

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on April 27, 2009.

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

The flag salute was led by Village Treasurer Krawczyk.

Mayor Pontieri stated: A longtime, outstanding resident of the community, Anne Swezey, passed away. Ann was the Village Historian and was someone who put her life and time into the community. She was one of the movers for the restoration of the Theatre. She really had a historical prospective of the community. She and her husband Bob were lifelong residents. Her husband is still living in Chappaqua. She is someone you should remember in your thoughts and prayers; someone who really did make a difference in this community. She was about Patchogue and it was who she was. It was about what she believed in and the community is a better place for her having spent time in it.

Mayor Pontieri read the safety message

Upon a motion made by Trustee Hilton, seconded Deputy Mayor McGiff, and unanimously carried, the Board approved the Annual Reorganization meeting minutes of April 6, 2009 as presented.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the Board approved the Annual Budget Meeting minutes of April 9, 2009 as presented.

Upon a motion made by Trustee Crean, seconded by Trustee Devlin, and unanimously carried with Deputy Mayor McGiff abstaining, the Board approved the Board meeting minutes of April 13, 2009, as presented.

Village Treasurer Krawczyk stated: For the period ending April 27, 2009, the five largest bills were: NYS Employees Health \$81,663.59 for monthly premium, Town of Brookhaven \$64,496.60 for landfill charges, H2M \$18,700.00 for engineering services, Statewide Construction \$18,247.69 for the roof at the Theatre, and Dept. of Interior \$11,000.00 for wastewater testing.

General Fund	\$312,289.38
Trust & Agency Fund	\$17,240.37
Capital Projects	\$51,017.68
Sewer Fund	\$21,884.83
BID Fund	\$2,772.84
Housing/Code Fund	\$1,147.95
Community Development Fund	\$5,803.26
General Bills	\$3,592.50
 Total	 \$415,748.81

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved payment of bills as read.

Upon a motion made by Trustee Hilton, seconded by Trustee Crean, and unanimously carried, the Board approved transfer which was approved at 3/14/09 B.I.D. meeting of \$500.00 from #006-3195-0464-0437 Riverfront Promo to #006-3195-0492-0422 Advertising.

Public Hearings:

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Monday, April 27, 2009 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 discuss the Restore New York application and the property assessment list as follows: Property Assessment List Address:

31 West Main Street, Patchogue, NY 11772, Section 9 Block 5 Lot 23, Size 26,334 SF, 0.27 acres, Use: Office/Retail Building is to be deconstructed and rehabilitated. At said Public Hearing any person interested will be given the opportunity to be heard.

Trustee Crean stated: This property is commonly known as the Wedgewood Building on the north side of Main Street just west of North Ocean Avenue. The history of the building lends itself to a total renovation of the property. It has been added onto, there was a fire in the building, and many renovations over the years. Tritec became the owner about a year and a half ago. It is part of a project that will redevelop the entire block. The State of New York has a grant application which we are going to be applying for, some public funding to help in the costs of basically totally rehabilitating the property. The application is an award that we are hopeful for, a 2.5 million dollar grant that will go a long way towards the renovation of the façade and other infrastructure on the property. One of the requirements for us to make the application is host a public hearing about our intent and whether or not this application meets with what the public really wants. There have been a number of studies done back in 1992. Suffolk County put together a planning document that has been a tremendous resource for us and was referenced numerous times. Within that document it makes certain recommendations for us to consider, certain developments on our downtown--to try and encourage housing within our shopping district and to create more recreational and tourist types of destinations within our district. We are trying to keep in mind what those recommendations are and in addition to that document, there was also a visioning process that many of us had in March of '07 in which a number of merchants, civics and residents of our community got together one Saturday afternoon and with the help of Archspire Architecture and a couple of other Planning Board members came up with a vision of what we would like to see the block become. It included many uses that Tritec is going to make to come to fruition for us. This project is going to bring a number of economic benefits that were denoted by Dr. Pearl Kramer, a tremendous amount of tax revenue, a tremendous amount of employment and will bring an economic benefit not only to our Village, but the entire region. As the Mayor has mentioned several times, it is a project that has a tremendous amount of regional significance. We are all quite hopeful that we will be granted this award. Those dollars will go a long way. At this particular time, I would like to invite Marian Russo who has been a tremendous help and Robert Loscalzo who might share some of the details and can answer your questions.

