

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on Monday, April 10, 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, Village Attorney Egan, Village Treasurer Krawczyk, Village Clerk Devlin, and Deputy Village Clerk Braile present. Trustee Carillo was absent.

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

Village Clerk Devlin asked the Board to approve Board Meeting minutes from March 27, 2023.

Upon a motion by Trustee Ferb, seconded by Trustee McHeffey, and unanimously carried, the Board approved the Board Meeting minutes from March 27, 2023.

Village Clerk Devlin asked the Board to approve Reorganizational Meeting minutes from April 3, 2023.

Upon a motion by Trustee Ferb, seconded by Trustee McHeffey, and carried by majority with Trustee Keyes abstaining and all others in favor, the Board approved the Reorganizational Meeting minutes from April 3, 2023.

Village Treasurer Krawczyk stated the total bills for the period ending April 10, 2023 were \$1,033,736.15. The five largest bills were as follows: \$691,505.00 for Galvin Bros, \$22,215.00 for Quennell Rothchild, \$17,322.97 for Schwing Electrical, \$13,031.55 for Clear River, and \$12,281.00 for H2M.

General	\$ 245,063.20
Trust & Agency	\$ 3,796.23
Cap Projects	\$ 730,009.00
Sewer Fund	\$ 48,486.27
B.I.D. Fund	\$ 1,594.60
Housing Fund	\$ 0.00
CDA Fund	\$ 4,786.85
General Bills	\$ 0.00
Totals	\$1,033,736.15

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

Mayor Pontieri asked the Board for approval to designate the Board of Trustees as the Lead Agency pursuant to SEQRA on a project.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval to designate the Board of Trustees as the Lead Agency pursuant to SEQRA for the Nicola Capital LLC Project.

Mayor Pontieri asked the Board to approve adopting a Negative Declaration pursuant to SEQRA on a project.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval to adopt a Negative Declaration pursuant to SEQRA for the Nicola Capital LLC Project.

Village Clerk Devlin read notice of a public hearing to consider an application for a Special Permit to allow residential uses pursuant to Village Code Section 435-66, by Nikola Capital LLS for property located at 238 -254 West Main Street, to construct 26 multi-family residential units. The property is located in the E-Industrial and D-2 Zoning Districts.

Village Attorney Egan indicated that the purpose of the hearing this evening was to consider the

issuance of a Special Permit to allow residential use of the noted property. This is before the Board of Trustees because a portion of this property was zoned E-Industrial reflecting the historical industrial uses of property along this portion of Main Street. The property in question had not been used for industrial purposes for quite some time, and the zoning was not reflective of current uses. Village Attorney Egan noted that the Planning Board had already reviewed the application and recommended approval of the Special Permit by this Board. According to 435-66 (C), the following criteria should be met prior to the Board issuing this type of permit: that the proposed residential use would not prevent the orderly and reasonable use of adjacent properties or properties in adjacent use districts; that the proposed use would not prevent the orderly and reasonable use of legally established uses in the district; and that the safety, health, welfare, comfort, and convenience of the Village would not be impacted by the proposed use in its location. He noted that a study had been performed several years ago recommending that this portion of Main Street be re-zoned for residential purposes and discussion had taken place during the recent budget process in the state recommending encouragement of the development of residential properties. Village Attorney Egan continued by noting that the Code also required that the proposed use would be in harmony with and promote the general purpose of this chapter of the Village Code. He reiterated that this had not been an industrial zone in quite some time. Additional considerations included that the character of existing and probable development of uses in the district and the peculiar suitability of any such permitted uses in this area should be given particular attention this evening, as well as the effect the proposed use would have upon the creation of undo increase of vehicular traffic and availability of sewage removal services. Village Attorney Egan indicated that the proposed development would be connected to the sewage treatment plant. Another consideration was whether the proposed use would give off noxious gas, smoke or soot, and this would not be relevant to a residential use. Finally, consideration needed to be given if the proposed use would cause any interference with the orderly operation of public parking or recreational facilities. He was sure that the applicant would address the proposed parking design for this property. Village Attorney Egan reiterated that reviewing these considerations was why this application was before the Board since a portion of the property was zoned for E-Industrial purposes. He suggested to the Mayor that comments from the applicant be heard first and then comments from the public.

