

Public Meeting of the Community Development Agency was held in the Municipal Building, 14 Baker Street, Patchogue, New York, on November 30, 2009.

1. Meeting was called to order at 7:06 p.m. by Chair Joseph E. Keyes, Jr., also present were Members David Reese, Lori Devlin and Francis Buscemi. Also attending was, Executive Director Marian H. Russo. Chair Keyes, Jr. declared a quorum.
2. Artspace Project Resolution
 - i. Chair Keyes asked for a motion to rescind the adoption of the resolution of the last meeting. Motion by L. Devlin and D. Reese, motion carried.
 - ii. M. Russo stated that the prior resolution indicated that the payment of the purchase price was contingent on the Village receiving a grant from the State. M. Russo stated that the resolution before the Board now indicates now that regardless of the CDA entering into contract the Village would pay the purchase price at either at closing or deliver a note for one year with zero interest payable on the first anniversary of the closing.

**VILLAGE OF PATCHOGUE
COMMUNITY DEVELOPMENT AGENCY
14 BAKER STREET, ROOM 5
PATCHOGUE, N.Y. 11772**

Member Reese presented the following Resolution and moved for its adoption. The Resolution was seconded by Member Buscemi and was Adopted by the vote set forth below.

**A RESOLUTION AUTHORIZING THE DISPOSITION TO THE
VILLAGE OF PATCHOGUE, FOR DEVELOPMENT OF A FIVE STORY
BUILDING AS LIVE/WORK SPACE FOR ARTISTS AND RETAIL
SPACE, ON REAL PROPERTY LOCATED AT 10 TERRY STREET,
IDENTIFIED ON THE SUFFOLK COUNTY LAND AND TAX MAP AS
DISTRICT 0200, SECTION 13, BLOCK 6, LOT 39, AND THE TAKING
OF RELATED ACTION.**

WHEREAS, the Village of Patchogue Community Development Agency (the “Agency”) is the owner of certain real property located at 10 Terry Street, Patchogue, New York, identified on Suffolk County Land and Tax Map (the “Map”) as District 0200, Section 13, Block 6, Lot 39 (the “Premises”); and

WHEREAS, the Premises are located within the Revised South Ocean Avenue Community Improvement Area (the “Area”) as identified in the Village of Patchogue (the “Village”) Revised South Ocean Avenue Community Improvement Plan (the “Plan”), prepared in March 1988 and adopted by the Village Board of Trustees (the “Board”) at its meeting held on July 25, 1988 and renewed and expanded at its meeting of October 12, 1998; and

WHEREAS, the Agency wishes to sell the Premises to the Village, and the Village wishes to purchase the Premises from the Agency, for the purpose of assembling four parcels of real property to construct Artspace Patchogue, a five-story building with 45 affordable artist live/work spaces on the upper floors and retail space at street level (the “Project” or the “Action”); and

WHEREAS, construction of the Project would effectuate the purposes of the Plan by upgrading and improving the edges of the Area, stimulating increased employment, retail and service establishments in the Area, enhancing the physical appearance of the Area, and encouraging compatible mixed-use development; and

WHEREAS, the sale of the Premises by the Agency to the Village to effectuate the Plan (the “Proposed Property Disposition”) in exchange for payment of the sum of \$119,000 (the “Purchase Price”), payable pursuant to the Contract of Sale either (i) at the Closing, or (ii) by delivery by the Village of a promissory note in the amount of same, payable to Seller’s order, bearing an annual interest rate of zero percent and due and payable on the first anniversary of the Closing; and

WHEREAS, the Agency is subject to the Public Authorities Accountability Act of 2005 (the “Act”), which permits the disposal of property by negotiation without publicly advertising

for bids if the action is otherwise authorized by law; and

WHEREAS, pursuant to Section 20 of the Act, the members of the Agency (the “Members”), by resolution, have adopted Agency Guidelines for the Disposition of Property (the “Guidelines”); and

WHEREAS, insofar as the Proposed Property Disposition is to a municipal corporation for valuable consideration to effectuate the purposes of the Plan pursuant to General Municipal Law §556 (4), and is in accordance with the Agency’s Guidelines for Property Disposition, the Proposed Property Disposition complies with Section 20 of the Act; and

