1. **Flag Salute**
2. **Safety Message**
3. **Village Clerk**
   a. Request approval for the Board Meeting Minutes of May 26, 2020
4. **Village Treasurer**
   a. Village Bills (see attached)
   b. Top 5 Bills (see attached)
   c. Loans (see attached)
5. **Public Hearings**
   a. Request approval to add Section 336-13 to Chapter 336 of the Village Code to extend the rental permit period and permit self-certification for rental premises in light of the Covid-19 crisis
   b. Request approval to amend Article XIV of Chapter 435 and Sections 365-23(A)(3), 435-30(F)(1), 435-43, 435-44, and 435-45 for the purpose of making the Architectural Review Board an Advisory Committee
6. **Mayor Pontieri**
   a. Request approval for the Church of St. Francis de Sales to hold an outdoor celebration of mass on Sunday, June 14th at 11:00am pending state approval.
7. **B.I.D. Report**
   a. Dennis Smith
8. **Chamber of Commerce Report**
   a. David Kennedy
9. **Trustees**
   a. **Deputy Mayor Krieger**
1. Public Safety Report
2. Theatre Report
3. Request approval for Code Enforcement Officers not covered by CSEA to receive the same benefits as a CSEA employee including uniform allowance, holiday pay, night differential and longevity pay and to follow the non-union Village employee's salary increases each fiscal year.
4. Request approval to waive the sidewalk dining fees for all bar/restaurants

b. Trustee Keyes
   1. P.E.P. Report
   2. Parks & Recreation Report

c. Trustee Felice
   1. DPW Report

d. Trustee Ferb
   1. Major Projects Update
   2. Request approval for the Patchogue Lions Club to hold their 4th of July ceremony on Saturday, July 4th beginning at 10:30am (rain date July 5th at 1pm). The ceremony will take place at the intersection of North Ocean Avenue and Main Street. A request has also been made to shut down surrounding streets from 10am-12pm (rain date street closure 12:30pm - 2:30pm).
   3. A request approval to hire three Sunday Market Supervisors at the rate of $100 per Sunday starting Sunday, June 14th.
   4. Request approval for the closure of Main Street each Saturday from 2pm-9pm starting June 13th for the Dine Until Nine event.

e. Trustee Devlin
   1. Patchogue Arts Council Report
   2. Planning & Zoning Report

f. Trustee Brinkman
   1. CDA Report
   2. Building & Housing Report

10. Public to be heard
Agenda Summary

Request approval for the Board Meeting Minutes of May 26, 2020

Background

Additional Information

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Upload Date</th>
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<tbody>
<tr>
<td>5.26.20 Minutes</td>
<td>6/5/2020</td>
<td>Cover Memo</td>
</tr>
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</table>
The Board Meeting of the Board of Trustees met through video conference on Tuesday, May 26, 2020.

The meeting was called to order at 6:00 p.m. by Mayor Pontieri with Deputy Mayor Krieger and Trustees Brinkman, Felice, Keyes, Deputy Village Attorney Bianco, Village Treasurer Krawczyk, and Village Clerk Seal. Trustee Ferb entered the meeting a few minutes late. Trustee Devlin was absent.

The flag salute was made.

Mayor Pontieri welcomed everyone to the Board meeting

Village Clerk Seal asked the Board to approve Board Meeting minutes from May 11, 2020.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Felice, and unanimously carried, the Board approved the Board Meeting minutes from May 11, 2020.

Village Treasurer Krawczyk stated the total bills for the period ending May 26, 2020 were $411,261.96. The five largest bills were as follows: $41,474.27 for Town of Brookhaven; $39,334.61 for H2M; $32,868.80 for Maccarone; $10,873.75 for Quennell Rothchild; and $7,305.16 for Westech.

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<th>Amount</th>
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<tr>
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<td>Cap Projects</td>
<td>$45,970.16</td>
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<td>Sewer Fund</td>
<td>$34,647.94</td>
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<td>B.I.D. Fund</td>
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<td>Housing Fund</td>
<td>$0.00</td>
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<td>CDA Fund</td>
<td>$4,189.44</td>
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<tr>
<td>General Bills</td>
<td>$4,781.85</td>
</tr>
<tr>
<td>Totals</td>
<td>$411,261.96</td>
</tr>
</tbody>
</table>

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

Mayor Pontieri noted that the bill for the Town was for refuse disposal. This amount was higher than usual since people had been doing a lot of cleaning of their houses and yards while they were home.

Village Treasurer Krawczyk asked the Board to approve budget adjustments.

Upon a motion by Trustee Felice, seconded by Deputy Mayor Krieger, and unanimously carried, the Board approved the following budget adjustments to offset lack of meter revenue by savings in workers compensation due to an improved rating and COVID workforce refund:

- Reduce Workers Compensation 001-9040-0803 $100,000.00
- Reduce Parking Meter Revenue 001-0001-1740 $100,000.00

Village Treasurer Krawczyk asked the Board to approve budget transfers.

Upon a motion by Trustee Keyes, seconded by Trustee Brinkman, and unanimously carried, the Board approved the following budget transfers to cover year-end items:

From:
- 001-1110-0101 Crt: O/T 2,000.00
- 001-1130-0101 Prk: O/T 1,000.00
- 001-1210-0465 Mayor: Conferences 1,500.00
- 001-1320-0415 Audit: N/E Services 675.00
- 001-1325-0100 Treas: Salary 500.00
- 001-1450-0415 Election: N/E Services 600.00
- 001-1640-0420 Garage: Bldg Maint 500.00
- 001-3020-0102 Dispatch: D/T 1,000.00
Mayor Pontieri also noted that if residents contacted the Village’s Public Safety number, their complaints would be forwarded to the Suffolk County Police Department. The fastest way for a situation to be addressed was to call 311. He noted that he did not know what would occur legally with what had taken place, but there was not a simple solution for that situation to be addressed. He noted that he did not know what would occur legally with what had taken place, but there was not a simple solution for that situation to be addressed.

