

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on Monday, April 24, 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, Carrillo, Ferb, Keyes, McHeffey, Village Attorney Egan, Village Clerk Devlin, and Deputy Village Clerk Braile present. Village Treasurer Krawczyk was absent.

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

Mayor Pontieri expressed his appreciation to Trustee Keyes for the success of this weekend's Eco Fair. He was pleasantly surprised by the support shown for the event. Trustee Keyes thanked him and noted that this was just another example of Patchogue being a forward thinking community. When he founded the PEP Committee in 2015, he had never dreamed that it would come this far. He thanked Kaetlyn Jackson for her hard work on this event. She had been working on this project for two years and was the driving force behind it. Trustee Keyes indicated that Ms. Jackson was the creative force while he dealt with administrative processes. It was a great experience to see hundreds of people enjoy the day and hear the comments from participants that they had learned things they had not known before. He also expressed his appreciation for the support from the Greater Patchogue Chamber of Commerce, the BID, St. Joseph's College, and all of the vendors. Trustee Keyes also thanked the DPW staff and Public Safety officers for their assistance. Ms. Jackson excelled in keeping people moving through the vendors and displays and had organized goody bags for families to take home. They had given away over 200 of these bags. Mayor Pontieri inquired as to where the bags had come from. Trustee Keyes indicated that the committee had 100, and he had gotten another 100 from Village Hall. He reminded everyone that almost half a day had been lost due to inclement weather, and there had still been good attendance at the event. A great film had been shown at the Plaza MAC, and he thanked Trustee McHeffey for being a moderator for that showing and panel session that followed. Trustee Keyes noted that when an event was first proposed, an image of the expected event was created. He felt that the vision for this event had been accomplished. Trustee Keyes again thanked all of the participants including Sea Grant, St. Joseph's College, and the Tree Committee. There was such a variety of groups who offered so much to the attendees who really enjoyed themselves, and he hoped the experience had changed some people's mindsets. Mayor Pontieri suggested that additional tables be added for next year's event. Trustee Keyes indicated that there were about 30 vendors with 18 tables, and he hoped to expand on the offerings for next year. It was wonderful to see the PEP Committee logo proudly displayed with people wanting to know more about the committee. Mayor Pontieri commented that he believed that New York State was influenced to move forward with the ban on single use bags by Patchogue's action on that topic. Trustee Keyes indicated that he felt the same way, and it had been a humbling experience to be contacted by various municipalities at that time. Mayor Pontieri indicated that he felt the distribution of those first 500 reusable bags was a great catalyst to the movement and had led to what was occurring in the community now.

Mayor Pontieri inquired of Trustee Brinkman as to the dedication of plaques at the cemetery. Trustee Brinkman stated that two plaques had been dedicated one for a World War I soldier who had participated in a battle in France. This soldier had a carrier pigeon who carried messages back and forth, and the pigeon had lost his leg in the battle. She noted that a movie had been made from the story. Village Attorney Egan indicated that the soldier had been a lawyer from New York City. Trustee Brinkman indicated that the soldier had committed suicide in the 1920s due to being unable to handle the grief over the loss of life he had witnessed. The plaque was an exact replica of his tombstone in Massachusetts. Trustee Brinkman noted that many of the bodies of those killed in that battle had never been recovered and reiterated that a fabulous movie had been made about the events that had occurred. The bird had been awarded a Medal of Honor. Village Attorney Egan indicated that the soldier's name was Charles Liddleston.

Village Clerk Devlin noted that, as she was driving through the Village earlier in the day, she noticed that there were no longer plastic bags in trees as had happened regularly before the ban on the single use bags. That had been one of the most obvious visual improvements that had come from the ban.

Village Clerk Devlin asked the Board to approve Board Meeting minutes from April 10, 2023.

Upon a motion by Trustee Ferb, seconded by Trustee McHeffey, and unanimously carried, the Board approved the Board Meeting minutes from April 10, 2023.