Mayor Pontieri confirmed that this application had already been reviewed by the Planning Board and Village Board. All aspects had been reviewed a number of times including the parking and zoning issues.

Mike Kelly stepped forward to represent the applicant, Nicola Capital LLS, 498 Horseblock Rd., Farmingville. Mr. Kelly noted that the applicant was from a family that were long time residents of the Village. They owned approximately 1.16 acres of property on West Main Street for which they were seeking the Special Permit. The property was zoned both D-Business and E-Industrial, and the applicant was seeking permission to construct 26 residential units consisting of all one-bedroom units. Some of the units would have a home office. The parking criteria of two parking stalls per unit would be met, and the square footage of each unit would be approximately 1,050 sq. ft. Mr. Kelly noted that development of this particular property could trigger a transformation of this portion of the Village. Much of the Village had already been positively changed, and it was plain to see that this type of development was needed on West Main Street. This property was the entrance to the Village from west to east and could begin a greater transformation of the area in total. Mr. Kelly indicated that they had worked hard with the Planning Board and some Village trustees to create pleasing elevations and themes for the units. Comments from trustees and the Planning Board were reviewed and incorporated into the plans to include more brick in the elevations to tie in nicely with the nearby brewery's and YMCA's façades to create a unity between the north and south sides of West Main Street in this area. Entering the Village from west to east would create a welcoming transition. Mr. Kelly indicated that the application would meet the character of the community because it would be enhancing the character of the south side of the street to match what existed on the north side with the YMCA and Blue Point Brewery. No variances were being sought. The development would consist of two buildings. One would face east and west on West Main Street, and the other would face north and south towards the old LIPA property. The buildings would be fully sprinklered, and constant meetings had been held with the County and Village DPW with regard to sewer connections. Their engineer and architect were present this evening if the Board would like to hear more detailed information about traffic flow and other enhancements to the elevations.

Alex Badalamenti, architect for the property, reviewed the updated street view renderings for the project. He noted that the eastern view on the approach to the Village had been given particular attention with a gabled end. Windows were placed where they would look most attractive. Additional refinements were being worked on, but brick would be used to create an old style as well as window styles that would add to the appearance of an old mill that had been converted to residential uses. All zoning requirements should be met, and all of the details would create an old school character for the buildings including the railings. The back of the second building would match the same gabled style. Mr. Badalamenti noted that the vestibule had been pulled out to allow the doors to be placed on the side to create two doors instead of four. Village Attorney Egan commented that the other doors had been replaced with windows which created a nice appearance.

Chris Tartaglia, engineer for the project, reviewed a colored version of the site plan. Relative to traffic, a proposed plan had been sent to Suffolk County DPW early in the development since this was a County road. There were only 26 units being proposed, so this was not considered a major development. The County had suggested that a left turn lane be added to access the site. This would provide additional safety for residents entering the site and would simply be an addition to the existing left turn lane leading to the entrance of the YMCA. A sewer connection to the lot would be provided. The site would be fully graded and drainage would be provided consistent with all Code requirements. Mr. Tartaglia indicated that full compliance with all parking requirements was also provided, and there would be four (4) EV parking stalls provided as well. All landscaping and aesthetic designs were included in the site plan renderings.

Mayor Pontieri noted that providing a left-hand turning lane would prevent traffic from backing up by the light at West Main Street. Mr. Tartaglia noted that he was glad that the County had recommended an action that all parties were in favor of.

Trustee McHeffey indicated that he thought this was a good use of this space and noted that the proposed planting of trees would be an asset as there were currently no trees on the site. He noted that there was a Tree Committee in the Village that could provide assistance, if necessary, with what and would not work on Main Street.

Mr. Kelly indicated that some other items which had been added based on comments from the Planning Board included bike racks, charging stations, and a dog run. He repeated that no variances were required for this application. Financing was actively being sought for construction even though the banking industry was experiencing some issues currently. Construction drawings were being created, and it was hoped that permits could be sought shortly after the Special Permit was approved.

Mayor Pontieri asked for confirmation that Juliet balconies were being created. Mr. Kelly stated that this was correct.

