Board of Trustees Agenda

May 11, 2020
6:00 PM

1. **Flag Salute**
2. **Safety Message**
3. **Village Clerk**
   a. Request approval for the Board Meeting Minutes of April 27, 2020
4. **Village Treasurer**
   a. Village Bills (see attached)
   b. Top 5 Bills (see attached)
5. **Public Hearings**
   a. Request approval to add Chapter 357 of the Village Code to regulate Special Events
6. **Mayor Pontieri**
   a. Request approval for the Village Clerk to receive and collect the 2020/2021 tax role in the amount of $12,474,908.13
7. **B.I.D. Report**
   a. B.I.D. Report/Special Projects Report - Dennis Smith
8. **Chamber of Commerce Report**
   a. Chamber of Commerce Report - David Kennedy
9. **Trustees**
   a. **Deputy Mayor Krieger**
      1. Public Safety Report
      2. Theatre Report
      3. Request approval that Code Enforcement Officers not covered by CSEA will receive the same benefits as a CSEA employee including Uniform Allowance, Holiday pay, Night Differential, and Longevity and follow the non-union village employees salary increases each fiscal year
b. **Trustee Keyes**
   1. P.E.P. Report
   2. Parks & Recreation Report
   3. Request approval for the ENCORE Dance Company to use the band shell on August 1st & 2nd and August 8th & 9th from 9am - 9pm (approval pending the re-opening of the park)

c. **Trustee Felice**
   1. DPW Report

d. **Trustee Ferb**
   1. Major Projects Update
   2. Request approval to re-hire Jim Armstead and Steve Phillips as the BID water truck operators at $20/hr

e. **Trustee Devlin**
   1. Patchogue Arts Council Report
   2. Planning & Zoning Report
   3. Request approval to set a Public Hearing to amend Article VII of Chapter 435 to address neon-like signage

f. **Trustee Brinkman**
   1. CDA Report
   2. Building & Housing Report
   3. Request approval declaring the premises at 26 Baker Street unsafe pursuant to Chapter 162 and at the recommendation of Sr. Building Inspector, Peter Sarich
   4. Request approval to award the bid for the asbestos abatement, demolition and removal of 26 Baker Street to Panzner Demo in the amount of $79,000
   5. Request approval to set a Public Hearing to amend Chapter 336 to extend the rental permit period and permit self-certification in light of the COVID-19 crisis

10. **Public to be heard**
Agenda Summary

Request approval for the Board Meeting Minutes of April 27, 2020

Background

Additional Information

ATTACHMENTS:

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The Board Meeting of the Board of Trustees met through video conference on Monday, April 27, 2020.

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

The flag salute was made.

Mayor Pontieri welcomed everyone to the Board meeting

Mayor Pontieri encouraged everyone to continue following the protocols that were in place and avoid large crowds. He expressed hope that the current emergency would end sooner rather than later.

Village Clerk Seal expressed hope that everyone viewing the meeting was staying healthy and safe.

Village Clerk Seal asked the Board to approve Board Meeting minutes from April 13, 2020.

Upon a motion by Trustee Ferb, seconded by Trustee Devlin, and unanimously carried, the Board approved the Board Meeting minutes from April 13, 2020.

Village Treasurer Krawczyk indicated that he hoped that everyone was doing well.

Village Clerk Seal stated the total bills for the period ending April 27, 2020 were $763,484.00. The five largest bills were as follows: $157,000.00 for Cronin and Cronin; $156,549.35 for NYS Health Insurance; $64,600.00 for Certilman; $63,848.13 for Town of Brookhaven; and $24,726.90 for Russell Reid.

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

Mayor Pontieri indicated that the funds paid to the Town of Brookhaven included landfill fees and a split of the fees for an East Patchogue property sewer-hook up.

Village Treasurer Krawczyk asked the Board to approve various budget transfers for year-end items.

Upon a motion by Trustee Ferb, seconded by Trustee Felice, and unanimously carried, the Board approved the budget transfers as presented.

Village Treasurer Krawczyk asked the Board to approve a loan from the General Fund.

Upon a motion by Trustee Felice, seconded by Trustee Devlin, and unanimously carried, the Board granted approval for the General Fund to loan to $391,429.87 to the Capital Projects Fund.

Village Treasurer Krawczyk wished everyone a good night and expressed hope that all would remain safe.

Trustee Ferb reviewed the Chamber report as submitted by Mr. Kennedy. Mr. Kennedy noted that restaurants continued to provide take out delivery services to local residents as well as to local...
hospital personnel. He indicated that the Chamber was also holding a weekly take out contest which continued to grow. Anyone bringing home a meal from one of the restaurants should take a photo of the meal, post it on Instagram, and tag the Chamber. A winner would be chosen and would receive a $50 gift certificate to his or her favorite restaurant. Businesses continued to hold virtual small business Saturdays. Some discussions had also been held to review ideas to help the restaurants and retailers virtually celebrate Mother’s Day. Mr. Kennedy then indicated that several businesses were attempting to produce reusable face coverings. He noted that a virtual membership meeting would be held the next day, April 28th, at which representatives from the Patchogue-Medford Library would describe the various programs which were available online.

Anyone wishing to attend this virtual meeting should email info @ Patchogue.com to obtain the log in information. The Chamber’s Foundation continued to host COAD activities. Approximately $20,000 had been raised through “go fund me”, and these funds had been used to support restaurants in providing meals for frontline hospital staff and for purchasing needed supplies for local organizations. Mr. Kennedy asked that anyone who was in need, desired to donate, or desired to volunteer to help to submit their contact information through Patchogue.recovers.org. Much information and valuable links could be accessed at Patchogue.com. Mr. Kennedy indicated that as the summer season approached consideration was being given as to how to handle events such as Alive After Five. Currently, Suffolk County had suspended issuing mass gathering permits, and it was highly unlikely this situation would change prior to mid to late summer, if at all. Hopefully, additional guidance would be provided by the State and other government partners by May 15th. Mr. Kennedy then expressed his gratitude for the continued communications provided by the Village.