Village Clerk Devlin asked the Board to approve Budget Hearing minutes from April 10, 2023.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board approved the Budget Hearing minutes from April 10, 2023.

Village Clerk Devlin stated the total bills for the period ending April 24, 2023 were \$2,755,276.47. The five largest bills were as follows: \$2,023,243.50 for Pioneer, \$198,906.37 for NYS Health Insurance, \$108,809.32 for H2M, \$90,363.14 for VHB, and \$19,991.04 for PSEGLI.

General	\$ 424,023.77
Trust & Agency	\$ 23,366.36
Cap Projects	\$2,225,214.96
Sewer Fund	\$ 64,944.45
B.I.D. Fund	\$ 8,368.76
Housing Fund	\$ 0.00
CDA Fund	\$ 4,937.67
General Bills	\$ 4,420.50
Totals	\$2,441,313.37

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

Village Clerk Devlin noted that the Pioneer and H2M bills were for the sewer extension project and the VHB bill was for the Shorefront Park project, and all had been paid from grant funds.

Mayor Pontieri noted that the cash balances had been reviewed as of March 31, 2023.

Village Clerk Devlin read notice of a public hearing to consider amending Part II, Sections 139-1 and 139-4 of the Village Code to remove the requirement that licenses be obtained and fees paid for the operation of coin-operated amusement devices.

Village Attorney Egan noted that the amusement and exhibition chapter of the Village Code had originally been adopted by the Board in 1960. A 1981 amendment had been added that required a license and fee for making available coin operated amusement devices whether or not in a game room. Around this same time, the Town of Islip was battling the Gardner Manor Mall where a game room was located and had become a major hang out for kids under eighteen. The Board, at that time, had decided to take action to get ahead of creating this type of issue in the Village. This law had become antiquated as coin operated games were now more unique as there were more powerful games to be played on people’s phones. The proposal before the Board this evening was to eliminate the licensing and fee requirement for coin operated amusement devices, whether or not in a game room.

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

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board resolved to approve amending Part II, Sections 139-1 and 139-4 of the Village Code to remove the requirement that licenses be obtained and fees paid for the operation of coin-operated amusement devices

Village Clerk Devlin read notice of a public hearing to amend Article XIV of the Village Code to provide standards for, and for the permitting of, tents used in residential and non-residential districts.

Village Attorney Egan indicated that new language would be added to the Village Code regarding the standard for the erection of tents. A question had arisen last year concerning the erection of a tent. Tents had been used frequently for outdoor dining during COVID to supplement dining space for restaurants. Most restaurants had now abandoned using them, but

some still found them valuable. However, this was supposed to be a temporary measure and not meant to be a supplemental change to site plans developed by the Planning Board in a detailed manner. As a result, this request had come from businesses to accommodate some tents on appropriate properties. The question had then arisen as to what constituted temporary and the length of time that this constituted. Village Attorney Egan continued by noting that there were residential and commercial components to the proposed local law. The residential component was that a residential property could not have a combination of tents in excess of 200 square feet without a tent permit from the Board of Trustees. This tent could only remain in place for a maximum of 96 hours which would accommodate an event such as a backyard wedding. Village Attorney Egan noted that 200 square feet was roughly the size of a carport, so anything larger than that would require a permit from the Village Board. Tents in other districts, which were generally on commercial properties, would require a permit for anything in excess of 2,000 square feet. A smaller tent would not require a permit, but it would also not be very large and would need to meet certain specifications. Some requirements would be that the tent could not be larger than the permanent principal structure. It would need to be a minimum of 200 feet from the nearest residence. A certain equation of off-street parking would need to be provided. Sound or activity could not be occurring within the tent more than 500 feet from a residential area. Village Attorney Egan indicated that the critical part of this legislation was that the tent could not be maintained for more than seven (7) days. Once those seven (7) days expired, another application for a tent could not be submitted for another thirty (30) days. This would accommodate businesses which had special larger events but would limit the use of tents, particularly during the summer time to three per season. Mayor Pontieri commented that adherence to federal, state and village fire and electrical codes would also be an important part of the tent application. Village Attorney Egan concurred and noted that the application included the necessity of certification by the Building Inspector. It was important to note that tents such as these could not be erected during hurricane season as it was dangerous. Also, all fire codes must be met. He reiterated that the longest period of time a tent could remain in place was for seven (7) days. In addition, the application for the tent must be submitted to the Village Clerk at least sixty (60) days prior to the event. Finally, within twenty-four (24) hours of the permit expiring, the tent must come down. Village Attorney Egan indicated that this was a hard deadline, and the Building Department could issue a ticket if the tent were not removed accordingly.

