

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on October 13, 2009.

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

The flag salute made.

Mayor Pontieri read the safety message.

Upon a motion made by Trustee Devlin, seconded by Trustee Cream, and unanimously carried, the Board approved the minutes of September 28, 2009 as presented.

Village Clerk Seal stated: The bills for the period ending October 13, 2009 totaled \$279,727.22 with the five largest bills being: Town of Brookhaven \$41,482.40 for monthly landfill charges, H2M \$13,645.20 for engineering services, LIPA \$12,620.59 for monthly billings, Dept. of the Interior \$11,000.00 for test of ground water in connection to sewer plant, and J.R. Holzmacher \$9,825.60 for engineering services.

General Fund	\$221,659.20
Trust & Agency Fund	\$718.16
Capital Projects	\$11,564.80
Sewer Fund	\$36,745.97
BID Fund	\$1,418.60
Housing/Code Fund	\$1,398.42
Community Development Fund	\$6,222.07
General Bills	\$0.00
Total	\$279,727.22

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

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the Board approved request for general fund to loan capital project fund \$169,006.93.

Mayor Pontieri stated: The Arts Space Development which is planned for Terry Street, affordable housing units for artists' lofts plus residential/commercial, got approval from the County for contribution of one million nine hundred fifty dollars towards it. And HFA, their credit company, has approved the funding for the project. Those two things are now in place. Last week the Town of Brookhaven approved a pilot and what we are going to be doing tonight is requesting approval to exempt the residential portion of the Artspace project from residential taxes. They also will have a commercial/retail piece to that that they will pay full property tax on. The property that it is on right now will receive no property tax. So, it is actually a plus, even though there will be 45 units, the retail will provide a plus.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to exempt the residential portion of the Artspace Project from real property taxes and authorize the Mayor to execute and deliver the PILOT Agreement on behalf of the Village.

Deputy Mayor McGiff stated: A couple of years ago we initiated the Patchogue Pride Award which was to acknowledge people in the Village who took pride in their properties and restore their properties. The homes that we acknowledge tonight are really something special. The house is at 272 South Ocean Avenue, owned by Albert Azzara and Michelle Palarino

Deputy Mayor McGiff stated: The second house to receive the award is 276 South Ocean Avenue, owned by Louis D'Ambrosio.

Mayor Pontieri stated: You set the example that you can have a boarding house in the community and if you do it right, you are an asset to the community. And, you are an asset.

Deputy Mayor McGiff stated: George and Claudia De'Filippo of Taylor Lane have also received the Patchogue Pride Award. This house was moved as part of the Pulte Copperbeech Project. It is a great looking house.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Dean, and unanimously carried, the board approved request to authorize the Mayor to execute the Agreement for Snow & Ice Removal for the 2009-2010 season with the Town of Brookhaven.

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

Trustee Krieger stated: I would like to congratulate everybody at the Theatre who was there the last 3-4 days. Thursday night's Lennon in the Lobby was a huge success--a record number of people went there. Congratulations to Chris Capabianco and the Alive in the Lobby crew. Also, Friday night was Lesley Gore & Ronnie Spector who had a big audience. There were a lot of people before showtime at the local restaurants. Sunday was Pat Cooper's 80th Birthday Celebration at Patchogue Theatre with a sold out show. In three days the Theatre brought about 2,400 people into the Theatre, Village and restaurants. Once again, the Theatre is doing its job, generating a lot of income for the restaurants in town and the Theatre. This Saturday night is Two Men in Skirts, a magical journey through Scotland in story and song. Sunday will be the Atlantic Wind Symphony. Check the website for all upcoming shows. The Patchogue Autumn Arts Festival is an event in cooperation with Patchogue Theatre and Patchogue Arts Council which is a great event and it is free—from 1 p.m. to 8 p.m. Blue Oyster Cult will be at the Theatre on Halloween.

Trustee Krieger stated: We have a request by United Storage Facility to rent parking spaces on their property located at 257 Waverly Avenue in the gated area.

Patricia Flaherty stated: For this coming year we will be putting up a new privacy fence. I can order car covers which are nicer than blue tarps.

Village Attorney Egan stated: I was about to suggest that if the Board was going to grant a Special Permit that it be with certain conditions which were discussed at the last hearing, such as no more than 12 vehicles at a time, all vehicles will remain inside gated area, all vehicles must be insured and registered, no repairs on vehicles permitted, and have to be covered. I would suggest a timeframe be designated on the Special Permit. You could end the Special Permit upon the termination of the ownership and the new owner would have to re-apply.

Mayor Pontieri stated: A lot of times people will rent space because they take a car off the road because of the winter, like a Corvette, and don't have space in their yard to do it. I don't know whether having it being registered or more of it being secured is important.

Village Attorney Egan stated: Right now the Special Permit allows no more than 12 vehicles, all vehicles must remain inside the gated area, all vehicles must be properly covered with a fitted car cover and not general use tarps, a two year Special Permit renewable for successive two year periods upon application to the Board, no repair of vehicles permitted and the Special Permit would permit is not passed upon transfer of ownership.