Mayor Pontieri indicated that anyone who had a question about the Chamber report or any other report provided at this meeting should send an email to the Village. Any emails received would be reviewed in the morning and responses to questions posted on the Village web site as appropriate. Trustee Brinkman stated that she believed that the chat function was available on You Tube, and questions could be taken that way during the public portion of the meeting.

Deputy Mayor Krieger expressed hope that everyone was staying safe. Unfortunately, two of his friends had recently passed away and both were fairly young in age. He urged people to wear masks in public, stay protected, and continue social distancing.

Deputy Mayor Krieger indicated that Public Safety officers were continuing to patrol parking lots and neighborhoods and were doing a great job. There had been no further reports of problems in the Village. Mayor Pontieri stated that some calls had been received about people congregating in various places as well as playing pickle ball and tennis. These were adults, and he asked that everyone make appropriate determinations as to how to remain safe. Deputy Mayor Krieger indicated that it was nice to see people outside, but he urged everyone to be careful.

Deputy Mayor Krieger indicated that he had been receiving many inquiries about the status of the Theatre. He stressed that theatres all over the world were closed. Deputy Mayor Krieger noted that two of the former staff of the Theatre had been hired back. One was the box office manager whose role had been expanded to handle calls and questions being received. It was his hope that some of the financial issues which had been occurring could be unraveled. Many shows had been booked, and return of funds related to these shows had to be addressed. The entire situation was quite complicated. The public relations representative for the Theatre had also been hired back to help with getting things organized for the future. Deputy Mayor Krieger asked that everyone stay tuned for future announcements. He also noted that a letter writing campaign directed to the Mayor and the Board had been occurring. Deputy Mayor Krieger indicated that he had been responding to each of these letters as quickly as he could and had spoken to many of the authors of these letters as well as providing his contact information to them. He assured everyone that updates on the Theatre would be provided as things evolved, and a reopening date would be provided once it was known. Right now, it was closed until at least September 1st. Discussions were occurring throughout the industry as to how things would look moving forward, especially with regard to how seating might need to be organized. He asked that everyone remain patient and assured all that a new organization would be put in place. Deputy Mayor Krieger expressed hope for a grand reopening of the venue in September.

Deputy Mayor Krieger asked the Board to adopt a standard work day and reporting resolution for elected and appointed officials.
Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board adopted a standard work day and reporting resolution for elected and appointed officials.

Mayor Pontieri stated that this was done annually based on a State regulation.

Trustee Keyes thanked the Mayor and Village Clerk Seal for holding down the fort at Village Hall every day.

Trustee Keyes indicated that he had recently had a very interesting discussion with a Boy Scout whom Deputy Mayor Krieger had referred to him to earn his merit badge. It had been his pleasure to answer his questions, and they had a fine discussion.

Trustee Keyes noted that he had been speaking regularly with the Director of Recreation regarding the Parks and Recreation programs and indicated that she was formulating a plan for when things start to open up. He would be discussing this proposal with the Mayor within the next couple of days.

Trustee Keyes noted that, as mentioned by the Mayor earlier, he had received calls from Public Safety officers with regard to people playing tennis and pickle ball. He noted that these games did not involve close contact and should not be a problem. Trustee Keyes reminded everyone to observe social distancing and mask guidelines.

Trustee Keyes asked the Board to set a public hearing.

Upon a motion by Trustee Keyes, seconded by Trustee Felice, and unanimously carried, the Board set a public hearing to add Chapter 357 of the Village Code to regulate special events for May 11th.

Trustee Keyes asked the Board to approve a change order for First Responders Park.

Upon a motion by Trustee Keyes, seconded by Trustee Ferb, and unanimously carried, the Board approved a change order for First Responders Park in the amount of $2,755 for Leo and Khamila’s Landscaping Corp.

Trustee Felice wished everyone a good evening and expressed hope that all were well.

Trustee Felice thanked the Department of Public Works staff for working hard to keep the streets and Village clean. He noted that residents were cleaning out their homes and yards and generating a lot of trash as a result. The DPW staff had been busy with trucks and payloaders non-stop for the past 7 weeks picking up all of this refuse and were doing a great job. Approximately six truck loads a day were being brought to the landfill. This was in addition to the Village’s Recycling Center being free for residents to access for the entire month of April. He noted that there were mounds of debris there as a result.

Trustee Felice requested approval for an out of district sewer connection.

Upon a motion by Trustee Felice, seconded by Trustee Devlin, and unanimously carried, the Board granted approval for an out of district sewer connection for the property located at 72 Division Street.

Trustee Felice asked the Board to approve a contract for concrete testing for the Oak Street Project.

Upon a motion by Trustee Felice, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for Municipal Testing Laboratories (MTL) to perform concrete testing for the Oak Street Project for $3,555.

Village Clerk Seal noted that the majority of calls that were received at Village Hall were from residents who were concerned that their garbage had not been collected at their usual time. Once the callers were assured that their garbage would be collected, just a bit later, all was fine.

Trustee Ferb wished everyone well and asked that everyone stay at home.

Trustee Ferb asked the Board to approve settlements of tax certiorari proceedings.
Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board approved settlements of tax certiorari as follows: Rayno Realty Associates - $3,600; Bank of America - $10,000; Fur-Real, Inc. - $10,000; Pinewood Terrace Condominiums - $25,000; Donald Felice, LLC - $36,000; Pedra Associates L.P. - $55,000; SCO Properties, Inc. - $92,000.

