

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on June 30, 2010.

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

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

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the Board approved the minutes of June 14, 2010, with a correction.

Village Clerk Seal stated: The bills for the period ending June 28, 2010 totaled \$2,043,391.94. The five highest bills were: RJ Industries \$1,382,730.04 for sewer plant expansion, American Environment Assessment \$121,600.00 for gas tank replacement, H2M \$110,210.31 for sewer plant expansion (Spedes), NYS Employee Health Insurance \$78,900.50 for monthly billing, and Town of Brookhaven \$37,096.36 for monthly billing.

General Fund	287,793.70
Trust & Agency	14,201.78
CAP Projects	
Sewer Fund	21,696.26
BID Fund	3,527.49
Housing Fund	2,020.89
CDA Fund	7,672.74
General Bills	1,706,479.08
Totals	2,043,391.94

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

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved budget transfers as per list presented for yearend adjustments.

Upon a motion made by Trustee Keyes, seconded by Trustee Crean, and unanimously carried, the board approved request for general fund to loan Housing Code Fund \$271.76 and Community Development Fund for \$4,694.42.

Village Clerk Seal stated: Notice is hereby given that a Public Hearing will be held on Monday, June 28, 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 enact a new Chapter 163 of the Village Code regarding public nuisances, 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 proposal that was drafted by the office of the Village Attorney, for a new Chapter 163 for the abatement of public nuisances which is essentially an outline of procedures that are in use successfully by the Towns of Islip and Brookhaven with regard to the Building Department expediting the building department's ability who get complaints about substantial nuisances, such as housing being foreclosed upon, among other things, to be able to expedite the procedure to get it before the Board of Trustees for actual action.

No comments from the Board or public.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request to enact a new Chapter 163 of Village Code regarding public nuisances.

B.I.D. Report – None

Chamber of Commerce Report – Gail Hoag stated: I wanted to thank you for working on the empty lot on North Ocean and Oak. The sidewalk looks beautiful and is much better for handicap people. I am glad to see that something is being done with that lot which is an eyesore. I really have to thank the Village--when I call, Village Clerk Patti Seal who is always there to help us, Joe Brandi has helped us, Joe Dean has helped us. The alleyway is cleaned up behind us where we had all the dumpsters; now there is just one and all the trash is out of there and it looks so much better. I do appreciate all the help that was given. One merchant had a problem with their building and somebody came up right away to help. The whole Chamber does. Our directories are out now and we are swinging into our summer program. We are starting with our *Alive After Five* this Friday night. We have sidewalk sales on July 8, 9 and 10, with family entertainment on July 9. July 14<sup>th</sup> we are having networking at Harbor Crab from 6 to 8, open to everyone. On July 27<sup>th</sup> we are having a general meeting at 6 p.m. the Brickhouse and Campbell Banglese will be making a presentation about the Plaza Media Art Center which is outside the Village but is the entryway into the Village.

Trustee Krieger stated: I would like to congratulate the Patchogue Middle School who had their graduation ceremony at the Theatre. The dance recitals are over and I would like to thank the merchants for their understanding and patience over the parking situation during the last few weeks. Gateway is getting ready for their first show, *Hairspray* and then *Hello Dolly*. There is going to be a lot of entertainment at the Theatre during the summer.

Upon a motion made by Trustee Krieger, seconded by Trustee Devlin, and unanimously carried, the board approved request for Debra Newham and Nancy Auer to attend the annual conference for Court Clerks in Albany, October 10-13 at a cost not to exceed \$800.00 per person.

Upon a motion made by Trustee Krieger, seconded by Trustee Keyes, and unanimously carried, the board set a public hearing to be held on Monday, July 12, 2010, 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 consider installation of Stop Sign(s) on River Avenue and Crescent and/or Price Street.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request from Gail Hoag, Executive Director of the Greater Patchogue Foundation to have the 2<sup>nd</sup> Annual St. Liberta Festival on Oct. 2 with a rain date of Oct. 3, from 1-6 p.m.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for the Chamber of Commerce to hold their meeting at the Beach Club on Tuesday, August 24<sup>th</sup> at 8 a.m.