Patricia Flaherty stated: There will be boats if they can fit in the 15 foot parking spot, but cannot over exceed it unless they rent two spaces.

Trustee Hilton stated: Mr. Mayor, we had put off decision on this application because of our concern of taking up parking stalls that were required by a Zoning decision. Carol Giglio got back to us suggesting what we are doing now with the Special Permit suggesting that the vehicle be registered. She also pointed out, that since this decision had been granted, that we have somewhat relieved the requirements for parking stalls in storage facilities. She felt that the use of these parking stalls was fine with today's requirements.

Upon a motion made by Trustee Krieger, seconded by Trustee Hilton, and unanimously carried, the board approved request for United Storage Facility to rent parking spaces on their property located at 257 Waverly Avenue by Special Permit to be renewed every two years.

Trustee Crean stated: At today's B.I.D. they had a discussion about pruning special trees around the Village and I will speak to Dennis about their scheduling.

Trustee Crean stated: I had a lengthy conversation with Rob Locscalso of Tritec about the progress of the Wedgewood Building as well as the development plan for the rest of the block. Things are moving along a little bit slower than anyone desires at this point, but they are moving along quite well. At the Wedgewood building they are hoping to getting the renovations completed by the end of 2009. Many of the spaces have been leased out. The third floor is completely leased out. Most of the ground floor has been leased out. They are in final negotiations with the Bank of Smithtown to take at least half of the ground floor. Someone notified me ironically enough that the laundromat has ended their lease. We wish them all the luck in the world. They are exploring other business interests. Once they complete the renovations, it will no longer be on the ground floor. The skin of the building will hopefully be finished sometime by the beginning of December. There is a delivery of some stone that is going to be installed. I am looking forward to a tour of the interior. Negotiations with the hotel operator are moving along very nicely as well. We have a meeting with them Thursday morning and their equity partners that are coming to Town to move the contracts along with that. Probably after the first of the year they are going to start a calendar for the demo of 1 West Main St. We haven't got a firm date on that, but are hoping for early spring at the very latest.

Trustee Hilton stated: We are presently working on the Main Street Christmas Parade. We have restricted the fire departments this year to four vehicles, no more than two trucks and two chief cars. Typically after talking with Joe Perry and working with Mike, the Chief of Patchogue Fire Department, they said the parades they go to they are limited to 3 pieces of equipment. But, I like the Chief cars because some of the guys can't walk. This year, as we did last year, we are charging for-profit applicants to the parade entry fees and also charging per unit and also looking at limiting the units of the car clubs and things like that. We will look at that on a per club basis. We also requested that the fire departments have a walker in front and the back of the truck because of the problem we had with the crowds moving in. Patti and I have talked about limiting the vendors to the sidewalks. I thought the peddler permits were issued per parade, but they are issued annually. So, it is only something we could start in January by the Board's choice. We are not able to do anything in time for this parade. I am also asking the Board and the Mayor; we need volunteer groups to patrol the streets as far as keeping the people back. This is difficult because we are somewhat limited as we are not allowed to have any traffic vehicle control because of insurance policy issues. We ran into the same problem as far as music and the boat races as far as directing traffic because no longer can the fire department help out in doing that. We will need a Master of Ceremony. We are looking to collect some monies from the entry fees which should offset the cost of the constables and cleanup.

Upon a motion made by Trustee Hilton, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hold the annual Veteran's Day Ceremonies on the four corners on Wednesday, November 11th at 10:30 a.m.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request to authorize the Mayor to execute the CSEA Local 852 Agreement.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request to add Long Island Electrical Inspectors to the list of certified electrical inspectors for the Village.

Deputy Mayor McGiff stated: We have had a rash of graffiti throughout the Village and are trying to address it as soon as possible. We have had Victor Cruz out there on Monday, a holiday, painting over graffiti so people that are doing it can't admire their work. Suffolk PD reported there is a rash of burglaries around North Prospect. People during the day were getting in—knocking, then going through some bathroom windows. Patchogue people don't look up, they just look down, and there was a Verizon bucket truck who either called or followed and they were arrested right on South Ocean Avenue—two of them live on Brooke St and one of them lives up there.

Trustee Devlin stated: I would like to report on the great success of the Arts Council First Biennial Exhibit. We had our opening on Oct. 3rd and we had over 400 people sign in. We estimate that over 700 people passed through the Biarcliffe exhibit space on Oct 3rd. It is amazing that there is a demand of people who want to see fine art. If anyone is interested, we do have

some catalogues. Come down before Oct. 24th—the show is open every day, Monday-Saturday is from 12-4 and Sunday is from 12-4. On November 8th is the Autumn Arts Festival which is held in collaboration with the Arts Council and the Patchogue Theatre of the Performing Arts. The day will start with a reception for Lawrence Levy who is a sculpture whose work is in the Lobby right now. He works in the welding field and makes these things at home and his work is on exhibit. This will be followed by a reception for all the artists whose work was shown on the Walking Tour which was just recently hung. The pamphlets are available around town showing the location of their works. All the artists will be in the Theatre Lobby and there will be a break so all the folks can go out for a bite to eat and come back for a poetry reading and live music in the Lobby. Nov. 8th will certainly be a great day and it is all free.