Trustee Ferb stated that all of these settlements had been anticipated. Mayor Pontieri asked Village Attorney Egan to review what was involved with this process. Village Attorney Egan indicated that these were disputes on Village tax assessments for mostly commercial properties. He noted that some of these challenges went back over 10 years with two from 2009-10. The settlement amounts had been aggressively negotiated and were based on a variety of factors. These amounts were refunds due for overpayment. As a requirement for these settlements, the property owners could not challenge their taxes again for a three year period. Mayor Pontieri stated that one of his concerns was always that a drop in assessment values negatively impacted the tax rate. Tax rates could not be reduced because the certiorari process allowed new values to depress old values. Though negotiations were aggressive on these disputes, sometimes the Village lost.

Trustee Felice noted that Donald Felice was his cousin, but he did not believe that should have prevented him from voting on this matter as there was no conflict of interest.

Trustee Devlin indicated that both the Patchogue Arts Council and Plaza Cinema were closed, but both were offering virtual events. The Patchogue Arts Council would be participating in the International Virtual Festival of Arts in Q Time from April 18th through June. Twice a day, artists from around the world would be displaying their work on social media and also sharing videos of their studios and works in progress. This should be very interesting and more information about this event could be found on the Arts Council’s web site. In addition, Plaza Cinema had partnered with various venues to stream a variety of films which would not be available otherwise for a small fee. Trustee Devlin encouraged supporting this local cinema by streaming these movies if possible.

Trustee Brinkman stated that she wished to compliment the Patchogue-Medford Library for doing an outstanding job running virtual programs for children and adults. This was a wonderful accomplishment in these challenging times. The library was constantly sharing excellent resources and programs for entertainment and information during this closure.

Trustee Brinkman also complimented PSEG for the amazing livestream available on You Tube 24 hours a day of the Patchogue osprey nest. One egg was already in the nest, and it was quite interesting to observe the different types of fish available in the local lakes and river to the osprey for food. It was amazing to see what the osprey pair ate daily. She hoped that when the chick or chicks were hatched that there could be a contest to name them.

Trustee Brinkman then asked the Board to reject bids.

Upon a motion by Trustee Brinkman, seconded by Trustee Felice, and unanimously carried, the Board approved rejecting the submitted bids for the removal of asbestos at 26 Baker Street.

Trustee Brinkman asked the Board to request bids.

Upon a motion by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the Board granted approval to seek bids for a controlled demolition for 26 Baker Street.

Mayor Pontieri inquired if the bid would be publicized in the Advance. Village Attorney Egan stated that it would be once the bid packages were put together. Village Clerk Seal stated that the notice would be sent to the Advance for publication shortly.

Mayor Pontieri then thanked all who had joined the meeting online.

There was no public to be heard.
Upon a motion made by Trustee Ferb, seconded by Trustee Felice, and unanimously carried, the meeting was adjourned at 6:30 p.m.

Signed

vp

Patricia M. Seal, Village Clerk
Agenda Summary

Village Bills (see attached)

Background

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May 8, 2020

To: Patricia Seal, Village Clerk
From: Anne Marie Monte, Deputy Treasurer
Subject: Agenda Items for the Village Board Meeting on 5/11/2020

Please place the following items on the Treasurer’s portion of the agenda for the Village Board meeting scheduled for Monday, May 11, 2020.

A. Village Bills Paid (see attached)
B. Top Five Village Bills (see attached)
C. Budget Adjustments:
D. Transfers: (see attached)
E. Other:

Cash balances for 3/31/20:
General Fund $6,343,857.39
Trust & Agency $131,000.11
Sewer Fund $3,009,768.89
BID Fund $79,257.31
TOTAL $9,563,883.70
Agenda Summary

Top 5 Bills (see attached)

Background

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**FIVE LARGEST BILLS PAID**

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<td>EGAN &amp; GOLDEN</td>
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**$393,859.19**
Agenda Summary

Request approval to add Chapter 357 of the Village Code to regulate Special Events

Background

Additional Information

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LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on May 11, 2020, at 6:00 p.m., in the Municipal Building, 14 Baker Street, Patchogue, New York, 11772, by the Village Board of the Incorporated Village of Patchogue TO ADD CHAPTER 357 OF THE VILLAGE CODE TO REGULATE SPECIAL EVENTS, a copy of which proposed local law is on file at the Office of the Village Clerk.

Members of the public may view the public hearing live on YouTube. The link can be obtained at 6pm the day of the meeting at www.patchoguevillage.org. The Village of Patchogue maintains a YouTube channel at: https://www.youtube.com/channel/UCi4ied6ovcljay2uBK-1a7w/view_as=subscriber. All live stream recordings will be maintained here. Members of the public may submit comments before the meeting via email to Patricia Seal, Village Clerk at pseal@patchoguevillage.org, or during the meeting via the live chat feature on YouTube. Minutes of the meeting will be posted on the Village website once they are approved at the next scheduled meeting.

At said Public Hearing any person interested will be given the opportunity to be heard.

__________________________
Patricia M. Seal, Village Clerk

Dated: May 7, 2020
Proposed Local Law No. ___ - 2020

ADDITION OF THE VILLAGE CODE TO REGULATE SPECIAL EVENTS

Be it enacted by the Village Board of the Incorporated Village of Patchogue:

The Code of the Incorporated Village of Patchogue, County of Suffolk, New York, is amended by:

ADDITION Chapter 357 of the Village Code which shall read as follows:

[New Language]  [Language to be Deleted]

Chapter 357: Special Events Permits

§ 357-1 Purpose.