Mayor Pontieri noted that the process would be that the application would be submitted to the Village Clerk who would ensure that the application was submitted properly and on time. Then, it would go to the Senior Building Inspector for review. It would not come before the Village Board for approval until the Building Department had certified and recommended approval. Mayor Pontieri then inquired if a public hearing would be required for approval of the permit. Village Attorney Egan stated that approval would normally be done by resolution. However, if there had been neighbor complaints about a property in the past, the Board could exercise its discretion to hold a public hearing on the request.

Deputy Mayor Krieger asked for confirmation that the tent would need to be located on the applicant's property and not on a neighbor's or Village property. Village Attorney Egan stated that this was correct.

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

John Bogack, 8 Noxon Street, inquired if the tent would represent an expansion of the occupancy of a business. Village Attorney Egan stated that it would not. Mr. Bogack asked for confirmation that a tent could not be used to expand the occupancy of a business. Village Attorney Egan stated that this was correct. Mayor Pontieri stated that the seven (7) day and thirty (30) day limits would prevent abuse of a tent for these purposes.

Mayor Pontieri then asked for a motion on the application.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board resolved to amend Article XIV of the Village Code to provide standards for, and for the permitting of, tents used in residential and non-residential districts.

Village Clerk Devlin apologized for including a third public hearing 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 on the agenda in error. This public hearing was actually scheduled for May 8th.

David Kennedy reviewed the Chamber of Commerce report. He asked if he could be provided with a copy of the new tent code so that he could pass it to the membership. Mayor Pontieri asked Village Attorney Egan if he could summarize the new requirements and pass it on to the Chamber. Village Attorney Egan stated that he would do so. Mr. Kennedy expressed his appreciation. Mr. Kennedy expressed his thanks on behalf of the Greater Patchogue Foundation for the efforts on the Eco Fair. In spite of the weather, he thought a nice crowd had attended, and he felt everyone who had done so had learned something. He hoped it would become an annual event. Mr. Kennedy noted that the PRIDE Committee would be holding a fundraiser on Wednesday, April 26th in preparation for the PRIDE Parade which was scheduled on Sunday, June 4th. It would be a Casino Night held at Aroogas from 6:00 p.m. to 8:00 p.m. Applications were now available for any organization seeking to participate in the parade from the Chamber or the Village. There would be a cap on the number of units permitted in the parade since this was the first one, so he encouraged interested organizations to submit their applications as soon as possible. Cinco de Mayo celebrations would be held on May 5th in many restaurants in the Village. That weekend would also see several restaurants hosting special events to celebrate the coronation of England's King Charles with those who would be participating posting the Union Jack on their windows. The Elks Club would be hosting a special coronation event on May 7th beginning at noon. Mr. Kennedy noted that England was one of America's greatest allies, however, some people questioned why the Village would be celebrating this event. He indicated that it was a culturally important milestone for those of British descent in the community, and he praised Tom Keegan, head of the Cultural Heritage Committee for the Chamber, for his willingness to celebrate every culture represented in Patchogue. Mr. Kennedy continued by noting that the Beautification Committee of the Greater Patchogue Foundation was bringing back the Eloise Staudinger Beautification Fundraiser after a couple of years hiatus. Eloise Staudinger was the founder of the Colony Shop and the Beautification Committee. This would be taking place on Wednesday, May 10th, at Perabell. Lunch seatings would be from 11:00 a.m. to 3:00 p.m. and dinner seatings from 5:00 p.m. to 9:00 p.m., and those wishing to attend could RSVP at info@patchogue.com or call (631) 270-1000. For the month of May, the Chamber's Retail Association would be celebrating Mother's Day with a Mother's Day shopping crawl on Saturday, May 13th. Beginning at 11:00 a.m., a dozen or so retailers would be hosting special sales, and customers would be given raffle tickets which could be turned in at the after party starting at 3:00 p.m. at Virgola. Baskets would be raffled off then, as well as food and drink specials being available. The PRIDE Parade Committee had also announced that Cheryl Felice would be its inaugural Grand Marshal. Ms. Felice was the daughter of former Village Trustee and Patchogue Fire Department Chief Paul Felice, and currently served as the President of the South Country School District Board of Education and was involved with the AME Municipal Union. She had been an active member of the LGBTQ community for a very long time. Mr. Kennedy noted that Alive After Five planning was continuing. There were a couple of items on the agenda for approval including the hanging of a banner for the coronation events, and approval of the annual Circus on Main Family Fun Night. Closing Main Street for this event went back decades and preceded Alive After Five. If the Village removed the Winter Wonderland that had been previously requested and would be more of an indoor event this year, there should be room for the Circus on Main Family Fun Night street closure.

