

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on April 26, 2010.

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

The flag salute was made. Deputy Mayor McGiff read the safety message.

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the board unanimously approved the minutes of the Board of Trustees Reorganization Meeting held on April 5, 2010, as presented.

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the board unanimously approved the minutes of the Board of Trustees Budget Meeting held on April 12, 2010, as presented.

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the board unanimously approved the minutes of the Board of Trustees Meeting of April 12, 2010, with corrections.

Village Treasurer Krawczyk stated: The bills for the period ending 4/16/2010 totaled \$411,656.40. The five largest bills are: NYS Employee Health \$99,359.54 for monthly billing, Town of Brookhaven \$38,909.36 for monthly billing, H2M \$38,448.90 for engineering services (sewer plant upgrade), Egan & Golden \$15,034.16 for attorney services, and Pilger Skidmore \$7,445.00 for bond renewals.

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

Upon a motion made by Trustee Hilton, seconded by Trustee Keyes, and unanimously carried, the board approved request to appropriate \$238,000.00 from surplus for the purpose of Village Hall additions: #001.001.0599 \$238,000.00, #003.1620.0257 \$238,000.00. And, request to increase the sewer budget as follows: Increase 005.0005.2595 Sewer Permit Fees \$62,000.00, increase 005.1440.0415 Engineering Fees \$62,000.00.

Upon a motion made by Trustee Crean, seconded by Trustee Keyes, and unanimously carried, the board approved budget transfers as per list presented.

Village Treasurer Krawczyk stated: The cash balances as of 3/31/2010 are presented for your review.

Village Clerk Seal stated: Notice is hereby given that a public hearing will be held on Monday, April 26, 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 amend Section 415-6 of Article II: Chapter 415 of the Village code regarding stop intersections, to add a four-way stop at Cedar Avenue and Amity Street, 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: This is a request made by Trustee Keyes for a four way stop at that intersection as requested by residents.

Public to be heard:

Chris Cappabianco, 81 Cedar, Patchogue stated: On Nov 8<sup>th</sup> about 8:30 a.m. I pretty much destroyed my new vehicle and had my first ride in an ambulance. Several issues, if I may, Railroad, Cedar and Amity—the stop signs are over here. There is no stop sign here and many people coming on Amity assume there is a stop sign and go. Big item, the road test area is here and many times cars waiting go parked all the way to Mulford. So, when you come up to the intersection of Amity and Cedar, visibility is really tough. Third issue, this section of Cedar does not have sidewalks and if someone is walking north you have either two options, either walk through--tonight would be mud—especially hard for those with a rolling bag like our tourists, or then you walk in the road straight into a lane of traffic. Also, there was a sidewalk here which has been ripped out by the auto repair business; I sent you many pictures. So, our visitors going from the LIRR to the ferry have no choice but to walk out in the street. The other issue Amity has become the Division St. bypass. The other issue is speed and when I when I talk to the police, they don't come. The auto repair parking is blocking vision.

(Conversation ensued)  
Donald Wachsmith  
Dennis Smith

Upon a motion made by Trustee Devlin, seconded by Trustee Keyes, and unanimously carried, the board approved request to amend Section 415-6 of Article II, Chapter 415 regarding stop intersections, to make a four way stop intersection at Cedar Avenue and Amity Street.

Village Clerk Seal stated: Notice is hereby given that a public hearing will be held on Monday, April 26, 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 amend Sections 415-15 and 415-16 to Article VII of Chapter 415 of the Village code regarding parking restrictions on the west side of South Ocean Avenue between Church Street and Gerard Street, 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: This is a request by some property owners to modify parking restrictions as they exist on South Ocean Ave. Presently it is 2 hour parking for 24 hours a day. Now it is being changed to prohibit parking from 9 p.m. to 6 a.m. (Conversation ensued).

