

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on Monday, January 23, 2023 with public viewing through video streaming on YouTube and in person.

The meeting was called to order at 6:00 p.m. by Mayor Pontieri with Trustees Brinkman, Carillo, Ferb, Keyes, McHeffey, Village Attorney Egan, and Deputy Village Clerk Braile present. Deputy Mayor Krieger, Village Treasurer Krawczyk, and Village Clerk Devlin were absent.

The flag salute was made and the safety message was given.

Deputy Village Clerk Braile asked the Board to approve Board Meeting minutes from January 9, 2023.

Upon a motion by Trustee Ferb, seconded by Trustee McHeffey, and unanimously carried, the Board approved the Board Meeting minutes from January 9, 2023.

Deputy Village Clerk Braile asked the Board to set Tax Grievance Day.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to set Tax Grievance Day for Tuesday, February 21, 2023 from 5:00 p.m. to 8:00 p.m.

Deputy Village Clerk Braile asked the Board to set Tax Sale Day.

Upon a motion by Trustee Ferb, seconded by Trustee McHeffey, and unanimously carried, the Board granted approval to set Tax Sale Day for Thursday, February 23, 2023 from 10:00 a.m. to 11:00 p.m.

Deputy Village Clerk Braile stated the total bills for the period ending January 23, 2023 were \$1,298,741.35. The five largest bills were as follows: \$387,714.40 for Pioneer; \$207,921.78 for NYS Health Insurance; \$157,700.00 for Norberto Pool; \$64,197.69 for H2M; and \$45,937.14 for Town of Brookhaven.

General	\$ 564,753.20
Trust & Agency	\$ 13,270.81
Cap Projects	\$ 628,120.49
Sewer Fund	\$ 66,922.05
B.I.D. Fund	\$ 3,776.25
Housing Fund	\$ 0.00
CDA Fund	\$ 12,698.55
General Bills	\$ 9,200.00
Totals	\$1,298,741.35

Upon a motion by Trustee Ferb, seconded by Trustee McHeffey, and unanimously carried, the Board approved payment of the bills as presented.

Mayor Pontieri noted that the bills for Pioneer, Norberto Pool, and H2M were paid for through grant funds.

Mayor Pontieri asked Chris Reino from Cullen and Donowski to step forward. Mr. Reino indicated that Cullen and Donowski had been hired by the Village to perform a financial statement audit and to render an opinion on the Village's financial statements. On a fund level, the Village had obtained an unmodified opinion which was the best it could have. He then reviewed the reports that were issued including three which had been distributed to the Board in a bound format. These included reviews of federal grants which was required when a municipality received over \$700,000 in federal aid; an audit of the Justice Court which was filed with the NYS Comptroller's Office, and the actual financial statement. No significant deficiencies or material weaknesses in the Village's financial processes had been found. If there had been, a separate letter would have been issued. No management letter had been issued either as there were no concerns to be addressed. There had been no comments recommended to the Board, and this had been a clean audit.

Mayor Pontieri thanked Deputy Village Treasurer, Joanne Ruggiero, for all of her hard work keeping the Village in great financial shape. Mr. Reino concurred that the Village was in excellent financial shape.

Deputy Village Clerk Braile read notice of a public hearing to amend Section 415-14 of the Village Code to prohibit parking along a section of East Sixth Street.

Village Attorney Egan indicated the proposed local law would prohibit parking on a portion of the north side of East Sixth Street at the corner near the lake. It would only impact one property there and had been proposed at the request of that property owner. Mayor Pontieri noted that it had been brought to the Board's attention that there had been some abuse of parking in this area by a neighbor who had been parking commercial trucks in this location.

Mayor Pontieri inquired if anyone from the public wished to comment on the public hearing. There was no response. Mayor Pontieri then asked for a motion from the Board.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval to amend Section 415-14 of the Village Code to prohibit parking along a section of East Sixth Street.

Deputy Village Clerk Braille read notice of a public hearing pursuant to Village Law 6-632 by Richard Cammarata to construct a second floor Juliet balcony encroaching on Village property at 39 South Ocean Avenue.

