

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on Monday, July 25, 2022 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.

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

Village Clerk Devlin asked the Board to approve Board Meeting minutes from July 11, 2022.

Upon a motion by Trustee Ferb, seconded by Trustee McHeffey, and carried by majority with Deputy Mayor Krieger abstaining and all others in favor, the Board approved the Board Meeting minutes from July 11, 2022.

Village Treasurer Krawczyk stated the total bills for the period ending July 25, 2022 were \$942,743.48. The five largest bills were as follows: \$452,496.00 for Landtek, \$48,119.16 for Veso, \$20,107.37 for PSEGLI, \$14,748.84 for Egan and Golden, and \$13,858.95 for Clear River. He also noted that there was another large bill which was not on the sheet provided to the Board which was for \$53,428.00 for the Town of Brookhaven.

General	\$ 404,428.99
Trust & Agency	\$ 1,490.00
Cap Projects	\$ 457,806.00
Sewer Fund	\$ 58,677.95
B.I.D. Fund	\$ 10,179.36
Housing Fund	\$ 0.00
CDA Fund	\$ 4,667.18
General Bills	\$ 5,494.00
Totals	\$ 942,743.48

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

Mayor Pontieri indicated that the Clear River sludge removal expense was paid for through the Sewer Fund.

Mayor Pontieri then reminded everyone that the next Board meeting would not be held until August 22, 2022.

Mayor Pontieri noted that one of the issues which had constantly needed to be addressed since he first began serving on the Board as a trustee in 1996 was the condition of the dumpsters behind the businesses on Main Street, on Terry Street, Church Street and on Oak Street. This issue had become even more concerning with the addition of more restaurants and, as a result, more food products being placed in the dumpsters which brought an increase in rodents. Also, problems with people illegally dumping items in front or near the dumpsters had been increasing. A study had been commissioned to review the problem, and a presentation on the results of that study would be made tonight by Michael Cahill and Frank Cashin. Prior to their presentation, he asked Dennis Smith to step forward.

Dennis Smith indicated that in August 2021, the Board had commissioned a study to help find solutions to the unkempt waste created by the dumpster areas in the municipal parking lots. Problems included garbage strewn outside the dumpsters, garbage on top of closed dumpsters, broken fence corrals, fences not being closed, and construction and furniture debris left around the dumpster areas. Mr. Smith noted that in a perfect world, those businesses who used the dumpsters would ensure that their debris was placed in their dumpsters appropriately with the dumpsters secured and adequate pick up service provided. However, that was not the case and had necessitated that this study occur. It was not always easy to find those individuals who were doing the illegal dumping either. Michael Cahill was an attorney who had experience in working with commercial waste removal services and Frank Cashin was a consultant in this area as well, and they had been asked to perform a study. The Village hoped to achieve some of the following goals

with this study: a clear definition of dumpster areas with assigned responsibilities for those areas; clean areas around the dumpsters including the fencing surrounding them; ensuring fences remained closed and secured when the areas were not being accessed; ensuring the dumpsters were clearly labelled with the information for the carter responsible for servicing the dumpster; adequate pick up service scheduled for several times a week or daily if necessary for the heavy garbage generators; only Patchogue Village permitted and insured carters being used and those carters showing the ability to maintain the dumpster area. Mr. Smith noted that there had been an incident recently where several businesses were utilizing a carter who did not have a permit to operate in the Village which had to be addressed and should not be permitted in the future. A posted notice also had to be established for penalties, especially for illegal dumping, and including all rules and regulations and permitted agreements with the carters. These would be a good start to address the problem, and he assumed that Mr. Cahill and Mr. Cashin would expand upon these options in greater detail. Mr. Smith then asked Mr. Cahill and Mr. Cashin to step forward.

Michael Cahill, Esq., Germano & Cahill, PC and Frank Cashin, PE, Cashin Associates stepped forward to review their presentation on waste collection and unauthorized dumping of waste materials in the municipal parking lots serving downtown Patchogue. Mr. Cahill stated that they were engaged by the Village approximately one year ago. They had been asked to review three parking lots – Terry Street, Church Street, and Oak Street. These were Village lots that had been owned by the Village since the 1960s and used for both public parking and waste containers. Based on the geography of the downtown area, there was really no other option for businesses to place their dumpsters and the Village had made these areas available to them. There were limited private lots available for dumpster placement. Mr. Cahill referenced slides of the report for the Board to review the current problem areas including waste piled up next to containers and broken fencing which led to unsightly conditions and vermin. These issues had been discussed in detail with the Mayor, Village Attorney Egan, Mr. Smith, Senior Building Inspector Sarich, and Code Inspection Officer Brandy. Mr. Cahill indicated that they had also met with the Chamber of Commerce and the Restaurant Committee of the Chamber. A survey had been circulated amongst the business community requesting comments on the situation, specific problems that they had, and recommended solutions to the problems. They had received 20 to 25 responses from the business community. In addition, some positive discussion had taken place with the carters. Mr. Cahill noted that many businesses had expressed concern about outside individuals coming in and using the dumpsters to unload their trash at night. Mr. Brandy had confirmed that this was occurring. One suggestion that had been made was for the Village to pick up the trash through municipal services. However, since there was no measurement of how much trash was generated on a weekly basis, it was felt that the better way to address the problem was to add greater powers to the Village Code to address illegal dumping and gather more information from those carters who apply for dumpster permits in those lots to provide an idea as to who was paying for these services, how much waste was generated, and put the greater burden on them to keep the enclosures maintained.