Trustee Ferb asked the Board to ratify prior approval for the Greater Patchogue Foundation to hang a banner on East Main Street.

Upon a motion by Trustee Ferb, seconded by Trustee Carillo, and unanimously carried, the Board granted approval to ratify prior approval for the Greater Patchogue Foundation to hang a banner on East Main Street from Tuesday, April 25th to Monday, May 8th.

Trustee Ferb asked the Board to approve an event sponsored by the Greater Patchogue Foundation.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for the Greater Patchogue Foundation to hold their Circus on Main Street Family Fun Night on Friday, August 4th with a rain date of Friday, August 18th with street closure of East Main Street between Maple Avenue and South Ocean Avenue from 4:00 p.m. to 10:00 p.m. pending approval of a Special Events Permit Application by the Coordinator of

Special Events.

Mayor Pontieri inquired if approval for the Winter Wonderland had to be withdrawn. Village Clerk Devlin stated that the Board had not officially approved the list, so she would just remove that event from the street closure list and replace it with the Circus on Main Family Fun Night instead.

Mr. Kennedy noted that the Restaurant Committee had recently had a lengthy meeting to discuss issues which had been occurring on weekends in the Village. Many great ideas had been discussed and representatives from the Retail Committee as well as the Fifth Precinct and Legislator Thorne had also been in attendance. The restaurant involved with the most recent incident had done the right thing by identifying the inebriated individual who needed to be removed from the establishment and had taken action to do so. Unfortunately, that angry individual had then broken the window of a closed retail establishment. The next step needed to be determined on what to do when such individuals were asked to leave establishments to prevent them from causing further damage in the community. Mr. Kennedy indicated that Village Attorney Egan had advised him to remind the restaurants that they could not act as night clubs by removing tables and chairs to make room for other activities as this was not permitted under their COs unless they had cabaret licenses which were extremely limited at this time. Patchogue had a lot of bars and restaurants, so this dialogue would continue. Mr. Kennedy expressed his appreciation with the Village's patience with the Chamber in dealing with these issues. He suggested that the Village consider making Public Safety officers constables again. Sometimes restaurant owners did not understand the Public Safety officers were not able to do what police officers could and were not equipped or trained to take certain actions. It was a constant educational process. Mr. Kennedy stated that he felt that the Fifth Precinct was doing everything possible to support Patchogue, but they were stretched to their limits, and he suggested that the Village should take whatever steps necessary to further support them. Mayor Pontieri indicated that the reason that the Village did not have constables was because New York State would not certify them. The training for them to carry a weapon had never been there. He noted that the Village already spent approximately \$1,000,000 a year on the Public Safety Department. Mr. Kennedy noted that the Restaurant Committee was discussing the possibility of hiring private security to be on the streets. This would shift the liability a bit towards the Chamber. However, he would prefer a government entity be involved in policing rather than private entities as he believed that this could lead to other issues in the future. Mr. Kennedy stressed that he did not want to see something terrible happen which would hurt the reputation of the Village. Trustee Ferb indicated that the businesses that were open past 11:00 p.m. and midnight or later were the cause of most of the incidents. He expressed doubt that those