Village Treasurer Krawczyk reviewed the cash balances as of April 30, 2020 as follows:

<table>
<thead>
<tr>
<th>Fund</th>
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<tbody>
<tr>
<td>General Fund</td>
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<tr>
<td>Trust &amp; Agency</td>
<td>$99,017.38</td>
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<tr>
<td>Sewer Fund</td>
<td>$2,684,717.62</td>
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<tr>
<td>BID Fund</td>
<td>$72,977.24</td>
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<tr>
<td>TOTAL</td>
<td>$7,710,739.49</td>
</tr>
</tbody>
</table>

Mayor Pontieri stated that there had been a lot of discussion the past few days with regards to some actions which had been taken at some of the establishments on the river. He stressed that people needed to understand the guidance which was being provided to the Village from Albany. Since the Village did not have its own police force, any issues involving incidents of overcrowding or not observing social distancing recommendations would need to be enforced by the Suffolk County Police Department. Notification to the police by the public of issues which they observe should be made by contacting the non-emergency notification line at 311. Mayor Pontieri stressed that 911 should only be used for emergencies. Though some might feel that these types of occurrences were emergencies, the police did not consider them to be, but they would respond to a 311 report. The Village code officers could respond as support for the police, but they did not have the authority to take sole action. With regard to the two situations which had occurred, the State Liquor Authority was involved, and the SLA had taken action in other parts of state due to these types of issues. Mayor Pontieri also noted that if residents contacted the Village’s Public Safety number, their complaints would be forwarded to the Suffolk County Police Department. The fastest way for a situation to be addressed was to call 311. He noted that he did not know what would occur legally with what had taken place, but there was not a simple solution for those involved.
Pontieri asked that everyone listen to the advice being given about distancing and mask wearing if they want to get back to the way things were in December.

Trustee Ferb reviewed the Chamber of Commerce report as submitted by David Kennedy. Mr. Kennedy stated that he wished to thank the local veterans’ organizations led by VFW Commander Dave Rogers, Village Public Safety officers, and Highway Superintendent Dean for arranging for a livestream event to honor those who gave all on Memorial Day. He then indicated that, unfortunately, this past Memorial Day weekend, several businesses had pushed the envelope on their operations with regard to social distancing requirements, particularly summer businesses.

Mr. Kennedy noted that the Suffolk County Police Department had reported to the Chamber that they had responded to all complaints on businesses who did not maintain proper guidelines. All of these business owners had been contacted and had offered their assurance that these actions would not occur again. He stressed that the Chamber would continue to aggressively communicate to its members state guidelines as opening phases began. Mr. Kennedy continued by stating that he expected the proper authorities to continue to enforce these guidelines. He also offered assurance that any messages he received from the Village were communicated to all businesses.

The Chamber was presently working with all levels of government to hopefully allow outdoor business operations on sidewalks and other open spaces. Mr. Kennedy indicated that Mayor Pontieri had been very open to considering some unique concepts which could include “Dine ‘til 9” events which would provide for al fresco dining once this type of activity was permitted. He praised this kind of forward thinking which would help to restore downtown activity. Mr. Kennedy continued by noting that the Chamber’s Young Professional Group had partnered with Plaza MAC to propose a drive-in movie activity for families. They were still finalizing the plans, but they hoped to be able to utilize the eastern portion of the Oak Street parking lot on June 5th and June 6th for two movie showings – one at 8:00 p.m. and one at 10:30 p.m. Mr. Kennedy requested approval for this activity from the Village Board. He noted that plans had come together only over this past weekend, and he expressed hope that the Board would move quickly on approval so that Patchogue could be one of the first to incorporate this type of activity within the community. Mr. Kennedy then indicated that since Alive After 5 would not be able to operate normally this year, the Chamber would host virtual Alive After 5s in partnership with the Blue Point Brewery, Patchogue-Medford Library, and others. These virtual events would include family activities, food and drink delivery, and marketplace items for sale. Additional information would be made available once plans were completed on Patchogue.com. Mr. Kennedy indicated that the Greater Patchogue Foundation continued to participate in COAD activities such as Food Drive Fridays where food could be dropped off at specific locations to be distributed directly to those in need. He asked that anyone interested in participating to check the web site for additional details. Mr. Kennedy then thanked the Board for their tremendous leadership during this difficult time.

Mayor Pontieri asked the Board to approve the Chamber’s drive-in movie proposal.

Upon a motion by Trustee Ferb, seconded by Trustee Brinkman, and unanimously carried, the Board granted permission for the Chamber of Commerce’s Young Professional Group, in conjunction with Plaza MAC, to stage a drive-in movie event on June 5th and June 6th in the Oak Street Parking lot providing that all governmental guidelines were followed and approval was obtained from the Suffolk County Police Department and the Village’s Public Safety officials for a safe and secure event.

Trustee Ferb and Trustee Felice indicated that they thought this was a great idea.

Deputy Mayor Krieger expressed disappointment that, unfortunately, another event which needed to be postponed due to current conditions was the Great South Bay Music Festival which was organized by Jim Faith. He proceeded to read a letter submitted by Mr. Faith in which he confirmed that due to the COVID 19 pandemic he was requesting that the Great South Bay Music Festival be moved to June 15 – 18, 2021. There would be no music festival this year since he believed holding such an event would be a health risk and would not be in the best interest of attendees, the public and the Village of Patchogue. Mr. Faith expressed hope to be able to bring the event back to Shorefront Park in 2021 and be able to celebrate with friends and family in the community. Deputy Mayor Krieger expressed his disappointment and noted that he was sure others felt the same way since this event had been held for the past 14 years. Jim Faith had provided wonderful events in the past and brought many people into the community. It was unfortunate that it would not be held this year.
Upon a motion by Deputy Mayor Krieger, seconded by Trustee Ferb, and unanimously carried, the Board granted approval for the Great South Bay Music Festival to be postponed until July 15–18, 2021.

