

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on January 11, 2010.

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

The flag salute was made. Mayor Pontieri read the safety message.

Upon a motion made by Trustee Devlin, seconded by Trustee Keyes, and unanimously carried, the Board approved the minutes of December 14, 2009 with changes.

Village Treasurer Krawczyk stated: The bills for the period ending January 11, 2010 totaled \$812,771.93. The five highest bills were: Patchogue Ambulance \$260,007.50 for ½ year ambulance service, Town of Brookhaven \$39,762.95 for landfill charges, Jadeco \$21,596.70 for Maiden Lane sidewalks & curbs, etc., JR Holzmacher \$19,698.60 for sewer engineering, and Complete Interiors \$8,715.00 for Village Hall renovations.

General Fund	652,236.37
Trust & Agency Fund	42,027.80
Capital Projects	65,009.04
Sewer Fund	33,139.07
BID Fund	3,792.01
Housing/Code Fund	2,796.84
Community Development Fund	12,177.80
General Bills	1,593.00
Total	812,771.93

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

Upon a motion made by Trustee Crean, seconded by Trustee Krieger, and unanimously carried, the board approved transfer of funds to cover rental fee of American Legion for seniors from acct #00-7180-0100 of \$2,000.00 to acct #001-7620-0450.

Upon a motion made by Trustee Krieger, seconded by Trustee Devlin, and unanimously carried, the board approved transfer of funds to cover repairs to outside walls of Theatre from acct #001-1910-0457 of \$20,000.00 to acct #001-1621-0420.

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved loan from General Fund to loan Capital Projects Fund \$44,769.11, Housing Code Fund \$4,195.26 and Community Development \$24,700.46.

Treasurer Krawczyk stated: Presented for your information are the cash balances.

Trustee Hilton stated: With reference to the transfer of funds to the American Legion for the seniors, while we are preparing 380 Bay for the seniors, we asked the American Legion to accommodate them for the various meetings that they have. The American was happy and proud to do it and felt that they had been brought further into the community than they already were. The members of the Am Legion provided the members for free. We bought the paint and whatever else they needed to accommodate the seniors. For \$2,000 it was a win-win situation. We were able to accommodate the seniors and also able to utilize the facility that we have for the Vets and refurbish that as well.

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Monday, January 11, 2020 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 repeal Section 435-6 of the Village Code regarding penalties for certain zoning offenses. At said Public Hearing any person interested will be given the opportunity to be heard.

Village Attorney Egan stated: This is a repeal of Section 435-6. This is a confusing vestige of an original 1974 adoption in the code that set out certain specific penalties for zoning violations that really were inconsistent with our general violation fine analysis as set forth in 1-1. This is an inconsistency in the code, specifically with regard to fines that we want to eliminate. There were two places in the code that spoke to the same issue, so basically we are eliminating one of the duplications. The code before the modernization of the code that was untaken by Village Clerk Seal had a lot of individual sections that had their own penalties and fines. They were very difficult to apply, very confusing as to what section you were under and which fine section would apply. In this case 1.1 is the general fine provision that provides that the fine is up to the discretion of the court to a maximum of \$2,000 and applies across the board for all violations of the zoning code.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the board repealed Section 435-6 of the Village Code regarding penalties for certain zoning offenses.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board postponed Public Hearing to amend Chapter 415-40 of Village Code with regard to parking at the Patchogue Railroad Station until January 25, 2010.

Mayor Pontieri stated: Over the next couple of weeks we will go for appropriations from Congressman Bishop and Senators Gillibrand and Schumer. One of the issues we are having, those that know the areas around Sunset and River Ave., is the water level and peoples' yards flooding constantly. So I would like to ask for an appropriation to repair that, probably 1.5-2 million dollars to do that, to raise those roads completely. In preparation for that, I would like to get the authority to hire Sidney Browne who has been doing the engineering to the other streets prior to projects that we had, to do an additional survey to get elevations and make recommendations. So that when we do the appropriation we will have certain facts behind it, not just an appropriation without secure numbers. The field survey is \$2,200 and the engineering evaluations is another \$600, for a total cost of \$2,800.

Trustee Crean stated: I guess is would address certain drainage options as well—raising the roads may not alleviate all the water that puddles there.

Mayor Pontieri stated: One of the things that we are dealing with over there is there are two pieces of property that were formerly owned by the County and were sold and bring them back and has certain covenants on it. That water could then we collected, filtered onto those certain properties. No matter which way it goes, we need to do something on the block. About a month ago when there was high water, they was flooding down there. And then it froze—there was a mound of ice the size of a Buick. There really is a severe problem probably over the last 10-12 years. I would like to do the preparation and get some cost estimates.

