

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on March 22, 2010.

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

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

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff and unanimously carried, the Board approved the minutes of March 8, 2010, as presented.

Village Treasurer Krawczyk: The bills for the period ending March 22, 2010 totaled \$363,063.36. The five highest bills were: NYS Employee Health \$49,468.62 for monthly billing, Cronin & Cronin \$35,000.00 for certiorari fees, LIPA \$22,969.28 for monthly billing, Town of Brookhaven \$21,661.88 for monthly billing, JR Holzmacher \$15,201.70 for engineering fees.

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|----------------|--------------|
| General Fund   | \$291,256.77 |
| Trust & Agency | \$17,921.09  |
| CAP Projects   | \$10,412.80  |
| Sewer Fund     | \$29,407.27  |
| BID Fund       | \$2,771.86   |
| Housing Fund   | \$2,102.91   |
| CDA Fund       | \$6,204.41   |
| General Bills  | \$2,986.25   |
| Totals         | \$363,063.36 |

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

Village Clerk stated: Notice is hereby given that a Public Hearing will be held on Monday, March 22, 2010, at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York 11772 by the Village Board of the Inc. Village of Patchogue to amend Chapter 372-21 of Village Code regarding width requirements and construction specifications for sidewalks and driveway aprons, 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 an opportunity to be heard.

Village Attorney Egan stated: This was a request by the Superintendent of DPW and discussed with Trustee Keyes. There was an issue about the width of concrete driveway aprons. There is a provision for the construction of them, but there was no provision regarding width.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to amend Chapter 372-21 regarding width requirements and construction specification for sidewalks and driveway aprons.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the board approved request to accept the settlement of Village tax grievance on commercial complaints on Real Property Assessments for the 2010 tax year as per recommendation presented by Tax Assessor Carol Sweeney.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to appoint LaRusso & Conway, LLP as Special Counsel to assist the Village Attorney in certain matters at a rate of \$250.00 per hour.

Mayor Pontieri stated: We have a request to set a public hearing for the issuance of a special permit pursuant to Chapter 435-25A and Chapter 435-31C (2) of the Village Code from the West Bank Marina & Tikki Bar.

Egan stated: This is a request by the applicant who is working its way through the site plan and planning board approval for certain permissions involving mixed use in the West Bank Marina &

Off-Key Tikki Bar site. Request is a special permit for wood shop/art studio with accessory retail sales merchandise and services to customers in 30 Baker Place, and a special permit for first floor apartment and accessory professional office in existing non-conforming 3-family dwelling at 31 Baker Place, and a special permit for parking on residential properties more than one vehicle per each conventional bedroom plus one additional vehicle.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board set a Public Hearing to be held on April 12, 2010, at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York 11772 by the Village Board of the Inc. Village of Patchogue to consider issuance of a Special Permit pursuant to Chapter 435-25A and Chapter 435-21C(2) of Village Code for West Bank Marina & Off-Key Tikki Bar.

B.I.D. Report – Dennis Smith stated: The New York Main Street Program work has started on the four corners at Budget Buy and Sell. After over a year of going over applications and legalities and getting the permits, last week some of the existing signage was taken down and they are planning the new facade. It is a projected \$380,000 project which will have a dramatic impact on the four corners and should be completed by June 30th. The Grants Committee met earlier in March and approved \$60,000 of grant money for renovation of 41 East Main Street, the old Carl and Bob's, which will be occupied by two units, Bridgehampton National Bank in the back and a coffee shop which will front on Main Street. The total cost of this project is estimated to be approximately \$700,000 and will be a nice addition to East Main Street. Work should start on the two facades in two weeks and on the interior will follow shortly thereafter. The completion of this project should be late June to mid-July. At that same meeting the committee approved sign works for Yesteryears. There is no sign there now and she needs to get permits passed first before getting started. The building at 82 East Main Street is actively working on an application and should get back to us in the next week or two. With all this coming to fruition, we will have pretty much exhausted the \$200,000. With that in mind, Marian Russo and I are exploring the possibility of perhaps writing for another grant. What we are looking to do is using the Theatre as a cultural anchor and see if we can get monies for new seating and better handicapped accessibility in the Theatre. With that, we would also include façade improvement for part of South Ocean Avenue and this time go west on Main Street, hopefully down to River Avenue. But, again there are few things we need to determine as to whether that is going to be feasible or not. By the next meeting we should have a decision and will keep you apprised. The B.I.D. is in the process of reinstating the Waverly Avenue Park that had to be dismantled at the start of construction of the YMCA. Paula Murphy and Karen Ferb of the Garden Club are putting together a plan for the park. The YMCA and Racanelli Construction put the retaining wall back up and graded the property. Trustee Devlin of Dept. of Recreation as well as Trustee Keyes of DPW have graciously helped with getting the park planted. By doing this, it will allow the majority of the funds that we have to go towards the actual plantings and not so much the labor that it is going to cost to put them in. We at the B.I.D. thank you for your support and assistance. Within the next two weeks, we will be going out to bid on the summer work and the tree trimming contracts for this upcoming summer. With that in mind, when I spoke last I said the budget had been approved for 2010 and 2011. At that time I mentioned that the rate will stay the same, 70 cents per hundred, and it hasn't changed in the last five years. However, with that being said, we are going to have some \$5,500 less in funds—going from 165 to 163. But because of the efficiencies that we gained over the years and the little bit of money left over from the last budget, we should be able to accomplish everything that was always done and not have any shortfalls. The Chamber will still get the \$10,000 and \$5,000 to the Theatre. There is probably going to be over \$30,000 in beautification and of course the \$30,000 in the Treasurer's report is going to remain the same. This is going to be a part of the Village budget as it always is and will be accepted and approved at that time. Are there any questions?