Mr. Cahill then reviewed the recommendations for improving the security of the downtown lots. First, improved lighting near containers was suggested since outside dumpsters preferred darkness, as well as the addition of security cameras which could help identify at least the vehicles involved in the dumping. Also, inspections should be increased of any waste left on the ground around dumpsters to determine the identity of the dumpsters to see if they were local individuals or if they had driven from outside the area. Increased communication between the carters and their customers would be encouraged so that it could be made clear as to who was entitled to utilize a particular dumpster. Any business using a dumpster that they were not entitled to would be contacted and asked to secure their own container and pick up schedule. Any violators who were identified would be prosecuted accordingly. Reconsideration of municipal collection could be reviewed after one year of a concerted effort to address the problem of illegal dumping. The next recommendations to be made concerned catching and prosecuting illegal dumping to rectify these issues. These included some amendments which would need to be made to the Village Code. The first was to require that any carter submitting a dumpster license application to identify the customers and authorized users on the application. This way, any individual found using the dumpster who was not listed as an authorized user could be prosecuted as an illegal dumper. Next, the size, capacity, and frequency of the container's collection should be noted on the application. This would allow the Village to evaluate if they were providing adequate service to the customer. Finally, the carter would need to provide the estimated weight of a fully loaded container so that an approximate annual weight of trash could be determined. Right now, no one was sharing this information, and the carters were not even aware of who was authorized to use the containers that they provided. The application would also require carters to submit a design for placement of the

containers and how the container would be accessed. It had to be accessible to the staff of the business paying for the containers use. Another requirement would be that every time a carter picked up a dumpster the driver would need to get out of the truck and pick up whatever was located around the container within the enclosure. Neither the Village nor the businesses could do this, only the carters could do so. Finally, any damage caused to the enclosures by carters needed to be repaired by the carters within ten (10) days of receiving notice of the damage. If the Village had to make the repairs, then the carters would be responsible for reimbursing the Village. The purpose of these changes to the Code would be to put the responsibility onto the carters to keep the dumpster areas clean. Other recommended changes to the Code including specifically making it illegal for unauthorized use of waste containers or to dump waste in the Village which was not currently prohibited by the Code. State and County laws were in place, but there was no such provision on a Village level. It was recommended that the Village take the lead on these cases when they arise. Mr. Cahill continued by recommending that the Village make it illegal to use a vehicle for the purpose of dumping which would be similar to the way red light camera laws currently worked. If a photograph or video could be obtained from a security camera identifying a vehicle involved in illegally dumping trash, the owner of that vehicle should be held liable for these actions. Mr. Cahill noted that this would not be easy to accomplish but indicated that the current Code required a dumpster permit but did not charge a fee for the process. Asking for this additional information on the application would require a closer review of the document. As a result, the recommendation was to charge a base fee of \$50 per dumpster for filing an application. This would help the Village to determine how many containers were currently in the Village and where they were located. A supplemental fee of \$300 per dumpster would be required, especially for the downtown area, to support putting security cameras in place and provide funding for the staff needed to monitor these areas and enforce the Code on a daily basis.

Mr. Cahill concluded by noting that that the overall hope was to eliminate the problems with outside, illegal dumping in Village lots because it seemed like a quiet, dark place. Once lighting was improved and security cameras put in place, it was hoped that this type of behavior would be deterred and eliminated. Eliminating illegal dumping would allow a determination to be made as to how much of the problem was caused by this source. If a problem still remained, then the existing businesses and their tenants would need to be looked at more closely, and the relationship between the carters and their customers improved. Everyone should be receiving the service that they were paying for. The public option could be considered as a last resort, if nothing else worked, with the information received from the carters in terms of numbers of customers and tonnage collected used as a basis for a plan for a contract.

Mayor Pontieri noted that security cameras could also be used to catch carters who were less than careful when emptying the containers and left garbage behind. It would be necessary to use this information to keep the carters accountable for their actions as well. Mr. Cahill indicated that Village employees would also need to review the lots once the carter did their pick-ups to provide an eye witness to the fact that the trash was not picked up accordingly.