Mayor Pontieri stated: The Restore New York is a NYS program for the restoration, renovation and demolition of historic buildings projects. This is a grant that goes to a municipality; we are the pastor of the private developer to make sure that the private developer does things according to what the community wants. It is a partnership that the State puts together between a local municipality and a developer. Tonight you will hear about the project and where it stands.

Rob Loscalzo stated: I thank you, Mr. Mayor and Trustees, for allowing us to talk to you tonight and appreciate your support of this application, Restore New York. 31 West Main will be Phase I of a III phase project to revitalize the one square Village block at the "four corners." We are excited about getting started. We pulled out four million to put into the building project and already have three million dollars into the building so far. We expect to get started in late May with scaffolding and will take down the existing brick structure and the steel on the third floor. We are going to put a stone faced base, brick fill running up to the third floor and will reintroduce the cornices that once stood on the building; we are going to turn the corner down the alleyway with an active street front and retail. We already have several groups that are interested on the ground floor and several office tenants as well. We expect to get started in late May and expect the project to be completed late summer, mid-September. At the same time, we will start with the deconstruction of the Swezey building and other properties in the location of the Carnegie Library. We expect that to last about 12-14 months which will be Phase II of the project. We will start Phase III once we get to about 80% occupancy and we expect that to last about 12 months. The entire project from start to finish will be about 2 ½ years time. Again, we look at 31 West Main Street as kind of a catalyst and are excited about getting started. We went through extensive structural analysis of the building. We have construction bid documents prepared right now, it went out to bid, and as soon as we get five bids back within a week, we will finalize our budget and start ordering materials. There is about a 4-6 week waiting time for certain materials. It will run concurrent. We will start with the deconstruction first and as those materials arrive on site, they will go on. The existing storefront will come down, the existing brick will also be taken off, and the steel structure at the top will come down. We will put natural materials back up and it will look fantastic

Trustee Crean asked: What is the timetable for the application and when do you anticipate the award?

Rob Loscalzo stated: According to the application material, we submit the application next Monday and are working with Marian Russo to complete that application. According to the material, it says awards will be made first week in July.

Marian Russo stated: I am very hopeful about this application because one of the items that they value is that the project be “shovel ready.” I think we are in a very good position to make this application. It is required that we have a Resolution from this Board to approve the submission of the application on behalf of the Village to the Empire State Development application to The Restore New York application. The money comes directly to the Village. They also confirmed that although the construction will go forward in May, that it is okay with this grant application. They like to see that. Although the approval may come through in July, it is okay that the project is starting in May.

Trustee Crean asked: Does the application include the development plans for the entire block or is it specific to the address itself?

Rob Loscalzo stated: It is specific to the address itself, but they do like to see that it is part of a bigger project. There is a story criteria that they use in the application process to determine the feasibility of the amount and the amount of the award. So it should help as part of the overall review of the plan.

Richard Kemp, Jennings Avenue, Patchogue, stated: Personally I feel that this is going about the project all in the wrong way because the former Swezey building should come down first.

Rob Loscalzo stated: The process to redevelop that entire block is based upon number one, financing and having a plan approved which we are still going through--site plan which is expected in mid-May. It goes through a SEQRA process and there is a statute of limitations on SEQRA whereby a lawsuit can be filed within a 20 day period. Generally, a bank is not going to let you start a project until that process has taken its course. So, timing is such that this project is ready to go. We purchased this property about a year ago in July, went through an extensive ARB process, worked with the Board to determine what the look should be, and an extensive amount of structural analysis to make sure it is safe. When we originally purchased this property back in July we had heard about this Restore New York, but it was not a certainty that these funds would become available. It allows us to start the project next month.