Trustee Keyes stated: As part of that Grants Committee, I and this Board would like to acknowledge and recognize the efforts that you made in making sure the façade program was successful. You worked hard and the Budget Buy and Sell was a big part of that whole package and it is nice to see that happen.

Chamber Report – None

Trustee Krieger stated: At the Theatre this week we had a great show with Andy Cooney come in to continue our celebration of St. Patrick's Day which will culminate at the parade on Saturday, March 27th. The Patchogue-Medford School talent show *Star Shine* was well attended and a great time was had by the kids and the parents. One of the things we are trying to do is get

corporations to hold annual events, corporate parties, conventions, conferences and things like that. In the past, BOCES does an event every year as well as does Clare Rose and on March 9<sup>th</sup> nine hundred people from K-Mart did an event. We are promoting a place where people can have these kinds of events and we hope we can attract more people like that on a Wednesday or Thursday night.

Trustee Krieger stated: There was an article in the *Advance* that appeared last week and has stirred a bit of a bee's nest in the Village of Patchogue. Frankly, that is pretty much what the intent was. I have had a number of people who called me and wanted to get involved with this plan. Nothing is written in stone at this point. We are still talking to store owners and people. are calling and telling me it is all my fault and say they are never going to shop in Patchogue again--even my own cousin complained that she would have to park far away. We are going to have a parking forum on April 6<sup>th</sup> at 6:30 p.m. and the members of the Chamber and B.I.D. people will be informed and I encourage everyone to come down and be a part of the process. We do have a parking problem in the Village of Patchogue as we all very well know. We don't want to come up with short term solutions, but one that will last for many years because of all the development in Patchogue. We hope that the success and revitalization of the Village is creating this problem. I really don't want to call it a problem, but we have to find a place to put them. I am hosting this event and I look forward to everybody's input. I don't to know everything about parking, but my father was Parking Commissioner so there is a little bit in my past that might have rubbed off. Again, I would like everybody who is interested in being part of that process to come down and share their ideas. I want everybody to participate, to share and to talk about it because we know we have to do something. It is very important for the future of the Village. It is all about the success of the stores in town and keeping them vibrant and successful and make sure these businesses are successful in the years to come.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to waive the building permit fee of \$450.00 for the construction of a "Mikvah" (religious immersion pool) for Temple Young Israel of Patchogue.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Devlin, and unanimously carried, the board approved request for Sr. Building Inspector Peter Sarich to attend the NYSBOC Educational Conference from April 19-23 at a cost not to exceed \$1,250.00.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for St. Paul's Church 5K Run on May 23<sup>rd</sup> at 2 p.m.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for PMYCS to use the Rider Avenue Tennis Courts on Saturday's in May and June from 10:30 a.m. to noon.

Upon a motion made by Trustee Devlin, seconded by Trustee Keyes, and unanimously carried, the board approved request for PYAA to use the Rider Avenue Complex, Four Sisters Park and Shorefront Park ball fields from April to November as per list presented.

Upon a motion made by Trustee Devlin, seconded by Trustee Krieger, and unanimously carried, the board approved request to hold the annual "Bunny Run on Saturday, April 3<sup>rd</sup> at noon in Father Tortora Park.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for "Conquer Chiari" to hold the 3<sup>rd</sup> annual "Chiari Walk Across America" on Saturday, September 18<sup>th</sup> beginning at 11 a.m. at Shorefront Park.