Upon a motion made by Trustee Hilton, seconded by Trustee Krieger, and unanimously carried, the board approved request to amend Section 415-15 & 16 of Chapter 415 regarding parking restrictions on the west side of South Ocean Avenue between Church Street and Gerard Street.

Dennis Smith, B.I.D. report: An update on the New York Main Street grant--I am sure is pretty obvious. A lot is going on at Budget Buy & Sell on the four corners. The sidewalk is being constructed, the signage has been approved by the ARB, and they should have no problem accomplishing it by the deadline set for the building owner. At 101 East Main Street, Bridgehampton/coffee shop got a go ahead on the grant. Permits for the façade have been given to the Building Dept. Hopefully, that is going to happen in the next week to ten days. He is looking for a contractor. I talked to Dan Maloney today; hopefully, within a week he will have that satisfied. Once that happens, I will send it to Albany. We are hoping for mid-July for completion on that project. We are still in the process of the scope of work to be done on 82 East Main Street and the Village Mall. It is not a big project and I am hoping to get the paperwork soon. On Friday the B.I.D. submitted an application for second grant for \$500,000. A multitude of thanks has to be given the CDA Director Marion Russo for all the hard work and effort she did in actually writing the grant and for Board member Joel Peck for his great help in putting a map of the target area together with photographs of the buildings. Without that kind of help this couldn't happen. This target area is the west side of South Ocean Avenue from Church Street down the south side of West Main Street from the four corners to River Avenue. The Waverly

Spur has a target date of Tuesday, May 11<sup>th</sup>; we will do the actual planting. The Village has agreed to provide the manpower for which we are very grateful. Racanelli at that time will put the electric and irrigation back. The garden area/parking field maintenance bid received two bids. The low bidder was Long Island Maintenance & Repair of East Islip.

Chamber of Commerce Report – None

Trustee Krieger stated: I would like to give a brief Theatre report just to let everybody know what actually happened last Saturday. Somebody did enter the Theatre and threatened that he had a bomb. My son who works at the Theatre called me at home to tell me. My son told me the man was outside and I told my son to stay right where he was and don't be a hero. I have to commend Jim Grube at the Theatre who took the other route. He kept everybody calm, followed the man into the Theatre, kept him contained, helped the police apprehend the guy and did a great job. I would like to commend him for that---he went above and beyond to make sure everybody was safe.

Trustee Krieger stated: I just came from a meeting regarding the traffic circle. There are a lot of issues with the traffic circle—the County was there, Eddington and the engineers also. A lot of things were bounced around as far as traffic lights, yield signs, and curbs. A lot of people there suggested a traffic light and perhaps have the police enforce it better than they do. They are the engineers—so on paper and in theory the traffic circle to them is the best solution; but, obviously it is not the best solution to this problem so they will be looking at other avenues. I made my suggestion which they said would take three years.

Upon a motion made by Trustee Krieger, seconded by Trustee Keyes, and unanimously carried, the board approved request for Avenue Sound to hold an event at their location and a request to close Potter Street on Saturday, June 5<sup>th</sup> and Sunday, June 6<sup>th</sup> from 9 a.m. to 5 p.m.

Upon a motion made by Trustee Krieger, seconded by Trustee Crean, and unanimously carried, the board approved request for the neighbors of Highland Avenue to hold their 13<sup>th</sup> annual block party on Saturday, July 10<sup>th</sup> from 10 a.m. to 11 p.m. with a rain date of July 17<sup>th</sup>; alcohol restrictions to be waived for that day.

Trustee Krieger stated: At the last board meeting, we were informed that a specific parking issue exists on 65 Shore Drive. I did visit the site and asked if they would present the situation to the rest of the Board.

Barbara Vicente, 65 Lake Shore Drive, stated: My husband had a tragedy last year, a tumor was removed and he is now paralyzed. He just started to drive and in order to get into our house he has a little ramp that goes onto the bricks and a ramp that goes into the house. He needs to park the wrong way on our street. We had gotten a ticket and I came to Village Hall to explain why. Mr. Pontieri was very helpful and hopeful, but when I met with Mr. Krieger he did not know if it was possible. The problem is the reason when we originally bought the house it was because the six foot hedges in the front gave us privacy. My driveway is 40 feet long and is lawn and uphill to the house and it is hard for him in his wheelchair.