Trustee Crean stated: I met with the principals from Tri-tec this afternoon and got an update. Their financing has come together; they have gotten certain funding from the County through the County Legislature, and are still looking to put the final touches on their overall finance package for the entire site. Things are moving along very, very well given the conditions of the financing and credit markets right now. They are in almost the final stages of the negotiation for about half the space of 31 West Main Street. As soon as that contract is consummated we will announce who the tenants will be. It will be a very recognizable name who will be a merchant in our downtown.

Upon a motion made by Deputy McGiff, seconded by Trustee Keyes, and unanimously carried, the board approved request to hire James Grimes as part time dispatcher at \$15.50 per hour.

Upon a motion made by Deputy McGiff, seconded by Trustee Crean, and unanimously carried, the board adopted by Resolution the fee schedule as presented for annual Commercial Noise Permit. The annual January 1st through December 31<sup>st</sup> permit is based upon capacity, e.g. 1-100 is \$150.00, 101-300 is \$300.00, 301-600 is \$600.00, and over 600 is \$1,000.00.

Nick Burford, 61 River Avenue, Blue Point Brewery, stated: We propose an outdoor music festival on Sunday, August 29<sup>th</sup> from 1 to 9 p.m., rain or shine. It is an outdoor event in the parking lot as per map. It is a music centered event vs. a beer centered event. Beer is sold separately. A maximum of 1,500 tickets will be sold. All attendees are proofed and issued wrist bands to ensure everyone is of proper drinking age. Beer is sold by the cup and water and soft drinks will be available. Attendees will be encouraged to take the train as we do for all our events

as we expect a lot of our folks will come from the city and therefore will not have a tremendous rush for parking. The parking that we propose will be a total of 100-175 spots as indicated. Signage for parking will be taken down first thing Monday morning. Security is handled by a NYS licensed firm, the same that is used for *Alive After Five*. I have discussed the plan with Peter Sarich. The brewery agrees to reimburse the Village for any necessary activities depending on how many folks that are needed and we will be responsible for that. Portable toilets will be furnished--for more than code requires, handicap and so on. Food is just by local professional caterers and we handle the overall Suffolk County permits and those folks are subsidiary contractors. Three access points will be maintained for emergency access. Occupancy will be enforced through a security person or some of us. I think our last event was successful and complaint-free as far as we understand. There will be no tent; people will just be outside.

Deputy Mayor asked: Would you meet with Peter Sarich, once your plans are finalized?

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request by Blue Point Brewing Company to hold a music festival on Sunday, August 29<sup>th</sup> from 1 to 9 p.m.

Upon a motion made by Trustee Krieger, seconded by Trustee Keyes, and unanimously carried, the board set a public hearing to be held on Monday, July 12, 2010, 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 consider No Parking on Electric Street.

Upon a motion made by Deputy Mayor McGiff, seconded by Trustee Crean, and unanimously carried, the board approved request to hire Michael Gajdos as Alternate Special Prosecutor.

Deputy Mayor McGiff stated: We have had problems with the apartment complex at 3 Lake Street next to Reese's. We have had a lot of complaints that some of the residents there are loitering and harassing people. All communications with the building owners kind of stopped and they seem to have abandoned the building. Attorney Egan, based on a recommendation from the Building Department, has begun closure proceedings in Supreme Court.

Village Attorney Egan stated: We appeared at the Supreme Court before Justice LaSalle. On Wednesday, he did grant the closure order. Today I would like to thank the Building Department, Peter Sarich, Carol Giglio and Joe Brandi who affected the service on the occupants. I can say this is one of the most filthiest, terrible, dangerous, certainly unsanitary residences I have ever seen. I would like to say thanks to the Suffolk County Police Department which assisted the Building Department very professionally in affecting it today. This is Phase I in trying to get this building into compliance, to get everyone served, served with alternate housing proposals from the Department of Social Services. There are also children in the buildings and we have notified Suffolk County Child Protective Services. Those agencies have all been notified and are trying to get those people relocated to a secure area. Once the alternate housing has been secured and the people have left the building, we will actually proceed with actions to secure the building. The next proceeds will be at that point what the property owner does. We will have the building vacated and then secured. The next court date is July 13<sup>th</sup>. We should have a response from the landlord by then. If we don't, we will ask the Supreme Court to order the assistance of the Suffolk Sheriff's Department to forcibly evict whatever squatters or people may in the residence there because as of yesterday it was ordered to be vacated. If they are occupying the premises now, they are doing it in contempt of the Supreme Court order.