Deputy Mayor Krieger asked the Board to approve a 2% increase in salary for all non-union employees.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Brinkman, and unanimously carried, the Board approved a 2% increase in salary for all non-union employees, effective June 1, 2020, as set forth in the union contract as follows:

Fiscal year FY21 6/1/20–5/31/21
Non-union Village Employees’ Salaries: (Full & Part time)

<table>
<thead>
<tr>
<th>Name</th>
<th>FY21 Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patricia Fuoco</td>
<td>$16.73/hr</td>
</tr>
<tr>
<td>Patti Romeo</td>
<td>$25,000.00</td>
</tr>
<tr>
<td>Ron Krawczyck</td>
<td>$20,000.00/annual</td>
</tr>
<tr>
<td>Lorraine Crowley</td>
<td>$17.49/hr</td>
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<tr>
<td>Anne Marie Monte</td>
<td>$54.40/hr</td>
</tr>
<tr>
<td>Patricia Seal</td>
<td>$55.03/hr</td>
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<tr>
<td>Valerie Braile</td>
<td>$38.46/hr</td>
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<tr>
<td>Hanna Auer</td>
<td>$12.86/hr</td>
</tr>
<tr>
<td>Dennis Smith</td>
<td>$40,000.00/annual</td>
</tr>
<tr>
<td>Brian Ball</td>
<td>$20.00 or $23 per hour</td>
</tr>
<tr>
<td>Robert Chiuchiolo</td>
<td>$20.00 or $23 per hour</td>
</tr>
<tr>
<td>Anthony Citarella</td>
<td>$20.00 or $23 per hour</td>
</tr>
<tr>
<td>Ronald Donato</td>
<td>$20.00 or $23 per hour</td>
</tr>
<tr>
<td>Daniel Durinick</td>
<td>$20.50 or $23.50 per hour</td>
</tr>
<tr>
<td>Dennis Durinick</td>
<td>$20.00 or $23 per hour</td>
</tr>
<tr>
<td>Michael Fargione</td>
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<tr>
<td>Tyler Grauer</td>
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</tr>
<tr>
<td>Nick Greco</td>
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<tr>
<td>Matt Merlino</td>
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<tr>
<td>Daniel Newman</td>
<td>$20.00 or $23 per hour</td>
</tr>
<tr>
<td>Eugene Perry</td>
<td>$20.00 or $23 per hour</td>
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<tr>
<td>Patrick Perry</td>
<td>$20.00 or $23 per hour</td>
</tr>
<tr>
<td>Steven Rostern</td>
<td>$20.00 or $23 per hour</td>
</tr>
<tr>
<td>Jeff Sukoff</td>
<td>$20.00 or $23 per hour</td>
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<tr>
<td>Brian Tomeo</td>
<td>$20.00 or $23 per hour</td>
</tr>
<tr>
<td>Chris Wilson</td>
<td>$20.00 or $23 per hour</td>
</tr>
</tbody>
</table>

Trustee Keyes stated that one of the more popular PEP projects, the installation of aerators in Patchogue Lake, would be occurring shortly. This project had been discussed for a while. Once PSEG completed some electrical work, the aerators should be installed. He thanked Trustee Felice and the DPW staff for doing all the work that was required of them. Trustee Keyes stated that he would keep everyone posted as to the status of this project.

Trustee Keyes indicated that he had been having many discussions with the Recreation Director and other municipalities about what to expect this summer season. He noted that there would probably not be any summer camps and noted that he believed that the Girl Scouts had cancelled theirs as well. All plans and proposals were dependent on the guidelines provided by the state, but he definitely wanted some type of recreation to be provided. Use of the pool might be salvageable, but guidance had to be provided by the governor’s office before any plans could be finalized.
Some proposed ideas for operations of the pool included making its use for residents only; stations had to be marked off as 6 ft. apart; deck monitors as well as pool monitors would be required; and there might need to be split sessions such as 10:00 a.m. to 12:30 p.m. and 2:30 p.m. to 5:30 p.m. to allow for proper disinfection. Trustee Keyes indicated that he was confident that residents would follow all rules once they were finalized. These were only very tentative proposals and were very much dependent on the governor’s guidelines. He hoped to provide more access to recreational activities to residents but acknowledged that enforcement and control might be an issue.

Trustee Felice thanked Trustee Keyes and Parks Director Giustizia for creating the signs which informed residents about the guidelines throughout the Village and especially at the parks. He appreciated everyone’s hard work in these difficult times. Trustee Felice also thanked Trustee Brinkman for all of the work she put into organizing these Zoom meetings.

Trustee Felice then expressed his appreciation for the hard work being done by the DPW staff. As mentioned earlier by the Mayor, everyone was home cleaning up their properties, and the DPW staff was out all day long picking up the garbage to keep the streets clean. Deputy Mayor Krieger expressed his appreciation for a video he had seen on Facebook of one of the crews helping to celebrate the birthday of a young resident. Trustee Brinkman noted that John McGovern was one of the men in the video. Trustee Felice stated that the DPW staff were a great group of guys who worked very hard.

Trustee Felice asked the Board to approve a title change.

Upon a motion by Trustee Felice, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for a title change for Kevin Dean from Cleaner to Laborer, without a salary change, effective May 11, 2020.

Trustee Ferb noted that, theoretically, Long Island would be receiving permission from the governor to open tomorrow. He noted that things had been difficult in the community since the middle of March when everything was closed down. Trustee Ferb expressed concern that Mayor Pontieri had spent the entire weekend on the phone with SLA and others because the public was tired of the shutdown and businesses were stressed out as well. Restaurants wanted to open, and the community was entering a very stressful time. Trustee Ferb urged everyone to be patient and try to get friends and constituents to do the best they could to remain patient as well.

Trustee Brinkman thanked the wonderful veterans’ organizations for creating a meaningful and special Memorial Day remembrance. It had been amazing to see what they could pull together to honor all. She also expressed her appreciation to Benny Migs for taking the video and uploading it to all the social media outlets, so many were able to participate from home and remember those who gave all.

Trustee Brinkman asked the Board to set a public hearing.


Trustee Brinkman asked the Board to approve final change orders.

Upon a motion by Trustee Brinkman, seconded by Trustee Felice, and unanimously carried, the Board granted approval for final change orders 11, 12, and 13 for the Building Department addition to Complete Interiors L.I., Inc. in the amount of $15,225.00.

Trustee Brinkman stated that she did not see any participants in the meeting wishing to speak or ask questions.