establishments that closed at 10:00 p.m. or earlier would be interested in supporting late night security options. Mr. Kennedy indicated that this was a good point. He noted that discussion had also taken place regarding use of PatronsCan to identify problem individuals; however, some business owners had expressed reluctance to use this or pay for the subscription to it. Mr. Kennedy noted that the well-being of the community needed to be considered as a whole. The Chamber was very supportive of consideration of a curfew as well. Consideration of instituting fines for behaviors such as breaking a window should also be given since there was a fine for urinating in public but not for that type of behavior. In his opinion, destroying private or public property should have some kind of consequences from the Village.

Village Attorney Egan concurred with much of what Mr. Kennedy had stated but noted that constables were a very expensive proposition. He indicated that it would have cost at least \$100,000 in a premium increase fifteen years ago to have firearms on the Village's liability insurance policy. Business owners did not want to pay for the subscription to PatronsCan, so he doubted they would want to contribute to the \$500,000 to \$1,000,000 it would cost to arm and train constables. Getting through the State's requirements and these costs would be astronomical to the Village. In addition, damage to public property was considered a nuisance and damage to private property was a crime. The individual who damaged private property should have received a ticket and been put into the criminal system. As far as he had heard, there were witness statements and video of the incident that had occurred. It should be an easily prosecutable crime which would result in restitution to the property owner. Instead of receiving a ticket from a Public Safety officer for being a public nuisance, he would now have a crime on his record. Concern should not be about what the Village of Patchogue could and could not do regarding policing Main Street, rather concern should be about businesses controlling their patrons. Businesses could not masquerade as night clubs without facing serious consequences

both from local and state authorities. Village Attorney Egan stressed that businesses had been warned. Moving tables to make room for activities other than eating and having a velvet rope outside for a line to get in was not what restaurants did. These activities were easy to see just by driving by a business. Mr. Kennedy concurred that serving drinks after 1:00 a.m. was problematic with the exception of there being places for people who got off work at later hours to have somewhere to go after their shift. He knew that the Chamber would be supportive of any effort taken to stop serving after 1:00 a.m. and doors locked by 2:00 a.m. Mayor Pontieri indicated that this would take legislative action to achieve. Village Attorney Egan noted that at least the problem had been identified. Mr. Kennedy agreed and thanked the Village for having a positive dialogue on this issue. Mayor Pontieri noted that he and Mr. Kennedy would be meeting with the Fifth Precinct inspector the following afternoon.

Deputy Mayor Krieger reviewed the Public Safety report which had been submitted by Jim Berberich, Chief of Public Safety. Public Safety officers had been active in issuing tickets. For the previous two (2) week period, Public Safety had issued sixteen (16) field appearance tickets for open alcohol and public urination; one hundred sixty-five (165) parking violations, and responded to thirty (30) calls from the dispatcher.

Deputy Mayor Krieger asked the Board to resolve to amend Resolution #126-2023.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee McHeffey, and unanimously carried, the Board resolved to amend Resolution # 126-2023 to reflect an hourly rate of \$15.00 for seasonal laborer Liam Collins, retroactive to start date, April 12, 2023.