Village Attorney Egan stated: We certainly want to give some reasonable accommodation and we are required to legally do so, but the challenge becomes waiving a New York State DMV regulation also a Village regulation to park in a certain way, parallel to the street. The reason for why you are parked that way is for the exact reason that when you pull out you are going straight into traffic. If you are parked the wrong way you are crossing traffic that is coming on to you facing forward. The difficulty from a legal standpoint is that if this board approves it and potentially something tragically happened, the Village faces liability. That being said, Marian Russo the Director of CDA spoke with an advocacy resource group for their ideas as to what might be possible. Certainly, it is within the Board's power to add a "Handicap" sign

on the roadway as a marker, but, it is not a done issue. It is troublesome issue with regard to the wrong way parking.

Trustee Krieger stated: The most practical solution as far as the Village is concerned would be to take the hedges out and put a cut in the road, so when he does park on the wrong side there would be enough room for him to get in and out of the car without going into the street. But, you said you do not want to take out the hedges.

Deputy Mayor McGiff asked: Why don't we wait and see what the Advocacy Group suggests and make an informed decision then.

Upon a motion made by Trustee Keyes, seconded by Trustee Hilton, and unanimously carried, the board approved request to install a "Handicap" sign in front of 65 Lake Shore Drive.

Upon a motion made by Trustee Crean, seconded by Trustee Devlin, and unanimously carried, the board approved request to award the Garden Area Maintenance bid to Long Island Maintenance & Repair in the amount of \$5,675.00 for the annual contract.

Trustee Hilton stated: Fireworks by Grucci has a request to hold a fireworks show on Sunday, July 4<sup>th</sup> with a rain date of Monday, July 5<sup>th</sup>. I have spoken to Mr. Butler, and first of all, I would like to thank Grucci for doing this at no charge. The large problem is it will have a huge impact on the south end. I recommend that we somehow shut down South Ocean and make it a walkway to the Bay. I had asked Peter Sarich, Sr. Building Inspector, to put together a letter of recommendation. The letter reads, "I am in receipt of the application package submitted in support of their request for fireworks on July 4<sup>th</sup>. Should the Board of Trustees approve the application there are several areas of concern that need to be addressed so that the event goes off smoothly and safely. As we discussed previously, I will itemize those concerns. 1) That the docks be closed to the viewing public due to concerns about falling hot embers. The Fire Department may want to stage a truck and fire fighting crew on the dock. 2) The proposed launching site be approximately 1,000 feet off Mascot dock." I am not going to read it all, but the point is that Mr. Sarich is going to take these concerns to our own Code person Jim Berberich, to himself, to the Fire Chief of the Patchogue Fire Dept., to the Sgt. from the Fifth, Brookhaven Public Safety Officer, and the Marine Police. Mr. Butler said it is the only public fireworks show on the south shore. He apologizes that he cannot be here because of business. Also, he indicated that money will be collected by the Boy Scouts to offset the costs. He has insisted in keeping the public open, but Mr. Sarich said it will be closed.

Upon a motion made by Trustee Hilton, seconded by Trustee Krieger, and unanimously carried, the board approved the request by Grucci Fireworks to hold a fireworks display on July 4<sup>th</sup> with a rain date of July 5<sup>th</sup>, subject to the Building Department and any other agencies and based upon Mr. Sarich's meetings and recommendations. The applicant must comply with all recommendation that Mr. Sarich proposes.

Upon a motion made by Trustee Hilton, seconded by Trustee Keyes, and unanimously carried, the board approved request for a one month leave of absence to James Mylett, Public Safety, from May 2<sup>nd</sup> to May 30<sup>th</sup>.