Deputy Village Attorney Bianco noted that, under the Public Health Law from which the governor’s executive orders derived their authority, only the County had the authority to enforce the mask and social distancing stipulations through the Suffolk County Police Department. The Village did not have the authority to enforce these measures. Mayor Pontieri stated that he had
read that as well and reiterated that enforcement of these issues was not under Village authority since any tickets issued could not be heard in Village Court.

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

Upon a motion made by Trustee Brinkman, seconded by Trustee Ferb, and unanimously carried, the meeting was adjourned at 6:33 p.m.

Signed___________________________________  Patricia M. Seal, Village Clerk
Agenda Summary

Village Bills (see attached)

Background

Additional Information

**ATTACHMENTS:**

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<tr>
<th>Description</th>
<th>Upload Date</th>
<th>Type</th>
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<tbody>
<tr>
<td>6.8.20 Top 5 Bills</td>
<td>6/17/2020</td>
<td>Cover Memo</td>
</tr>
</tbody>
</table>
June 2, 2020

To: Patricia Seal, Village Clerk  
From: Anne Marie Monte, Deputy Treasurer  
Subject: Agenda Items for the Village Board Meeting on 6/8/2020

Please place the following items on the Treasurer’s portion of the agenda for the Village Board meeting scheduled for Monday, June 8, 2020.

A. Village Bills Paid (see attached)

B. Top Five Village Bills (see attached)

C. Budget Adjustments:

D. Transfers:

E. Other:

   Approval for general fund to loan:  
   Capital Projects fund $ 364,060.42
Agenda Summary

Top 5 Bills (see attached)

Background

Additional Information
Agenda Summary

Loans (see attached)

Background

Additional Information
Agenda Summary

Request approval to add Section 336-13 to Chapter 336 of the Village Code to extend the rental permit period and permit self-certification for rental premises in light of the Covid-19 crisis

Background

Additional Information

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<table>
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<tr>
<th>Description</th>
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<tr>
<td>Legal Notice</td>
<td>6/2/2020</td>
<td>Cover Memo</td>
</tr>
<tr>
<td>Proposed LL6</td>
<td>6/2/2020</td>
<td>Cover Memo</td>
</tr>
</tbody>
</table>
LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, June 8, 2020, at 6:00 p.m., by video conference, by the Village Board of Trustees of the Incorporated Village of Patchogue, TO ADD SECTION 336-13 TO CHAPTER 336 OF THE VILLAGE CODE TO EXTEND THE RENTAL PERMIT PERIOD AND PERMIT SELF-CERTIFICATION FOR RENTAL PREMISES IN LIGHT OF THE COVID-19 CRISIS, a copy of which proposed local law is on file at the Office of the Village Clerk and may be accessed at the following link: https://patchogue.novusagenda.com/agendapublic/.

Members of the public may view the public hearing live on the Village’s YouTube Channel at: https://www.youtube.com/channel/UCi4ied6ovcljay2uBK-1a7w?view_as=subscriber

Members of the public may participate in the live meeting to ask questions by registering as an “Attendee” for the Zoom Webinar. Please visit www.patchoguevillage.org for specific directions. Minutes of the meeting will be posted on the Village website after the meeting.

_________________________  __________________
Patricia M. Seal, Village Clerk

Dated: June 4, 2020
ADDING SECTION 336-13 TO CHAPTER 336 OF THE VILLAGE CODE TO EXTEND THE RENTAL PERMIT PERIOD AND PERMIT SELF-CERTIFICATION FOR RENTAL PREMISES IN LIGHT OF THE COVID-19 CRISIS

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:

ADDING Section 336-13 to Chapter 336 of the Village Code which shall read as follows:

Chapter 336: Rental Property

§ 336-13 Permit term and inspections during COVID-19 crisis.

Notwithstanding the provisions set forth in this Chapter, a rental occupancy permit issued pursuant to this Chapter that expired on or between March 7, 2020 and the enactment of this section or will expire within three months of the enactment of this section, may be extended for a period of up to six months upon approval by the Senior Building Inspector of an application for a permit extension. Said application shall be on a form designated by the Senior Building Inspector and the Senior Building Inspector shall have discretion in determining the extension period. An inspection of the premises to be rented shall not be required if applicant avers in the application that the premises complies fully with all applicable state and local laws, rules and regulations and that such rental dwelling unit or units do not create an unsafe or dangerous condition. This section shall expire twelve months from its enactment.

This Local Law shall take effect immediately.
Agenda Summary

Request approval to amend Article XIV of Chapter 435 and Sections 365-23(A)(3), 435-30(F)(1), 435-43, 435-44, and 435-45 for the purpose of making the Architectural Review Board an Advisory Committee

Background

Additional Information

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<td>Cover Memo</td>
</tr>
<tr>
<td>Proposed LL5</td>
<td>6/2/2020</td>
<td>Cover Memo</td>
</tr>
</tbody>
</table>
LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, June 8, 2020 at 6:00 p.m., by video conference, by the Village Board of Trustees of the Incorporated Village of Patchogue, TO AMEND ARTICLE XIV OF CHAPTER 435 AND SECTIONS 365-23(A)(3), 435-30(F)(1), 435-43, 435-44, AND 435-45 FOR THE PURPOSE OF MAKING THE ARCHITECTURAL REVIEW BOARD AN ADVISORY COMMITTEE, a copy of which proposed local law is on file at the Office of the Village Clerk and may be accessed at the following link: https://patchogue.novusagenda.com/agendapublic/.

Members of the public may view the public hearing live on the Village's YouTube Channel at: https://www.youtube.com/channel/UCi4ied6ovcIjay2uBK-1a7w?view_as=subscriber

Members of the public may participate in the live meeting to ask questions by registering as an “Attendee” for the Zoom Webinar. Please visit www.patchoguenville.org for specific directions. Minutes of the meeting will be posted on the Village website after the meeting.

___________________________________
Patricia M. Seal, Village Clerk

Dated: June 4, 2020

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:

AMENDING Article XIV of Chapter 435 and Sections 365-23(A)(3), 435-30(F)(1), 435-43, 435-44, and 435-45 of the Village Code which shall read as follows:

[New Language] [Language to be Deleted]

Chapter 435 Zoning

Article XIV Historical Preservation and Architectural Review

§ 435-84 Purpose.