Assemblies or organized events which are anticipated to or are likely to attract a large number of people can adversely affect the well-being of Village residents. Large assemblies on public and private properties can disturb nearby residents in the peaceful enjoyment of their homes and property, interfere with the general public's normal use of highways and other municipal facilities, and be harmful to the public safety and welfare. Large assemblages of people result in the need for some control over traffic and parking and can cause a strain on police services. In an effort to provide for the well-being of the community, the Village Board establishes herein a procedure whereby the Village can be informed in advance of assemblies and can assure that such assemblies, if appropriate under the Village Code and the Constitution of the State of New York, can be accommodated without unduly burdening the community or the resources of the Village or unreasonably impacting upon or restricting the use of Village resources by other Village residents.

§ 357-2 Definitions and word usage.

A. The following definitions shall govern the interpretation of this chapter unless otherwise expressly defined herein. Words used in the singular shall include the plural and vice versa. The word "shall" is always mandatory.

B. As used in this chapter, the following terms shall have the meanings indicated:

ASSEMBLY
A social occasion, an event, or an activity which involves the assembly of persons on public or private property in any zoning district, and which takes
place in whole or in part outdoors, with or without an admission or invitation fee, a sponsorship, or a requested donation, and held on a one-time or series basis, including, but not limited to, parties, fairs, bazaars, outdoor shows, exhibitions, and concerts, and if held on a commercial or residential premises as the same is defined herein, is not included within the approved uses of the property upon which the assembly is to take place, as evidenced by the site plan approval issued by the Village Planning Board, the certificate of occupancy for the premises as issued by the Village Building Department, or as determined by the Village Building Inspector based upon the historic use of the subject premises as supported by credible evidence. Non-commercial events, occasions, and activities held on residential premises shall not be considered an “assembly” for the purposes of this Chapter so long as they do not include a tent larger than twenty feet by twenty feet.

CHARITABLE ORGANIZATION
An organization as defined in New York State Executive Law § 171-a, including but not limited to not-for-profit entities. Such charitable organizations shall be recognized as exempt from federal taxation under Internal Revenue Code § 501(c)(3), shall be duly registered with the Charities Bureau of the Attorney General of the State of New York, and shall provide services or funds that benefit residents of the Village of Patchogue. For purposes of this chapter, this category shall also be deemed to include established civic organizations which are formed for and do provide a public benefit and are not formed for and do not have as a primary purpose the accumulation of profits for their owners or members. Organizations such as Chambers of Commerce, veterans’ organizations, fraternal organizations, and similar organizations which are actually located within the Village of Patchogue and provide benefits to members of the community qualify for this classification.

COMMERCIAL PREMISES
Property containing a conforming or legally nonconforming business use and any vacant or improved parcel in a commercial use district other than one upon which the principal use is as a residence.

DESIGNATED AGENT
A person, residing within the County of Suffolk, who is designated by an applicant for an assembly to accept service of process from the Village of
Patchogue for any violation of this chapter or any other chapter set forth in the Village Code which relates to or arises out of the assembly.

EXPRESSION ACTIVITY
An assembly or similar gathering held for the sole purpose of exercising free speech activity protected by either the First Amendment to the United States Constitution or Article I, § 8, of the New York State Constitution and for which no fee or donation is charged or required as a condition of participation in or attendance at such assembly.

PARADE/WALK-RUN
A type of assembly which involves a walk, run, march or similar assembly (including, but not limited to, a marathon or bicycle race) regardless of whether any fee or donation is charged or required as a condition of participation in or attendance at such assembly, where the activity occurs on any Village highway, public street, right-of-way, sidewalk or in any other public place rather than on a specific property, and which can or is likely to disrupt or interfere with normal traffic patterns, regulations or controls, as determined by Chief of Police.

PUBLIC PROPERTY
Property of the Village or other governmental agency.

RESIDENTIAL PREMISES
Property containing a conforming or legally nonconforming residential use and any vacant or improved parcel in a residential use district other than one upon which the principal use is as a business.

SOCIAL EVENT
An assembly for social, noncommercial purposes at which no goods, merchandise or services are offered or sold, or orders for the same solicited or taken.

SPECIAL EVENT PERMIT
A permit for a special event as defined in this chapter.

§ 357-3 Permit Required.
A. No owner, lessee or any other person claiming a right or interest in residential property located within the Village of Patchogue shall cause, permit or allow such property to be used for an Assembly as defined herein unless a written special event permit for the assembly has been issued by the appropriate Village official(s).

B. No owner, lessee or any other person claiming a right or interest in commercial property located within the Village of Patchogue shall cause, permit or allow such property to be used for an Assembly as defined herein unless a written special event permit for the assembly has been issued by the appropriate Village official(s). Commercial assemblies upon portions of commercial properties which have been maintained as spaces open and available to the public as areas for casual gathering, walking and/or relaxation, such as green spaces in retail areas, may apply to utilize such areas.

C. No person, group, entity or organization shall organize or conduct a public property special event, as defined herein, upon any public property within the Village of Patchogue, unless a written special event permit for the assembly has been issued by the appropriate Village official(s). Public property assemblies are subject to the Village's right to limit the number of public property special event permits issued per applicant and per location in a calendar year, as well as limit the hours and days of the week for which activities will be approved.

D. No person, group, entity or organization shall organize or conduct a parade/walk-run, as defined herein, upon any public street, sidewalk, walkway, right-of-way or public property within the Village of Patchogue unless a written special event permit for the assembly has been issued by the appropriate Village official(s).

§ 357-4 Exemptions.

The following shall be exempt from the requirements of a special event permit:

A. Events sponsored by the Village.

B. Regular sporting events held at facilities which are approved for such purposes.

C. A student assemblage at any school chartered by New York State.

D. An assemblage for purposes of expressive activity, provided that the organizers provide the Village Clerk with written notice at least 48 hours in advance if more than 25 persons are expected to attend. The name, address and contact information of the organizer, the proposed location or route, and the date and time of the event shall be provided.
E. Noncommercial social events as defined above, on public property involving up to 20 people over the age of 18 years, provided that there is no tent and the event is neither catered nor for which other services have been contracted.