Upon a motion made by Trustee Keyes, seconded by Trustee Hilton, and unanimously carried, the board approved request to hire Sidney Browne at a cost of \$2,800 for engineering services to do survey of Sunset and River Avenues.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request to appoint both resident and non-resident election inspectors for the March 16, 2010 election.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to designate polling locations for the March 16, 2010 election as follows:

District 16, 16 & 103	Location: River Ave. Elementary School, River Ave.
District 17 & 18	Fire Headquarters, 15 Jennings Ave.
District 19, 21 & 23	South Ocean Ave. Middle School, South Ocean Ave.
District 20	Van Guard Fire House, Park Street

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to increase the maximum estimated cost of the Wastewater Treatment Plant upgrade project by \$1,681,450 payable with grants from Congressman Schumer grant and the DEC grant.

Mayor Pontieri stated: We will be starting construction on the new sewer treatment plant. We should start to move dirt around Jan. 15th. It is a little over 11 million dollar project. We have gotten 7.1 million dollars, actually 5.4 in stimulus funds and 1.7 in DEC Clinton water bond act money. The remainder will be through an EFC bond. It is a subsidized bond on the interest, so the interest will be about 2.5%. What we paid in 1986 on 1.1 million, we are paying on 1.1 about 75,000. A little over 3.5 will probably be somewhere in the realm of \$110,000 to \$115,000. So it monies that will be well spent. We are expanding the size of the sewer district. It will not impact the users because we have expanded the base. And we go from a 500,000 gal plant to a 600,000. I had a conversation with Regional Director Scully today that probably if we hadn't taken an aggressive movement like we had, we would be under consent order by now to have to prepare it. And once again, we did get together over 7 million dollars to do it. We will have our groundbreaking on Feb. 8th at 1 p.m. It is zero interest for the first three years. The financial impact will be minimal but the impact globally on the Village will be great.

B.I.D. Report – Dennis Smith stated: Not having been present at last month's meeting I would like personally and on behalf of the Board of Directors congratulate Joe Keyes and welcome him to the Village Board and wish him well. I have known Joe personally for a number of years and feel he is a positive addition to this Board. The B.I.D. and myself look forward to working with him in the future.

Dennis Smith stated: The B.I.D. website became official Dec. 15, providing basic information about the BID, Patchogue Village, and has links to other agencies and attractions throughout the Village. The interactive map is working. We need now to fine tune it. We need to get real estate portion, a little more information about the buildings themselves and get all of that linked together. The site can be reached www.patchoguevid.com or patchoguebusiness.com.

Dennis Smith stated: On the New York Main Street Grant Fund, we are working really hard to try and secure the application from Budget Buy and Sell which was the main focus of the grant. Five grants did come in the last three weeks or so, but they were much higher than the building owner felt he could invest. At this point we are modifying the scope that we want to do on the building. But, again we don't want to change it—it has to stay in good taste and it is going to be a major impact on the four corners. We are looking for alternative ways of contracting out the job and time is of the essence. We need to get it started by March 1st. I think it is a 120 project which would give us to about June 30th to completed it which is the latest that we could possibly go. Hopefully, it will come to fruition. Right now there are no other applications received. 41 East Main did pick up the application packet 3-4 weeks ago, but I have not heard anything back. If they start doing work on the other side before I get the application back, before I can make a determination on it, it is not going to qualify. If he has a plan and something to do, we need to start working on it before he actually starts the physical process itself.

Trustee Crean asked: When do you think it might be advantageous to consider expanding the boundaries for the area that qualifies for the grant.

Dennis Smith stated: We don't get to do that; we could just ask the State. We can do that at a point and time when we feel we cannot market this in the targeted area. I think that if we don't have a positive development in 30 days and then we really need to make a concerted effort to remarket it to the targeted area. See if we can get any feedback from there. If all that is exhausted, then we would go to the State and ask to expand it outside the original parameters that were set forth. When the contact came down in December, she was impressed with what was going on in the Village, including the part that we had accomplished so far with the New York Main Street grant. I kind of showed her some of the alternative that could come into play if this did not fall into place in a timely fashion. It would be therefore something that she is familiar with. Mr. Sarno has a number of his head that he wants to go with. He went out and got out five bids—they all came back at least \$80,000 or more above than what he wanted to do. I met him and his building manager to try to come to some understanding and get this done. Quite frankly, he kind of wants to do it himself with a contract manager—one person bid the individual pieces of the job by themselves and have them done that way. I don't know if that is acceptable to the State and I have not heard back from them. If we have to go with the numbers which came back from the BID, it is not going to happen. That was the main use why we got the grant.