Mayor Pontieri stated: So it is timing based upon a number of things, financing, approvals, engineering and the funding source—now hopefully, there will be Restore New York monies. The two biggest ones, the engineering and the document work on the west of it is so much more extensive than this is. The second piece of it is the approval process for the Swezey property is much more extensive based upon taking it down and totally rebuilding the structure. I think the decision to go forward is not just what we want to, but the practical side. It is what we had to do. As far as that building goes and what the Fire Marshal has said, you are 100% correct. The Fire Marshal said it is an issue and a problem. The building has stayed secure and has stayed secure as it may be. If I had my way, I would love to see a bulldozer on the four corners right now taking that building down and Mr. Loscalzo would love to see that as a vacant lot.

Mr. Kemp stated: The reason the whole project began was that the Swezey building was vacant and could not be sold. And you began condemnation proceedings and called in the Fire Marshal who made an extensive report which said it endangered buildings on the other side of North Ocean. I speak from what I read in the minutes.

Mayor Pontieri stated: You are 100% correct, but it is still a process that you have to go through.

Mr. Kemp stated: In other words, if this project starts and the Swezey building collapses where does that put the buildings on the other side of North Ocean?

Mayor Pontieri stated: The bottom line is what the process is right now. I will take your comments and criticisms and I don't take them lightly. I understand what you are saying, but the bottom line is it is a process that we have to follow to get to a point.

Upon a motion made by Trustee Krieger, seconded by Trustee Crean, and unanimously carried, the board approved request to authorize the Village to present application to The Restore New York for the deconstruction and rehabilitation of 31 West Main Street, the Wedgewood Building.

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Monday, April 27, 2009, 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 amend Section 415-19 of Chapter 415 of the Village code with regard parking by permit only on Price Street, Sunset Lane and Mapes Avenue, 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: There were a number of comments made at the last Board hearing. This obviously signs that had been posted donating “no parking” and now 20 years later some of you have received tickets for parking on.

Village Clerk stated: If you do intend to park on the street, you need to come to the Clerk’s Office with your registration and proof of residence, and a piece of first class mail. For each registered car you will be getting a sticker to put on your car and you will also receive 2 additional passes per registered vehicle which you will have for guests all of which will expire on Dec. 31st each year. For incidents when you will be having more guests than you have passes, temporary passes will be made up for that date. Contact your neighbors and let them know they will be issued tickets if they do not have a resident sticker.

Thomas Ward, 48 Price Street, asked: Will you let the neighbors know....

Village Clerk Seal stated: I will send out a letter to residents on those blocks giving a certain date which they must comply. The stickers are for only residents on your street. The stickers do not have your address on them. There is no fee for this sticker. For those with a company vehicle, you need to show your driver’s license with your address on it. This permit is good 24/7 for the year.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the Board approved request to amend Sections 45-19 of Chapter 415 of Village Code with regard to parking by permit only on Price Street, Sunset Lane and Mapes Avenue.

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Monday, April 27, 2009 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 amend Sections 415-21, 415-22, 415-23, 415-24, 415-25, 415-26 and repeal 415-29 of Chapter 415 of the Village Code with regard to parking meters, 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.

Village Attorney Egan stated: In summary, this is to reflect the modern use and employment of parking meters throughout the Village. We eliminated the standing meters a long time ago and some aspects of the Village still have standing meters, but more accurately it reflects the practice and use of the parking meters at the L. I. Railroad Station.

Mr. Kemp asked: Whatever happened to the old meters that were removed?

Mayor Pontieri stated: They are in the basement.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the Board approved request to amend Sections 415-21, 415-22, 415-23, 415-24, 415-25, 415-26 and repeal 415-29 of Chapter 415 of the Village Code with regard to parking meters.

Mayor Pontieri stated: We have a request for approval to designate the Board of Trustees as lead agency pursuant to the implementing regulations of SEQRA with respect to the proposed Clare Rose multi-family residential development.