Trustee Devlin stated: Parks Reports – The pool is open and I encourage everyone to come and check it out. We put a new parking area for the employees to relieve some of the strain for the main parking area. We have had the main parking area set up just for Village residents only. There is a staff employee of the Beach Club there every day to ensure that people parking there are either residents or members of the Beach Club.

Patchogue Arts Council – The Patchogue Arts Council has for two years now sponsored the Walking Arts Tour and would like to announce the Third Walking Arts Tour which will take place between August 28 to November 3<sup>rd</sup>. This tour will be partially funded by a grant from the Suffolk County Alliance Arts Council. This Patchogue Arts Festival will be a little different. It is going work in conjunction with the Theatre Autumn Arts Festival as they have done in the past. What they would like to do is set up some acoustical music to provide ambiance so people walking throughout the Village will also have the opportunity to listen to music. They would like

to have four acoustical sites--the gazebo on the east side of the Brick House, the Lakewood Cemetery, the courtyard in front of Capital One Bank and in front of the Carnegie Library. They also are also to be putting up video screens located at the Lakewood Cemetery, in front of the Carnegie Library and in the garden located on Terry Street. At the same time they will have some poetry and storytelling in the garden on South Ocean Avenue.

Upon a motion made by Trustee Devlin, seconded by Trustee Crean, and unanimously carried, the board approved request for the Patchogue Arts Council to hold an event on October 24<sup>th</sup> at various locations in the Village in conjunction with the Walking Arts Tour.

Upon a motion made by Trustee Devlin, seconded by Trustee Keyes, and unanimously carried, the board approved request for Yoga Yama Inc. to hold yoga classes at Shorefront Park on Saturday's from July – August, subject to their providing a certificate of insurance naming the Village as additional insured.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hire Frank Boyd and Ed Nieves as dock masters.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request to hire additional summer staff and make salary changes as per list submitted.

Trustee Devlin stated: Finest Fitness is seeking permission to use the Patchogue Municipal Beach Club on Maiden Lane to teach an outdoor fitness program. They will be utilizing new surroundings and basic equipment to provide an intense and effective workout and is the concept behind the program. It will take place Saturdays between 9 and 10 a.m. It is open to everyone interested for a nominal fee. People may sign up through Finest Fitness. Trustee Hilton has worked out some figures as far as for lifeguards, beach club staff and facilities. It should be subject to their providing a certificate of insurance naming the Village as additional insured. They are proposing to pay the Village a fee of \$960 to cover those expenses for 8 sessions, from July 10 – August 28.

Upon a motion made by Trustee Devlin, seconded by Deputy Mayor McGiff, and unanimously carried, the board approved request for Finest Fitness to use the Patchogue Municipal Beach Club for an outdoor fitness 8 session program to be held at 9 to 10 a.m. from July 10 to August 28, 2010 for a fee of \$960.00, with the condition that a Certificate of Insurance be issued naming the Village of Patchogue as additional insured.

Trustee Keyes stated: DPW Report – The new recycling center site on Gibbons Street will soon be opened every other weekend, 8 hours on Saturday and 4 hours on Sunday. The Winona bid opening will take place July 8<sup>th</sup> at 11 a.m. in Village Hall. The fuel tanks at DPW are now installed and we are expecting a delivery this Friday.

CDA Report – The Shorefront Park Playground bid has been awarded to Barbato Landscaping and the work should begin very shortly. The bid opening for the Roe Walkway will be on July 13<sup>th</sup>.