Trustee Crean stated: We are looking to spend \$20,000 to fix a leak on the Theatre. Is that something that might qualify with this.

Dennis Smith stated: I will look into that. The only problem there might be that the municipality owns the building and not an individual.

Chamber of Commerce – No Report

Trustee Krieger stated: Joe, a lot of people came up to say how pleased they were with the 27 inches of snow removal. They did a great job. The Theatre had a successful Christmas and Gateway had a season. I would like to thank Paul Allan who put on some great shows. The five year contract negotiations are going well and we should have a final deal shortly. The Patchogue Theatre 2010 season kicks off with Patchogue Jam Three on the 23rd, Patchogue Star Shine 2010 on Jan. 26 and 27, Wizard of Oz on Jan. 30, and Sousa Marches Through Winter on Jan. 31.

Mayor Pontieri stated: I met Senator Foley the other day and he said there is a possibility that they have a separate bonded fund toward entertainment—some money that he could put towards the purchase of a new screen and multi-use projector.

Trustee Krieger stated: We have had some requests recently from people that want to screen films at the Theatre and we have to tell them we don't have the equipment and they would have to rent it out to do it and that stops people.

Trustee Crean stated: Tom Keegan is looking to get approval to get permission for “May the Road Rise to Meet Ye 5k Run, 1k Fun Run.”

Tom Keegan stated: This year we are going to have “May the Road Rise to Meet You 4k”. We are going to run it essentially the same as last year, but instead of going south down West Ave and cross over the tracks and have the slow runners wait for the train to go through—we want to bring it up north behind Briarcliffe and then do the same loop that we do that the Kiwanis has been instrumental. We are going to add another 9/10 of a mile. The running community has approached the Chamber and asked if we wanted to put this on their Grand Prix circuit. If we do it we need to get it measured and recertified. We are here to ask for the Kiwanis Club to do the race. We are going to have a 1K fun run, then the 4K, and following immediately behind that would be the parade. We would come down Main St., when we get to BBQ make a right, behind Briarcliffe, go Waverly Ave and Make a right on 3rd Street, go up Shore Drive to Roe Blvd and make a right on Shore Road and add one additional loop in their—I was trying to keep it within the confines of the Village just because it is one less form to fill out. I think when we get to Jennings we are going up to Roe Blvd. and back down North Ocean and maybe on Lakewood or one of the other streets and come back in. It will be right hand turns to the extent that we can because that prevents them from crossing traffic and the streets do not have to be closed down. We have had up to 150 runners and we expect 300. That is the plan for the racing community. The organization that certifies this is the Long Island Track & Field Association. The race will line up the same way, but farther east on Main Street—east of Burlington and Rider Ave. The 1K goes off at 1:50, the 4K at 1:55, and the parade starts a 2:00. I am thinking of approach TD Bank to have the registration there. The real problem with the lineup starting and ending behind Nappa like last year was the runners were ending up with the fire trucks. (conversation ensued)

Deputy Mayor McGiff stated: It is my feeling that it should not be held on Palm Sunday, but on Saturday, March 27th—the run at 10:50 a.m. and the parade at 11:00 a.m.

Trustee Crean stated: I love the parade; one of the best days of the year for me. I am in agreement with Steve. The times we had it on Palm Sunday in the past, it always been either a rain date or a rescheduled date. I prefer to have it Saturday the 27th. I think it would be a better date.

Trustee Krieger stated: Out of respect, I agree with what Steve has to say.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried the board approved request for Greater Patchogue Foundation to hold the annual “May the Road Rise to Meet Ye 4 K Run, 1K Fun Run” on Saturday, March 27th. Run at 10:50 a.m. and parade at 11 a.m.

Trustee Crean stated: I had the opportunity to speak to Unicorp regarding Walgreens and was told the early part of March the building will be complete and open. I asked them about the corner of River Ave and they had no discussions with the owners there. I was hoping to resurrect

some sort of agreement with the people who own the corner properties, but they have no interest at all. Tritec has been successful in obtaining grants from the State of 1 million dollars to move the Library. I have no idea what the ultimate cost will be for the engineering and hookups and for the rehabilitation of the building itself. Once you take the sides off the building, it will be interesting to be able to see how they will be able to rebuild. Hopefully, they will be able to stretch that million dollars to complete the project. Artspace is underway. There will be a groundbreaking on Friday, January 22nd. I am not sure how long the project schedule will be, perhaps between 15-18 months. We will have some new residents in our artists' community who will be a great benefit to our downtown.

