

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on Monday, February 27, 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 Deputy Mayor Krieger and Trustees Brinkman, Carillo, Ferb, Keyes, McHeffey, Assistant Village Attorney Bianco, and Deputy Village Clerk Braile present. Village Treasurer Krawczyk, Village Attorney Egan, 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 February 13, 2023.

Upon a motion by Trustee Ferb, seconded by Trustee McHeffey, and unanimously carried, the Board approved the Board Meeting minutes from February 13, 2023.

Deputy Village Clerk Braile stated the total bills for the period ending February 27, 2023 were \$919,501.37. The five largest bills were as follows: \$426,265.00 for Galvin Brothers, \$86,533.39 for VHB Engineering, \$43,214.75 for Town of Brookhaven, \$24,350.27 for PSEGLI and \$12,435.00 for Vollmuth & Brush

General	\$322,603.84
Trust & Agency	\$
Cap Projects	\$517,618.39
Sewer Fund	\$64,744.38
B.I.D. Fund	\$ 5,005.90
Housing Fund	\$ 0.00
CDA Fund	\$4,782.36
General Bills	\$4,746.50
Totals	\$ 919,501.37

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

Mayor Pontieri noted that the Shorefront Park Project work was paid for through grants.

CDA Executive Director Marion Russo stepped forward to present the first five-year plan for the CDA. She noted that the Town of Brookhaven submitted a plan every five years to the US Department of Housing and Urban Development, and by also creating a plan, the Village’s suggested projects would be included in that plan as well. This would make the process of applying for grants a little easier. She noted that beginning in August 2021, the CDA had started inviting stakeholders in the Village to meetings to hear their suggestions for how CDA funds should be utilized. In addition, an annual public hearing was held as well, but few people attended that meeting. The stakeholders who had attended were representatives of the PEP Committee, the Patchogue-Medford Library, the Patchogue Arts Council, the Patchogue Tree Committee, and the Beautification Committee. Executive Director Russo noted that she had also spoken with Trustee Keyes, Parks Director Giustizia, and Dennis Smith from the BID. Projects identified by these stakeholders were listed on Pages 5 and 6 of the plan submitted to the Board. The CDA had also held a work session and created a list of proposed projects for the next five years which were listed on page 7 of the report. Executive Director Russo indicated that the CDA would continue with its traditional projects such as improving sidewalks, installing ADA ramps, and improving crosswalks; but proposed projects which were different included sculptures in Fireman’s Park suggested by Mr. Smith; a story walk in Shorefront Park suggested by the library; educational signs throughout the Village recognizing historical spots and providing information to the public; pollinator and rain gardens throughout the Village parks; a gazebo next to 380 Bay Avenue; and possibly additional murals throughout the Village. She noted that the plan that was adopted by the CDA Board was before the Board for its approval. Grant funds were generally awarded in the fall, so any projects which received funding would probably not be started until late fall 2023 or spring of 2024. These types of projects generally took some time due to the reliance on grant funding.

Executive Director Russo indicated that the CDA planned to submit three applications for the current grant funding cycle. The first would be for replacement of the sidewalks and tree pits on the south side of East Main Street where tree systems have raised the sidewalks. The proposal involved removing some of the existing trees and replacing them with new trees. Sidewalks would also be replaced in front of 21 Church Street as a continuation of previous work. Finally, an archway was proposed for the Theatre walkway next to Perabell. Executive Director Russo noted that the Chamber had received a grant towards that project, but the CDA portion would be used towards the installation. She then recognized the chair of the CDA Board, Don Wachsmuth, and also thanked Trustee McHeffey, the CDA Board, and Katelyn Jackson for their hard work on developing this plan.

Mayor Pontieri inquired as to how the amount of funding received by the CDA was determined. Executive Director Russo indicated that the Town of Brookhaven had granted the Village's CDA \$150,000 every year. She noted that \$22,000 was used towards housing referral information and approximately \$15,000 was used towards administrative costs. This left approximately \$112,500 for capital projects each year. There was a set period of time, usually eighteen (18) months, for the money to be spent. Mayor Pontieri inquired if there were certain tasks which could and could not be supported by CDA funds. Executive Director Russo noted that CDA block fund grants could only be used to benefit low to moderate income communities. The Village as a whole was considered a low to moderate income area, but some census blocks were not. There were two census areas in the Village, one south of the railroad tracks and one north. The southern one had three census blocks, and the northern one had five. CDA work could be done in two to three census blocks north of the tracks and two south of the tracks.