Public to be heard:

Gerry Barracca & Larry Rubin, Emily Drive, stated: You did a great job of clearing out South Ocean Avenue with parking. It has made it a lot easier for us to get to the beach club and the dock. We see you have allowed the residents of Maiden and Smith to get back their street. The beach club opened on Friday and it is great for the beach club and the entire parking situation smothered Bay Village. It has been that way since Friday to a point that on Saturday during the day multiple safety issues came up by the residents because both sides of the street, across the street from the condos and our side, cars were actually in the one way in and one way out were so close that there was absolutely no way any emergency vehicle would have been able to turn into that street without taking out cars. There is definitely a safety issue. Lombardi's isn't going anywhere. We have a big group here tonight. The town is great. This is a separate issue. They are smart people and at the end of the day I believe it is going to work and they will find a place for their cars. We have a couple of ideas. We are not here to complain, but to give recommendations. Across the street from us there are only two homes—the home closest to Smith has a very deep long driveway (there are two cars in there). There are no cars that park

across the street or residents that use that side of the street at all. We would recommend to have no parking at all from Smith to Leo and we are looking to try and get the same resident effect as Maiden Lane and Smith Street and have parking by permit in front of the condos. We as a Board have always told the residents that if you have extra people coming over, respect others in the community—don't hog other places and park on South Ocean Avenue where there is ample parking and we can't do that anymore. It really affected us a lot. We didn't come to the Board before this because we were dealing with it—the amusements during the summer, the boat races. We get the letter and we love it, we participate. It's been like an event every night—a ripple effect which is starting to affect us now and definitely a safety issue for us. The decisions you make farther up the street are starting to impact us now. It is definitely a safety issue for us. Out of respect, we are coming to you to help us come up with a solution.

Mayor Pontieri stated: Let us take a look at it and discuss it internally. We definitely need to come with a way to, number one, to make it safe. The issue you talk about of cars in the driveway—whether it is creating a no parking within 10 feet of the driveway—there has to be a way to make it happen.

Gerry Barracca stated: We met by our mailboxes last night and saw valets running down the street. They are all there parking and the workers are now using that area for their whole shift. They found that we are the only unmarked area that they could use. Again, this is not against them at all; we hope they are a successful business. It is great for the community. We actually have to ride our bikes on the sidewalks with all the cars coming down and it is a safety issue for the people walking on the sidewalk.

Larry Rubin stated: I see cars stopping with other cars screeching behind it because you can't get two cars through. If the car doesn't park close to the curb you have another safety issue. We want to protect our investment. Of course, safety is first. If we had no parking across from the condos from Smith to Leo, it would not affect the houses there because there is nothing there in the morning—not a car parked along that street. That would allow the wide turn of an emergency vehicle to get it in and to get out or to go around. That would allow us to have our families to come. The success of Lombardi's and our development is full—I would think there would be spot parking along the street, not much because we have enough parking in our own community to handle ourselves, but we think we could use resident parking like you did on Smith Street.

Trustee Crean stated: What is the distance between a corner and the legal boundary where somebody could park? I think at the very least, at this point and time even as we are contemplating these proposals, that we should have signage that prohibits parking from the entrances—whatever that legal limit is and have those signs up immediately. They are streets not driveways, and can be done.

Village Attorney Egan stated: The code provides under Section 415-14, parking prohibited on approach of an intersection within 15 feet of the inside boundary line of the sidewalk. If there is no sidewalk in place, within 25 feet of the intersecting road.

Trustee Krieger stated: For those in the audience who do not know, the Lombardi's are leasing to buy a piece of the Gilles property on Smith Street for additional valet parking—for about 30-40 cars. It will be connected to the parking lot that they currently have and the valets will be parking there. Also, they are looking at other properties in the neighborhood for parking. They are doing their best and understand the situation. I spoke to them the other night and advised them that there are still issues down there and whatever their plans are, they should accelerate. They are trying to buy some properties to get those cars off the street. They understand that the more that can't park, it will affect their business. They are doing what they can and we are doing what we can to alleviate the problem.

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Street to Leo and parking by permit only on the west side of South Ocean Avenue from Smith to Leo Street.

Vince Amato, 301 Tracy Lane, Bay Village, stated: One small comment I would like to make about the Music Festival that takes place. Last year or the year before when the Music Festival was over at 10 or 11 p.m. a lot of people were coming out intoxicated, yelling or screaming going into their cars—at the end of the night there seems many are intoxicated. I think there should be a little more presence on the street coming up the street.

Bernie Siepman, 72 Wiggins Avenue, Patchogue, stated: I wonder about the overflow of the pool parking lot which happens frequently, and where do we park then. Some of us can't walk that far—we used to park across the street from Nancy's.