The Board of Trustees find that the lack of uniformity, dissimilarity, inappropriateness or poor quality of design and location of buildings and appurtenant structures, including facades, exterior lighting and signs, adversely affect the desirability of the immediate and neighboring areas and, thereby, impair the benefits of occupancy of existing property and the stability and value of both improved and unimproved real property in such areas, prevents the most appropriate development of such areas and destroys the proper relationship between the taxable value of real property in such areas and the cost of municipal services provided therefor. It is the intent of this article to establish procedures and design criteria necessary to avoid such results and to preserve and enhance the character, historical interest, beauty and general welfare of the Village and to ensure that the location and design of buildings, signs, other structures and open spaces in the Village shall aid in creating a balanced and harmonious composition of the whole as well as in the relationship of its several parts.

§ 435-85 Structure and responsibilities of Board.

A. A Board Committee of Historic Preservation and Architectural Review (hereinafter the "Board Committee") is hereby established, consisting of five members to be appointed by the Mayor with the approval of the Board of Trustees. The first appointments thereto shall be for terms so fixed so that one shall expire at the end of the current official year, two shall expire at the end of the next succeeding official year and the remaining two shall expire at the end of the following succeeding official year. Except as provided for, appointments shall be for a three-year term. The Village Historian shall be an ex-officio member of the Board Committee. All members shall be residents of the Village. The Board shall appoint an Architectural Review Board
alternate for a one-year term.

B. The Board of Trustees may remove any member, **with or without cause**, after a duly noticed public hearing.

C. If a vacancy shall occur other than by expiration of a member's term, it shall be filled by an interim appointment for the remainder of the former member's unexpired term.

D. The Mayor shall designate a Chairperson of the **Board Committee**, subject to the approval of the Board of Trustees. Such designation shall be for one official year of the Village and shall expire at the end of each official year. The **Board Committee** shall designate a Vice Chairman and a Secretary.

E. The **Board Committee** shall adopt rules of procedure as it may deem necessary to the proper exercise of its responsibilities with regard to architectural review and historic preservation.

F. All meetings of the **Board Committee** shall be open to the public.

G. Every decision of the Board shall be by resolution and shall set forth findings upon which the Board based its determination. A quorum shall consist of three members and a vote by a majority of the members present shall be required for any determination. (Reserved).

H. The Board of Trustees may designate a licensed architect to advise the **Board Committee**. The Board of Trustees may authorize other professional consultants, secretaries, clerks or such other personnel as may be necessary to assist the Board in carrying out its duties and powers. The Board of Trustees shall fix the compensation thereof and pay other expenses of the **Board Committee**.

I. The **Board Committee** is charged with the duty of **advising the Planning Board and Building Inspector** on architectural and historical preservation issues in land use applications referred to the Committee, maintaining the desirable character of the Village and shall review proposed construction, demolition, reconstruction and alterations of buildings, structures or signs.

J. The Board is charged with the duty of exercising sound judgment in the review of plans and designs to ensure the finished structure is in character with respect to the proposed style, materials, scale, form, proportion, line, color, detail and placement upon the property with existing structures and property.

K. In addition to the foregoing duties, the Board shall have the power to:

   (1) Conduct surveys to determine the historic value and architectural significance to the community of structures over 75 years of age.
(2). Formulate recommendations concerning the preparation of maps, brochures and historical markers for sites and structures with historic or architectural value.

(3). Advise the Board of Trustees, Planning Board and other municipal agencies in matters involving historic or architectural sites or structures.

(4). Make recommendations to the Board of Trustees for amendments to the Zoning Map with respect to the boundaries of the Historic District.

(5). Approve or disapprove the plans and/or specifications for any improvements, alterations and the selection of materials for any business, storefront or commercial building facade.

(6). Approve or disapprove the plans and/or specifications for any improvements, alterations and the selection of materials for the exterior of any dwellings that were built before 1930.

(7). Approve or disapprove the plans for any exterior signs, exterior illumination or lighting devices, for signs, facade improvements, alterations, or additions to facades, including the selection of materials and awnings, and any window sign placed within four feet of an exterior window.

[Added 3-14-2005 by L.L. No. 6-2005]

(8). Approve or disapprove the design or concept for any mural to be painted upon a structure of any type if such mural is of a commercial nature or contains the name of a business entity.

[Added 3-14-2005 by L.L. No. 6-2005]

\[L.\] The Board is charged with the duty of maintaining the desirable character of the Historic District and of designating historic and cultural landmarks. When reviewing plans relating to property in the Historic District and plans relating to a designated historic and cultural landmark, the Board shall utilize and be guided by the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, as well as the provisions of Article XV of this Code.

§ 435-86 Review procedures.

A. Application for certificate of appropriateness. The Planning Board or the Building Inspector may refer any land use application to the Committee for review. Within thirty days of referral, the Committee shall issue a written report to the Planning Board or Building Inspector.

(1). Prior to the commencement of activity requiring a certificate of appropriateness, the owner of the property or the owner's duly authorized agent shall file an application for such certificate with
the Building Inspector, who shall make an initial determination as to whether the activity falls within § 435-92 of this article and, if the activity does not, the Building Inspector shall forward the application to the Board of Historic Preservation and Architectural Review.

(2). An application for a certificate of appropriateness shall contain:

(a). The name, address and telephone number of the owner and the applicant and, if the applicant is not the owner of the property, the owner’s written authorization to the applicant to make the application for a certificate of appropriateness.

(b). The location, Tax Map designation number and photographs not less than four inches by six inches of the property clearly indicating all public views.

(c). Upon request of the Board, elevation drawings showing existing conditions and proposed changes, including relationship to adjacent properties, if necessary in the Board's view.

(d). Upon request of the Board, perspective drawings, including relationship to adjacent properties, if necessary in the Board's view.

(e). Upon request of the Board, samples of color or materials to be used.

(f). Upon request of the Board, where the proposal includes signs or lettering, a drawing to scale showing the type of lettering, dimensions, colors, a description of materials, method of illumination, method of attachment to the property and a plan showing the sign's location on the property.