Deputy Mayor Krieger asked for confirmation that the carters were responsible for picking up any trash that fell out of the containers as it was lifted into the truck. Mr. Cahill stated that they were. Deputy Mayor Krieger noted that he had mentioned leaving the area “broom clean” and inquired as to where else this was done. Mr. Cahill indicated that it was done in a lot of places if the customer stayed on top of them. Customers were paying for a service – provide a container, pick it up, and take away the trash. He indicated that the proposed Code changes would require the drivers to be sure that all trash in and near the dumpster was removed, including items that might fall out of the container as it was being dumped into the truck. Deputy Mayor Krieger inquired if this would be part of the contract with the carter. Mr. Cahill indicated that it would be part of the permit issued by the Village. Village Attorney Egan noted that part of this issue was that the dumpsters being discussed were located on Village property. Private property owners had a different relationship with the carters and could be more vigilant in terms of the amount of trash placed in a dumpster and how those items were picked up. These recommendation hoped to put the Village and carters on terms more similar to private property owners. Mr. Cahill indicated, however, that the customers were going to need to increase their pick-ups if they were only being picked up twice a week, for example, when they really needed three times a week pick up. Deputy Mayor Krieger indicated that he was concerned that some businesses allowed others to use their dumpsters, and this excess trash might not have been calculated by the carters when they recommended a dumpster of a particular size. Mr. Cahill indicated that the businesses and carters would need to monitor the amount of trash that was being placed in containers. Everyone involved

would need to be vigilant about monitoring excess trash placed in containers from outside individuals, even nearby residents who might want to get rid of their excess trash. Hopefully, improved monitoring by property owners, business owners, and the Village would identify those individuals who were basically stealing services and force them to either get their own container or find a more appropriate way to dispose of their trash. Mr. Cashin indicated that this was part of the purpose of changing the application in order to identify who the customers were.

Trustee Brinkman inquired if refuse disposal should be part of the Planning and Zoning application process. Village Attorney Egan stated that this was a great idea, especially for properties located in the downtown area. Mayor Pontieri noted that he knew that providing for space for a refuse container was already part of the process. Trustee Brinkman concurred but indicated that an additional question of how that waste was going to be disposed of should be added to obtain more specific information from the applicant.

Trustee Carillo inquired if any survey information had been requested from Terry Street residents. She noted that at least three families in that area had submitted several complaints about the dumpster situation including the smells and rodent problems. Some of the problem might have been language proficiency with Hispanic residents in that area. Mr. Cahill indicated that they had not surveyed residents in these areas but had focused on the businesses that were generating the waste and the carters that were picking it up. He recognized that all of those problems existed especially with regard to problems with smells, vermin, and general sloppiness of all of the dumpster areas surveyed. Trustee Carillo inquired if the dumpsters in that Terry Street lot could be moved since that was a residential area right near that area. Mr. Cahill stated that this was a valid point and would be covered with the application submitted to the Village for a dumpster permit. The location of dumpsters in the public parking lots was subject to Village approval. Trustee Carillo inquired if the dumpsters in question would need to be included in a new application submitted to the Village. Village Attorney Egan stated that a new application would need to be submitted. He also noted that the survey that had been previously mentioned had been taken from actual commercial customers utilizing the dumpsters. Trustee Carillo reiterated that she had wanted to know if any input had been obtained from the residents who were suffering from the placement of these dumpsters.

Trustee Ferb asked for confirmation that the current dumpster permits had been extended through January. Village Clerk Devlin stated that the plan was to allow customers to extend their permits through January. Trustee Ferb stated that it was his understanding that the Board would review this process and require new applications to be submitted by January 2023. Village Attorney Egan stated that this was correct and noted that the new application would require a location request as well.

Trustee Brinkman asked if a registered letter could be sent to businesses in the Village from the Building Department indicating how their garbage disposal would be addressed. Village Attorney Egan noted that he believed that the carters would be providing the names of their customers to the Village. Trustee Brinkman suggested that the only way to determine which businesses were providing for appropriate trash disposal and which were not was to construct a database. Village Attorney Egan reiterated that the initial data of who were utilizing dumpsters would come from the carters when they submitted their applications.

Trustee Keyes asked for confirmation that the carters would need to detail the location of the dumpsters when they submitted their applications to the Building and Housing Department. Village Attorney Egan stated that this was correct. Trustee Keyes then inquired as to what would stop them from giving the carter the permission to put the dumpster in the same place. Village Attorney Egan indicated that the dumpster in question was in a documented problematic location.

Trustee Carillo inquired if the businesses could submit a receipt of their contract with the carter. Village Attorney Egan stated that the carters would be disclosing who their customers were.

Deputy Mayor Krieger indicated that he had noticed retail stores that did not produce a lot of garbage utilize Village collected trash cans located on Main Street. He inquired if a business had to tell the Village where they were disposing of their trash. Village Attorney Egan stated that this should be done. Mr. Cashin observed that people were people, and they would try to find the easiest and least expensive way to accomplish tasks.

Village Clerk Devlin read notice of the public hearing to amend Sections 365-23 (B) and 365-24 of the Village Code to change the requirements for obtaining a Commercial Dumpster License, to amend the requirements for dumpster and compactor plans, and to add penalties for unlawful dumping of waste.

Village Attorney Egan suggested that the public be invited to comment on Mr. Cahill's presentation. Mr. Cahill then could reply at the end of the public comments.