§ 357-5 Application for Permit.

A. Application form. An applicant may obtain an application form from the Village Clerk.

B. Submission to Village Clerk. Applications for events must be submitted at least 60 days before the event. For each application, the Village Clerk has the discretion to waive the submission deadline. The following materials shall be submitted by the applicant to the Village Clerk before the proposed date of the special event:

1. A completed application form.

2. For commercial, public property, and parade/walk-run special event permits, a nonrefundable application fee. The Village Board, by resolution duly adopted, from time to time shall establish or amend such fee amount. The Village Board or its designee has the discretion to waive such fee.

3. A certificate of insurance and indemnification agreement pursuant to § 357-16.

C. Review by the Village Board. The Village Clerk shall forward the application to the Village Board or its designee for approval or disapproval. The review will consider whether the proposed assembly would unduly burden the community or the resources of the Village of Patchogue, or unreasonably impact upon or restrict the use of Village resources by other Village residents, or constitute a threat to public safety, health or welfare by reason of time, location or duration of the activity, or will unduly interfere with vehicular and/or pedestrian traffic. The Village Board or its designee may deny an application for a permit under this chapter after a review of the application, whenever a determination is made that the proposed special event would violate any law or ordinance or would unreasonably interfere with the public's use of public lands; unreasonably interfere with the use and enjoyment of adjoining properties; unreasonably impede the flow of vehicular or pedestrian traffic; be detrimental to the community because of anticipated excessive noise, illumination or other effect caused by the proposed assembly, or otherwise endanger the public's health, safety or welfare. In addition, the Village Board or its designee may consider the number of applications submitted for a particular property and may deny an application if determined that the history of permit applications indicates an attempt by the applicant and/or property owner to circumvent Patchogue Village Code. Any denial shall be in writing and shall specify the reasons for the denial. The Board, or its designee, may refer all permits for comment to the
Suffolk County Police Department, Fire Marshal, Department of Public Works, and/or any other Village department or agency should the application indicate that such entity may be affected by the approval of such application. The Board or its designee shall send the approved or disapproved application back to the Village Clerk.

D. Review by Village Attorney. The Village Clerk shall forward the certificate of insurance and the indemnification agreement to the Village Attorney for approval. The Village Attorney shall return such approved or disapproved documents to the Village Clerk.

E. Fees. The Village Clerk shall calculate the fees required to be paid by an approved applicant as follows:

(1) Permit fee. All special event permits may be subject to a permit fee, and the Village Board, by resolution duly adopted, from time to time shall establish or amend such fee amount.

(2) Cleanup deposit. A fee for each day covered by the permit shall be paid pursuant to § 357-7, and the Village Board, by resolution duly adopted, from time to time shall establish or amend such fee amount.

(3) Traffic control fee. A fee for each day covered by the permit shall be paid if the Director of Public Safety, or his designee, requires payment of the traffic control fee pursuant to § 357-6.

F. Issuance of permit. The Village Clerk shall countersign an approved application. The Village Clerk shall collect the fees calculated pursuant to Subsection E from the applicant. Payment of the permit fee shall be in the form specified in § 357-8. Upon payment of the permit fee, the Village Clerk shall issue the permit to the applicant. The permit shall set forth the name of the applicant, the location(s), date(s) and time(s) of the special event and any special conditions.

G. The Village may deny an application for a permit under this chapter after a review of the application, whenever a determination is made that the proposed special event would violate any law or ordinance or would unreasonably interfere with the public's use of public lands; unreasonably interfere with the use and enjoyment of adjoining properties; unreasonably impede the flow of vehicular or pedestrian traffic; be detrimental to the community because of anticipated excessive noise, illumination or other effect caused by the proposed assembly, including, but not limited to, a potentially dangerous activity or creation of a dangerous condition, or otherwise endanger the public's health, safety or welfare. Such denial shall be in writing and shall specify the reasons for the denial.

H. The Village reserves the right to impose additional and further requirements up to and through the date or dates of the special event, as deemed by the Village to be necessary to assure compliance with the requirements and purposes of this chapter.
I. The Village reserves the right to immediately revoke any permit issued due to noncompliance with the requirements of the permit.

§ 357-6 Traffic Control Fee.

A. In the event that the Director of Public Safety determines that public safety officers or traffic control officers will be necessary for the protection of the citizens or for the control of traffic during the special event, the applicant shall submit to the Village Clerk a fee for each day covered by the permit pursuant to Subsection F of § 357-5, and the Village Board, by resolution duly adopted, from time to time shall establish or amend such fee amount.

B. If the Director of Public Safety determines that a traffic control fee will be fully expended prior to the termination of the permit period, the Director of Public Safety shall notify the Village Clerk. The Village Clerk shall contact the applicant in writing and require payment of an additional sum of money, said specific amount to be determined by the Director of Public Safety based on the salaries and the number of hours to be worked by the Village police and traffic control personnel. Said additional traffic control fee shall be paid within seven days of said notice. The applicant's failure to pay such additional fee within said seven-day period shall result in the Village Clerk's providing the applicant with written notice that the permit has been suspended and the date of such suspension. The applicant's receipt of the Village Clerk's suspension notice shall not be construed as altering the date of suspension set forth in said written notice, the effective date of the suspension being the day immediately following the completion of the seven-day notice period.

C. The procedure set forth in Subsection B may be repeated as necessary to ensure that the applicant pays for all costs incurred by the Village in providing traffic control services.