Village Attorney Egan stated: This is a motion to appoint the Board of Trustees as the lead agency for SEQRA purposes. Obviously, they submitted a short form which demonstrated that this is going to have potentially very large impacts and certainly some impacts that should be mitigated by this Board. Based upon the importance of this project, the size of it and the consequences of it, because of the size of it, the Village should be designated as lead agency.

Mayor Pontieri stated: Clare Rose made a decision to move their operation to 20 acres in Yaphank and now talk about what they are going to do with the re-development of 11 acres. This

is the beginning of that process so that we make sure we have the control that we need during the planning and SEQRA process.

Village Attorney Egan stated: We submitted that coordinated view taken by this Board and no objections were received from any involved agencies to the Board acting as lead agency.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to designate the Board of Trustees as lead agency pursuant to the implementing regulations of SEQRA with respect to the proposed Clare Rose multi-family residential development.

Village Attorney Egan stated: The second half is exactly what I talked about before with reference to the Clare Rose multi-family residential development. The size of this application and its impact on the Village certainly under the criteria of SEQRA is going to have a very large impact. In order for RAM Associates LLC to go forward with the project, we would recommend that the Board adopt a positive declaration of this project and do a full SEQRA.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the Board approved request to classify the proposed Clare Rose multi-family residential development as an "Unlisted Action" and adopt a positive declaration pursuant to the implementing regulations of SEQRA.

B.I.D. Report – Dennis Smith stated: As I had mentioned last month, we have four active applications for the Main Street Grant Award which is for façade and sign improvement. Two of those were Budget Buy & Sell and the Levin property, the old Jay's Building, and the two small stores between Budget and Jay's. What I am trying to do is get them to work together and to get the whole project done from the bagel store through to Budget Buy and Sell which is more than 300 feet on South Ocean Avenue which would wrap around Main Street another 90 feet. It would make an awesome statement on that block. It is looking good; they both have architects working on it and have plans. They went to ARB last week and they were receptive to what they want to do. I am trying to get Budget to go along with something similar to that. We have \$200,000 to work with and we have \$100,000 that we were given the authorization to designate for the Budget Buy & Sell..... The other application is East Main Mimi Mall by the library....another good project. The Library wants to put a sign up on Main Street and should have their application by the end of the work.

Dennis Smith stated: Bids for the summer work to be done for our Beautification Committee were opened. Based upon the approval of this Board tonight, the bids will be formally awarded starting as early as tomorrow. We need to get the gardening aspect of that going. We have some issues with the railroad station to be taken care of. The professional weeding and defoliation program which we began first time last year proved to be very successful and is scheduled this year for Saturday, May 16th. The program includes the curb and brick pavers on Main Street from West Avenue to Bay Avenue, both sides of the street, and down both sides of South Ocean Avenue down to the train tracks. In order to ensure public safety, I would ask for Code enforcement with flashing lights.... The brackets were placed on Waverly Avenue. We wanted to go 12 poles with one bracket on a pole. We went six poles with two brackets on a pole. We may go back and revisit that, at least this year have one on every pole down to Roe. And next year, appropriate the monies to have two on a pole. Thank you to DPW for their help.

Dennis Smith stated: This week we took 20 benches off the street and are having them stripped, repaired and painted. We hope to have them back in 7-10 days.... Hopefully, by the end of June we will have them all done.... Again, thank you to DPW for their help.....

Dennis Smith stated: I will present the B.I.D. Annual Report on June 22, 2009.

Dennis Smith asked: What is going to happen to the old mast arms when the news ones are put up on Main Street? We could desperately use them on South Ocean Avenue by the old Union Savings Bank?

Trustee Crean stated: The signs can be preserved, but I think the poles are going to be sheared off so as then not having to dig up the sidewalk.