Trustee McHeffey congratulated everyone, especially Executive Director Russo, for all of their hard work on this project. The Board expressed their appreciation as well. Executive Director Russo noted that the Village would be receiving over \$500,000 to be used on capital projects over the next five years which was great for the community. This was definitely a good way to get a comprehensive look at future plans. The plan was available on the Village's web site under the CDA's documents should anyone from the public wish to review it.

Mayor Pontieri asked the Board to approve a Memorandum of Agreement by and between the Village of Patchogue and the Civil Service Employees Association Inc., Local 1000, AFSCME, AFL-CIO Village of Patchogue Public Safety Unit 8670-00 (CSEA). He noted that there had been some difficulties having enough Public Safety Officers available over the weekends. This memorandum would provide a raise to these officers of \$2 per hour between 6:00 p.m. and 8:00 a.m.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval to a Memorandum of Agreement by and between the Village of Patchogue and the Civil Service Employees Association Inc., Local 1000, AFSCME, AFL-CIO Village of Patchogue Public Safety Unit 8670-00 (CSEA).

Deputy Mayor Krieger reviewed the Public Safety report which had been submitted by Jim Berberich, Chief of Public Safety. For the previous two (2) week period, Public Safety had issued one hundred fifty (150) parking violations, responded to thirty-one (31) calls from the dispatcher, and issued sixteen (16) field appearance tickets for open alcohol and public urination. Deputy Mayor Krieger noted that the parking violations included time violations, handicapped parking violations, parking in loading zones, parking in fire zones, and other types of parking issues.

Deputy Mayor Krieger asked the Board to ratify rescinding prior approval of Resolution #39.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board ratified rescinding prior approval of Resolution #39 accepting the resignation of Public Safety Officer Justin Rodriguez who will remain in the employ of the Village as a Public Safety Officer.

Deputy Mayor Krieger asked the Board to approve amending Resolution #33-2023.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to amend Resolution #33-2023 to reflect a pay rate of \$19.60 per hour retroactive to January 25th for Public Safety Officer Thomas Prestia.

Deputy Mayor Krieger asked the Board to approve amending Resolution #38-2023.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to amend Resolution #38-2023 to reflect a salary of \$33.40 per hour for Michael Williams, effective February 22nd.

Deputy Mayor Krieger asked the Board to accept the retirement of Joseph P. Dean.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval to accept the retirement of Joseph P. Dean, with regrets, retroactive to January 28, 2023.

Deputy Mayor Krieger expressed his appreciation for all of the work Mr. Dean had done for the Village in his almost twenty years of service. He had done a great job as a trustee and as the highway superintendent and would be missed.

Deputy Mayor Krieger asked the Board to approve hiring a Custodian I.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire William Masterson to the full-time position of Custodian I at a starting rate of \$26.98 per hour and raising incrementally to the job rate over eighteen months effective March 6, 2023.

Deputy Mayor Krieger asked the Board to approve rescinding hiring a Public Safety Officer.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Carillo, and unanimously carried, the Board granted approval to rescind hiring of Public Safety Officer Elijah Miller.

Deputy Mayor Krieger asked the Board to approve hiring Public Safety Officers.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee McHeffey, and unanimously carried, the Board granted approval to hire Marcus Gipson and Jeremy Angello as Public Safety Officers at \$17.60 per hour, effective March 1, 2023.

Deputy Mayor Krieger asked the Board to approve rehiring a Public Safety Officer.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Carillo, and unanimously carried, the Board granted approval to rehire William Krause as a Public Safety Officer at \$17.60 per hour, effective March 1, 2023.

Trustee Keyes asked the Board to approve an event held by the Patchogue Fire Department.

Upon a motion by Trustee Keyes, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for the Patchogue Fire Department to hold their 2023 Car Show on September 30th from 9:00 a.m. to 2:00 p.m. on East Main Street from Maple Avenue to North-South Ocean Avenue pending approval of a Special Events Permit Application by the Coordinator of Special Events.