Deputy Mayor Krieger asked the Board to approve an out-of-district sanitary sewer connection.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval for an out-of-district sanitary sewer connection for NYU Langone Hospital Ambulatory Surgery Center located at 196 E. Main Street.

Deputy Mayor Krieger asked the Board to approve purchasing vehicles.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Keyes, and unanimously carried, the Board granted approval to purchase (3) 2022 Jeep Grand Cherokee 4xe Hybrids from the winning bidder Brown's Jeep in Patchogue, not to exceed \$185,000.

Deputy Mayor Krieger asked the Board to approve transfer of funds.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Keyes, and unanimously carried, the Board granted approval to take \$105,000 from the general fund surplus and \$75,000 from the sewer fund surplus to purchase the (3) 2022 Jeep Grand Cherokee hybrid vehicles.

Deputy Mayor Krieger asked the Board to approve conference attendance.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for Tim Nordberg to attend the Federation of New York Solid Waste Conference with Trade Show from May 21 through May 24, 2023 at the Sagamore in an amount not to exceed \$2,000.

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 John Barbieri effective April 22, 2023 with regrets.

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

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire Public Safety Officer Kevin Diaz at \$17 per hour effective April 24, 2023.

Deputy Mayor Krieger asked the Board to approve promotions.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Carillo, and unanimously carried, the Board granted approval for the following promotions:

- Shaun Gauler from Sanitation Labor 1 to Highway Swingman starting at \$32.22 per hour and increasing to full salary after nine months.
- Gabriel Gallo from Temporary Sanitation Laborer to Sanitation Laborer 1 starting at \$26.45 per hour and increasing to full salary after eighteen months

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

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire Israel Torres as a Seasonal Worker at \$15 per hour effective immediately.

Deputy Mayor Krieger asked the Board to approve hiring a Seasonal Worker for the BID.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to hire James Vocht as a Seasonal Worker for the BID at \$15 per hour effective immediately.

Deputy Mayor Krieger asked the Board to approve accepting a resignation.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to accept the resignation of Joseph Sinclair as of April 17, 2023.

Trustee Keyes asked the Board to ratify prior approval for PYAA to use the Waldbauer Complex.

Upon a motion by Trustee Keyes, seconded by Trustee Brinkman, and unanimously carried, the Board ratified prior approval for PYAA to hold their Opening Day at the Waldbauer Complex on Saturday, April 15th from 9:00 a.m. to 5:00 p.m.

Trustee Keyes asked the Board to approve a payment for VHB Engineering.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to pay VHB Engineering \$90,363,14 for Shorefront Park Phase 1: Bid and Construction Administration Services rendered during the period December 25, 2022 to March 18, 2023 as detailed in their invoice of April 10, 2023.

Trustee Keyes asked the Board to approve Contract Amendment 2 to the Shorefront Shoreline Phase 1 contract.

Upon a motion by Trustee Keyes, seconded by Trustee Carrillo, and unanimously carried, the Board granted approval of Contract Amendment 2 to the Shorefront Shoreline Phase 1 contract with QRP Landscape Architects in the amount of \$7,295.00.

Trustee Keyes asked the Board to approve Change Order #2 for the Shorefront Park Shoreline project.

Upon a motion by Trustee Keyes, seconded by Trustee McHeffey, and unanimously carried, the Board granted approval of Galvin Brothers change order #2 for the Shore Front Park Shoreline project in the sum of \$65,000 for additional stormwater drainage work near rock sill #1 near Dewitt Avenue to be paid out of the 2022 NYS Department of State Grant.

Trustee Keyes asked the Board to approve hiring pickleball attendants. Deputy Mayor Krieger inquired as to what a pickleball attendant did. Trustee Keyes noted that pickleball players were very passionate about their play, so sometimes they did not want to leave the court. The courts were leased by time, so the attendants were there to ensure that the time schedules were followed. Trustee Carrillo inquired as to minimum wage requirements. Trustee Keyes indicated that these were younger individuals and met the wage requirements that were allowable.