Upon a motion made by Trustee Crean, seconded by Trustee Devlin, and unanimously carried, the board approved request to accept the 2009 Service Award Program list for the Patchogue Ambulance Company.

Upon a motion made by Trustee Devlin, seconded by Trustee Hilton, and unanimously carried, the board approved request to change the street address of Holy Angels Regional School from 224 South Ocean Avenue to 1 Division Street as requested by the Patchogue Post Office.

Trustee Devlin stated: We got a tremendous amount of volunteers for Brookhaven Town Cleanup Day at Shorefront Park and Rider Avenue. The Town provided green T-shirts and provided trucks which took the trash away. A lot got done in two hours; we plan to do another one.

Trustee Devlin stated: This Thursday we will be doing the third annual celebration of Arbor Day at the American Legion Property where we will be work with South Ocean students, planting two memorial trees. The kids are going to dig the holes and we will get two weeping cherry trees. The six flowering cherry trees blossoming in front of Village Hall which were planted with grant money received from Lowes were planted to honor six individuals in the Village of Patchogue. They were dedicated to those individuals in honor of their unselfish pioneering effort in the beautification of the Village of Patchogue. These individuals will be honored with a plaque naming Karl Boysen, Donald Felice, Josephine Miller, Eloise Straudinger, Douglas Steigerwald and Carl Unger as honorees. On Friday, April 30<sup>th</sup>, at 11 a.m. there will be a ceremony unveiling the plaque. Also, on Friday the children from Bay Avenue School will be doing additional planting. There are a number of beautification projects coming up and are in the planning stages. I had extensive meeting with Paula Murphy of the Beautification Committee and the Chamber to discuss these projects.

Upon a motion made by Trustee Devlin, seconded by Trustee Hilton, and unanimously carried, the board approved request for Trustee Devlin to attend the DEC Tree Conference in Geneva, New York, from July 22 to 24, at a cost not to exceed \$600.00. The money is in the tree budget.

Upon a motion made by Trustee Devlin, seconded by Trustees Keyes, and unanimously carried, the board approved request for Patchogue Garden Club to use the community garden at the corner of South Ocean Avenue and Terry Street for their annual plant and yard sale on Saturday, May 15<sup>th</sup> from 9 a.m. to 4 p.m. They requested that we waive the peddler's fee as we have done in the past. Because of the construction in the parking lot adjacent to the garden, they are requesting that parking be allowed on the east side of South Ocean Ave. or on the south side of Terry Street.

Upon a request made by Trustee Devlin, seconded by Trustee Keyes, and unanimously carried, the board approved request for their Patchogue Fire Department to hold a scuba diver search and rescue training session at the Beach Club, Sunday morning from 7 a.m. to 11 a.m., June 27<sup>th</sup> – August 9<sup>th</sup>.

Upon a motion made by Trustee Devlin, seconded by Trustee Hilton, and unanimously carried, the board approved request to raise the Patchogue Beach Club rental fee for parties from \$250 to \$300.

Upon a motion made by Trustee Devlin, seconded by Trustee Hilton, and unanimously carried, the board approved request to hire dock masters for 2010 season as per list presented.

Trustee Keyes, DPW report, stated: Suffolk County will provide laborers at no cost to us and one gentleman will be starting Wednesday. Several municipalities also participate in this program and they said it worked out pretty well. These are people who come from Social Services and are trying to get a start and an opportunity for them to get back into the workforce, build a resume, get some experience. The changes at the Lake Street parking lot which were suggested should be completed soon. We graded some of the piles of dirt at Shorefront walking track and, hopefully, that should be done soon. We entered into a partnership with the Village of Bellport in a grant and will be receiving a truck that will be used to suck out the basins.