Chamber of Commerce – No Report

Trustees:

Trustee Krieger stated: The last few weeks at the Patchogue Theatre has been great. We had a packed house for *Circurios* which was a great show. Saturday night is the *Long Island Philharmonic* with Andre Watts. The highlight of last week was *Raising the Curtain on Unity* event at the Theatre which performed to a full house with a lot of dignitaries there, one of the most enthusiastic crowds I have ever seen at the Theatre in a very long time. Thank you to everyone who supported that event, great performances from everyone from the professionals to the kids. A lot of thanks has to go to the Mayor for all his work and also Marian Russo. Also, last weekend we had *Kansas* on Saturday night to a fabulous house. A very enthusiastic crowd and the restaurants were full. We have *Alive in the Lobby* on May 7, *Mambo Loco*, a night of Latin music. On May 9th will be *Women in Comedy*, Loretta LaRoche & Friends. May 30th will be *Mickey Dee*. June 7th will be the *Atlantic Wind Symphony*. Then Gateway will be coming in with two fantastic productions, *Miss Saigon* and *Dirty Rotten Scoundrels*. I have to thank Paul Alan and his people who bring such quality entertainment to Patchogue and a lot of people to Town. They bring a lot of entertainment to kids, *Pinocchio* and *Dinosaurs* in July and *Sleeping Beauty* in August. Support the Theatre and the volunteers; they did a great job this year. When introducing *Kansas* last Saturday night, I learned for about a quarter of the crowd it was their first time at the Theatre. It was their first impression of Patchogue. We are very proud of the Theatre and we are looking forward to a new season. Of course, this weekend starts the dance recitals which puts some stress on parking in the Village, but code enforcement normally has that under control as best possible.

Upon a motion made by Trustee Krieger, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for the Spanish Pentecostal Church located at 11 River Avenue to hold outdoor services on weekends from May to August.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board awarded the bid for the B.I.D. garden area maintenance to Stang Landscaping Corp. at a cost of \$5,850 for the season.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board awarded the bid for the B.I.D. tree pruning to Russ' Tree & Landscaping Service at a cost of \$1,150 per day or \$750.00 per ½ day.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board awarded the bid for the B.I.D. hanging baskets to Russ' Tree & Landscaping Service at a cost of \$9,375 to furnish, supply and install 250 hanging baskets along Main Street and surrounding corridors.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for the Long Island Ecuadorian Civic and Cultural Club to hold a craft fair in a portion of the municipal parking lot adjacent to the BRAVO Supermarket on Saturday, May 17th from noon to 5 p.m. with a rain date of May 24th.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for the Hook & Ladder Co. No. 1 of the Patchogue Fire Department to hold their first annual Fluke Fishing Tournament on Saturday, August 8th, with a rain date requested for Saturday, August 15th from 6 a.m. to 6 p.m.

Peter Bodkin stated: It sounds like a lot of fun and the East Islip Fire Department has a tournament for bass in October and it has been very successful for them. We intend to use the end of the dock where the boats will come in and we will weigh the fish until about 4:30 p.m. Afterwards we will go to the Firemen's Park and have a gathering and celebration there. Boats will tie off on the east side. I want to say that you guys are doing a tremendous job; Patchogue is really coming around.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board accepted with regrets the retirement letter presented by Lt. Salvatore Barbera from the Public Safety Department, effective April 20th. Sal has been with us for eighteen years and has served faithfully regardless of weather or health.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Hilton, and unanimously carried, the board approved request to hire Ryan Murphy as a part-time dispatcher at a salary of \$15.50 per hour.

Deputy Mayor McGiff stated: The bicycle season is upon us already. One of the COPE officers was on his bicycle and corralled about five of them and impounded five bikes under the new Village code of last year. I think Suffolk PD will be on it this year and also code will be on Main Street pretty much every day during the summer.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request to hire Louis Garafola as Highway Supervisor at a salary of \$65,250 annually, effective April 30, 2009.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Hilton, and unanimously carried, the board appointed John Lund as part-time Superintendent of Highways of a salary of \$30,000 annually, effective May 1, 2009.

