material does not have to be purchased as once. We can do six tables over a three month span; we can get the material for two tables each month. The cost of all the six tables will be about \$140. My estimated time would be from the beginning of March to mid-May to have all the tables completed.

Trustee Hilton stated: The tables that we have have held up very well under the extreme conditions that we have at the Beach Club. We are looking forward to having even more. We talked a lot about having the area behind the Recreation Center into an area where people can sit and picnic. I have talked to the Lions Club and the Kiwanis about their wanting to put a plaque and I think they would want to sponsor your project.

Upon a motion made by Trustee Hilton, seconded by Trustee Devlin, and unanimously carried, the board approved the project as presented.

Trustee Krieger stated: The Theatre is still waiting for the final results of their audit and will be making a comparison of where they were five years ago and where they are currently now.

Trustee Krieger stated from Feb. 15<sup>th</sup> until May 9<sup>th</sup> have the following acts are coming to the Theatre: Chamber Music Series on Feb. 15<sup>th</sup>, Ronan Tynan on Feb. 20<sup>th</sup>, Mickey B's Rock Around The Clock Oldies Spectacular with special guest star Gary U.S. Bonds on

Feb. 21<sup>st</sup>, Bangers Mash on March 5, The Nelson Riddle Orchestra on March 15<sup>th</sup>, Carducci String Quartet on March 22<sup>nd</sup>, Lainie Kazan on March 28<sup>th</sup> and Starshine 2009-All School Variety Show on March 29<sup>th</sup>. In between there is children programming that happens during the day for school children. There are a lot of great things going on at the Theatre and I hope that everybody supports the great things they are doing over there.

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 utilize the 7-Eleven parking lot on Main Street to sell fresh produce on Friday's from July to November.

Trustee Crean stated: I was approached by a resident who lives on the shoreline of Patchogue Lake who is considering using a portion of their private residence into a bed & breakfast. I would like to set a public hearing to consider the adoption of legislation which would grant by special permit for owner-occupied residents to apply to convert their homes to a bed & breakfast. Attorney Egan drafted a whole host of criteria which will be helpful.

Upon a motion made by Trustee Crean, seconded by Trustee Dean, and unanimously carried, the board set a public hearing to be held on March 9, 2009 to consider adopting a Local Law with regard to allowing bed and breakfasts in the Village.

Trustee Crean stated: With the Downtown Redevelopment Project that we have been working on for a couple of years now getting close to the final stages of approving the site plan, one of the things that we recognize is a shortage of parking. What I would like to do is get Board approval to hire Frederic Wood Associates to appraise certain properties on the north side of Lake Street and on Jennings Avenue to consider the acquisition of parcels to convert into municipal parking fields. It is my understanding that if we are able to successfully acquire these pieces in addition to the parcel that Tritec is in contract with, we would be able to provide an excess of 150 additional parking spaces right in the heart of the downtown district to serve the new residents and merchants they are looking to bring. There is an estimate of \$1,500 per parcel and that would be an estimate not to exceed \$6,000 for those four parcels.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the board accepted the proposal as stated above.

Trustee Hilton stated: We have had a second meeting with the Powerboat people. Once again, we have been complimented on the way that Patchogue Village's special services, e.g. fire department and EMTs, handled the incident last summer. We are looking forward to having a great race next year. Fire Marshall Sarich has brought up some good points at these meetings which we are addressing early in the game.

Trustee Hilton stated: As far as the Riverfront Committee, the Sea Fair is going to be very different this year, if we have it at all, in that the National Sea Shore property by the bowling alley is going to be under construction. They are no longer going to be able to use that as the staging site for the three day event. There have been some discussions of its being an event held on all different spots on the river with the ferry companies and other services bringing people to different spots. And, each location having an event that was part of the Sea Fair last year—visiting the restaurants and some of the conventional-commercial uses on the river such as Weeks and the canvas makers and the boatyards. I think rather than bringing people down to one spot, having this Sea Fair down the whole river from the Town dock to the bowling alley would be a great event---it is something that they have to present to the Board, but it is in the early stages of discussions. They are moving the date forward three weeks. I think it would give the Village good exposure—to see the beauty of the river, not just that one area. They have asked me to

approach the Board because they don't want to go any farther if they feel it is going to be a problem.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Dean, and unanimously carried, the board approved request to hire Joe Sauerwein for project plan reviewer at \$75.00 per hour.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Dean, and unanimously carried, the board set a public hearing to be held on February 23, 2009 to consider amending Chapter 66 of the Village Code with regard to noise.

Deputy Mayor McGiff stated: That Code has now moved into Village Hall. We have been getting complaints about graffiti especially on the west end and Academy. We took pictures and notified Suffolk PD as it has been happening almost every weekend.

Trustee Devlin distributed the completed tree inventory and said we documented all the street trees with 100% volunteers and put the information into forms like NYC had used. Through my contacts with the DEC, they put me in contact with Cornell who was looking for a municipality that had done an inventory. It gives a complete population of the trees broken down by size and age. According to this we have 439 street trees and this does not include the ones recently planted. The report attaches a dollar value to the air quality benefits of trees and they go into the various pollutants and how the trees draw pollutants out of the air. The dollar value they determined of our street trees is \$49,000. There is a breakdown on the condition and age of the trees. We now have to come up with a system whereby we update the information as trees come down and trees are planted. This was important in my quest for Tree City USA which I am going to be going out for with the Arbor Foundation this year. The Town of Babylon just recently got a 50% matching grant to do their tree inventory—and the 50% from the State was \$20,000 which means they are anticipating spending \$40,000 to do their trees. Patchogue Village's tree count was done at no cost to the Village residents.