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

Bob Ferrante, Nationwide Insurance, 59 North Ocean Avenue, expressed concern that placing more of a burden on the carters would result in them passing on additional expenses to their customers. In his opinion, he believed that trash surrounding the dumpsters on the ground was not so much from illegal dumping, but from the dumpsters being overfilled. Security cameras would be helpful in finding out who was overfilling the dumpsters, and they should be the ones to pay the fines. If dumpsters needed to be collected more frequently, then they should be collected more frequently. Mr. Ferrante stressed that more burden should not be placed on the businesses. Increasing fees and fines on the carters would simply result in them passing on the expenses to the businesses. Mayor Pontieri stated that if the dumpsters were overfilled, then they needed to be emptied more frequently. Village Attorney Egan indicated that they understood that the dumpsters were being overfilled, in some cases, by people who were authorized to use the dumpster. If that was the case, it was the customer's problem to resolve that issue and have the dumpster emptied more frequently. This would result in an increased cost. Mr. Ferrante agreed that this would increase the cost, but it was the cost of doing business for that particular company. Village Attorney Egan indicated that this would be a cost passed back to the consumer. Mr. Ferrante agreed but indicated that it would not be a cost spread amongst all customers because the carters were being fined by the Village. Village Attorney Egan indicated that the Village would prefer that customers adjust their pick up schedules accordingly to avoid fines being assessed. Mr. Ferrante reiterated that overfilled dumpsters were the main problem. His business only produced about one garbage bag a week and questioned whether he even needed a dumpster. He had contacted the dump, and it would be much less expensive for him to dump his own garbage. Mr. Ferrante then questioned whether there was a requirement that he even hire a carter. Village Attorney Egan stated that this was a question for the Building Department. Mr. Ferrante noted that he would prefer to take care of the disposal of his trash himself and keep receipts that he had done so. Mayor Pontieri inquired as to how much he currently paid per month for trash disposal. Mr. Ferrante indicated that it was approximately \$80 per month. He repeated that he felt that overfilling was the main problem. Mayor Pontieri noted that Trustee Brinkman had suggested that the Planning Board needed to obtain the information of whom would be disposing of trash generated by businesses seeking approvals of applications. Mr. Ferrante indicated that he knew of several restaurants who had to share dumpsters or were in the same locations which created problems. Mr. Smith inquired as to whom he shared a dumpster with. Mr. Ferrante indicated that he believed that several smaller businesses shared a dumpster such as the neighboring accountant, O'Neill's, and Del Fiore's. Mr. Smith inquired if that dumpster was enough to satisfy these businesses needs since it was emptied every other day. Mr. Ferrante reiterated that his business did not need a dumpster. Mr. Smith expressed concern with that lot having two large restaurants utilizing the dumpster location. Mr. Ferrante concurred that two restaurants sharing a dumpster location was too much. Mr. Smith noted that accommodations had been made for Gallo to move their dumpster location. Mr. Ferrante repeated that rodents were a problem when the dumpsters became overfilled. Mr. Smith inquired if there were three dumpsters there. Mr. Ferrante stated that there were two dumpsters for trash and one for cardboard. He indicated that there had not been a problem when there was only one dumpster there along with one for the cardboard, and he had been there since 2010. The problems started when the second dumpster was added. Mr. Smith indicated that this had been an extreme situation with too many restaurants sharing the dumpster area. Mr. Ferrante indicated that this was an issue that could be handled by the Board, but he was most concerned that if fees were raised for the carters, they would pass those costs onto the customers. He repeated that smaller, dry businesses such as his should have the option to bring their garbage to the dump and not have to have a dumpster.

Trustee Brinkman suggested that partial use of a dumpster based on use be part of the application as well. Village Attorney Egan agreed that the carters would need to detail if they were managing dumpsters for multiple customers.

A representative from the Patchogue-Medford Library noted that there had been some issues with the dumpster grouping located in the Terry Street parking lot. She inquired if there were separate carters for each of the three boxes located in that grouping. Village Attorney Egan stated that he was not sure but noted that it would not be unusual for this to occur. The representative indicated that she believed that each carter did things differently which might be why it was a problem to keep the area clean. She indicated that she would prefer the municipal solution where one carter would be responsible for handling every dumpster area so it was done in a uniform way. Mayor Pontieri had discussed the possibility of assigning carters to set locations, such as one carter for the Terry Street lot, one for the Oak Street lot, etc.. This would provide greater accountability. The representative then suggested that the boxes be labeled as to which businesses used which box. Many times, employees did not know which boxes belonged to which businesses. For example, their box was next to James Joyce's box, and sometimes trash was placed in the wrong receptacle. She also noted that another problem was that homeless people used these enclosures as places to sleep and use the bathroom. Village Attorney Egan stated that he hoped increasing lighting and installing security cameras would help with these issues. Mayor Pontieri indicated that these kinds of problems could be helped by raising the dumpsters area and making the fencing more secure. Most of the corral fencing was inadequate and needed to be improved. In addition, each box would need to be clearly labeled as to who was authorized to use it. The representative expressed her appreciation for the survey that had been taken and noted that they had taken steps to arrange for their carter to be sure that their dumpster area was clean.