Trustee Devlin stated: In the Theatre lobby gallery is a new show of pieces made from neon by artist Clayton Orehek, *Assemblages*. There will be a reception on April 15<sup>th</sup> from 6:30 to 9 p.m. Come and meet the artist and see his works.

Trustee Keyes stated: The DPW crews have been very busy trying to take care of the damage from the storms.

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff, and unanimously carried, a public hearing was set for April 12, 2010, at 7:30 p.m. in the Municipal Building, 14

Baker Street, Patchogue, New York 11772 by the Village Board of the Incorporated Village of Patchogue to consider the installation of stop signs on Maple Avenue and Cleveland Street.

Upon a motion made by Trustee Keyes, seconded by Deputy Mayor McGiff, and unanimously carried the board authorized the Mayor to enter into an inter-municipal agreement with Bellport Village for shared services.

Mayor Pontieri stated: This goes along with the \$380,000 grant we got from the State where we will be purchasing two vehicles—one of them being a Vac-All truck to clean out the storm water basins and the other being a bucket truck. The grant is set up that both municipalities use both vehicles. We both need these vehicles, but don't use them every day.

Public to be heard:

Dick Schroeder, Shore Road, Patchogue, stated: I strongly object to meter parking for the reasons I gave when we did away with them. It antagonizes the public and creates a negative image of the Village. You can use clever enforcement and substitute that for parking meters. What I mean by enforcement is as I understand that the problem is long-term parking by people who are working in the stores and maybe others. I can't understand where all those cars come from that are parked in the lot behind the Library. If you do unannounced sweeps through there periodically and pick up the violators—I'm not talking about somebody who is maybe 10 minutes over in a 2 hr parking area. If you checked it in the morning and it is still there in the afternoon, then you nail them. Maybe cover that with a parking fine system such as the first being a warning, the second violation is X and the next is XX and escalate it from there. And, if you do this perhaps twice a week, I think it will turn around and is worth a try. That meter business is a pain in the neck.

Trustee Krieger stated: It really is an employee/business owner problem. I was at the Terry St. parking lot on a Saturday morning recently, and by 9 o'clock the spaces were already filled and nobody was open at that time.

Dick Schroeder stated: I think that meters are worse than I describe. A person has to get out, go to the meter and get the ticket and go back to the car—maybe walk back and forth in the rain—leave the ticket and hope it doesn't blow away and then go to where they are going may resent it if they are going to a place like the Library that they are already paying for through taxes. I would strongly recommend that you pursue some kind of enforcement. Perhaps you should have spaces reserved for employee parking with permits.

Trustee Krieger stated: That is why we are having a public meeting on April 5th—we have opened it up so we will be getting a lot of ideas. The article in the *Advance*, "Parking Meters Returned", it really isn't about it. It is just one of the things being considered. We need everyone to come down and share their ideas.

Dick Schroeder stated: The problem with tier parking is no one ever wanted to use it. The women didn't want to go up and down those stairs.

Trustee Krieger stated: It is just one of the things we were going to consider. We need to look toward the long term.

Mark Siegel, Blum's, stated: We built the fence around the garbage can and last Saturday night somebody busted the fence flaps out—before that it was covered with graffiti. People come flying into the Exit driveway of the parking lot, parking everywhere, and it is really getting bad. I find bottles every morning, some of them broken. However, the guy from B.I.D. does do a great job.

Donald Wachsmuth, 60 Carman Street, stated: With reference to parking, I would like to see something scaled back further. Meters will be an inconvenience to shoppers, many additional signs will be required, \$350,000 for the meters, meter maids, and perhaps moving shrubs or plantings. All of these are negatives to cure a parking situation. I think education would be the first to do.

Mayor Pontieri stated: We having been trying to educate this community about parking since we first took the meters down. When you put a coin in the meter, you look at your watch and know you have an hour and know you have to be back in an hour. If all there is is a sign, you never

look at your watch and never come back when you are supposed to. If an \$11 store clerk parks and sits in that space every day, downtown is losing two hundred and fifty grand. If you are talking about being aggravated, if I come at 6:30 at night and have to park in the parking lot, and it is dark, because a third of Main Street is taken up by people working in places you want to go to, that is where the debate lies. Once you put that coin in the meter, you do look at your watch and will note when you have to be back.

Trustee Krieger stated: Our officers who do this shouldn't be going into the stores to enforce it. If they go into a store and say "you have to move it" but they can't find the guy next door because they don't recognize the car—that is selective enforcement.