Village Attorney Egan indicated that this was an application under Chapter 372 of the Village Code which concerned streets and sidewalks. This was for a location north of James Joyce and Teiko 360 on South Ocean Avenue. The trustees had received a copy of the plans which proposed a balcony off of the property in question that would be approximately four feet over the sidewalk on the second floor and provide sufficient clearance.

Trustee Brinkman stated that the Planning Board had thoroughly reviewed the application and had approved the plans.

Richard Cammarata and his partner, Lenny Oliver, stepped forward. Mr. Cammarata indicated that his business hosted many parties, and the proposed balcony would add to the space available. Mayor Pontieri inquired if customers would be able to walk out on the balcony. Mr. Cammarata stated that people could access the balcony, and he planned to have a couple of tables placed out there as well. Mayor Pontieri indicated that his concern was that people could put drinks on the edge of the balcony which might fall and injure someone walking below on the sidewalk. He inquired if something could be added to the edge of the balcony to prevent this from occurring like what had been done when Rhum had been approved to have rooftop dining. Mayor Pontieri reiterated his concern was that items could fall from that height creating a health and safety concern, but he was sure the Building Inspector would provide input on making this as safe as possible.

Village Attorney Egan asked the applicants to describe the proposed ingress and egress to the balcony. Mr. Oliver indicated that two sliding doors would provide access to the balcony. He noted that the intent was to provide a view of the Village for diners sitting at tables there and not encourage people to stand by the edge. Trustee Brinkman suggested that perhaps a glass partition could be installed along the edge. Village Attorney Egan indicated that the Board would not want to see just a flat railing installed, but this was a design issue. Mr. Cammarata noted that the main reason for installing the balcony was to add to the aesthetics of the party room of his establishment. Village Attorney Egan indicated that amplified music was generally not permitted in elevated areas. Mr. Cammarata noted that this room was generally used for lunch or brunch functions with 40 or 50 people.

Mayor Pontieri inquired if anyone from the public wished to comment on the public hearing.

Richard Kemp, Jennings Avenue, inquired as to the dimensions of the balcony and how far it would be cantilevered over the sidewalk. Mayor Pontieri stated that it would extend four feet over the sidewalk. Trustee Ferb noted that the site plan had been reviewed by the Planning Board. Mr. Kemp indicated that this was a public hearing on this proposal. Trustee Ferb

reiterated that the plans had been reviewed and approved by the Planning Board, and the applicants were before the Board now due to the special permit requirement of the Code. Mr. Kemp inquired if this was the first application of this type in the Village. Village Attorney Egan stated that it was not. Mr. Kemp asked for confirmation that this would not set a precedent. Village Attorney Egan indicated that this was correct as there had already been similar applications presented and approved previously. Mr. Kemp inquired as to why a roof and glass walls could not be installed around the edges of the balcony since liability concerns had already been expressed. Mayor Pontieri indicated that the applicant had already stated that the Planning Board and Building Inspector would take the safety concerns into account. Mr. Kemp then inquired as to how this space would be taxable. Village Attorney Egan noted that it would become part of the square footage of the building and part of the improved value of the building which was what property taxes were based upon. Mr. Kemp inquired if this was still true since it was encroaching on Village property. Village Attorney Egan reiterated that the space was still part of the applicant's building and this addition would become part of their assessed value. He also noted that, according to the application, the current building was two feet in from the property line which resulted in the encroachment only being two feet (24 inches) onto Village property. Mr. Kemp inquired as to existing setback requirements. Village Attorney Egan indicated that this was zero in the D-3 Business Zone. Mr. Kemp then inquired as to why the building was set back two feet. Village Attorney Egan stated that this was how the building had been constructed in 1922. Mr. Kemp noted that the sidewalk went right up to the building. Village Attorney Egan indicated that this had probably made the most sense when the sidewalk was constructed.

Mayor Pontieri then asked for a motion on the application.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board agreed to close the public hearing and render a decision pending final plan review and fee determination for Richard Cammarata to construct a second floor Juliet balcony encroaching on Village property at 39 South Ocean Avenue.