D. After termination of the special event, the Director of Public Safety shall provide the Village Clerk with a statement regarding the actual cost to the Village of providing said police officers or traffic control officers. If the actual cost is less than the moneys that the Village has collected pursuant to Subsection A, B or C, the Village shall remit the balance to the applicant. If the actual cost is more than the moneys that the Village has collected pursuant to Subsections A, B or C, the applicant shall be responsible for providing the balance to the Village within 30 days of the permit period.

E. The Director of Public Safety shall forward a copy of the statement of actual cost to the Village Clerk, who will file said statement with the original application form.

§ 357-7 Cleanup Deposit.

A. Each applicant whose application has been approved shall give the Village Clerk a check for a cleanup fee deposit for each location covered by the permit, which check shall be held and not deposited by the Village during the duration of the permit period. The
Village Board, by resolution duly adopted, from time to time shall establish or amend such deposit fee amount.

B. At the termination of the permit period, the Village Superintendent of Parks and Recreation or the Village Superintendent of Public Works, as appropriate, shall inspect the locations listed on the permit and determine if the locations require cleanup efforts by Village personnel.

C. If cleanup is required, the Village Superintendent of Parks and Recreation or the Village Superintendent of Public Works, as appropriate, will coordinate that effort. Said Superintendent will provide the Village Clerk with a statement setting forth the actual cost to the Village of providing said cleanup services. If the actual cost is less than the fee deposit collected pursuant to Subsection A, the Village shall remit the balance to the applicant. If the actual cost is more than the fee deposit collected pursuant to Subsection A, the applicant shall be responsible for providing the balance to the Village within 30 days of the termination of the permit period.

D. If no cleanup is required, the Village Superintendent shall notify the Village Clerk of that fact, and the Village Clerk shall promptly remit the check to the applicant.

§ 357-8 Payment of Fees.

Any fee collected under this chapter shall be paid either in cash or by check made payable to the Village of Patchogue and shall be delivered to the Village Clerk.

§ 357-9 No Donations Accepted.

Other than the required fees, the Village shall not accept any donations from the applicant in connection with the granting of the permit. In addition, no Village official or employee shall make a recommendation to the applicant regarding a donation to a third party.

§ 357-10 Waiver.

The Village Board, upon consent of a majority of its members, after due consultation, may authorize a waiver of the requirements and/or limitations of this chapter whenever it determines that strict compliance with such limitations or requirements will pose an unreasonable burden upon the applicant and that such permit may be issued without endangering the public's health, safety or welfare. In such instances, the Village Board may attach additional conditions and safeguards to ensure the orderly conduct of the activity and to minimize the impact of such use.

§ 357-11 Amendment, modification or rescission of permit.
A. Once an assembly permit has been issued, any proposed amendment or modification to the application by the applicant shall be filed with the Village Clerk if any of the conditions have changed. Notice shall be given to the Village Clerk not less than 15 days prior to the assembly. Such changes may include, but are not limited to, the date of the event, the location of the event, the location or route of the parade, the number of attendees, or the addition of tents, alcohol, or fireworks.

(1) All changes in conditions necessitating the amendment will be accompanied by the appropriate certificates or permits.

(2) The appropriate Village officials shall review the proposed amendment and shall have the discretion to rescind or modify the permit due to changed conditions.

B. The Village may rescind an assembly permit issued pursuant to this chapter at any time for the following reasons:

(1) False information. The application is found to contain materially false information.

(2) Violation of existing law. The assembly is found to violate any law of the Village of Patchogue, the County of Suffolk, the State of New York or the United States of America.

(3) Violation of recorded conditions or limitations. The permit is found to be in violation of a restriction or limitation contained in a recorded covenant, deed or other document.

(4) Noncompliance with permit. The assembly is being advertised to be held in violation of the permit issued therefor or is actually being held in violation of the permit.

(5) Substantive change in circumstances since the permit was issued:

(a) The number of persons expected to attend the gathering is too great in relation to the size of the premises;

(b) Arrangements made to control traffic, parking, noise, lighting, sanitary disposal and refuse disposal are insufficient;

(c) The gathering will conflict with other events which might overtax police and emergency services;
(d) Because of conflicts with other events, the gathering will cause vehicular or pedestrian congestion in a particular area of the Village on the date in question;

(e) The frequency of gatherings proposed or approved for the premises is so great that the gatherings constitute a persistent usage of the property incompatible with its character or with that of the surrounding area;

(f) The gathering will conflict with ordinary public use of the land or facilities involved.

§ 357-12 Permit Suspension in Emergency Circumstances.

During the course of the special event, any authorized Village Code enforcement official, peace officer or a police officer may suspend any permit where public health or safety risks are found or where exigent circumstances warrant such action.

§ 357-13 Notice.

The Village Clerk shall give notice to the Director of Public Safety, the Chief Building Inspector, the head of the Ordinance Enforcement Department and the Chief Fire Marshal, the Superintendent of Highways and the Superintendent of Parks and Recreation of each permit issued pursuant to this chapter.

§ 357-14 Responsibility of Applicant and Landowner.

A. A permit holder shall be responsible for any damage to Village property or facilities that may result from the permit holder's activities. No alterations are to be made at special event sites, including, without limitation, cutting trees, digging holes and trimming bushes, without the express authorization of the Village Board.

B. The applicant shall ensure that the assembly is held in conformance with the permit and shall be responsible for the conduct of the assembly. The applicant and the landowner shall prevent patrons, licensees and/or invitees of the assembly, or those engaged in conducting the same, from trespassing upon any adjoining property or premises.

§ 357-15 Compliance with other Laws.