Trustee Brinkman noted that the view on page 3 of the proposed plans displayed the major entrance to the Village. This displayed one tree on a concrete pad. She inquired if shrubs and/or flowers could be added to this area. Mr. Kelly indicated that this area had not been fully designed with landscaping, and this suggestion would be taken into consideration. Trustee Brinkman noted that she would prefer to see a beautiful vista for people entering the Village from this direction. Mr. Kelly indicated that they would be willing to share their proposed full landscape plan with the Tree Committee for their review and recommendations.

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

John Bogack, 8 Noxon Street, inquired if this application would return to the Planning Board if the Special Permit was approved this evening. Village Attorney Egan stated that this would be done. Mr. Bogack asked for confirmation that no tax abatements were being sought. Village Attorney Egan stated that this was correct. Mr. Bogack then inquired if there was a plan for relocation of existing tenants in the current buildings. Village Attorney Egan indicated that this was not under the purview of the Board. Mr. Bogack noted that there were several current tenants in those buildings, and he expressed hope they would have sufficient time to move. He then asked if there would be any work force housing units in the project. Village Attorney Egan stated that the developer did not have any legal obligation to provide them if no tax abatements

were being sought. Mr. Bogack expressed disappointment with that fact. He then commented on the concept of public benefit by noting that sometimes a developer would make a contribution to the community when planning a project. Perhaps this developer might want to make a contribution to the community in terms of beautification of the area around the new building. There was a small park located nearby which was owned by the County which was next to the Patchogue River. Some landscaping work could be used there. Mayor Pontieri noted that since this was County owned property, the Village could not technically do anything with it. He did understand his suggestion. Mr. Bogack continued by noting that funds could also be used for plants in the cemetery. All of this was in the surrounding area. Perhaps the developer would be willing to contribute a sum of money, such as \$5,000, towards a public benefit fund for these types of projects. Otherwise, this was a beautiful building that would improve the site. The Village certainly needed housing, so this was a good idea.

Dennis Ross asked for clarification as to who owned the small park that Mr. Bogack had mentioned. Mayor Pontieri indicated that Suffolk County had purchased the property as open space many years ago. It had been badly overgrown, and he had requested that the County come in and mow it. The County had told him they could not do this as it was open space, so he had DPW staff mow the property and continued to do so. Mr. Ross then asked for confirmation that there would be no tax abatements on this project. Mayor Pontieri agreed that this was correct.

Mr. Kelly stated that no IDA was being sought at this time. He noted that the land owner was committed to ensuring that the current tenants were properly notified and given sufficient time to move. As for work force housing, he noted that none was required, and he believed that the Village had provided more than its share of such housing over the years. In addition, the probable market rates for these one-bedroom units would be close to the work force housing level. Mr. Kelly continued by indicating that he believed that many municipalities had moved away from public benefit funds due to legal issues. He noted that the improvements to be made to this property would be a benefit to the public.

Cory Anders, Conklin Avenue, inquired as to how many apartments would be in the project. Mr. Kelly stated that there would be 26. She then noted that any suggestion for public benefits should include assistance to the Patchogue Fire Department. Ms. Anders noted that she was the wife of a volunteer and commented that the Department was struggling to obtain new members. All of the new development was putting a strain on the Department's services. The Ambulance Company should be given consideration as well.

Trustee Ferb complimented the developer for their responsiveness to the variety of suggestions and comments that had been made from different sources. It was interesting to see the changes that had been made, and he noted that it looked very nice.

Mr. Kelly commented that they had worked with the fire department on various items, and they invited them to come and review the structure once it was framed out. He also noted that both buildings would have full fire sprinkler systems installed.

Mayor Pontieri then asked for a motion on the application.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board resolved to approve the application for a Special Permit to allow residential uses pursuant to Village Code Section 435-66, by Nikola Capital LLS for property located at 238 -254 West Main Street, to construct 26 multi-family residential units with the property being located in the E-Industrial and D-2 Zoning Districts.

Village Clerk Devlin read notice of a public hearing to amend Section 415-19(B) of the Village Code to restrict parking to Permit Parking on both sides of Laurel Street from South Ocean Avenue to a point 75 feet West therefrom.