David Kennedy reviewed the Chamber of Commerce report. Mr. Kennedy noted that the Patchogue Young Professional Group would be hosting their annual Patchogue Plunge on Sunday, February 12th. There was still plenty of room for anyone wishing to join in this fun event which raised funds for several local charities. Sponsorships were available as well with all information on the event to be found at Patchogue.com. The first large event of the year that the Chamber was involved with along with the Greater Patchogue Foundation was the annual St. Patrick's Day Parade which would be taking place on Sunday, March 19th. Along with the parade, the May the Road Rise to Meet Ye Walk/Run would be taking place. Registration was under way for the walk/run with applications beginning to be sent out for any organization which wanted to march or put a float in the parade. Mr. Kennedy noted that Deacon Marty McIndoe from St. Francis de Sales Church would be serving as this year's Grand Marshal. The chair of the St. Patrick's event, Tom Keegan, was in the audience should the Board have any questions for him. As of now, the Passing of the Sash Ceremony was scheduled to take place on Sunday, February 26th, at the Tap Room from 1:00 p.m. to 3:00 p.m. Mr. Kennedy continued by noting that over the past few weeks the Chamber had been proud to form the Patchogue Pride Committee. The purpose was to have Patchogue host a Pride event in June which was recognized as Pride month. He indicated that Ron and James Diele-Stein were co-chairpersons of the committee along with Ariana Castelli, and there had been much interest already in this committee with over thirty (30) people showing up to the first meeting on short notice. Mr. Kennedy then asked Ron and James Diele-Stein to step forward to review the proposed details of the event.

Ron and James Diele-Stein stepped forward. Mr. Ron Diele-Stein stated that both he and his husband were Village residents and business owners. He indicated that he had begun discussions with Mr. Kennedy a few weeks ago noting that they had felt it was time that the Village host a Pride event that set Patchogue apart from other communities and gave back to the community. The great support they had received since they first started their committee had been fantastic. Mr. Ron Diele-Stein noted that they wanted to support local businesses and restaurants and were not seeking to bring in outside organizations. With the support of the Board and the Chamber, he felt that this event could be fun and family oriented to show everyone that all were accepted here in Patchogue. Mr. James Diele-Stein noted that they had attended the Babylon Pride Parade, and it had been a wonderfully inclusive event involving all of the businesses. They

wanted to see this same type of community event here, and he knew that all of the businesses were supportive of the parade. Mr. Kennedy noted that preliminary discussions had already been held with Special Events Coordinator Bill Hilton, and the proposed date for the parade was Sunday, June 4th from noon to 2:00 p.m. with a potential rain date of June 11th. He indicated that he had submitted a Special Events Permit application to Deputy Village Clerk Braile. However, the Mayor had informed him that June 12th had been designated as the date for the Patchogue-Medford High School prom to be held on Main Street, so there might be a conflict with the proposed rain date. Hopefully, this rain date would not be necessary, but he recognized that it was still under discussion. Mr. Kennedy then reviewed the proposed street closures and noted that West Avenue would remain open for north and southbound traffic as had been done with the successful Hispanic Heritage Parade held last year.

Trustee Carillo asked the Board to approve the Patchogue Pride Parade date and street closures.

Upon a motion by Trustee Carillo, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for the Greater Patchogue Chamber of Commerce to host the Patchogue Pride Parade on Sunday, June 4th from 12 noon to 2:00 p.m. (potential rain date Sunday, June 11th) with the following street closures; Route 112 South Bound Lanes Closed Oak Street to Main Street; Main Street closed between Route 112 and West Avenue; Ocean Avenue closed between Church Street and Oak Street; Railroad Avenue closed South Street to Main Street from 11:00 a.m. to 3:00 p.m., pending the approval of the Special Events application.