Mayor Pontieri stated: With a resident sticker, you can park on Maiden Lane.

Bernie Siepman stated: Another thing is parking at the Mascot Dock; you have 10 parking spaces reserved for the boat owners of which there are only 60 boat owners. When that area is filled with the fathers and sons fishing, that is a tremendous mess again. I strongly suggest that you keep your phones off the hooks. Some of the roads and sidewalks in the Village are a mess. Along others is Cedar and Maiden—they should have been paved three months ago.

Mayor Pontieri stated: They are being paved. Contracts are coming back on it now—from Gilbert south down to Brightwood it is being paid for by the Town of Brookhaven. We will be paving Cedar, Gilbert, Laurel, all the way up to Division—it is all going to be paved. It is the availability of money. That is how it gets done. If we started it prior to the Town of Brookhaven, releasing the funds, we would have to pick up the cost. So, you wait until the money is in place to do it. I wish I could say to you that we were a wealthy Village where we had such a surplus of funds that I could take out half a million dollars. We have been approved for \$600,000 to do both sides of that street.

Bernie Siepman asked: When is the Parks and Recreation building to be completed; I asked this question two years ago.

Trustee Keyes stated: That bid opening is July 8<sup>th</sup> at 11 a.m. Hopefully, we will get a contract out of that. The construction will begin once we get a bid opening.

Dave Lamm, 40 Maiden Lane, stated: I understand you need the parking for the staff at the Recreation Center and get that, but don't understand how it was done. The hedges and trees were taken away. When that is gone, all of that water will go over your beach, down my driveway and go right into my garage. Not only that, for the last 13 years I shared that right-of-way with my neighbor Mr. Felicciardi and his kids. It is congested, but we handle it. Now, with that parking lot there, it is opened up where they can go out and exit there. I don't think it is a good idea and wish it was closed. My main concern is the water coming over the beach and into my garage. I was told there are plenty of trees there. I am no engineer but if you look, you will see for yourself that the first northeasterner is coming right in.

Trustee Devlin stated: I believe we left that side open so that the people that were parking there, yourself and Mr. Felicciardi could still continue to park on the eastern most side of the parking lot. A lot of those hedges were in bad condition. I do believe that we would like to replace some of them, but wanted to make it easier for the kids along that side to be able to utilize the space that you have been using. If we closed it off, you wouldn't be able to park--where Mr. Felicciardi parks.

Dave Lamm stated: Where they were parking, my daughter included, there was a hill that the hedges were around.

Trustee Devlin stated: There was logic involved. We could have just closed the whole thing off, but we realized some of the people who lived on that easement were parking there.

Mayor Pontieri stated: We can berm that up and will have Joe Dean look at it. We will make sure that we berm it up, and secure your property.

Dave Lamm stated: Last Saturday at 2:30 a.m. your code enforcement is doing a great job. We had a problem at 44 Maiden Lane—drinking on that corner pocket park, maybe 12 or 15. I told Debbie to call 911 and when I ran out, I saw the code guy chasing 5 guys into a car. When I went to help him, three guys went past me. When the police did come, the code guy said to tell the Mayor that he is doing a good job.

Bruce Borjes, Maiden Lane, asked: Tell me about the paving of Maiden Lane.

Mayor Pontieri stated: We have a full bid out to do Brightwood, Cedar, Gilbert, Laurel, Maiden and Cedar all the way up. The Town of Brookhaven controls the paving of Cedar south down to Brightwood. Our bid is based upon once they set up and come in, then they will do ours and we will get a better price. It will be done over the next several weeks, I hope. I have no guarantee on that because it is driven by the Town of Brookhaven right now.

Bruce Borjes stated: On Friday and Saturday nights the valets are speeding back and forth on Maiden Lane and someone is going to get killed.