Richard Siegel of Richard York's Shoe Store on South Ocean Avenue, indicated that he had completed the questionnaire. He was concerned about a recent email that he had received from the Chamber, as well as what he had heard this evening, that the onus to deal with all of these issues was being put back on the business owners. Mr. Siegel then asked for clarification as to whom the license holder was. Village Attorney Egan stated that the carters would be considered the license holders. Mr. Siegel indicated that he was happy to hear this since the Village already had him sweeping the sidewalk, shoveling the sidewalk, and cleaning up food, drink and human bodily excrements off the sidewalk in front of his store. This was in addition to dealing with graffiti that was painted on his building as well. Mr. Siegel stated that he really did not want to have to go inside the trash enclosure and clean up other people's garbage. Just today, someone had placed 12 to 15 black garbage bags of trash inside his dumpster enclosure. Deputy Mayor Krieger inquired as to where his enclosure was located. Mr. Siegel stated that it was located inside the Church Street enclosure area. He was in favor of having the carters take more of a responsibility in keeping these areas clean instead of every individual store having to do so. There was one long row of dumpsters on Church Street with a long fence behind them. He inquired as to who owned those enclosures. Village Attorney Egan stated that the carters did. Commercial garbage collection had been done a variety of ways for approximately 30 to 40 years. He noted that there had been a time when labels on the containers identifying the businesses that used them were required, and there had been a time when customers had been required to erect the enclosure fences. It had eventually become the carters' responsibility. Mr. Siegel noted that his dumpster had a lock but that did not stop people from throwing trash on top of or next to it. He was glad to hear that he would not be responsible for this trash that was not his. Mayor Pontieri inquired if he shared his dumpster. Mr. Siegel stated that he believed that he shared his dumpster with the ice cream store down the street from him. Personally, he generated very little garbage, since he recycled his cardboard with the Village every other week. Mr. Siegel indicated that he never filled up his dumpster but noted that there had been several times that so much garbage had been placed on top or around his dumpster that he could not even reach it. Deputy Mayor Krieger inquired as to who was responsible for the sharing arrangements of a dumpster. Mr. Siegel stated that the carter made those arrangements. Trustee McHeffey inquired as to whether the carters charged those who use the dumpsters when there was excess trash in or around the dumpsters or if they even pick it up. Mr. Siegel indicated that he believed that they just left it there which resulted in unsightly trash piling up since he believed that the carters did not like to leave their vehicles. Trustee McHeffey indicated that if these new regulations were implemented, there might be a large backlog of excess trash that needed to be disposed of. Mayor Pontieri noted that there had been times when DPW had cleaned out dumpster enclosures, and the Village had also called in exterminators to deal with the rodent problem on Terry Street. Mr. Siegel stated that he liked what the speaker had suggested with regard to the carters being responsible for disposing of the garbage. Trustee Ferb noted that the addition of lighting and security cameras would allow those who were dumping to be identified, and he also felt they would be a deterrent.

Richard Kemp, Jennings Avenue, asked for clarification that there were multiple commercial

carters coming in to empty individual dumpsters. Mayor Pontieri stated that this was correct. Mr. Kemp then inquired if consideration had been given to establishing commercial collection by the Village. Mayor Pontieri indicated that this possibility had been considered, but it did not appear to be financially viable at present due to the number of businesses in the Village. Consideration was being given to assigning each location to a particular carter. This had been an issue for quite some time but had become increasingly problematic due to the increase of restaurants in the Village. Mr. Kemp noted that he had reviewed the photos of the dumpster areas, and it was fairly obvious that there had been no maintenance of the corrals. Mayor Pontieri stated that these were the issues that the Board was reviewing. Mr. Kemp then indicated that the Village had a man who traveled through the parking lots with a barrel and broom, but he never went near the dumpster areas. Village Attorney Egan noted that this was not a duty of his.

Tom Keegan stated that he had been asked to represent the Restaurant Committee of the Chamber of Commerce. He noted that the restaurant owners recognized that something had to be done, and they were glad the Board was taking some action. Mr. Keegan concurred with a previous speaker that they would not want to see the increased expenses of the carters being passed on to the businesses. Hopefully, increased security measures would reduce the amount of trash placed near and in the dumpsters. Mr. Keegan also suggested that a few more locations for cardboard recycling would help to reduce some of the volume of trash. He felt that assigning responsibility for certain areas for certain carters would also help. Village Attorney Egan concurred that there needed to be better management of the dumpster locations. Mr. Keegan thanked them again for considering some type of action.

Marc Siegel, Blums, indicated that some smaller local stores chip in with him for the dumpster that he had. He noted that he paid \$823 per month for garbage disposal with a container for garbage and a container for paper which was emptied twice per week. Two additional garbage cans were now located inside their pen on private property from the phone store that had gone out of business. He was going to ask the property owner to remove those cans.