Mr. Kennedy thanked the Board for their action. Mayor Pontieri then noted that the Board had been discussing the need to limit the number of times that Main Street was closed for events during the year. Right now, he believed that there were at least fifteen (15) events that had resulted in Main Street being closed between parades, Alive After Five, and festivals. Mr. Kennedy recognized that discussion needed to occur about this and noted that it was clear that there were no other communities that closed its Main Street and downtown area to through traffic as often as Patchogue did. It was a plus as it was part of the Patchogue's charm and what had brought many people here. However, he acknowledged that closing the streets for events came at a cost in terms of stress and expense. Mr. Kennedy then challenged businesses along Main Street who complained or chose not to stay open during events to think differently. He suggested that the community come together over the next couple of months to review the event list and pinpoint priorities. The newly proposed Pride Parade and Hispanic Parades spoke to the growth that the Village had seen, but perhaps it was time to review events such as Alive After Five to determine their future. Mr. Kennedy indicated that he considered Alive After Five a brand, and it was now safe to say that Patchogue was alive after five every night when it had not been when the event was first started. Mayor Pontieri indicated that his concern was that every time Main Street was closed, those who resided south of Main Street were inconvenienced, and he heard many complaints from those residents. This had to be taken into consideration as almost half of the community lived south of Main Street. There was a cumulative effect to the entire community when Main Street was closed. Mayor Pontieri indicated that he had wanted to bring this up publicly to get the Board thinking about this situation and perhaps coming up with a set number of events per year. Mr. Kennedy noted that he also heard concerns from waterfront restaurants that street closures hindered their businesses, but he felt that there could be a happier medium met and perhaps have some events that celebrated those areas. This was an important discussion to have.

Trustee Brinkman observed that keeping West Avenue open during Main Street closures definitely helped a bit. Mr. Kennedy agreed that they had learned that this was a positive decision when they had done so during the Hispanic Parade.

Mayor Pontieri indicated that since Deputy Mayor Krieger was absent this evening, Trustee McHeffey would review his agenda items.

Trustee McHeffey asked the Board to approve accepting retirements.

Upon a motion by Trustee McHeffey, seconded by Trustee Keyes, and unanimously carried, the Board granted approval to accept the retirement of Heavy Equipment Operator, Stanley Geyer and Maintenance Mechanic II, Kerry Datz, with regrets.

Mayor Pontieri indicated that both of these people were very difficult to replace. Mr. Geyer had been with the Village for thirty (30) years and Mr. Datz had been here for twenty-five (25) years and was one of the most talented individuals he had ever met.

Trustee McHeffey asked the Board to approve hiring DPW Staff. Mayor Pontieri noted that this might seem like a lot of people being hired, but three of the five were getting promotions and were already employed by DPW. Trustee Keyes stated that he would be abstaining from the vote based on the process, not the individual recommendations, which had occurred as it had been his understanding that any decision made concerning Parks Department personnel should have at least sought an opinion from the Parks Department. This was not done in this case.

Upon a motion by Trustee McHeffey, seconded by Trustee Ferb, and carried by majority with Trustee Keyes abstaining and all others in favor, the Board granted approval to hire the following DPW staff:

- Charlie Collins as Parks Crew Leader at \$36.02 per hour.
- Anthony Hendrickson as Heavy Equipment Operator at \$36.02 per hour
- Matthew Germinario as Sanitation Laborer I at \$26.45 per hour
- Gabriel Gallo as Temporary Sanitation Laborer at \$19 per hour
- Mark Speiss as Maintenance Mechanic II at \$33.68 per hour.

Trustee McHeffey asked the Board to approve payment of L.K. McLean Associates P.C. for the Design, Reconstruction and Expansion of the Municipal Parking Lot located behind the S.C. Sixth District Court.

Upon a motion by Trustee McHeffey, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to pay L.K. McClean Associates P.C. for Professional Services for the Design, Reconstruction and Expansion of the existing Municipal Parking Lot located behind the S.C Sixth District Court in the amount of Thirteen Thousand Dollars (\$13,000).

Trustee McHeffey asked the Board to approve entering into an agreement with Cambrian Inc. for remote monitoring of the Waste Water Treatment Plant.

Upon a motion by Trustee McHeffey, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to enter into a 12-month agreement with Cambrian Inc. for remote monitoring at the Waste Water Treatment Plant for a cost of \$1,500 per month.

Trustee McHeffey asked the Board to approve a promotion.

Upon a motion by Trustee McHeffey, seconded by Trustee Ferb, and unanimously carried, the Board granted approval for the promotion of Public Safety Officer Thomas Prestia to Senior Code Enforcement Officer at \$21.60 per hour.