Deputy Mayor Krieger stated that he had received an email from a resident on Laurel Street stating that parking on both sides of the street made it difficult for residents to pull into and out of their driveways. This was especially problematic when there were events, such as the music festival, held at Shorefront Park. The resident had requested that parking be restricted to permit only. Deputy Mayor Krieger noted that Laurel Street currently had parking by permit only west of Cedar Avenue, so only a small portion would need to be changed.

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

Donald Shafer, 22 Laurel Street, thanked the Board and Deputy Mayor Krieger for considering this proposal. He noted that Deputy Mayor Krieger had accurately described his concerns and indicated that he had a few photos that unfortunately he had not printed out. Mr. Shafer noted that he felt that some people from the community were parking on Laurel Street and going to work elsewhere or were coming there from homes on South Ocean Avenue which did not have sufficient parking. There was also a utility box in this area that needed to be accessible to Verizon. Mr. Shafer indicated that there were always at least three cars lined up near his house which was located close to South Ocean Avenue. Trying not to hit cars parked directly across from his driveway when backing out was tricky. Since the cars were always parked on the north side of Laurel Street, others were now starting to park on the south side of the street. This caused only one way traffic due to narrowed conditions which limited access by school buses and emergency vehicles. It was definitely a safety issue. While some issues were caused by the music festival, the problems were mostly occurring on a daily basis.

Deputy Mayor Krieger noted that allowing permit parking only would not really solve the problems outlined by Mr. Shafer since it sounded like most of the people parking there were Village residents and would be able to obtain permits. Trustee Ferb noted that it would still require the individuals to obtain a permit, and the "Parking by Permit Only" sign might be a bit of a deterrent. Deputy Mayor Krieger agreed but reiterated that it sounded like the daily parking issues were being created by other Village residents who would still be able to park there. He then inquired if it would be possible to create a no parking area 50 ft to 75 ft. from the corner. Village Attorney Egan stated that it could be changed to "No Parking" rather than "Parking by Permit Only". This would create a stiffer penalty for violators.

Mayor Pontieri observed that it seemed like driveway access was a problem when cars were parked on both sides of the street. Mr. Shafer stated that this was correct. Mayor Pontieri indicated that the Village Code prohibited parking 15 ft. from a corner. However, this could be extended to 30 ft. by the Board. Mayor Pontieri then inquired as to how wide his property was. Mr. Sheher indicated that he was not sure, but it did have two driveways. Deputy Mayor Krieger asked for the approximate distance of his second driveway from South Ocean Avenue. Mr. Sheher indicated that he thought it was about 50 ft. away and noted that this was the main driveway.

Village Attorney Egan indicated that this might be a signage question as between South Ocean Avenue and Cedar Street no stopping, standing or parking was prohibited on both sides of the street between 8:00 a.m. and 6:00 p.m. on the weekends starting on May 15th. Village Clerk Devlin noted that this was seasonal only. She also indicated that there was a scale which showed that the driveway in question was about 35 ft. away from the corner. Trustee McHeffey suggested that DPW go there and measure the distance. Mayor Pontieri indicated that he would not want to see a strict "No Parking" from here to the corner since this would present problems with guests parking in the road. However, he would like to consider limiting parking opposite his driveway on the north side to make it easier for him to utilize his driveway. Village Attorney Egan suggested that no parking be permitted on either side of the street. Mr. Shafer stated that he would not have a problem with parking being prohibited on both sides of the road since he had two driveways and sufficient parking for guests on his property. Village Attorney Egan inquired if this would impact any of his neighbors. Mr. Shafer indicated that it might impact the neighbors on South Ocean Avenue but not anybody on Laurel Street. Mayor Pontieri asked for confirmation that he did not have a neighbor to the west. Mr. Sheher stated that this was correct. The closest neighbor to the north was a distance from his property and should not be an issue. Village Attorney Egan suggested that the proposal be changed from Permit Parking to No Parking and amend Section 415-14(J).

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Brinkman, and unanimously carried, the Board resolved close the public hearing.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee McHeffey, and unanimously carried, the Board resolved to amend Section 415-14(J) of the Village Code to restrict parking to No Parking on both sides of Laurel Street from South Ocean Avenue to a point 75 feet West therefrom.