Trustee Keyes asked the Board to approve hiring a Volleyball Referee.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire Philip White as a Volleyball Referee at \$28.50 per hour, retroactive to January 19, 2023.

Trustee Keyes asked the Board to approve the 23rd Annual Bunny Run Easter Egg Hunt.

Upon a motion by Trustee Keyes, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for Parks and Recreation to hold the 23rd Annual Bunny Run Easter Egg

Hunt to be held at Father Tortora Park on Saturday, April 8th, from 12:00 noon to 2:00 p.m.

Trustee Keyes asked the Board to approve an event hosted by the YMCA at Shorefront Park.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board granted approval for the YMCA to hold a 5K run/walk at Shorefront Park on April 1st from 9:00 a.m. to 11:00 a.m. with a 7:00 a.m. sign up.

Trustee Brinkman asked the Board to approve renew the agreement for website services.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to renew the agreement with Civics Plus for website services for one (1) year term March 23, 2023 to March 23, 2024 for an amount to exceed \$7,500.

Trustee Ferb asked the Board to approve entering into a joint Municipal Cooperative Bidding Program.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval to enter into the Eastern Suffolk BOCES joint Municipal Cooperative Bidding Program for the 2023-2024 school year.

Trustee Ferb asked the Board to approve an agreement.

Upon a motion by Trustee Ferb, seconded by Trustee Carillo, and unanimously carried, the Board granted approval

Trustee McHeffey reviewed the Building and Housing Department report for January 2023 as follows: 3 building and housing summonses were issued; 9 plumbing permits issued; 15 building permits issued; no demolition permits issued; 21 rental permits issued; 15 notices of violation issued; 10 complaints received; no illegal dwellings, no overcrowded properties; 4 Planning Board applications received; 3 Zoning Board applications received; and 5 Architectural Review Board applications received. The total revenue for the department for the month of January was \$26,827.

Upon a motion by Trustee McHeffey, seconded by Trustee Ferb, and unanimously carried, the Board accepted the January 2023 Building and Housing Department report as presented.

Trustee McHeffey reviewed upcoming events for the Patchogue Arts Council noting that there would be a Coffee with the Curator event held the next Saturday from 11:00 a.m. to 12:00 noon with artists from the exhibit, *View from Above*. There was also a call out for artists to create public art pavers for the new Patchogue-Medford Library location in Medford. The submission deadline for this was April 1st for anyone interested. Trustee McHeffey continued by noting that the Arts Council was currently seeking a team of educators for the 2023-2024 Arts Integration Program. This was the landmark program that Village Clerk Devlin was involved in obtaining over \$1 million towards from the Department of Education. Anyone interested should contact the Arts Council.

Trustee McHeffey indicated that the CDA would be meeting on Thursday, March 2nd, at 6:00 p.m. for their regular monthly meeting. The Audit Committee and Governance Committee would also be meeting at that time. Approval of contracts for the Rider Avenue and Main Street crosswalk was on the agenda. This project was scheduled to start in the spring.

Trustee McHeffey asked the Board to approve attendance by the Village Clerk at the Tree City USA Awards Ceremony.

Upon a motion by Trustee McHeffey, seconded by Trustee Keyes, and unanimously carried, the Board granted approval for Village Clerk Lori Devlin to attend the Tree City USA Awards Ceremony at Vassar College at a cost not to exceed \$350.00.

Trustee McHeffey asked the Board to approve the annual Arts on Terry Street Fair held by the Patchogue Arts Council.

Upon a motion by Trustee McHeffey, seconded by Trustee Keyes, and unanimously carried, the Board granted approval for the Patchogue Arts Council to hold the annual Arts on Terry Street Fair on September 17th on Terry Street and Taylor Lane from 12:00 p.m. to 6:00 p.m. with street closure of Terry Street beginning on September 16th for tent set-up pending approval of Special Events Permit Application by the Coordinator of Special Events.

Trustee McHeffey asked the Board to approve the Annual MoCA Lights Event held by the Patchogue Arts Council.