Trustee Keyes asked the Board to approve use of the Waldbauer Complex Turf field.

Upon a motion by Trustee Keyes, seconded by Trustee McHeffey, and unanimously carried, the Board granted approval for South Ocean Middle School's Softball to use the Waldbauer Complex Turf field for practice and games from March 27th through June 2nd, Monday through Friday from 3:00 p.m. to 6:00 p.m.

Trustee Keyes asked the Board to approve the PEP (Protecting the Environment in Patchogue) Committee to hang a banner on Main Street.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board granted approval for the PEP (Protecting the Environment in Patchogue) Committee to hang a banner on Main Street from April 7th through April 22nd to promote the April 23rd Ecco Fair.

Trustee Keyes asked the Board to approve use of Shorefront Park.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board

granted approval for Elly Cares Project Inc. and Elite Feats to hold the Stomp the Stigma 5K on Saturday, May 6th, at Shorefront Park with a setup time of 7:00 a.m. and race start 9:00 a.m. pending the approval of the Special Events Application.

Trustee Keyes asked the Board to approve use of the recreation room at 380 Bay Avenue by the Patchogue-Medford Youth and Community Services.

Upon a motion by Trustee Keyes, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for Patchogue Medford Youth & Community Services to use the recreation room at 380 Bay Avenue for monthly board meetings from 6:00 p.m. to 7:00 p.m. on the following Monday evenings: 1/23, 2/27, 3/20, 4/17, 5/15, 6/19, 7/17, 8/21, 9/18, 10/16, 11/20, 12/18.

Trustee Keyes asked the Board to approve hiring a Youth Winter Basketball Instructor.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire Michael LeBrun as a Youth Winter Basketball Instructor at \$17 per hour retroactive to January 13, 2023,

Trustee Brinkman thanked Ms. Ruggiero for doing a magnificent job in preparing the audit information and thanked her and her department for doing a wonderful job for the Village.

Trustee Ferb wished everyone a Happy Chinese New Year.

Trustee Ferb asked the Board to accept the 2022-2023 report of the Receiver of Taxes. He noted that most of the outstanding taxes had been collected with only a few in arrears which were in the process of being collected.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval to accept the 2022/2023 report of Receiver of Taxes as presented.

Trustee McHeffey asked the Board to approve NYSBOC Training Conference attendance.

Upon a motion by Trustee McHeffey, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for Building Inspector Paul Rorbah, Inspector Greg Lagarenne and Housing Inspector Robert Waldbauer to attend the NYSBOC Training Conference from February 27th through March 2nd in Lake Placid, New York.

Trustee McHeffey asked the Board to approve closure of Havens Avenue for removal of brewery equipment from the Brickhouse Brewery. Mr. Keegan submitted an amended letter stating that the work should be completed on this date and in this time frame to the Deputy Village Clerk. Mayor Pontieri suggested leaving the time frame open for however long the road needed to be closed to complete the job. Mr. Keegan thanked him and assured him that the job would be done as efficiently as possible. Mayor Pontieri asked that a request be made to block off all of the parking spaces on the block ahead of time. Mr. Keegan thanked him for the assistance.

Upon a motion by Trustee McHeffey, seconded by Trustee Carillo, and unanimously carried, the Board granted approval for the closure of Havens Avenue on February 2nd beginning at 7:00 a.m. for the removal of brewery equipment at the Brickhouse Brewery, 67 West Main Street.

Mayor Pontieri asked if anyone from the public wished to be heard.

John Bogack, Noxon Street, indicated that he had questioned the Board a few weeks ago about the sewer project on River Avenue and had been informed at that time that there was nothing going on. Apparently, that had recently changed. Mayor Pontieri indicated that he would review the specific properties that would be included and provide him with that information the next day. Mr. Bogack noted that he had received a list of addresses and his was not on it which led him to believe that the project would be completed in phases. Mayor Pontieri stated that this was correct and indicated that the first properties to be hooked up would be those located near a sewer line where the connection could be done easily.