Trustee Devlin stated: The CDA is busy behind the scenes with all kinds of projects which, hopefully, will start to be implemented over the next six months or so. We have plans to renovate the bathrooms at Shorefront Park. There are plans for renovating the Roe Walkway, next to Stanley's Furniture and Yesteryear. Those plans are moving forward, and hopefully, will start next spring. There is also collaboration going on with CDA and BID as far as the facade improvement. We are hoping that the Budget Buy and Sell will get started with the facade application.

Trustee Crean stated: We saw some of his renderings and there is a certain timetable in which he needs to make his application. The BID has been in contact with him. This is his best opportunity to get assistance. The design is pretty interesting and we are hoping to see formal application by the end of November. If he doesn't, we will have to consider other properties as there is a lot of money that needs to be spent.

Trustee Dean stated: I had the opportunity to go to the Lennon in the Lobby. We pave roads, have buildings and new developments being built and those are great and we can't minimize those. But, when you have the kind of explosion of the arts—the music, the arts scene, the paintings, the photographers, that just adds an energy level to a community that you just can't put a price tag on. My congratulations and thanks to everyone involved in that—not only as a Village Trustee, but as a homeowner in this community and someone who likes to enjoy these things. If you have not gone out, go and check this out. It is very festive.

Public to be heard:

Richard Kemp, Jennings Ave., asked: Mr. Mayor, have you reviewed any of my comments of the last meeting?

Mayor Pontieri stated: I didn't review them in detail or for accuracy as I was not there.

Richard Kemp stated: I spoke in general regarding the minutes of July 27th. I reviewed those minutes very thoroughly and you acted very irate after the incident of July 24th, the stabbing. You asked for comments from the Trustees. Trustee Crean was opposed and he was supported by Deputy Mayor McGiff. However, everyone sort of wanted to try and make it work and revamp it. The whole question is, what kind of image does that give to the Village of Patchogue?

Mayor Pontieri stated: There is absolutely a concern. I think you are correct that we talked about it here. It is what we stated, it is something we need to look at and work with the organizers on, and it has been a constant discussion we had with the owners of the businesses on Main Street and Suffolk County PD. If that is where you are going with it, my concern is the same as everybody else's; we need a way to control. I understand your opposition to it from two levels, first of all you live near it—the noise.

Richard Kemp stated: That was allowed by one sentence slipped in by the attorney that says Patchogue municipal events may be exempt. But, when I came to the noise hearing I expressed my concern about everything including the restaurants on the river and Alive After Five.

Mayor Pontieri stated: The noise ordinance is very clear that on Friday and Saturday nights the noise must be turned off by 11 o'clock. We are very clear for Alive After Five that the outdoor music—that is what the noise ordinance is about—is done at 9:30. We actually put greater constraints on Alive After Five than we do on the other businesses on the river that are doing outdoor music. For Alive After Five the last call is at 9:15 and the last song is at 9:30.

Board Meeting

October 13, 2009

Richard Kemp stated: At that hearing, I said if I am annoyed by noise I will call Code Enforcement. I asked at the last meeting what time of the evening did the stabbing occur and was told 8:30 p.m. At 7:30 p.m. I called Code and I was told, quite frankly, nobody was available.

Village Clerk Seal: Mr. Kemp, I explained that to you at the last meeting.

Mayor Pontieri stated: As Ms. Seal said, everybody who is on duty are all hands on deck for Alive After Five and they are not going to go out for a noise complaint. It is just not going to happen. Maybe on Friday nights you should go to J&R's. in Medford.

Richard Kemp stated: My deed goes back to 1895 and I have the right to quiet enjoyment and you with your board are in fact breaking the covenants and restrictions. I get along with my neighbors and I don't make any noise.

Deputy Mayor McGiff stated: There is a balance in life. Commercial people have a right to make a living and our job is to try and balance these rights. We did have nine events and now there is four. There are some people who actually like to go out and socialize.

Mayor Pontieri stated: We have gone over this a number of times and have specifically have made sure the music stop at 9:30.

Richard Kemp stated: I would like to comment on something I read in the minutes. That two Village specialists, inspectors, were given credit for the identifying the distinction of indoor music from outdoor music. It was my comment that was in the minutes before they ever looked at anything. That's not fair. Also, at the last meeting Trustee Hilton asked me for the name of a uniformed officer. I would like to know if you keep any type of photographic record for the last five years of Village employees because I can identify the individual who came to this meeting and spoke very bad things about Alive After Five. This was before any of you people—maybe you were sitting, Mr. Mayor, I am not certain.

Deputy Mayor McGiff stated: It was probably Fedderuci who is not here any more.

Mayor Pontieri stated: We don't have photos. It is not anything we have ever done.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the Board moved into Executive Session at 8:15 p.m.

Upon a motion made by Trustee Dean, seconded by Trustee Devlin, and unanimously carried, the Board returned from Executive Session at 8:16 p.m.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned at 8:17 p.m.

Signed _____
Patricia M. Seal, Village Clerk

/id