Dennis Smith reviewed the BID and Special Projects report. He noted that the BID monthly meeting would be held the following day with the agenda including the discussion of elections of Board members at the Annual Meeting to be held in June. Work was continuing on summer programs such as the hanging baskets and planters. A request was on the agenda this evening to hire an individual to assist with gardening projects throughout the year. The TruGreen pre-emergent application was being scheduled. This had been done for 12 years and had worked very well. Plans were also being made for the Sunday Market which was scheduled to start on May 7th and continue through November 19th. Mr. Smith continued by noting that there was a meeting scheduled for the next day to discuss the Splash Pad project with H2M to review the Health Department's concerns with the wastewater drainage. Other than this issue, the project was moving along nicely with the opening scheduled for the same day as the pool opening on the third Friday in June. Hopefully, all concerns would be addressed at the meeting the next day. The redevelopment project at Shorefront Park and Little Creek was going nicely. There were now two (2) time lapse cameras there to record and show the progress being made. Mr. Smith continued by noting that a video had been created showing how many improvements had been made to the various parks in the Village over the past few years including upgrades and the creation of several new parks. Sometimes it was easy to forget how much had been accomplished, so this six-minute video was a good reminder of what had been done. He noted that the video was available for viewing at the Village's web site. The Board should be proud of all that had been done over the past six year, and he expressed his appreciation for the original \$5,000,000 donation which had been a start for these projects. Mr. Smith indicated that a second modem for the cameras would be installed at the Four Corners to increase the efficiency of the signal broadcast to the Theatre, especially when there were leaves on the trees in the summer. He noted that the Johnson Controls project was winding down. EV charging stations had arrived, but installation would require coordination with the electronics installer. Additional light sensors would be installed at Village Hall, and the thermostats would be adjusted. The last part of the project would be to train Village employees to maintain the new mechanical installations. Hopefully, this would all be done within the next month and close out Phase I of the Johnson Controls project. Phase II, which would have involved placing a solar array at the Sixth District Court, had been put on hold after some pushback from the County. More research needed to be done to find a location for the solar array to be placed to help offset some of the electricity bill at the sewer treatment plant. The commercial waste project was working well. There were no messy dumpster areas, and the carters and merchants were working cooperatively. A new corral had been installed around the dumpsters on the Church Street lot. At least two of the four carters in that area had helped to offset the cost of that, and he was sure that the other two would join in shortly as well.

Mayor Pontieri indicated that another \$10,000,000 had been received from the County to be used towards the south Patchogue sewer project. Right now, 238 homes could be hooked up to the sewer plant. With the additional funds, at least 100 more could be done. He hoped for a total of 350 homes. The original 238 homes was a \$22,000,000 project, so the additional funds had brought the project's total to \$32,000,000. All funding was coming from the State and the County, so Village taxpayers would not be responsible for running the lines in the streets or to their homes. It was an exciting project.

Mayor Pontieri also noted that the Village would be receiving \$7,700,000 from the Regional Economic Development Council and \$3,500,000 from the federal government to be used towards expanding the sewer plant by another 400,000 gallons. The Village was very fortunate to receive this type of funding.

Deputy Mayor Krieger asked the Board to approve accepting the resignation of a Public Safety Officer.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to accept the resignation of Public Safety Officer Evan Mitchell effective March 24, 2023

Deputy Mayor Krieger asked the Board to ratify prior approval to accept bids for hybrid SUV's.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Keyes, and unanimously carried, the Board ratified prior approval to go out to bid for two (2) 4-Wheel Drive Hybrid SUV's.

Deputy Mayor Krieger asked the Board to approve hiring a Seasonal Laborer.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire Liam Collins as Seasonal Laborer at \$17 per hour starting April 12, 2023.

Deputy Mayor Krieger asked the Board to surplus a gas-powered golf cart.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to surplus a 2000 Yamaha gas powered golf cart.

Trustee Keyes indicated that the Eco Fair would be held shortly and planning was going well for the event. The event was being advertised on WEHM, and good response had been received.