Mayor Pontieri stated: Just some background on that, once you retire from the NYS Retirement System, you can only earn \$30,000 additional at any other State job. This is going to allow us to have John here for the next year to a year and a half to be here two or three days a week to set up the schedule for Louie. Over the years John has garnered such a tremendous amount of institutional knowledge which priceless.

Trustee Devlin stated: Very soon the Parks Department will be mailing out the annual spring brochure with the schedule of all the camps, swimming events, summer concerts and things that every Village resident looks forward to. This summer there will be a cheerleading camp and something for families. We will be screening a film in Shorefront Park. A company will put a blow up screen in the band shell and will bring all the equipment needed to show the film which I believe will be on July 3rd.

Trustee Devlin stated: On April 30th at 7 p.m. we will be having our quilting meeting at the Library. Hopefully, Ms. O'Neil from the film company that is doing the film *Not in Our Town*, which is about the response of the Patchogue community to Marcelo Lucero's murder, will be there.

Trustee Devlin stated: The Conservation Tree Council this past Thursday celebrated Arbor Day. We started planting under a big American elm; we had the Green Thumb Club from the South Ocean Middle school measure the canopy which was over 100 feet and the tree was 83 feet tall and 183 inches in diameter. From that the children were able to determine that the tree is about 80 year's old. They are going to fill out the paperwork necessary to enter the tree into the Census of Great Trees on Long Island. Paula Murphy, the Chair of the Conservation Tree Council, did an excellent job. Then we went to Bay Avenue to the future home of the habitat restoration for which we got a DEC tree grant and the children from the Bay Avenue school came down and planted Eastern red cedars and we presented them with two shovels from the Village for their Green Thumb project. They will be doing the garden planting on May 2nd...

Trustee Devlin stated: The Arts Council had their reception in the lobby of the Theatre last week.....

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for the Patchogue Garden Club to hold their annual plant sale in the Terry Street Community Gardens on Saturday, May 16th from 9 a.m. to 4 p.m. and to waive the peddlers' fee for the event.

Upon a motion made by Trustee Devlin, seconded by Trustee Krieger, and unanimously carried, the board approved request to raise the Beach Club rental fee for non-residents from \$350.00 to \$500.00.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hire Kenneth Conquest as dock security at \$8.50 per hour.

Upon a motion made by Trustee Devlin, seconded by Trustee Crean, and unanimously carried, the board approved request to hire Betsy Ambrosio as Tennis Director at \$15.00 per hour.

Public to be Heard:

John Bojack, Noxon Street, stated: Last year we put up a “no parking sign.” If a car is parked illegally, there is no way a fire truck can go down Noxon.

Village Attorney Egan stated: A car illegally parked will get a ticket. The question of towing becomes much more cumbersome a question. It is really up to the officer’s discretion. Towing becomes a major process, but the other question is what happens if that driver gets a ride home at night and the car remains there all night long. It is up to the discretion of the officer as to whether it needs to be towed because it is blocking fire access.

Mayor Pontieri stated: I am going to have Ryan Murphy take one of our fire trucks and perhaps put “fire lane--violators will be towed.” I don’t know if we legally have that authority, but perhaps may under health and safety.

John Bojack asked: What do we have with reference to sound level legislation?

Village Attorney Egan stated: Sound legislation is evolving as we speak. I spoke with NYCOM counsel in Albany. I am not happy with what the legislation of the other towns and villages have; a lot of them are decibel based. A lot of them have unreasonable standard which could be somewhat objective. So where it has evolved is that we are re-evaluating the decibel meter concept, the use and training of it, and the applicability of it for daytime and night time levels. Whether we achieve that level of analysis on what those levels are going to be, certainly within the next thirty days, we are going to re-propose that legislation.

John Bojack asked: Geese are once again a problem when crossing the road.