Issuance of a permit pursuant to this chapter does not relieve the permit holder of its duty to comply with all other Village local laws, ordinances and regulations during the duration of the special event. In addition to the permit required under this chapter, the applicant shall obtain all other governmental permits or approvals which are required for the assembly. Unless specific exemption is obtained from the appropriate governmental authority, the assembly shall be held in conformance with all Village, county, state and federal laws. In the event any
food service is provided, the applicant shall be responsible to assure that the vendor is properly licensed by the Suffolk County Department of Health Services and that any and all approvals, if required, are obtained by the vendor for the assembly. By way of example and not by way of limitation, the following Village permits shall be obtained where required:

A. Permit from Fire Inspector. A permit shall be obtained from the Village Fire Inspector for the erection of a tent or stage, display of pyrotechnics or the setting of an outdoor fire pursuant to Chapter 205 of this Code.

B. Building permit. A building permit shall be obtained from the Building Inspector for the erection of any building or other structure if such permit is required by Chapter 435 of this Code.

§ 357-16 Insurance Requirements.

Every application for a special event permit pursuant to this chapter shall include a certificate of insurance that evidences a public liability insurance policy covering the Village as an additional insured in the minimum amount of the $1,000,000 per occurrence for the duration of the special event. The applicant shall also submit an indemnification agreement that states that the applicant agrees to assume all liability for and will indemnify and hold the Village harmless of and free from any and all damages that occur to persons or property by reason of said special event.

§ 357-17 Permit Available at Assembly Site.

The permit holder shall be required to have the permit available for inspection by the Village Police Department, or its designees, at the site of the special event for the duration of the permit period.

§ 357-18 Violations and penalties.

Any person who violates this Chapter or fails to comply with any of its requirements shall, upon conviction thereof, be subject to the penalties provided in § 1-1 of the Code of the Village of Patchogue.

This Local Law shall take effect immediately.

Aye Nay

____  ____ Mayor Pontieri  ____  ____

Aye  Nay

____  ____ Trustee Brinkman
Trustee Felice
Trustee Keyes
Trustee Devlin

Dated: March __, 2020

Trustee Krieger
Trustee Ferb

__________________________________________
Patricia M. Seal - Village Clerk
Agenda Summary

Request approval for the Village Clerk to receive and collect the 2020/2021 tax role in the amount of $12,474,908.13

Background

Additional Information

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
<th>Upload Date</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020 Tax Warrant</td>
<td>5/8/2020</td>
<td>Cover Memo</td>
</tr>
</tbody>
</table>
TO: Patricia M. Seal, Village Clerk of the Village of Patchogue, New York

YOU ARE HEREBY COMMANDED TO RECEIVE AND COLLECT FROM PERSONS NAMED in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of $12,474,908.13 for the following purposes:

FOR CURRENT BUDGET VILLAGE TAX: $8,558,376.94
FOR CHARGES FOR REFUSE LEVY: $1,965,364.50
FOR SEWER DISTRICT LEVY: $1,766,592.63
FOR OTHER LIENS: $20,514.64
BUSINESS IMPROVEMENT DISTRICT: $164,059.42

YOU ARE FURTHER COMMANDED TO RECEIVE AND COLLECT SUCH SUMS WITHOUT PENALTY, between first day of June 2020 and the first day of July 2020 and thereafter to collect with such sums that have not been collected and an additional charge of five per centum (5%) for the first month and one per centum (1%) for each month until paid.

YOU ARE FURTHER COMMANDED TO RETURN THE TAX ROLL AND WARRANT TO THE VILLAGE TREASURER on or before the first day of February 2021 and to deliver to the Board of Trustees at the same time an account of taxes remaining due and unpaid, describing each parcel and the amount of taxes unpaid.

DATED: MAY 11, 2020

________________________
Paul V. Pontieri, Jr.
Mayor of the Village of Patchogue

Attested: ____________________
Patricia M. Seal
Village Clerk
TO: Patricia M. Seal, Village Clerk of the Village of Patchogue, New York

YOU ARE HEREBY COMMANDED TO RECEIVE AND COLLECT FROM PERSONS NAMED in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total of $12,213,874.05 for the following purposes:

FOR CURRENT BUDGET VILLAGE TAX: $ 8,323,209.13
FOR CHARGES FOR REFUSE LEVY: $ 1,959,181.50
FOR SEWER DISTRICT LEVY: $ 1,732,368.13
FOR OTHER LIENS: $ 34,342.21
BUSINESS IMPROVEMENT DISTRICT: $ 164,773.08

YOU ARE FURTHER COMMANDED TO RECEIVE AND COLLECT SUCH SUMS WITHOUT PENALTY, between first day of June 2019 and the first day of July 2019 and thereafter to collect with such sums that have not been collected and an additional charge of five per centum (5%) for the first month and one per centum (1%) for each month until paid.

YOU ARE FURTHER COMMANDED TO RETURN THE TAX ROLL AND WARRANT TO THE VILLAGE TREASURER on or before the first day of February 2020 and to deliver to the Board of Trustees at the same time an account of taxes remaining due and unpaid, describing each parcel and the amount of taxes unpaid.