Mr. Bogack then noted that he would like to discuss housing as had been mentioned by the

Mayor in a recent article in the Advance. One of the areas mentioned in that article was property near the Blue Point Brewery on West Main Street for possible development of 200 to 300 units which he felt was a lot. In addition, the governor had been noting the need for changes in zoning to provide for more housing. Mr. Bogack inquired if the potential 300 units in that area on West Main Street would all be affordable or working class housing. Mayor Pontieri stated that approximately twenty (20) percent of the units would be classified as such since it would be difficult to designate all of them as affordable housing due to monetary constraints of the developer. Village Attorney Egan indicated that the percentage of affordable housing units required could be zero if a project was built with private funding. The number required if public funding was utilized would be based on a scale which was linked to the amount of public funds which were used on the project. Mayor Pontieri noted that there were misconceptions about affordable housing and noted that he believed Copper Beech had approximately 50% affordable housing, Artspace was 100% affordable, and New Village was 30% affordable. Affordable did not mean lesser in terms of quality of construction. He challenged anyone to walk past any of those projects and determine which units were considered affordable housing and which were not. Those who qualified for affordable housing still had to have a job and be able to pay their rent. This was determined on a sliding scale with potential recipients and property owners reviewed by the Long Island Housing Partnership. Mayor Pontieri stated that he felt there was a big misconception in the public with regard to affordable housing. Affordable housing was not the same as Section 8 housing, and there was also a misconception about Section 8 housing as well. Even Section 8 recipients needed to have a job to be able to afford their rents. Mayor Pontieri stressed that he was a big believer in affordable housing. When he had taken office, the average age of Village residents was 45. It was now 36 which was why having affordable housing was so important and allowed people working at a certain salary level to be able to afford to live in Patchogue.

Mr. Bogack then inquired again as to the development of the West Main Street area. He noted that this had been discussed for quite some time. Mayor Ponteri stated that he was most concerned with the plans for development including design and the provision for appropriate parking. The design was critically important. He noted that he had two renderings in his office of the Four Corners, one the way it was now and one from 1907. He had shown the 1907 rendering to the Tritec developers and asked that they keep it as similar as possible in terms of design. Project designs needed to fit with what was currently in the Village.

Ms. Merab, 139 Jennings Avenue, inquired as to why her property was the only one without a sidewalk on Jennings Avenue. She noted that she had reached out to the Village several times to find out if she or the Village was responsible for this. Mayor Pontieri stated that he would have the situation reviewed. He then inquired as to how long she had resided there. Ms. Merab stated that she had been there for seven (7) years. Trustee Brinkman noted that she also owned a clothing store, Thred, in the Village.

Mr. Kemp asked for two blank special event permit applications. Deputy Village Clerk Braile provided him with them.

Mr. Kemp inquired of Village Attorney Egan if he had served as attorney for Westhampton Beach. Village Attorney Egan stated that he had not.

Mr. Kemp then indicated that he had Jim Carrick, President of the 9th Virginia Confederate Re-enactors. He noted that he had tried reaching out to Trustee Keyes through Bill Hilton since September of last year and invited him to attend two events at that time, one at the Grange in Islip Town and one at the Longwood Estates. No one from Patchogue Village had attended. Trustee Brinkman stated that this was incorrect as she had been at an event. Mr. Kemp indicated that no one had presented themselves to their group. Trustee Brinkman noted that she had been busy firing a cannon at the event she attended. Trustee Keyes indicated that he believed that Mr. Hilton had attended one of the events. Mr. Kemp inquired if he had presented Trustee Keyes with a report or comments about the event. Trustee Keyes indicated that he had been in contact with Mr. Kemp and had responded to his inquiries. As he had stated to Mr. Kemp a few weeks ago, they had been waiting for Mr. Kemp to provide him with a date for a meeting, but he had noted that Saturdays were not good for Mr. Hilton. An evening during the week would be better.

James Carrick, 81 Chestnut Street, Oakdale, stepped forward and indicated that he represented the 9th Virginia Infantry Historical Re-enactment Unit. He noted that the unit tried to be as

historically accurate as possible and noted that he had reached out to Union re-enactment units for the proposed event since both sides should be represented in a re-enactment skirmish. Before any definitive plans could be made though, possible dates needed to be obtained. Mayor Pontieri inquired if they had an idea of when a good time would be for such an event. Mr. Carrick indicated that sometime in the fall, probably September, would be better to coincide with similar events taking place at the Grange in October and one of the largest events in the country which would be taking place at the end of October. If the Village could provide them with a few weekend dates, he could bring them back to the other groups choose one and then bring it back to the Village.