Upon a motion by Trustee Keyes, seconded by Trustee Carrillo, and unanimously carried, the Board granted approval to hire Robert Dono and Jacob Fischer as Pickleball attendants at \$13 per hour.

Trustee Keyes asked the Board to approve use of the Pump House Field at Rider Avenue.

Upon a motion by Trustee Keyes, seconded by Trustee McHeffey, and unanimously carried, the Board granted approval for Nighthawks Elite to use the Pump House Field at Rider Avenue on Monday and Thursday evenings, 6:00 p.m. to 8:00 p.m. and Sunday mornings, 10:00 a.m. to 12 noon, from May 15th through August 31st.

Trustee Keyes asked the Board to approve use of the youth soccer field at 380 Bay Avenue. He noted that negotiations were continuing with other leagues as well to finalize dates. The field would be occupied six (6) days a week with one day held vacant to allow maintenance work on it. It was exciting to see the interest in use of this new field. Trustee Carrillo indicated that she thought the field could not be used until June. Trustee Keyes stated that the first date of use would be May 31st since this was a new field.

Upon a motion by Trustee Keyes, seconded by Trustee Carrillo, and unanimously carried, the Board granted approval for New York Soccer Club League to use the youth soccer field at 380 Bay Avenue from May through October. Exact dates and times pending with application.

Mayor Pontieri inquired if Trustee Keyes could provide the Board with a breakdown of the income provided from the use of each field. Trustee Keyes indicated that he believed that the standard rate for most of the fields was \$100 per hour. Any time the use of a field was requested by application, the number of hours was calculated at that rate.

Trustee Brinkman noted that the name of the movie which had been mentioned earlier in the meeting was *The Lost Battalion*. She highly recommended it.

Trustee Brinkman asked the Board to set a public hearing to consider an easement for egress doors.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to set a Public Hearing for May 22, 2023 to consider an easement for egress doors on the east side of 196 East Main Street for NYU Langone Health.

Trustee Brinkman asked the Board to approve requests by NYU Langone Health for their project at 196 East Main Street. Mayor Pontieri asked Village Clerk Devlin to meet with Senior Building Inspector Sarich to review these requests as some concerns had been expressed about the ingress and egress issue. Perhaps, another egress could be created onto Terry Street.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board granted approval of the following for NYU Langone Health to facilitate their project at 196 East Main Street, subject to review and approval by the Senior Building Inspector and Director of Public Safety:

- A sidewalk bridge to be located at the front of the building during construction.
- Temporary use of the parking lot entrance on Rider Avenue as both ingress to and egress from the parking lot by the public.
- Construction fencing to be installed from the rear of the building to the edge of the sidewalk during construction for staging, etc., including the curb cut/ parking lot entrance for use by construction vehicles on Terry Street.
- Staging for crane activity on the east side of building.

Trustee McHeffey congratulated Katelyn Jackson and Trustee Keyes on the success of the Eco Fair. He thanked the Plaza MAC for hosting a showing of *Kiss the Gound* and a panel discussion which had included Adrian Esposito, Igor Ivonoski from St. Joseph's College, and Sean Pilger from Hog Farm. These were three different experts discussing the content of the film which was soil health, its effect on the environment, and its ability to draw down carbon. At the end of the discussion, the audience had been provided with small actions that they could take

to help. Adrian Esposito had discussed food waste which the Board had been discussing for some time. A large amount of refuse was sent to the Brookhaven Town dumps, much of which was food waste. Ms. Esposito had reminded everyone that once the anerobic digester went online, much of this food waste could be removed from the garbage stream. Mayor Pontieri noted that the costs for transporting waste could be decreased if a portion of it could be removed.