WHEREAS, it is required that the Action be reviewed pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review Act (“SEQRA”) as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“SEQRA Regulations”); and

WHEREAS, by Resolution No. 23-2009, adopted at its meeting held on January 28, 2009, the Board established the Village as lead agency, and determined that the Action would not have an adverse impact upon the environment pursuant to the SEQRA Regulations, thereby completing the SEQRA review process ; and

WHEREAS, Agency staff recommends the Proposed Property Disposition (the “Staff Recommendation”); and

WHEREAS, the Members wish to authorize and adopt the Staff Recommendation.

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby authorize and adopt the Staff Recommendation, namely, the sale of the Premises by the Agency to the Village for the Consideration; and it is further

RESOLVED, that the Executive Director of the Agency and any other officer thereof is hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing, including, without limitation, providing to the New York State Authority Budget Office a written explanation of the circumstances involving the disposition of the Premises to the Village prior to the scheduled date of the Proposed Property Disposition; and it is further

RESOLVED, that this resolution superceded the resolution pertaining to the Proposed Property Disposition adopted at the meeting of the Members held on November 3, 2009.

- iii. M. Russo stated that a pre-closing was scheduled on December 8, 2009 in New York City. M. Russo stated that she will be attending.

3. Public Improvement Projects - report by M. Russo

- i. Bandshell Improvements Project.
M. Russo stated that the she had received the report from Porter Falcon of Falcon Audio Video, Inc. and it reiterates what he stated and she hoped he would give us more detailed drawings.

Discussion ensued.

D. Reese asked if there was an estimate on Mr. Falcon’s drawings. M. Russo stated that she did not receive an estimate of his fee.

Discussion ensued.

- ii. Shorefront Park Bathroom Project - Report by M.Russo.
M. Russo stated the project had started and the roof was completed.

L. Devlin asked when the completion date was. M. Russo stated 90 days from the date they started.

M. Russo stated that the contractor was very good to work with.

iii. Roe Walkway - report by M. Russo.

M. Russo stated that she met with the Lorice Fiala, President of the Chamber of Commerce. M. Russo stated that she had to speak with Trustee Crean to help her talk to the owner of Stanley's to see what size trucks will go on the walkway. Also, if the archway would be done.

Discussion ensued.

4. Section 8 - report by M. Russo

i. Utilization Report - report by M. Russo

M. Russo stated that the utilization report was not completed because the checks were not completed. M. Russo stated that she felt that there was not going to be any change from the previous submitted.

Discussion ensued.

ii. SEMAP - report by M. Russo

M. Russo stated that C. Maldonado does not complete the report until the 5th of the month.

5. Other Business

i. Chair Keyes asked if the Procurement Policy was going to be approved. M. Russo stated that she did provide copies but was not sure if the Board wanted to consider approval tonight or the next meeting.

Discussion ensued.

Board agreed to approve the Procurement Policy at the next meeting.

ii. Chair Keyes asked for approval for the Compensated Officers Agreement. Discussion ensued.

Chair Keyes asked for approval for the Compensated Officers Agreement with the changes discussed for Marian H. Russo.

Motion by L. Devlin and F. Buscemi to approve the Compensated Officers Agreement with the change to number 2 after the word separation the following is added (except discharge for cause). Motion was carried.

Chair Keyes asked the Board for a motion to approve the Agreement of Administrative Non-Union Full Time Employees for Carmen Maldonado, Section 8 Program Administrator. Motion by L. Devlin and D. Reese, motion carried.

iii. D. Reese stated that the first Governance Committee did meet and wanted to bring to the Board's attention that the Disposition Policy has not been approved. D. Reese stated that next month we could approve the Procurement Policy also.

Brief discussion.

iv. M. Russo asked the Board for approval of her Notary Renewal License and her 2010 calendar.

Board approved.

M. Russo stated that the January 2010 meeting needed to be changed and will notify the Board by email the available dates.

6. Adjournment – Motion by D. Reese and L. Devlin to adjourn, motion carried. Meeting

adjourned at 7:27 pm.

Respectfully submitted,

Marian H. Russo, Executive Director