Mr. Cahill indicated that additional containers just for recycling might make sense if there was room for them. Mr. Smith noted that the more immediate concern was in cleaning up the current areas. He believed that transparency in terms of which businesses were using which dumpsters was the key to improving the situation. Adding a separate container for cardboard disposal would eliminate parking spaces as well. Village Attorney Egan indicated that separate containers for cardboard might be helpful, but the issue was that if anything went in there that was not cardboard, then the entire container would be useless to recycle. This might be something to consider in the future, once the current problems were under control. He expressed hope that the municipal collection option would not need to be considered. This was a first step that needed to be taken. Mr. Cahill indicated that once the determination was made as to which businesses were using which dumpsters, then the frequency of collection could be more easily addressed, especially with regard to food waste. Mr. Smith agreed that most of the restaurant dumpsters should be collected on Saturday and Monday at least. Village Attorney Egan reiterated that this was the first step in this process.

Village Attorney Egan indicated that there had been many excellent suggestions made by the Board and the public, and he felt that taking this action was definitely a step in the right direction.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board resolved to amend Sections 365-23 (B) and 365-24 of the Village Code to change the requirements for obtaining a Commercial Dumpster License, to amend the requirements for dumpster and compactor plans, and to add penalties for unlawful dumping of waste as presented.

Trustee Ferb thanked Mr. Cahill and Mr. Cashin for their hard work. He noted that this issue had been a difficult problem for quite some time, and he was glad to see some positive action being taken. Village Attorney Egan concurred and also thanked Mr. Cahill and Mr. Cashin.

Village Clerk Devlin asked the Board to authorize the Mayor to sign a Connection Agreement to the Patchogue Sewer District.

Village Attorney Egan stated that this property was located on the south side of East Main Street adjacent to the Salvation Army property. Village Clerk Devlin inquired as to the proposed use of

the property. Village Attorney Egan indicated that he believed that it would be developed for residential use. Mayor Pontieri noted that the Village would be receiving some key money from the Town for this hook-up.

Upon a motion by Trustee Ferb, seconded by Trustee McHeffey, and unanimously carried, the Board resolved to authorize the Mayor to sign a Connection Agreement to Patchogue Sewer District with G4 18197, LLC for property/project located at 365-369 East Main Street, East Patchogue located within Brookhaven Sewer Improvement Area #1.

Dennis Smith reviewed the BID and Special Projects report. Mr. Smith indicated that the BID continued with summer maintenance work with watering the hanging baskets and planters. Everything looked nice. The Sunday Market was moving along with 23 vendors attending the previous day. Mr. Smith indicated that there had been better foot traffic over the last couple of Sundays. A sign had been placed at the end of Route 112 which he felt might have helped bring more attention to the market. He noted that the Village was nearing the end of its work with Johnson Controls. All of the Theatre's roof top units had been installed in the past week and a half. These four new units were more efficient and produced better air quality. This completed all of the work that was scheduled for in and around the Theatre. The carport solar arrays still needed to be hooked up with PSEG, and hopefully, this work would be completed shortly as well as the installation of the two EV charging stations. This was the final part of the project other than paperwork which needed to be completed. Many good things had been accomplished so far through this partnership with Johnson Controls, and the Village would be reaping rewards into the future as a result of this project. Trustee Keyes asked for confirmation that the two EV stations in the carport would be powered by the solar panels. Mr. Smith stated that this was correct and noted that this would be different from the charging stations at Village Hall. Those carport charging stations would be purely green energy. Mr. Smith continued by noting that additional cameras were being considered for further south of the Four Corners on South Ocean Avenue where there was a lot of activity on the weekends. Finally, he noted that plans were being finalized for the development of the splash pad at the pool. Mayor Pontieri inquired as to the status of the tennis courts. Mr. Smith indicated that all was well and noted that he had met with a representative from the *Advance* earlier in the day along with Trustee Keyes and the Parks and Recreation Director to take some photos. He had received nothing but positive feedback from the tennis and pickleball players.

Deputy Mayor Krieger asked the Board to appoint the Board of Trustees as the lead agency for SEQRA purposes. He noted that this property was located near Harbor Crab.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board resolved to appoint the Board of Trustees as the lead agency for the purpose of SEQRA for a sewer hook-up for the construction of a three-story multiple family building with twenty one (21) residential units in the D-2 Business Zone located at 80 Division Street.

Deputy Mayor Krieger asked the Board to adopt a Negative Declaration pursuant to SEQRA.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board resolved to adopt a Negative Declaration pursuant to SEQRA for a sewer hookup for 80 Division Street.

Deputy Mayor Krieger asked the Board to accept the resignations of Public Safety Officers.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to accept the resignation, with regrets, from Public Safety Officers Fred Kaucky, Jenelle Tschoke and Matthew Powers.

Deputy Mayor Krieger noted that Public Safety Officers often use this position to gain experience for other law enforcement positions, so having resignations and new hires was normal.

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

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire Michael McCabe, Derrick Rountree, Pedro Santiago and Jordan Wacholder as Public Safety Officers at \$17.60 per hour.

Deputy Mayor Krieger asked the Board to approve a promotion from Public Safety Officer to Senior Code Enforcement Officer.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Carillo, and unanimously carried, the Board granted approval to promote Public Safety Officer Dominick Surinaga to Senior Code Enforcement Officer at \$20.62 per hour.