Trustee Brinkman inquired if the proposed site of the event would be Shorefront Park. Trustee Keyes indicated that he had spoken to Mr. Kemp about using the Waldbauer Complex on Rider Avenue. He also noted that he had been waiting for them to provide him with some dates and suggested that a meeting be set up with him, Mr. Hilton, and Trustee Brinkman to discuss this in further detail. Mr. Carrick indicated that they had 67th and 114th New York as well as the 30th and 9th Virginia interested in the event so far. He then noted that he would be in touch with Trustee Keyes to set up a meeting.

Anthony Solomon, 178 North Prospect Avenue, expressed concern that he had been having issues with a neighbor complaining about him parking a commercial vehicle near his property for several years and had been visited by code enforcement officers many times a month. Mr. Solomon stated that he worked for a fuel oil company and was on call 24 hours a day, seven days a week, from October through April. The vehicle in question was not a large truck, but a service van. He usually parked it in the street for short periods of time, and he did not think that there was any law which stated how long he was allowed to park a vehicle in the street. However, when he parked the van in the street, no matter how long, his neighbor would always call code enforcement. Mr. Solomon inquired as to what could be done for this issue. He had no idea who was calling because, based on his FOIL request, every call made was anonymous. Village Attorney Egan stated that the law in question was clear and had been in the place since 1968 and updated in 1979. A commercial vehicle was not defined by type or by weight, but rather how it was registered and what was on the license plate by both New York State and Village law. The parking provision for commercial vehicles in the Village was that they were prohibited in any residential zone unless for loading and unloading purposes or if it was being used by a contractor working at a residence. Village Attorney Egan continued by noting that his vehicle, as he described it, could not be parked in the street. Mr. Solomon indicated that code enforcement came to see him the other day when he was actually in the vehicle getting ready to leave on a service call. Village Attorney Egan noted that the purpose of the law was not to make him feel as if he was being harassed. Mr. Solomon indicated that he felt it was beyond harassment at this point as code enforcement had even taken measurements of a camper he had parked on his property. First, he had been told to park the van in the street, and then told that he had to park it in the driveway. Village Attorney Egan indicated that he would discuss the issue with Public Safety to be sure that everyone was on the same page and to be sure that he did not feel harassed now that he had the law explained to him. Mr. Solomon thanked him and noted that he had never received a summons, but it was embarrassing and felt as if someone was being vindictive. He noted that he had even had a code enforcement officer knock on his door at 10:00 p.m. because a complaint had been received about a family living in his camper when he had been sleeping out there with his children one night. Village Attorney Egan reiterated that he would speak with Public Safety. Trustee Ferb inquired if it was not possible for him to park his van in the street for five minutes while he moved his car out of the driveway. Village Attorney Egan indicated that this would be up to the discretion of the code enforcement officer, but the code stated that no commercial vehicle could be parked in a residential area. This would be an enforcement question and putting a time limit on it would not be effective. Village Attorney Egan asked for an approximate time frame for how many times the vehicle was in the street. Mr. Solomon indicated that it was in his driveway 90% of the time. Mayor Pontieri noted that he traveled down North Prospect Avenue regularly and never had noticed his van in the street. Mr. Solomon indicated that the individual who called could literally be stopped at the stop sign, see the van in the road while he moved his wife's car, and called code enforcement. Village Attorney Egan inquired as to why code enforcement did not write these types of calls up as unfounded if the van was in the driveway when they arrived. Mr. Solomon noted that the officer the other night had told him that he would write that he had complied with their request, and he had questioned why that was even necessary since he was still in the vehicle at the time. Village Attorney Egan stated that he would definitely speak with Public Safety about these concerns. Trustee Brinkman thanked him for

coming to the Board with his concerns.

Upon a motion made by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the meeting was adjourned at 7:12 p.m.

vp

Signed _____
Lori Devlin, Village Clerk