Bruce Borjes asked: When is the playground in the park going to start? The broadwalk that was scheduled for the park, is that in progress? I would like to go on the record that the parking lot exit on the west end of the property, I would like to go on the record that should be closed. The lights come directly into a window that I have and if anyone loses control they will be in my garage. What is the status on the sewer plant as the smell continues to come? Was there any fact to the article in the *Advance* about the amount of ammonia being put into the river? Do they check the water down at the beachfront to make sure that it is swimmable? What is the status of the house at the end of Cedar Avenue? Does anyone know about the marking on Maiden Lane for new curbs and sidewalks—they had to mark the gas and water? I would like the west end exit from the new parking lot closed and shrubed if possible and if we water it, it will grow.

Mayor Pontieri stated: Right after the Music Festival, they are going to start the playground. The broadwalk is in progress. We hopefully will be able to make the transfer from the old sewer plant to the new by January 1<sup>st</sup>. I think they are ahead of schedule. We are about a ten million dollar project. RJ Construction has a sixty million dollar project starting right after ours, so they are pushing. The only factor that it, with reference to the ammonia in the river, is that we are within the limits of the SPEDES permit. But, the amount of the ammonia within that permit is higher than we would like to put in and that is why the plant is being redone. Suffolk County Board of Health checks the beachfront water on a very regular basis. Mr. Passalacqua is in court today with reference to the house at the end of Cedar Avenue. I don't know about the marking of Maiden Lane and will ask Joe Dean tomorrow.

Mark Fossi, 541 South Ocean Avenue, stated: I have brought pictures that includes parking, but it is not just all about parking. There is the speeding. There is gridlock up to Gilbert St. and this was just an ordinary, regular June Friday—we haven't even gotten to the high season and I don't ever want to talk about The Battle On The Bay. This was going on for six hours and is going through the weekend. While I was taken those photographs, a woman who was sitting in that traffic got impatient and pulled into my driveway and around my circle—my kids aren't even safe in my driveway. On Sunday, I had to have a car removed that was partially blocking my driveway. The Gilles property which is right next to the parking lot that is there—30 or 40 spaces is not even going to put a dent into what is happening there. I have nothing against this guy or his establishment. I understand he is running a good business, but this is a major problem. And also, the comment about turning a full residence into a parking lot which is in a residential area by knocking the house down, I don't think that is where we are going to go. When I first brought this up at the April meeting and tried to head this off and talked about the potential alternatives which you didn't like then. He has some latitude about where he can locate the parking, like Davis Park. What I am suggesting doesn't involve knocking a house down, doesn't involve turning residential property into pavement. It involves using existing parking space which is already available which is underutilized and in one case not utilized at all. In addition as to what happened in front of my house, Leo Street was backed up—we had valets using the Rider Avenue parking lot. It is really bad. It is parking, the valet thing, speeding, its people who get into a gridlock and you can't get in or out of your property. People are getting out of their cars in the middle of the street, they are making turns on people's property. I don't think we have ever seen anything like this—and I have been here for 30 years. We cancelled the 4<sup>th</sup> of July fireworks. What I am recommending is that until we figure this out, we look at all the events or cancel those things. As far as the parking thing is concerned we have to go through the process. In response

to the statements that were made earlier about my side of the street, no fighting from me here. I am fine with that. They want to do permit parking on their side of the street, no problem there. The bigger issue here is it is like a tube of toothpaste—you put the no parking on Maiden on Smith, what happened—it went west, east and north. You put no parking on Gilbert, 1800 feet—they will go farther north, farther east and west. You have to get them to where they need to go where they can do the least amount of damage which doesn't include driving like crazy people up and down the street. There is no way they can control that. They get these people, 18 years old, who work for one or two weeks—there is no way to control that.

Michael Hennesey, 41 Smith Street, stated: I have lived there for 15 years and just redid my house and I have no complaints about anything—the water, the people, anything. But, the valet is out of control. We lost our parking lot across the street to Shorefront to the employees. I watch it all day long and see who parks there—it's just employees. If you come down to the park, you can't park on the street. I would like to see resident permit only in that parking lot again. As for the ball field parking lot, it is the same thing. The valets are out of control; I yell at them all the time because I see how many children that go to that park. I would like to see something like that done. Why can't we just have it so that it is our Village again, back--at least to that parking lot and maybe some of the surrounding streets. I understand that they have a good business and they need parking. I know they don't want to turn people away, but it has to come to a point where they might have to turn people away. I just finished that house; if they want a parking lot, I will sell it to them. I don't care because it is going to ruin everything I just did. It has never been like this in sixteen years and I have never complained. The constables do a great job, but their hands are tied. I don't want to lose all the parking because we do have all the events and people park there all the time and we have parties. Even that parking lot (all night long)—I called the cops twice this year and I never called them before. I clean it—even before you get there. It is out of control—maybe get our parking lot back, parking by permit.