Deputy Mayor Krieger asked the Board to ratify prior approval to hire Seasonal Laborers/Summer Help.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board resolved to ratify prior approval to hire Luis Teran and Peter Engelken at \$15 per hour for Seasonal Laborer/Summer Help.

Trustee Keyes indicated that there had been a record number of registrants this summer. He noted that one of the newer programs, standup paddle boarding, was so popular that additional boards would need to be purchased for next year's program. Trustee Keyes expressed his appreciation for the hard work of the camp counselors in dealing with at capacity programs in very hot weather. It was also nice to recognize that increased registrants meant increased revenues.

Trustee Keyes asked the Board to approve a Special Events Permit Application for the Suffolk County Police Department. He noted that this was a great event for families and included a lot of public safety information as well.

Upon a motion by Trustee Keyes, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval of a Special Events Permit Application submitted by the Suffolk County Police Department to hold the National Night Out event at 380 Bay Avenue on August 2, 2022 from 5:00 p.m. to 8:00 p.m.

Trustee Keyes asked the Board to approve a change order for the Four Sisters Park Project. He noted that during the rehabilitation project, some underlying concrete in poor condition had been discovered. This had resulted in additional work being required.

Upon a motion by Trustee Keyes, seconded by Trustee McHeffey, and unanimously carried, the Board granted approval for a change order addition to the Four Sisters Park Project from Land-Tek in the amount of \$62,991.00 paid from the Parks Improvement Grant.

Trustee Keyes asked the Board for a resolution to obtain bids for the Shorefront Shoreline Project.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board resolved to go out to bid on the Shorefront Shoreline Project.

Trustee Keyes asked the Board for a resolution authorizing the Mayor or Deputy Mayor to act on behalf of the Village in all matters pertaining to the Local Waterfront Revitalization Program, Environmental Protection Fund Assistance.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board resolved to authorize Paul V. Pontieri, Jr., Mayor, or John A. Krieger, Deputy Mayor, to act on behalf of the Village of Patchogue in all matters pertaining to Local Waterfront Revitalization Program, Environmental Protection Fund Assistance for construction of a living shoreline at Shorefront Park and that the Village of Patchogue is authorized to fund its portion of the cost of the Project as described in the application in an amount not to exceed the value of \$650,000.00 and that the funds and/or in-kind match will be available to undertake the Project.

Trustee Keyes asked the Board to approve hiring a lifeguard and camp counselor.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire Christian Hedlund as a lifeguard at \$17 per hour and Autumn Weil as a Camp Counselor at \$16 per hour.

Trustee Keyes asked the Board for a resolution to amend Resolution #161-2022.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board resolved to amend Resolution #161-2022 to reflect start date of June 27, 2022 for Philip Gatti; title change to Head Pool Attendant and increase from \$13.00 to \$15.00 per hour.

Trustee Keyes asked the Board to approve use of the Basketball Courts at Rider Avenue Park.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board granted approval for Patchogue Medford Youth and Community Services to use the Basketball Courts at Rider Avenue Park, Monday through Friday from 1:00 p.m. to 1:30 p.m. from July 22nd through August 19th for their camp program.

Mayor Pontieri inquired if Trustee Keyes had any additional information about redesigning the basketball courts. Trustee Keyes stated that he had met with representatives of a company which would create an all-purpose court by recovering one of the existing courts. Nets would be placed in the ground which, when pulled up, could create a soccer, lacrosse, or basketball court. It was definitely an interesting concept. Trustee Keyes indicated that he would keep the Board informed as he obtained additional information about this proposal.

Trustee Brinkman asked the Board to approve a block party.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board granted approval for the residents of Grenville Ave to host a block party on August 6, 2022 from 3:00 p.m. to 10:00 p.m. including a bounce house and amplified music and permitting on-street alcohol consumption.

Trustee Ferb complimented Trustee Keyes and Parks and Recreation Director Giustizia for the wonderful programs at the bandshell this summer. He indicated that they were fantastic. Trustee Keyes indicated that the Parks and Recreation Department did a great job in finding fun acts to perform there.

Trustee Ferb asked the Board to approve a Special Events Permit Application submitted by the 9th Virginia Infantry Company C-Historical Reenactment Unit Army of Northern Virginia. Trustee Keyes inquired of Village Attorney Egan if there were any restrictions that had been placed on this permit. Village Attorney Egan stated that this was a completed permit and had been certified by the Village Clerk as being complete. Uniforms, flags, and other items displayed during the Veteran's Day ceremony were First Amendment items and were beyond the Board's ability to control. Trustee Keyes asked for confirmation that all information provided with the application was within the Village Code requirements. Village Attorney Egan stated that this was correct. Mayor Pontieri observed that the Village might not like or agree with this particular event, and it may wind up causing some other issues, but the submitted application met all requirements of the Village. Trustee McHeffey reiterated the information that had been submitted by letter by St. Paul's Church for the previous meeting and had been read into the record at that time. Mayor Pontieri noted that this had stated that any flags or banners carried needed to be folded when crossing their property.