(g). Upon request of the Board, documentation of cultural remains and architectural details and features of the subject property.

(h). Any other information which the Board may deem necessary in order to determine the appropriateness of the proposed changes.

B. For projects requiring a certificate of appropriateness, a building permit shall not be issued for work until a certificate has been issued.

C. A person intending to engage in activity that does not require a building permit but is proscribed by § 435-88F shall not commence such activity without a certificate of appropriateness.

D. Meetings of the Board shall be held at such times as the Board may determine. When necessary, special meetings of the Board shall be held at the request of the Building Inspector or at the call of the Chairperson.

E. Within 62 days from the receipt of a completed application, the Board shall render a determination thereon. The Board may approve an application with conditions. The Board may hold a public hearing on an application to obtain information from the applicant and the general public to aid in making its determination. The Board shall make its decision as to whether or not
to hold a public hearing within 35 days of receipt of a completed application. Notice of such public hearing shall be published in a newspaper of general circulation in the Village at least 10 days prior to the date of the public hearing. The public hearing shall take place no later than 60 days after receipt of a completed application. Upon consent of the applicant, the aforesaid time periods may be extended.

E.
Determinations of the Board shall be in writing and shall state the findings upon which the determination is based. The Board’s determination shall be filed with the Village Clerk and a copy shall be sent to the applicant by regular mail.

G.
Except as provided in § 435-90A, where an application for a building permit involves only interior renovations, referral of such application to the Board shall not be required, and approval of such application by the Board shall not be required.

§ 435-87 Designation of landmarks.

A. Upon referral from the Board of Trustees, the **Board Committee** shall make a study of the structures existing and situated in the Village to identify, conserve, protect, enhance and perpetuate those structures within the Village which, by reason of their particular or distinctive architectural style, general design, historic association or historic or architectural and historic heritage, shall recommend such structures to be designated as landmarks. Upon receipt by the Village Board of Trustees of any such recommendation from the **Board of Historic Preservation and Architectural Review Committee**, the Board of Trustees will schedule and conduct a public hearing in accordance with Article 21 of the Village Law, at which any interested party or citizens shall have an opportunity to be heard with respect to the proposed designation of any structures as a landmark.

B. A written notice of any proposed designation of a structure as a landmark under this section shall be given by first class mail by placing notice in the postage-paid envelope to the owner of record therefor at least 15 days prior to the date of the public hearing called for by this section.

C. In the event that the Village Board of Trustees shall adopt the proposed designation of a structure as a landmark, such designation shall be entered in the minutes of the Village Board of Trustees, and a copy thereof shall be published once in the official newspaper, and a copy of such designation shall be posted conspicuously at or near the entrance to the office of the Village Clerk. Affidavits of the publication and the posting thereof shall be filed with the Village Clerk. Such designation shall take effect 10 days after such publication and posting a copy or other notation of the designation shall be made in the Building and Housing Department file. Any subsequent certificate of zoning compliance, certificate of occupancy or the equivalent shall contain a notation of the designation and the statement pursuant to § 435-88F.

D. The following structures and properties are designated historic and cultural landmarks: (reserved).
E. The Historic District is property located:

(1) Within the Village except for property within those areas zoned A Residential.

F. No person shall carry out any exterior alteration, restoration, construction, reconstruction, demolition or moving of a structure or land of historic or historic trees or plantings upon property containing a designated landmark or within a historic district, nor shall any person make any material change in appearance and cohesiveness of the historic district, without first obtaining a certificate of appropriateness from the Board of Historic Preservation and Architectural Review Planning Board. In considering an application seeking a certificate of appropriateness, the Planning Board shall consider the historical and architectural value and significance of the building, structure, land, trees or plantings and whether the alteration, demolition or removal will cause a substantial deviation from the purpose and intent of this chapter. The Board shall consider and be guided by the criteria and standards referred to herein.

§ 435-88 Demolition or removal.
A. A permit pursuant to § 435-60 of the Code of the Village of Patchogue to demolish or remove a structure located within the Historic District shall not be issued without the applicant first obtaining a certificate of appropriateness.
B. In considering an application seeking demolition, the Board shall consider the historical and architectural value and significance of the building or structure and whether the demolition or removal will cause a substantial deviation from the purpose and intent of this chapter and the Board shall consider and be guided by the criteria and standards referred to herein.

§ 435-89 Criteria for approval of certificate of appropriateness.
A. In determining whether to approve or disapprove an application for a certificate of appropriateness, the Board shall not consider changes to interior spaces.
B. The Board's decision to approve or to disapprove shall be based upon the following principles:

   (1) Features which make a significant contribution to the character of a landmark or the Historic District shall be altered as little as possible.

   (2) Alterations of an existing feature or property shall be compatible with its historic character of the structure, as well as with the character of nearby properties so as to not diminish the value of any adjacent or nearby property.

   (3) New construction shall be compatible with the character of nearby properties in and around the Historic District and shall not diminish the value of any adjacent or nearby property.

   (4) Alterations and new construction shall not significantly diminish the value of any adjacent or nearby property.
CA. In applying the principle of compatibility, any board rendering a decision or recommendation pursuant to this Article shall consider the following factors:

(1) The general design, character and appropriateness to the property of the proposed alterations or new construction.

(2) The scale of the proposed alteration or new construction to the property itself and the surrounding properties and neighborhood.

(3) Texture, materials and color and their relation to similar features of other properties in the neighborhood.

(4) Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape and the spacing of properties on streets, including setback.

(5) The importance of features or property to be changed to the historic, architectural, cultural or other significance of such feature or property.

(6) All design standards, regulations and criteria contained in the Village Code.

(7) The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

D. B. Any board rendering a recommendation or decision pursuant to this Article shall not be limited by the factors set forth in Subsection CA above and reserves discretion to consider other standards that further the purposes of this article.

§ 435-90 Enforcement; penalties for offenses.

A. Work performed pursuant to a certificate of appropriateness shall conform to the requirements set forth therein. It shall be the duty of the Building Inspector to inspect periodically any such work to assure compliance.

B. Any person who violates this article 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.

§ 435-91 Maintenance and repair required.

A. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any feature of a landmark or property within a Historic District which does not involve a change in design, material, color or outward appearance.
B. No owner or person with an interest in real property designated as a landmark or included within a Historic District shall permit the property to fall into a state of disrepair so as to cause, *in the judgment of the Board*, a detrimental effect upon the character of the landmark or Historic District.

C. Upon the Board's Building Inspector's finding that a property either designated as a landmark or within the Historic District has fallen into a state of disrepair so as to cause, in the judgment of the Board Building Inspector, a detrimental effect upon the character of the landmark or Historic District then the Board Building Inspector may direct remedial steps be taken. If no remedial action is taken by the record owner following 20 days' notice to said owner by certified mail return receipt and regular mail, the Board Building Inspector may take such steps including a request to the Board of Trustees to hire and direct the performance of such repairs or maintenance as may be immediately necessary. The cost of such material for repairs shall be a lien against the property and shall be payable accordingly. No hardship application or appeal to the Board of Appeals shall lie form any direction to maintain a cure or state of disrepair under this section.

§ 435-92 Appeals.
Any person aggrieved by a determination of the Board may appeal therefrom to the Board of Zoning Appeals in the same manner as is provided for in the article governing application of the Board of Zoning Appeals, and the Board of Zoning Appeals shall consider whether disapproval will cause unnecessary hardship and may reverse the denial of the application and grant the application with or without conditions. [4]

§ 365-23 Permit and license required.

A. Dumpster permits.

(3) The Building Inspector shall review the completed application and recommend to the Village Board the approval or denial thereof, and upon the Board's approval and direction, the Building Inspector shall issue a dumpster permit, which shall have a duration of two years. The Board of Trustees may refer applications for dumpster permits to the Architectural Review Board and/or the Planning Board for review and comment.

§ 435-30 DRD (Downtown Redevelopment District).

F. Zoning approval by the Board of Trustees.

(1) The Board of Trustees may approve or approve with modifications the preliminary development concept plan, as well as the establishment of a proposed
DRD by local law granting a zone change so as to locate or place the property shown in such development concept plan in a DRD. Approval of the preliminary development concept plan or approval with modifications is required for, and shall be deemed to authorize, the applicant(s) to proceed with the detailed design of the proposed development in accordance with such concept plan and the subsequent procedures and requirements of this section. Copies of said local law shall be forwarded to the Planning Board, the Board of Historic Preservation and Architectural Review, and the applicant(s).

§ 435-43. Permit application, compliance and fees.

A. No person shall:

(1) Erect, alter, paint with a new message, redesign, relocate or reconstruct any sign without first obtaining a permit from the Building and Housing Department.

(2) Erect, alter, redesign, relocate or reconstruct any illuminating device on a building, storefront or commercial property within four feet of any exterior window without first obtaining a permit from the Building and Housing Department.

(3) Design, redesign, alter, rearrange or construct any part of a building, storefront or commercial property facade without first obtaining a permit from the Building and Housing Department.

(4) Design, redesign, erect, alter, rearrange or construct any awning without first obtaining a permit from the Building and Housing Department.

B. A permit is not required for maintenance, repair, repainting or like-kind replacement of any sign, illuminating device or facade of or upon any building, storefront or commercial property.

C. Permit application. Application for any permit under this article shall be made upon such form or forms as are required by the Building and Housing Department. The applicant shall supply nine copies of to-scale drawings or plans, which shall include dimensions and colors. A letter of consent from the owner of the property shall be supplied with nine copies of a survey of the property upon which the sign shall be erected, and showing the location of the sign.

D. Any sign, structure or portion thereof which no longer advertises an existing business or product available for purchase from the property shall be removed by the property owner within 60 days of the close of the business, or within 30 days of notification by the Building and Housing Department. The failure of a property owner to remove the sign after notification pursuant to this section shall constitute a violation of the Village Code and shall be subject to the penalties set forth in § 435-6 of this chapter.

E. All fees for a permit under this article shall be set by resolution of the Village Board.
F. Enforcement. The Building Inspector or other appointed official or employee of the Village shall enforce the provisions of this article. Any sign, lighting or facade shall be removed or made safe by the property owner, at the direction of the Village, for the following reasons:

(1) The sign, lighting device or structural facade part or parts are deemed by the Building Inspector to be dangerous, unsafe or in a state of severe deterioration.

(2) The business, commercial entity or occupant of the property no longer conducts business in or upon the property, and has abandoned the service, occupation or production of items for sale at the site for a period of more than 60 days.

(3) The business, commercial entity or occupant of said property installs any sign, lighting device or facade without first obtaining a permit under this article, or does so in a manner inconsistent with any permit obtained under this article.

G. All signs, lighting and facades must be kept in a good state of repair and neatly painted or finished. Signs, lighting and facades must be maintained in a good state of repair at all times.

H. Construction standards. Signs, lighting devices and awnings shall be securely mounted and in accordance with applicable building codes. Signs shall not protrude above roof lines unless authorized by special permit of the Architectural Review Planning Board. New electrical installations and like-kind repair or replacement of existing electrical installations which affect signs, lighting devices or facades shall require certification by an electrical underwriter, and such certificate shall be filed with the Building and Housing Department. The following standards shall also apply to the construction or placement of signs, lighting devices, and awnings.

(1) Awning height and safety. No permit shall be granted by the Building and Housing Department unless the following minimum standards are met:

(a) The lowest part of any such canopy or awning or any support thereof extending over any public way shall be at least eight feet above the level of the public way over which it extends; if such public way is used by vehicles, the lowest part of any such canopy or awning or any support thereof which extends over such public way used by vehicles shall be at least 15 feet over the level of such public way.

(b) The awning may not unreasonably obstruct the view of traffic signs and signals, or in any way endanger the safety of motorists and pedestrians.

(c) No sign shall project from an awning.
(d) Awning graphics may be painted or affixed flat to the surface of the front or side valance and shall indicate only the name of the enterprise or premises. No description of products or services, telephone numbers or the like are permitted.

(2) Neon signage/window border lighting.

(a) Neon border tubing and border lighting of any kind are prohibited for use on windows, doors, facades, or within four feet of the border of any exterior window. Border lighting shall include light-emitting diode (LED) lighting.