Upon a motion by Trustee McHeffey, seconded by Trustee Carillo, and unanimously carried, the Board granted approval for the Patchogue Arts Council to hold the annual MoCA Lights Event from October 4th through October 9th with installation from September 30th through October 3rd and breakdown on October 10th pending approval of Special Events Permit Application by the Coordinator of Special Events.

Mayor Pontieri recommended that everyone try to visit the current exhibit at MoCA LI. He felt it was a beautiful representation of the diversity of the community.

Trustee Carillo noted that she had enjoyed celebrating the Passing of the Sash Ceremony the past Sunday with Deacon Marty McIndoe.

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

John Bogack asked for more information on the Confederacy event that Mr. Kemp was involved in planning. Trustee Keyes indicated that it was his understanding that the event being planned was a Civil War re-enactment event planned to be held on September 30th. Mr. Bogack inquired as to where this would be held. Trustee Keyes stated that if it happened it would be held at the Waldbauer Complex. Mr. Bogack inquired as to how this would be impacted by the recent law which prohibited the display of the Confederate battle flag. Trustee Keyes deferred to Trustee Brinkman's experience with this type of event. Trustee Brinkman indicated that the re-enactors encouraged field flags being flown, not the battle flag. Mr. Bogack noted that he had reviewed the law, and it did state that some Confederate flags could be flown for educational or historical purposes. Assistant Village Attorney Bianco indicated that this would depend on whether it was affixed to municipal property or if it was a municipality flying the flag. Outside of this regulation, a private citizen could display the flag on private property. Mr. Bogack noted that the proposed event would be held on Village property, so he questioned if the battle flag would be permitted then. Assistant Village Attorney Bianco stated that he could not speak to that specific instance, but two laws were passed. One was that a municipality could not fly it in any way, nor could it be affixed to municipal or public property, and it specifically referenced the Stars and Bars flag. Currently, there was not even an application submitted for the event which detailed what was going to occur. Mr. Bogack inquired if a historical and/or education purpose would need to be included in any application submitted. Trustee Keyes stated that this would need to be done.

Mr. Bogack then noted that the Village Court had a Village Justice, and the Village also had a prosecuting attorney, Mr. Feuer. He inquired if Mr. Feuer was under the Mayor's direction. Mayor Pontieri stated that he was the Village's prosecuting attorney had been appointed by the Board; however, the Board did not have any control over decisions he made. Mr. Bogack raised a concern about the Off Key Tiki and observed that he did not believe it had been sold. Mayor Pontieri stated that it was his understanding that it had been sold, but he would look into it. Mr. Bogack then noted that he was aware of a ticket which had been issued to the Off Key Tiki on August 8th for a noise violation which had never been adjudicated. It was on the calendar for March and had been issued under the old noise ordinance rules which had resulted in it being adjourned over and over again. Mayor Pontieri noted that if the business had been sold, then the ticket was basically dead. He reiterated that he would find out if the business had been sold.

Mr. Bogack noted that he had asked about affordable housing in the Village the last time he had attended a Board meeting. The following night, he had attended the Planning Board meeting. There had been an application for a new 26-unit building on the agenda that evening. The developer, Mr. Kelly, had stated that he was using all private funds to build the project but had noted that the Village would probably require affordable units be included. Mr. Bogack indicated that this seemed inconsistent with what the Board had told him previously. Mayor

Pontieri indicated that State law required a certain percentage of the total units built be affordable, but since he had only 26 units, that number would probably be 2. Mr. Bogack asked for confirmation that this was a state, not Village, law. Mayor Pontieri stated that this was correct. He indicated that there were already several developments in the Village that included a large percentage of affordable units including Artspace, Copper Beech, and New Village. Mr. Bogack noted that Mr. Kelly had seemed inclined to do whatever the Village requested of him.

Mr. Bogack then inquired if Noxon Street would be repaved. Mayor Pontieri stated that it would be done.

Don Wachsmuth expressed appreciation for the level of detailed work being done at the Shorefront Park project.

Upon a motion made by Trustee Ferb, seconded by Trustee Carillo, and unanimously carried, the meeting was adjourned at 6:32 p.m.

vp

Signed _____
Lori Devlin, Village Clerk