DATED: MAY 13, 2019

________________________
Paul V. Pontieri, Jr.
Mayor of the Village of Patchogue

Attested: __________________
Patricia M. Seal
Village Clerk
Agenda Summary

B.I.D. Report/Special Projects Report - Dennis Smith

Background

Additional Information
Agenda Summary

Chamber of Commerce Report - David Kennedy

Background

Additional Information
Agenda Summary

Public Safety Report

Background

Additional Information
Agenda Summary

Theatre Report

Background

Additional Information
Agenda Summary

Request approval that Code Enforcement Officers not covered by CSEA will receive the same benefits as a CSEA employee including Uniform Allowance, Holiday pay, Night Differential, and Longevity and follow the non-union village employees salary increases each fiscal year

Background

Additional Information
Agenda Summary

P.E.P. Report

Background

Additional Information
Agenda Summary

Parks & Recreation Report

Background

Additional Information
Agenda Summary

Request approval for the ENCORE Dance Company to use the band shell on August 1st & 2nd and August 8th & 9th from 9am - 9pm (approval pending the re-opening of the park)

Background

Additional Information
Agenda Summary

DPW Report

Background

Additional Information
Agenda Summary

Major Projects Update

Background

Additional Information
Agenda Summary

Request approval to re-hire Jim Armstead and Steve Phillips as the BID water truck operators at $20/hr

Background

Additional Information
Agenda Summary

Patchogue Arts Council Report

Background

Additional Information
Agenda Summary

Planning & Zoning Report

Background

Additional Information
Agenda Summary

Request approval to set a Public Hearing to amend Article VII of Chapter 435 to address neon-like signage

Background

Additional Information
Agenda Summary

CDA Report

Background

Additional Information
Agenda Summary

Building & Housing Report

Background

Additional Information
Agenda Summary

Request approval declaring the premises at 26 Baker Street unsafe pursuant to Chapter 162 and at the recommendation of Sr. Building Inspector, Peter Sarich

Background

Additional Information

ATTACHMENTS:

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<thead>
<tr>
<th>Description</th>
<th>Upload Date</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Declaring 26 Baker unsafe</td>
<td>5/8/2020</td>
<td>Cover Memo</td>
</tr>
</tbody>
</table>
To: Paul Pontieri, Mayor
    Brian T. Egan, Village Atty.

From: Peter J. Sarich,
      Sr. Building Inspector

Date: May 8, 2020

Re: Unsafe Buildings, Conditions, Properties and/or Structures Determination and Report
26 Baker Street, Patchogue New York 11772

Pursuant to the provisions of Section 162-5 of the Code of the Village of Patchogue, I have conducted an inspection of the above referenced single family dwelling and determined that the conditions present there in meets the criteria of an unsafe structure set forth in the code.

History:

Village records show that the current dwelling was constructed around 1890 as a single family dwelling. It was later converted to a convalescent home and single room occupancy. In 2000, the property was sold and reverted to an owner occupied single family dwelling. In January 2017, the house was vacated when the owner relocated to a long term care facility. The building remained vacant and the Village purchased the property in July, 2019.

In winter 2019, a domestic water pipe burst on the second floor and flowed undetected for several months causing massive ice dams on the stairs and floors. The Village had the water disconnected and boarded up the house. The building has remained uninhabitable since that time and the basement remains filled with contaminated water.

Current Condition of Structure and Property:

The water and ice damage to the floor systems has caused a severe buckling of floor joists on the second and first floors. The flooring has areas of rot and many soft spots from water exposure.
The interior wood stairs between the first and second floors has weakened structurally and pitch in a dangerous fashion.

**Recommendations:**

Based on the above described observations, it is my opinion that the structure located at 26 Baker Street, Patchogue NY is a *Unsafe or Hazardous Building, Condition, Property or Structure* as defined by Section 162-3 (I) in that because of their condition, are unsafe, unsanitary, or dangerous to the health, safety and general welfare of the people of this Village.

It is my recommendation that due to the severe deterioration of the building and due to the dilapidation, external obsolescence and continued abandonment, that this building be removed and the property be made free of health and safety hazards.

I am asking the Board of Trustees to declare the above referenced and described building to be an *Unsafe and Hazardous Structure* for the reasons so stated in this report.

Peter J. Sarich
May 8, 2020
RESOLUTION

DECLARING THE PREMISES AT 26 BAKER STREET, PATCHOGUE, NEW YORK
UNSAFE PURSUANT TO CHAPTER 162 OF THE VILLAGE CODE

The BOARD OF TRUSTEES of the Incorporated Village of Patchogue, duly convened in REGULAR session, does hereby resolve as follows:

WHEREAS, the Village owns the real property located at 26 Baker Street, Patchogue, New York; and

WHEREAS, by a report dated May 8, 2020 Peter Sarich, as Senior Building Inspector of the Village did declare that the structure located on 26 Baker Street, Patchogue, as dangerous and unsafe to the public (attached hereto as EXHIBIT 'A'); and

WHEREAS, the Building Inspector has inspected the premises and has reason to believe it is dangerous or unsafe to the public and has filed his report with the Board of Trustees detailing the condition of the building or structure so inspected which he believes to be dangerous or unsafe to the public, and specified in such report the date of the inspection, the condition found which she deems to be dangerous or unsafe and his recommendations with reference to the correction of such condition; and

WHEREAS, the purpose of Chapter 162 of the Village Code is to promote and preserve the health, welfare and property of residents and owners of property located within the Village of Patchogue, by providing a method for the removal or repair of buildings and structures within the limits of said village that, from any cause, may now be or shall hereafter become dangerous or unsafe to the public.

NOW THEREFORE, be it RESOLVED by the Board of Trustees:

THAT, pursuant to Section 162-9 of the Patchogue Village Code, the Order of the Building Inspector is hereby AFFIRMED in that the structure located at 26 Baker Street, Patchogue, New York (S.C.T.M. # 0204-013.00-11.00-003.000) is hereby declared unsafe pursuant to Chapter 162 of the Village Code; and

THAT, the Building Inspector is hereby ORDERED to cause said structure to be removed within sixty (60) days hereof.
Agenda Summary

Request approval to award the bid for the asbestos abatement, demolition and removal of 26 Baker Street to Panzner Demo in the amount of $79,000

Background

Additional Information
Agenda Summary

Request approval to set a Public Hearing to amend Chapter 336 to extend the rental permit period and permit self-certification in light of the COVID-19 crisis.

Background

Additional Information