Upon a motion by Trustee Ferb, seconded by Deputy Mayor Krieger, and unanimously carried, the Board adjourned action on the Special Events Permit Application submitted by the 9th Virginia Infantry Company C-Historical Reenactment Unit Army of Northern Virginia to conduct a Veteran's Day Ceremony at the Waverly Cemetery on November 5, 2022 from 11:00 a.m. to noon previously considered and adjourned at the Board meeting of July 11, 2022.

Trustee McHeffey indicated that the current exhibit by the Patchogue Arts Council at MOCA LI was *Patchworks 2022*. It was being displayed from July 9th through August 21st. There were also exhibitions at Toast on Main Street and at the Theatre, and a display at the Sculpture Garden that would be in place through November.

Mayor Pontieri indicated that Newsday had mentioned the project being built in East Patchogue this week which would involve the Patchogue Arts Council. This project, in addition to the grant project involving education which had been mentioned at previous meetings, was really showing the growth and positive impact that the arts council was having on the community. He congratulated everyone involved.

Trustee McHeffey noted that the next Community Development Agency meeting would be held on August 4th.

Trustee McHeffey asked the Board to revise the date for a public hearing. Village Attorney Egan noted that this involved encroachment on a Village parking lot through a rear entrance door. He also inquired if a report had been received from the Department of Public Works or Building Department. Village Clerk Devlin stated that she had not yet received any reports.

Upon a motion by Trustee McHeffey, seconded by Trustee Ferb, and unanimously carried, the Board revised the date for a public hearing to consider a request for a license agreement for encroachments on Village property at 44 West Main Street under NY Village Law 6-632 from July 25th to August 22nd.

Trustee Carillo asked the Board to amend Resolution #168.

Upon a motion by Trustee Carillo, seconded by Trustee Ferb, and unanimously carried, the Board resolved to amend Resolution #168 to reflect that attendance at the Annual Conference for Court Clerks is approved to not to exceed \$3,300.00 or \$1,100 per person.

Trustee Carillo noted that a beautiful event had been held in conjunction with Alive After Five, and everyone had enjoyed themselves. There had also been a Hispanic festival held behind Bravo which had gone very well, and everyone had a good time with music and dancing.

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

Mr. Kemp stated that he would voluntarily stipulate that during the during the Veteran's Day ceremony approved earlier they would fly the First National Flag and not the Confederate Flag to appease the Board. After the ceremony was over, there would be a battle flag stuck in the ground.

John Bogack, Noxon Street, noted that the Board had recently passed a resolution granting approval for the Harbor apartments to hook up to the sewer system. Mayor Pontieri stated that this was correct. Mr. Bogack applauded this action due to the proximity of this property to a watershed area.

Mr. Bogack also thanked the Board for approving the fire lane on Baker Place. However, he inquired as to how Baker Place had become a private road. Village Attorney Egan stated that it was attached to the deed of a flag lot approximately 100 years ago. It had never been dedicated to the Village and had appeared on the tax map and the deed description of one of the properties in that area. Mayor Pontieri indicated that the Village could not designate this area as no parking, but they could create a fire zone for health and safety reasons.

Mr. Bogack indicated that he had written several histories about the Civil War and how Patchogue Village was involved. During the beginning of the Civil War in 1861, a slave ship had been located off of Long Island, and part of the slave runner group had been arrested in Patchogue by the sheriff. Archer Perkinson was a deputy in the Village who volunteered from the New York State militia and fought in the 1863 riots in New York City. He and two other men from River Avenue were involved in founding Cherry Grove, Water Island, and Watch Hill. All of them ran businesses in these locations. Mr. Bogack suggested that Patchogue's history in the Civil War should be reviewed and celebrated. Mayor Pontieri stated that this was why the Village had worked to restore the Civil War statue to preserve that history for upcoming generations. Village Attorney Egan noted that historical markers were also important. Mr. Bogack indicated that people should remember Patchogue as a Union town which fought against slavery. Mayor Pontieri indicated that many founding families were still around. Village Attorney Egan noted that one of his ancestors had fought in the Civil War and had eventually settled in Patchogue.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Brinkman, and unanimously carried, the Board entered into Executive Session for the purposes of personnel items at 7:44 p.m.

Upon a motion by Trustee Keyes, seconded by Trustee Brinkman, and unanimously carried, the Board returned from Executive Session at 7:56 p.m.

Village Attorney Egan stated that as outlined in the Executive Session, he would recommend a motion to approve a successor agreement between the Village of Patchogue and Local 342 pursuant to the collective bargaining agreement subject to final approval of the agreement form approved by the Mayor and Village Attorney.

Upon a motion by Trustee Brinkman, seconded by Deputy Mayor Krieger, and unanimously carried, the Board granted approval to a successor agreement between the Village of Patchogue and Local 342 pursuant to the collective bargaining agreement subject to final approval of the agreement form approved by the Mayor and Village Attorney.

Upon a motion made by Trustee Brinkman, seconded by Trustee Carillo, and unanimously carried, the meeting was adjourned at 8:00 p.m.

vp

Signed _____
Lori Devlin, Village Clerk