Trustee Hilton read a letter into the record: “Mr. Mayor Paul Pontieri, Board of Trustees: I am requesting that the Village of Patchogue put up wildlife crossing signs on Division Street on both sides of the road at the head of the Patchogue River near Harbor Crab. This has always been a gathering and nesting spot for wildlife and I feel we must protect the wildlife habitat. It is also the north line of the National Sea Shore property which we encourage the habitat of geese there. I have also observed the LIRR employees calling swans and geese to cross the road to give them food. While doing so at least one goose and one swan were killed there during the last few years. Whether the employees knew it or not, they were creating a dangerous situation for wildlife... It would be better if LIRR employees cross the street during their breaks rather than making the wildlife cross.” I suggest that Trustee Devlin inform the LIRR employees. “While I realize many may consider the wildlife a nuisance, I believe that it is our responsibility to protect them whenever possible. I appreciate your help and consideration regarding this matter. Sincerely, Patty Kelly.”

Mr. Kemp, Jennings Ave., stated: I would like to comment about Trustee Krieger addressing the chair. I would like to see a financial report in addition to a Theatre report with the aspects of the Theatre. Trustee Krieger gives a very informative report of what’s playing, who is going to be there and what dates, but we never hear any money amounts. I would venture that that should be part of the Trustee’s report.

Trustee Krieger stated: They are just finishing off their audit and a report will be made.

Mr. Kemp stated: Last year I asked you if there were any legislative aspects to any recusal by a Village employee or prosecuting attorney and you told me “no, it is strictly a judicial issue.” And that is not so because the Code of Ethics section 10-40B and section 40-11 are very, very specific regarding recusal of an employee or prosecuting attorney.

Mayor Pontieri stated: That is something we should discuss with the Village Attorney at another time because I don’t have that section of the code in front of me.

Mr. Kemp stated: I have a question of an event that occurred Saturday at 9 p.m. in Cedar Grove Cemetery. There were two vehicles with white lights on their roof that entered the cemetery. They were patrolling the cemetery. Were these Patchogue vehicles?

Mayor Pontieri asked: Code, check the records and get back to the Village Clerk tomorrow.

Mr. Kemp stated: As far as River Ave. and private personnel directing traffic, I do not think that is a very wise idea by the bar. The Village might be a liability if somebody is injured.

Mayor Pontieri answered: Absolutely not. If somebody is foolish enough to stand in the middle of the road to stop cars, it is their loss, not ours.

Mr. Kemp stated: It has come out in the local newspaper SCPD will start some type of public contact after the incident with Mr. Lucero, but yet they will not appear at this Village Board meeting where laws are passed.

Mayor Pontieri stated: We don't do anything when it comes to those types of issues whether it is legislative enforcement of laws, whether it is creation of new pieces without speaking to them first. For example, when we put together the legislation in the Village code about bicycles, we reviewed it with Suffolk PD to make sure it was enforceable on their side. They don't have to sit in this meeting. There are numbers of times that our Village Clerk, various Trustees and myself speak to the SCPD during the course of the week. It does not require for them to sit here at night. If there are things that come up at this meeting that they need to know about—I would rather have a guy on the street and driving around the Village than sitting here for 2 ½ hours listening to stuff that 90% is irrelevant to him—the other 5% we can give to him immediately. You may believe differently, but that is the way we operate.

Mr. Kemp stated: When they did appear here, and you were a Trustee, that there were many people that wanted to discuss matters with them out in the hall.

Mayor Pontieri stated: That is the option you have; they have the Fifth Precinct and a desk guy and have an open door policy. At the end of the meeting night, if there are issues that come up, we will automatically be contacting SCPD. We will be speaking to them about the Village issue, what we can legally do and not do. We will be speaking with NYS Conference of Mayors as to what we can do and cannot do. Again, Mr. Kemp, times change—in Suffolk PD, the number of men have been decreased drastically. Back when they did come here they probably had 1500-2000 more men on the street than they have right now.

Mr. Kemp stated: Any bid, projects, anything around Village Hall, I would encourage the use of perennial plants, like tulips that come up every year. Mr. Mayor, I have a document for you and Attorney Egan.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the meeting was adjourned at 9:20 p.m.