(b) Neon signs advertising alcoholic beverages are not permitted in windows, facades, or within four feet of an exterior window.

(c) "Open/closed" neon signs must be of appropriate size to the windows and must be shut off when the business is closed.

(3) Projecting signs.

(a) Projecting signs shall be at least eight feet above the level of the public way and may not unreasonably obstruct the view of traffic signs and signals, or in any way endanger the safety of motorists and pedestrians.

(b) No wall sign shall project above the highest point of the building wall on the same side of the building as the sign; this shall include marquee signs and any other signs not affixed directly to such wall.

(4) Banners, flags, posters, flyers, and interior signs.

(a) Banners, flags, posters, flyers, and interior signs may not be affixed to a façade, door, or the exterior of a window, and when affixed to the interior of a window, may not cover more than 25% of the window's surface area.

(b) Posters, flyers, and interior signs affixed to the interior of a window may not be handwritten.

(c) Posters, flyers, and interior signs affixed to the interior of a window for the purpose of advertising a particular event must be removed after the event occurs.

(d) "Grand Opening" or liquidation banners may only be displayed for 60 days.

(e) Flag banners and flags over five feet tall are not permitted.

(f) Signboards/sandwich boards must be reasonable in size, shape and design. The boards shall not obstruct the reasonable use of the sidewalk or egress from parked vehicles and must be removed and brought in at the nightly closing of the business. Displays shall be limited to one board per establishment.
(5) Marquee signs.

(a) In addition to permitted wall signs, marquee signs with changeable copy shall be allowed only at theaters or other places of public assembly, except bars, taverns or restaurants in the D-1, D-2 and D-3 Business Districts.

(b) Such changeable copy signs may cover no more than one square foot of sign area for each linear foot of building frontage. Other nonchangeable copy signs may be attached to or mounted on top of a marquee. Flashing signs and moving signs shall not be permitted except emergency warning signals.

(c) No portion of a marquee sign shall extend beyond either end of the hood, canopy, marquee or projecting roof structure to which it is attached.

I. Review and appeal. Any person aggrieved by a decision of the Architectural Review Planning Board may seek relief before the Zoning Board of Appeals by filing an application for review by the ZBA within 30 days of the date of the decision of the ARB to be reviewed.

J. Violations and penalties. Any violation of the provisions of this article shall constitute an offense and shall be subject to the penalties set forth in § 435-6 of this chapter. A violation that exists for more than seven days shall constitute a new violation, and a violation existing for each successive seven-day period shall constitute a new violation, each without the need for issuance of additional process.

§ 435-44 Signs, illumination and facades.

A. The Building Inspector shall refer, and the Architectural Review Planning Board shall review, all applications for signs, illumination, awnings and facades in accordance with the provisions of this article.

B. Nonconforming uses. Any sign or lighting device existing prior to the date of adoption of this article that does not meet the criteria herein defined shall be considered nonconforming. Upon the discontinuance of use of the business, storefront or commercial property, or upon the relocation or sale of the business, storefront or commercial property to a new owner, or upon the renovation, redesign or reinstallation, or improvement of a sign, lighting device or facade, such sign, device or facade shall be subject to the permit provisions of this article and such nonconforming use shall cease.

C. Awnings. Awnings shall be retractable in construction or of the stationary shed type.

D. Facades. Any design, redesign or removal of a structure, masonry change, painting or other modification to be performed on any building, storefront or business property shall first receive approval from the Architectural Review Planning Board.

E. Window lettering. Window lettering, such as hand painted, computer generated or
vinyl "stick-on" to be placed within exterior windows shall require approval of the Architectural Review Planning Board.

F. Window displays. The stacking or storage of goods, wares, supplies or bulk items within any exterior window is prohibited. Individual products may be used as part of a window display as a decorative attraction to customers.

G. A permit is required for business, commercial properties or storefronts wishing to display special flags and banners other than those described in this article.

§ 435-45 National chain stores or businesses.

The Architectural Review Planning Board may give consideration to the use of national brand name themes, facades and signs within any district.

This Local Law shall take effect immediately.
Agenda Summary

Request approval for the Church of St. Francis de Sales to hold an outdoor celebration of mass on Sunday, June 14th at 11:00am pending state approval.

Background

Additional Information
Agenda Summary

Dennis Smith

Background

Additional Information
Agenda Summary

David Kennedy

Background

Additional Information
Agenda Summary

Public Safety Report

Background

Additional Information
Agenda Summary

Theatre Report

Background

Additional Information
Agenda Summary

Request approval for Code Enforcement Officers not covered by CSEA to receive the same benefits as a CSEA employee including uniform allowance, holiday pay, night differential and longevity pay and to follow the non-union Village employee’s salary increases each fiscal year.

Background

Additional Information
Agenda Summary

Request approval to waive the sidewalk dining fees for all bar/restaurants

Background

Additional Information
Agenda Summary

P.E.P. Report

Background

Additional Information
Agenda Summary

Parks & Recreation Report

Background

Additional Information
Agenda Summary

DPW Report

Background

Additional Information
Agenda Summary

Major Projects Update

Background

Additional Information
Agenda Summary

Request approval for the Patchogue Lions Club to hold their 4th of July ceremony on Saturday, July 4th beginning at 10:30am (rain date July 5th at 1pm). The ceremony will take place at the intersection of North Ocean Avenue and Main Street. A request has also been made to shut down surrounding streets from 10am-12pm (rain date street closure 12:30pm - 2:30pm).

Background

Additional Information
Agenda Summary

A request approval to hire three Sunday Market Supervisors at the rate of $100 per Sunday starting Sunday, June 14th.

Background

Additional Information
Agenda Summary

Request approval for the closure of Main Street each Saturday from 2pm-9pm starting June 13th for the Dine Until Nine event.

Background

Additional Information
Agenda Summary

Patchogue Arts Council Report

Background

Additional Information
Agenda Summary

Planning & Zoning Report

Background

Additional Information
Agenda Summary

CDA Report

Background

Additional Information
Agenda Summary

Building & Housing Report

Background

Additional Information