Trustee Devlin stated: I would like to congratulate all 15 board members of the Patchogue Arts Council because they have worked extremely hard over the last year to get to the point that they have gotten to. On Feb. 14<sup>th</sup> their next general meeting will be held at Briarcliffe College and the Mayor will be the guest of honor and will be updating the Arts Council on the status of Artspace.

Trustee Devlin stated: On Feb. 24<sup>th</sup> there will be a Friends of Shorefront Park Fundraiser at McDonalds in East Patchogue at 4 p.m. McDonalds has offered to give all proceeds from a partial of the food they sell that day from 4 p.m. to 6 p.m. They will offer coupons to those people walking in which they will convert to dollars for Shorefront. Maria is doing a great job fundraising.

Trustee Devlin stated: After the incident of Marcelo Lucero, I was contacted by a quilt maker Dianna Burchholdt from East Patchogue. She came up with the concept of over the next year of doing quilting bees at the Library with different organizations and try to get sort of an inclusive nature to the groups to make little squares that would be made into a big quilt and that would represent the Patchogue community's commitment to diversity—just a way of kind of healing as we go on. Maria Hendrickson planned a fundraiser on March 25<sup>th</sup> at the Mediterranean Manor to raise funds for the quilt material. There will be foods from all around the world, music, 50-50 and the price will be probably about \$32 per person. We are hoping to get people throughout the community and make it an inclusive evening. We believe that we should be able to raise several thousand dollars for the material. On March 5<sup>th</sup> at 2 p.m. and March 19<sup>th</sup> at 7 p.m. there will be informational meetings at the Patchogue-Medford Library. We are going to invite representatives of schools and it is open to anybody. Once we see who is interested we are going to plan out the different groups. We are hoping to get several quilters involved so they can

facilitate the different groups. Any money left over from the fabric cost will go into a piece of equipment at the playground with Lucero's name on it.

Upon a motion made by Trustee Devlin, seconded by Trustee Dean, and unanimously carried, the board approved request for Metro Long Island to use Shorefront Park ball field and Rider Avenue fields for a co-ed soft ball tournament on Saturday, July 25<sup>th</sup> from 8 a.m. to 9 p.m.

Upon a motion made by Trustee Devlin, seconded by Trustee Dean, and unanimously carried, the board approved request to hire Nadia Iniguez as a part-time Housing Counselor for the Community Development Agency at a salary of \$15.00 per hour effective immediately.

Upon a motion made by Trustee Dean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for Peter Sarich to attend the Certified Professional in Erosion and Sediment Control Review course and exam on March 25<sup>th</sup> and March 26<sup>th</sup> in Ronkonkoma, NY at a cost of \$125.00.

Upon a motion made by Trustee Dean, seconded by Trustee Hilton, and unanimously carried, the board authorized the Mayor to make application, execute the State assistance contract, submit Project documentation and agree to fund the Village's portion of the cost for the Water Quality Improvement Project Grant.

Trustee Dean stated: This is a Water Quality Revolving Fund Grant from the DEC. It is not going to require a match. We are applying to fund some of the storm water implementation measures that we have already taken. We fill out the paperwork, submit everything and we will get \$25,000 to cover the cost of the GIS programs, the training, the mapping of the storm water system, some of the hardware that we have installed in some of the catch basins, the collection tanks and those sorts of things. It is reimbursement for things we have already done. It is a grant that had been applied for and was recently awarded and the DEC said it was fine for us to go ahead and use it for things that were already done in our five year plan that we are just coming to the end of now. It is really very beneficial and we will be able to use all of those things that we already paid for as our match. It is not going to cost us anything.

Upon a motion made by Trustee Dean, seconded by Trustee Hilton, and unanimously carried, the board approved request to hire McClave Engineering for work to be performed at 380 Bay Avenue for mechanical design systems which will include, but not limited to, the HVAC systems, CAT5 wiring, the electrical wiring, design of the ADA bathroom plumbing, sketches for sprinkler system, all those mechanical systems that have to be integrated into that facility to turn it into a community house and recreation center at a cost not to exceed \$6,000. That would be coming out of the bond we have set aside for this project.

Public to be heard:

Dick Schroeder, Shore Road, stated: I would like to complain about the coverage that the papers gave about the recent Lucero event in the Village. They made it sound like it was Patchogue's fault that he died. Reality is that a bunch of hoodlums came to the Village to find a victim and they found one. I think it was shoddy journalism.

Mayor Pontieri stated: The problem that we have is that if you don't respond to them, they are going to write the story the way they want. It has been very difficult at best.

Dick Schroeder stated: At the last public hearing on the Tritec project, the contractor was told to respond in writing to any discussion items by the second of February. Did they respond and how can I see the results?

Village Clerk stated: We have three written comments submitted and they are available for review.

Attorney Egan stated: The hearing was held open for the submission of a written comment by the public until Feb. 2<sup>nd</sup>. We received three written comments. The hearing is closed, but records are still open until the developer files their final site plan or integrate it into their final environmental impact statement. There were three written comments that were received from the public which can be seen at the Village Clerk's office.

P. J. Tedesch, Tobacco Action Coalition, and colleague Angel Ortiz from Reality Check stated: We come here tonight seeking a Village resolution in support of a community project. Our agencies are one of thirty community partnerships throughout New York State as part of the NYS Dept. of Health and Tobacco Control Program. Our agencies are working together on the tobacco retail advertising project. The tobacco industry spends over 13 billion dollars annually marketing towards our youth. Our project involves asking the retailers and educating them about the placement of their advertisement within their stores and asking them to voluntarily reduce, rearrange or remove their tobacco signage. We have package information as far as the NYS Tobacco Control Program as well as our project and a template for a village resolution.

Mayor Pontieri stated: We will take a look at this and get back to you. We will have the Village Attorney take a look at it and put together our own resolution and will let you know when we set a public hearing for it.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned at 8:21 p.m.