Trustee Keyes noted that the Parks and Recreation Department had distributed the Summer 2023 brochure and had done a nice job on it.

Trustee Keyes asked the Board to approve use of the Patchogue Village Pool by IGHL.

Upon a motion by Trustee Keyes, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for IGHL to use the Patchogue Village Pool on August 15th in conjunction with their Coastal Team Challenge event with a rain date of August 16th.

Trustee Keyes asked the Board to approve hiring summer staff.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire the following summer staff starting May 1st; Jean Barracca, Pickle Ball Attendant at \$13 per hour; Joseph Abate, Dock Security at \$17 per hour; Jennifer JOST, Dock Security at \$16 per hour; and Robert Dono, Dock Security at \$16 per hour.

Trustee Brinkman asked the Board to approve staff attendance at a mandatory Planning and Zoning Training.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board granted approval for the following staff and board members to attend a mandatory Planning and Zoning Training on May 10th at the Huntington Hilton at a cost of \$65.00 per person: Amanda Carreras, Joanne Gallo, Patti Kelly, Eva Rodriguez Greguski, Kevin Weeks, Linda Beckerman, Alan Fertmann, Bryan Gutman, Lauren Monte, and Camillo Salazar.

Trustee Brinkman asked the Board to set a public hearing to amend Article XVI of the Village Code.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to set a Public Hearing for April 24th to amend Article XVI of the Village Code to provide standards for, and for the permitting of, tents used in residential and non-residential districts.

Trustee Ferb asked the Board to set a public hearing to add Section 1-17 to Article III, Chapter 1 of the Village Code.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval to set a Public Hearing for April 24th to add Section 1-17 to Article III, Chapter 1 of the Village Code to establish a three-day minimum public notice for public hearings on local laws.

Trustee McHeffey indicated that the CDA meeting had been held the previous Thursday. The Rider Avenue and Main Street crosswalk project was moving along nicely with the coordination of CDA Director Russo. He noted that the public would be notified when work on the project commenced. It was hoped that it would be done prior to the summer, but exact dates had not yet been established.

Trustee McHeffey asked the Board to approve dates for the Patchogue Sunday Market.

Upon a motion by Trustee McHeffey, seconded by Trustee Keyes, and unanimously carried, the Board granted approval to hold the Patchogue Sunday Market at the east end of the railroad station, from 9:00 a.m. to 2:00 p.m. on Sundays, from May 7th through November 19th.

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

Marc Siegel, Blums, asked for confirmation that the new apartments discussed earlier in the evening would be located across from the YMCA and the Blue Point Brewery. Mayor Pontieri stated that this was correct.

Mr. Siegel then indicated that he had received an email from the owner of Budget Buy stating that his window had been broken. He wanted to have a discussion with him about requesting increased police patrols, especially on the weekends. Mr. Siegel noted that Saturday nights were incredibly busy in the Village. He believed that a discussion would be held shortly at the Restaurant Committee meeting. Trustee Ferb stated that he would be attending the meeting.

Mayor Pontieri asked Mr. Siegel to send his regards to his father.

Mr. Bogack inquired if the public benefit concept he had mentioned at the earlier public hearing was legal. Village Attorney Egan indicated that Mr. Kelly had alluded to court challenges to it. The courts generally did not like public benefit assessments which were sometimes called parkland fees. It was considered an extraction from the developers. Mr. Bogack asked for confirmation that it was being litigated. Village Attorney Egan stated that these types of assessments were often challenged on enforceability. Mr. Bogack commented that he had seen other places receive millions in such funds, and he had suggested thousands. Village Attorney Egan acknowledged that some places had received such funds, but also noted that his own law firm had a case against the Town of Riverhead and one was in favor of the Village of Southampton on this exact issue. Mr. Bogack indicated that he had reviewed the economics of the project, and a rent of \$2,700 per month would mean \$32,000 per year to rent a one-bedroom apartment. A substantial amount of income would be generated from the project, and he had simply suggested a donation of \$5,000.

Upon a motion made by Trustee Ferb, seconded by Trustee McHeffey, and unanimously carried, the meeting was adjourned at 7:04 p.m.

vp

Signed _____
Lori Devlin, Village Clerk