Kelly McMann Rinaldo, 405 Rider Ave, Patchogue, stated: I also belong to the Patchogue Athletic Association. We had an incident last weekend and the weekend before where two children's parents came to me and said their children were almost got hit. I confronted the valet and was told to take it up with Lombardi's Management. April did go down there and was yes'ed to death. They didn't seem concerned about the safety of the children. When I confronted them they just went and parked farther away. Elderly people come to see their grandkids and have to park all the way over there. Valets just back in, not looking, pulling out and they have no regard for anyone in the community. They fill parking lots and block driveways. They park their cars so tight; I couldn't get in my driveway. It is not happy here. Is there a parking facility they can use? I hear that they are using the railroad. Our baseball season is over, but I do have concerns because we do have a game Friday night.

Trustee Krieger stated: I did get a call that night from our Supt. of Parks and did call Lombardi's and told them they were not to park near the baseball lots.

Bill Iaia, 41 Maiden Lane, Patchogue, asked: What is the occupancy for Lombardi's?

Village Attorney Egan stated: The Building Department would know. It is based on their CO.

Bill Iaia stated: On Friday night, we waited about 1 ½ hrs for our food and it came with no silverware. When I asked the waiter, what's wrong, he said we are about 300 people over what we are supposed to have here.

Mayor Pontieri stated: The worst week of the year that we have in this Village is the last day of the school year. You couldn't get into Morgan's because Sachem was at Morgan's. The other issue to see is the catering piece that we will have to wrestle with.

John Bogack, Noxon St., stated: Most of the complaints that you have heard from residents on South Ocean Avenue with reference to Lombardi's is very similar to what has been happening on Noxon St. with the Off Key Tikki Bar. My heartfelt sympathies goes out to all these individuals because there isn't a single thing that they have experience that I haven't as a homeowner on Noxon Street. This is my advice to some of the people here. First of all, this is the second year I have been here with issues. These issues are complex and you don't have magic wands that can solve everything. My experience has been cumulative fixes have been made over the past two years. And, actually they have succeeded beyond my wildest expectations, although that happened for different reasons. The owners at Lombardi's have legitimate permits—Planning &

Zoning Board approvals. That didn't occur at the Off Key Tikki Bar. That situation is a little bit different. My advice to the people behind me is to be consistent, stand by your homes as they are important. It is good that Lombardi's is a great business, but he has his interest and you have yours. You just have to be consistent advocates in what you believe in, which is basically peace and safety in your community. The last time I showed up here in this continuing saga of the Tikki Bar the Village was about to be sued. Now I understand there are three suits against the Village and where are they?

Village Attorney Egan stated: That is correct. Two Article 78's were filed. One Article 78 appealing the denial of the Zoning Board variances. A second Article 78 was filed appealing the denial of the Planning Board's site plan. The third is a continuing litigation which has now been through five judges who have secluded themselves for various reasons with regard to the original issuance of a Certificate of Occupancy from two years ago. Article 78's timing is 30 days from when they were filed, so they are approximately in July. The return date on the Order to Show Cause on the temporary CO was extended to July 13<sup>th</sup>.

John Bogack stated: I want to encourage the Village to stand by its guns. The Planning Board and the Zoning Board took a definite stand. A stand that people are arguing for and to end traffic problems that are unreasonable. There isn't an issue in this lawsuit that doesn't have the vocations for these issues being expressed tonight. If the Village is not master of its own house, then the Tikki Bar owners and the Lombardi's will be telling you guys how to run this Village. That is basically what these lawsuits are really about, whether you do have the authority to run this Village for its citizens or not. Stick by your guns and I understand it is a long process. There are other agencies, the DEC and the court system. This is a democracy and we are all bound by the law and the courts. But, I will say to the Village, as I said in my article in the paper last week, thank you for not giving up because it is important.

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

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

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