Trustee Keyes, CDA report, stated: The Town of Brookhaven has indicated that they should have an answer from the State Preservation Office shortly about the start date of the sidewalks from Carmen Street north to the railroad tracks. The Roe Walkway bid probably went out and will be an exciting and great project, a nice walkway from Terry St. to the Theatre. Shorefront

bathrooms are complete with some minor details to take care of and will be ready for the season. Bauman & Sons Engineering agents have been hired as consulting agents for the playground and they will prepare the bid for the construction of the playground.

Upon a motion made by Trustee Keyes, seconded by Trustee Devlin, and unanimously carried, the board approved request to appoint Toni Dean to the CDA Board.

Deputy Mayor McGiff stated: Louise Staudinger from the Colony Shop has passed at the age of 101. Her daughter is very active in the Chamber. Louise did leave quite an outstanding life in the Village and will be missed.

Public to be heard:

John Bogack, Noxon Street, Patchogue, stated: A couple of month's ago you had mentioned about doing a study on traffic flow on River Avenue. There are three boarded homes on River, and another on the horizon can the Village take possession of these homes?

Trustee Devlin stated: Having been on the CDA Board, I learned that in the past they usually become County owned and then the County would donate it back to CDA who would rehabilitate it with HUD money. It really doesn't involve this Board; it is a separate branch of Village government. It is Federal money which comes through the County. I don't know if it is bank owned property how we would get involved in that because it involves quite a bit of money. The CDA is part of this building and takes place here and has an affiliation with this Board, but it really functions independently and is funded by HUD. The County has people in position to administer these things. Often they work with us, so often properties that they have on their roles will be donated to the CDA. The County owns the property because of unpaid taxes; they don't buy it and give it to us.

Village Attorney Egan stated: Generally, foreclosure of property happens at the County level. They are the ones to have the power to enforce taxes. The Village of Patchogue doesn't foreclose on their unpaid taxes, they sell tax liens. The Town of Brookhaven taxes are guaranteed by the County and reimbursed to the Town. The County is the one who eventually holds the tax lien and then eventually ends up selling.

Mr. Bogack asked: What is being done to beautify the area of the Lucero murder to change the mood and history?

Trustee Devlin stated: There is not a lot of green area to do much planting in that area. Even with the Lucero tree that was dedicated, it was difficult to find an area. Unfortunately, it was hit by an auto and now that tree is gone. Your suggestion is a nice; I will put it on our list.

Bernie Siepman stated: I have been asked by a couple of people that dock their boats at the end of South Ocean Avenue and use the east parking lot where they can park because there are signs that say "Private Parking-No Entrance." Has that lot been sold?

Village Clerk Seal stated: Lombardi's leases that from the Village.

Trustee Hilton stated: Originally it was leased to Lombardi's with the exception of ten spots that were reserved for boat owners at Mascot Dock. That is no longer so—we took out the ten spots. What happened was being that the marina parking lot was being used by valet parking, they were stacking them in. When the boat owners came back, it was frustrating for them to wait for 3-4 cars to be moved so they could get those cars out. What was done was take those ten spots and put them out on the dock. Five parallel to the dock itself and five closest to the old Crab Shack. Trustee Krieger, the Parking Commissioner, has spoken great lengths about solving the parking.

Chris Cappobianco stated: We need crosswalks going from the LIRR going over to Cedar. The traffic going east and west down Division doesn't pay attention to pedestrians. Or, maybe stop signs. I think we should thank the BID for the beautiful plantings at the LIRR. It is really beautiful. I was quite moved at the grand opening at the FINS ferry. I heard all the good speeches from the heart. It is really quite a beautiful facility.

Dennis Smith stated: Are the Boy Scouts going to collect and give the money to Grucci ?

Deputy Mayor McGiff stated: It is the 100<sup>th</sup> Anniversary of the Boy Scouts. I don't know the answer to your question.

Upon a motion made by Trustee Crean, seconded by Trustee Hilton, and unanimously carried, the meeting was adjourned at 9 p.m.

Signed \_\_\_\_\_  
Patricia M. Seal, Village Clerk

/id