Trustee Carrillo congratulated everyone for their hard work on the events which had taken place over the weekend.

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

Don Wachsmuth, 60 Carman Street, noted that Public Safety officers used to carry firearms approximately fifteen (15) years ago when he first moved to the Village, but he believed that had stopped shortly thereafter. He noted that he could not imagine that being done today because there was absolutely no respect for authority which he believed to be the root of many problems.

Mr. Wachsmuth noted that he used to pick up a lot of plastic bags, but there were not many to be found discarded now even though he still saw that restaurants used them. Trustee Keyes indicated that the law allowed the use of bags by restaurants as long as they were recyclable.

Mr. Wachsmuth indicated that he had patronized Burgerology recently and could not wait to exit the establishment due to the loud music being played by a DJ. He noted that years ago, his company had held their family Christmas party at the old Knights of Columbus Hall on Main Street, and there had been a bowling alley there. Village Clerk Devlin indicated that the first owners of the Emporium had a couple of lanes.

Juan Antelo, 165 Norwood Avenue, Port Jefferson Station stepped forward and inquired as to what permission would be needed to hold a concert at Shorefront Park. Trustee Keyes stated that he would provide him with contact information but asked what kind of concert he was proposing. Mr. Antelo stated that it would be electronic dance music. Trustee Keyes indicated that summer concerts were held at the bandshell, and he inquired if this was what he was proposing. Mr. Antelo stated that he knew others were doing similar events. Trustee Keyes suggested that he contact the Parks and Recreation Department. Mr. Antelo inquired if this was done on a regular basis. Trustee Keyes stated that a concert with different kinds of music was held usually every other week during the summer months at the bandshell. He stated that he would provide him with contact information and let the Parks and Recreation Department know that he would be contacting them.

Mr. Bogack inquired if there was a limit on the number of special events that a business could hold in one year. Village Clerk Devlin stated that the limit was four per year. Mr. Bogack inquired if the event fee was \$1,000. Village Clerk Devlin indicated that it was \$175 per event.

Mr. Bogack inquired if it was illegal for the Village to provide additional funds to the Suffolk County Police to augment their services. Mayor Pontieri stated that they would not take additional funding from the Village as it could cause complications. Mr. Bogack inquired if this would also apply to a private entity, such as the Business District, providing funds to the Police Department. Mayor Pontieri indicated that those were private entities, but municipalities could not do so. Trustee Ferb noted that the BID tax was legislated and could total only \$163,000 per year.

Mr. Bogack indicated that the legality of public benefits from developers had been discussed at a previous meeting. He inquired of Village Attorney Egan if any additional research had been done on that topic. Village Attorney Egan stated that they were legal, but its use required a delicate balance. It could be used as a planning tool, but he would hold further comment until a public hearing was held on this issue. Mayor Pontieri noted that the public benefit received from the Tritec Development was the Carnegie Library. A couple of projects were on line now that were discussing providing additional municipal parking. It was also important to get the most out of the project itself. In the last nine years, approximately \$9,000,000 had been invested in Village parks. Much of this funding had been obtained from grants, and the Village was good at obtaining its own public benefits from this resource. He would prefer to see the developer invest more money into their project to make it the best it could be for the Village. This was where the balance was. Mr. Bogack commented that he did not believe that the NYU Langone Health

project had any public benefit attached to it. Trustee Ferb indicated that when this type of organization came to the Village, other non-profits would approach them for funding. Mr. Bogack inquired as to why this would occur. Trustee Ferb indicated that the Theatre had benefited from other health agencies, and he was sure that this would occur in this case. Mr. Bogack stated that it did not matter to him whether it was the Village or a private entity as long as there was some extension of assistance within the community.

Upon a motion made by Trustee Ferb, seconded by Trustee McHeffey, and unanimously carried, the meeting was adjourned at 7:23 p.m.

vp

Signed _____
Lori Devlin, Village Clerk