Mayor Pontieri stated: We worked with them and secured almost 17 million in funding from the HFA, HRC and the County and the State through Assemblyman Eddington's office and some private money. It was quite a feat.

Trustee Hilton stated: Mr. Mayor, I would like to compliment you for the monies that you have gotten for the sewer. I know that was a tough package to put together. I have gotten involved with the sewers lately and nothing but great words were spoken about the direction that we are taking that in and the money that you have gotten. Second of all, with regard to the pool we are talking to an engineering about developing a structure to hold the sand onto the beach, maybe build the beach back up. We are restricted by the DEC which is better because it will keep the costs down as well. Some very basic structures that we are looking at which could be built mostly by Trustee Keyes' men in Highway could have a significant impact in holding back the sand that is being scrubbed off the beach with the prevailing wash. We also are looking at beach club membership, new ways in order to verify people who come down and say they are residents and non-residents with children and extended families. Because the costs have become so high to the residents, we feel we that have to be more responsible to provide for the residents and not imposters.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Hilton, and unanimously carried, the board held over until January 25, 2010, a request to approve the establishment of fees for "event specific" parade peddlers.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request approval for Debbie Newham and Nancy Auer to attend NYS Court Clerks Conference from February 14-17th at a cost not to exceed \$700.00 per person.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request for Ryan Murphy to attend in-service training at Stony Brook University, February 2nd to 4th at a cost of \$100.00.

Deputy Mayor McGiff stated: In the Advance there was a letter from a woman stating that she witnessed a fight on West Avenue and Patchogue Code enforcement was there and did not do anything. There was a rebuttal put in the paper, but in case all did not see it, Jim Berberich the new Public Safety Director, ex-NYC Police Lieutenant, excellent director. He did a lot of legwork, he called to the Fifth Precinct, he talked to everyone. There was another agency who was there and witnessed it who was not Patchogue Public Safety. This was verified by the guys who were working and by Suffolk Police who did responded. The past 3 to 4 years we have taken great pains in being more responsive to the public, especially in terms of quality of life issues to redirect the mission of the department. That letter that was written to the Advance was erroneous. The guys that we have now are well trained, have experience and doing a great job.

Trustee Devlin stated: I also want to compliment the Mayor on his excellent work on the sewer in putting all that money together. I remember when I first became a Trustee and his telling me that the most important thing coming up was the sewer. I would like to comment that during the 27 inches of snow Bove was on Cedar Avenue digging up the street and still working on the sewer line. On January 20th from 6-8 pm at the Patchogue Theatre, the Patchogue Arts Council will be having a reception for the artists' work who is exhibiting there now, oil paintings by John Day. The food will be donated by Gallo Tropical.

Trustee Devlin stated: With reference to the CDA report, the bathrooms are coming along at Shorefront Park which will be completely renovated by the spring. The Roe Walkway which is a joint project between the Chamber and the CDA with Suffolk County Revitalization funds and

CDA funds is finally going out to bid. We hope the construction will be during the early part of the spring.

Upon a motion made by Trustee Devlin, seconded by Trustee Crean, and unanimously carried, the board approved request to hold the Annual Youth Basketball Clinic at Bay Elementary from January 8 to March 19. The fee is \$5.00 per child and fee for non-residents will be \$20.00 per child.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hire the staff for the Youth Basketball Clinic as per list presented.

Upon a motion made by Trustee Devlin, seconded by Trustee Keyes, and unanimously carried, the board approved request to hold the Annual World Tai Chi Qigong Day on Saturday, April 24th at Shorefront Park from 9 a.m. to noon with a rain date of Saturday, May 1st.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hold T'ai Chi in the Park on Saturday's in June and August at Shorefront Park from 9 to 11 a.m.

Trustee Keyes stated: I would like to read a letter addressed to Superintendent Joe Dean that we received. "Dear Mr. Dean: I would like to take a moment to thank you and your staff for the removal of snow in front of our Elementary School. The amount of the snow the Island received; it was amazing to see the quick action of the Village as well as the care and consideration given to our schools. Thank you once again for helping us dig out and keeping our students safe. I appreciate it, the staff appreciate it, the students appreciate and the parent community appreciate it." Signed, Peter Nicolino, Principal Bay Avenue Elementary School.

Village Clerk Seal stated: My office got several calls, all positive about what an amazing job was done. People can tell when they are leaving the Village line.

Trustee Pontieri stated: We have a shared service agreement with Patchogue-Medford School. It means that one of the things that we do for the schools is sand their lots and take a lot of care that the front of the buildings are taken care of. Particularly, on South Ocean Ave and River Ave in particular we make sure the roads and sidewalks are clear. That shared service goes back and forth, we don't hire plumbers or electricians any more—we use theirs. They use our salt and sanders. That agreement goes beyond—we used to hire electricians for an additional \$25,000 and a plumber on contract for about \$25,000. We don't do that anymore. We just go back and forth. We probably save about \$75,000 a year in costs. It really is a savings. One of the things we take particular care is the schools because we are concerned after the kids safety.