Deputy Mayor McGiff: This goes to the absurdity of this. The same people who came here to ask us to enforce this will come to say three of their workers got tickets and now want us to void the tickets.

Trustee Krieger stated: I did get a call which had to do with parking. It was said to me, sometimes when I come back from a meeting, "I have to walk all the way from here to my office"—and maybe it is fifty steps. People are lazy. When you go to the mall, most of the time you have to park far away—and not say "I have to go home because I can't park close." The Chamber of Commerce sent a letter out to all the stores and some people are happy about it, but most of them said "what do I care." In the Village of Patchogue, there are nearly 2,000 free parking spaces in Patchogue Village lots. Even if you just metered just certain places on Main Street—maybe 120 to 150 spots on Main Street, leaving over 1,800 free parking spaces in the Village of Patchogue. Customers who don't want to pay, can choose to park in the parking lots which have back door entries to stores. The meters can also be used at nighttime, where there are cars parked who go to the restaurants which are open 11-12 at night. These meters will give back to the Village—not just to put money in our pocket, but it would make enough money to help with the beautification of the Village. These meters can give back to the Village—improvements in the downtown business district. And the meters would help to pay for enforcement. I would rather have someone put 50 cents in the meters, rather than slap them with a fine. The public relations about giving shoppers tickets is very bad. Now that we are enforcing it, I get calls asking what we can do. I tell them not to park over 2 hours, not to park in fire zones and handicap zones.

John Bogack, Noxon Street, Patchogue, asked: I was not here earlier, did you make any decision regarding Tikki application?

Village Attorney Egan stated: We set a public hearing for April 12<sup>th</sup>. It was a special permit request for three areas that the Board of Trustees has jurisdiction over. One, because it is a mixed use of some of the properties down there zoned primarily E-Industrial. They want to use one of the buildings for a wood shop/art studio with accessory retail sales. That would require a special permit because it is located in the E-industrial by the Board of Trustees. Second, they want to permit first floor apartment and accessory professional office in existing non-conforming 3-family dwelling there in the middle of the site. Having a residential property in E-industrial requires a special permit from the board as well. Lastly, was that he wanted special permit to allow more than one vehicle per each conventional bedroom on two of the parcels, 31 Baker Place and 195 River Road.

John Bogack stated: I am glad that we have the Planning, Zoning Board and Board of Trustees working on this. I am pleased with some of the changes and concerned about some of the others.

John Bogack stated: As a homeowner there are two programs going on, one pending in Congress and another one somewhere in the system and I thought you could address that to someone in Brookhaven Town. One is the Home Start Program which is President Obama's latest initiative for home repairs. There presently is a 30% tax credit program. This program is going to be up to \$8,000 for home efficiently repairs if you are a homeowner. It hasn't passed Congress yet. The issue though for homeowners is to get there you have to have \$8,000 or more to apply for the credit. There is another program currently by the Town of Babylon which I understand has somewhat what Brookhaven is going to model call a Green Home. The Town of Brookhaven comes in a does an energy audit and decides that I can get \$10,000 cost benefit savings from efficiencies—new windows for example and other stuff along that line. The Town then loans that money to me and I repay it through my taxes over a 20 year period of time. That is what is happening in Babylon Town at the present time.

Mayor Pontieri stated: I think the Green Home program is going through CDA at Brookhaven Town and I will contact Valerie Biscardi.

John Bogack stated: Myself and another resident of Noxon Street have been going to several sessions of Marcelo Lucero's trial. We are sort of trying to represent Patchogue Village in our own way and because it is kind of complicated and you really don't get what is going on through *Newsday's* accounts you really have to be there to get the unfiltered accounts. There is a lot of stuff that happening that you don't read about in the paper. One thing I would like to say is that these proceedings are public and Herman and I shouldn't be the only people coming from the Village. Marcelo was our neighbor and he deserves our support. People should be going

Mayor Pontieri stated: One of the things you have to realize, whether it was myself or someone else on this Board, I do not want to become a part of the press piece of it. That is my singular reason for not going. I don't want to be standing there and asked, "Well, Mayor Pontieri, what is my impression." My impression doesn't matter in this in that sense. That is my concern about any member of this administration because I can't go there as a private citizen.

John Bogack stated: I understand that, but you and the trustees and other people in this room have connections with other people who are not public officials. I think it is a benefit to other people coming and seeing what happened because I have gotten a radicalized impression of what was occurring and concerns that it will never happen again.

Upon a motion made by Trustee Krieger, seconded by Deputy Mayor McGiff, and unanimously carried, the meeting was adjourned at 8:25 p.m.