Trustee Keyes stated: We have gone through an awful lot of salt and sand. The Town supplies us with the sand and the salt.

Trustee Keyes stated: Boyle, Inc., the contractor removing the ACM (asbestos contained material) and floor tile from the 2nd floor at 380 Bay Ave., has filed a ten-day notice with the Dept. of Labor and the work will begin after approval is received. The Theater is closed until Jan. 22nd, so the maintenance mechanics are doing much needed repairs.

Upon a motion made by Trustee Keyes, seconded by Trustee Krieger, and unanimously carried, the board approved request to hire McClave Engineering to provide engineering services with regard to wall repairs at the Patchogue Theatre at a fee not to exceed \$6,500.

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to go out to bid for wall repairs at the Patchogue Theatre.

Upon a motion made by Trustee Keyes, seconded by Crean, and unanimously carried, the board approved request to retain H2M to provide professional engineering services during the construction of the Wastewater Treatment Plant in an amount not to exceed \$703,000.00.

Upon a motion made by Trustee Keyes, seconded by Trustee Krieger, and unanimously carried, the board approved request to hire McClave Engineering to perform a Facility Evaluation of the Patchogue Theatre at a fee not to exceed \$9,000. This would be to perform structural inspection,

inspection of the roofs & flashings, inspection of the electrical and fire alarm system, inspection of fire sprinkler system, inspection of plumbing system and then provide written report of findings to include proposed projects and cost estimates.

Mayor Pontieri stated: They are going to take a look at it. This is as much about preventive maintenance as it is about seeing new issues.

Trustee Krieger stated: One other thing that I forgot to mention. When Joe Dean was sitting as a Trustee, he and I were working on a project, evaluating the lighting in Patchogue. We had LI Green Power Advisors come to us with a proposal to test LED lights in the Village—the bulbs last a tremendous amount of time and the lighting is much improved. We had asked David Santos to put together a proposal to test some lighting in the Village. He came back with a proposal which was quite rich for us and we got him to down to a price of \$525 instead of \$800 a piece to test two. Another thing we asked him to estimate is what kind of actual energy savings would we see if we did this on a grand scale. There are a vast improvement from what we have now, they are dark sky approved, and the bulbs last for 15 years. There is a lot of work to be done on this, but I would like to investigate this.

Public to be Heard:

John Bogack, Noxon Street, stated: If you gave everyone five minutes to speak I think it would be very generous. I have seen in the past someone come up a filibuster for 10-15 minutes. As I member of the public, I think would like to suggest that there should be a uniform ruling and equally to applied to everybody. With the election coming up, I e-mailed to the Clerk about publicizing the election a little more than just a notice in the paper and six posters that need to be posted.

Mayor Pontieri stated: We advise the Advance. And the expectation is that the press will write to it. When we send in public notices, it all goes to them. It always surprises me that we don't then get those questions like who is running.

Village Clerk Seal stated: We are in the process of upgrading the website—it is going to be bigger and better, give more information, and be more user friendly.

John Bogack stated: I got an e-mail from the Theatre about selections for the new year. Is this a survey that they do for new members? In that file they asked what would like to hear next year and upon looking at it there wasn't any choice for anything else I would want to hear. There was no box that I could add something to.

Mayor Pontieri stated: Thinking about it, the survey should be just a general survey. Or you may want to is list everything that you have gone to.

Trustee Krieger stated: I would think they are trying to market it as best they can.

John Bogack stated: I appeared here many times about the West Bank and capacity issues. I am happy to say, that because of some of that—I am not happy about it—but the West Bank has lost its CO. I think it the result of a number of decisions that ultimately had to be made and may actually persuade the owners there in joining the process in how to create what he wants and what the community wants. I would like to express my thanks for that.

Mayor Pontieri stated: He really made the decision. Our decision is predicted on the decisions that he has made about cooperating, participating, legally following the process to its logical end. I appreciate it, but am more frustrated with the fact that we have somebody that has made decisions not to participate in the process in the manner that will bring it to its rightful conclusion. I do appreciate your comment, but unfortunately, it is not the one we want to have either. We would like to have this thing settled so we would know where we are going with it, not the controversial side. If it wears on you because it sits in your backyard, but it wears on us on a weekly and monthly basis trying to get this thing reeled in.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned at 8:55 p.m.