Board of Trustees Agenda

June 22, 2020
6:00 PM

1. Flag Salute

2. Safety Message

3. Village Clerk
   a. Request approval for the Board Meeting Minutes of June 8, 2020

4. Village Treasurer
   a. Village Bills (see attached)
   b. Top 5 Bills (see attached)

5. Public Hearings
   a. Request approval to amend sections 435-42 and 435-43(H)(2) of
      the Village Code to prohibit certain neon and neon-like signage.

6. Mayor Pontieri
   a. Request approval to implement Governor Cuomo's Executive Order
      202.36 to extend the interest-free period for the payment of
      property taxes to July 21, 2020

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 to hold an Amnesty program for parking
         tickets remaining open in the Village Justice Court. This
         program will run from July 1st to August 15th and will offer a
         50% discount on all parking tickets that have accrued penalties
and have remained unanswered at the recommendation of Village Justice, Patricia Romeo

b. **Trustee Keyes**
   1. P.E.P. Report
   2. Parks & Recreation Report
   3. Request approval of the standard work day for William Hilton, Director of Special Events

c. **Trustee Felice**
   1. DPW Report
   2. Request approval to enter into the Eastern Suffolk Boces Joint Municipal Cooperative Bidding Program for the 2020/2021 school year.
   3. Request approval for a change order to increase H2M Main Street sewer construction services by $9,700.
   4. Request approval to hire Jake Scala as a Summer Laborer at $15/hr.

d. **Trustee Ferb**
   1. Major Projects Update

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

f. **Trustee Brinkman**
   1. CDA Report
   2. Building & Housing Report
   3. Request approval to accept the full service retirement of Peter Sarich as Senior Building Inspector, effective July 10, 2020. Request approval to reappoint Peter Sarich as Senior Building Inspector effective July 11, 2020 at a per diem rate of $450.00
   4. Request approval to increase the grass cutting and yard maintenance fees to the following; Lawn Cutting and blowing of cut grass formerly $75 to $85, Yard clean-up (up to 3 hours) formerly $300 to $350, Administrative fee for lawn mowing formerly $50 to $75, Administrative fee for yard cleanup formerly $100 to $125
   5. Request approval to waive all building fees for the Dialysis Center expansion.

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

Request approval for the Board Meeting Minutes of June 8, 2020

Background

Additional Information

ATTACHMENTS:

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The Board Meeting of the Board of Trustees met through video conference on Monday, June 8, 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.

The flag salute was made.

Mayor Pontieri welcomed everyone to the Board meeting.

Mayor Pontieri indicated that he had some good news with regard to the person, but bad news for the Village. He indicated that Village Clerk Seal, who had served first as a trustee and then as village clerk for the past sixteen years, would be retiring effective June 29th with her last day in the office being June 19th. Mayor Pontieri stated that she had been a partner and friend for all of these years and had been an integral part in bringing the Village back. He noted that they had a wonderful relationship over the course of all these years and also indicated that she had received the 2019 New York State Clerk of the Year Award by the New York State Clerks Association. Mayor Pontieri wished Village Clerk Seal the best in her retirement and noted that she would be off to California soon. Village Clerk Seal thanked the mayor for his kind words and indicated that she would not be going anywhere for a little while yet. Trustee Brinkman thanked her for all her years of service and indicated that she could not have done her job without Village Clerk Seal’s help. All of the remaining Board members also thanked Village Clerk Seal for her service. Trustee Felice stated that she had always done a great job and was a great person. She was one of the nicest people he had ever met, and he had enjoyed his time working together with her. He thanked her again for her service on behalf of the Village. Village Clerk Seal thanked him for his beautiful words. Mayor Pontieri stated that having Village Clerk Seal as a friend was more of a privilege than could be imagined and thanked her again for all of her hard work. Village Clerk Seal expressed her appreciation for all of their kind words. She stated that it had been an absolute honor to work with most of them for the past sixteen years and noted that this had been the greatest job she ever had. Mayor Pontieri had been the greatest boss she had ever had in her life. Village Clerk Seal continued by noting that as hard as it was to think about not being here every day, they would not be getting rid of her completely. She had first come to Village Hall as a trustee, and when the village clerk at that time had stepped down, the Mayor had spoken with her about taking this job. She had taken a chance by doing so, and she believed that she had done okay. This had been a great journey. She had embraced the Village family and noted that it had been difficult not to see many of the staff due to COVID restrictions since she loved them all. It had been her pleasure to serve this community for the past sixteen years. Village Clerk Seal noted that this was her 360th Board meeting which was almost as many as the Mayor and Deputy Mayor Krieger had attended. She reiterated that it had been an absolute joy and pleasure to serve and thanked everyone for their love and support. Village Clerk Seal indicated that Deputy Village Clerk Braile would do an amazing job. Trustee Felice expressed that Village Clerk Seal had not done just an okay job but had done a wonderful job.

Mayor Pontieri then stated that these past several months had been difficult for our community and communities across our nation. From the personnel and financial to the emotional effects of
the pandemic, we had learned that it is in working together that we become stronger. He continued by indicating that he believed that the past two weeks had been the hardest. The horrific death of George Floyd, and those of Ahmaud Arbery, Breonna Taylor, and countless others, painfully reminded us that, over a half-century since the passage of the Civil Rights Act, individual and systemic racism continued to plague our society. Mayor Pontieri stressed that the Village of Patchogue stood proudly with our employees and the community in the fight for social justice, racial equality, and human dignity for all people. He indicated that the Village represented a diverse group of families, residents and employees; and through our diversity we were brighter, stronger, and possessed greater potential for positive growth and transformative change. Mayor Pontieri continued by indicating that together, we must help sustain an environment where every person felt welcome, heard, valued and safe. When we succeed at this, we advance our ability to serve individuals, each other, and the betterment of society. He noted that there had been protests here in the Village, and each one had told its own story of distrust and sadness, but each one was done peacefully with a purpose. Mayor Pontieri then stated that twelve years ago, when the Village had experienced the tragic murder of Marcelo Lucero, he had found the following quote from Robert F Kennedy: “The task of leadership. First task of concerned people, Is not to condemn or castigate or deplore: it is to search out reason for disillusionment and alienation, the rationale of protest and dissent—perhaps indeed, to learn from it”. He indicated that dealing with the pandemic, protests, and riots offered much to learn as a nation, community and individuals.

Village Clerk Seal asked the Board to approve Board Meeting minutes from May 26, 2020.

Upon a motion by Trustee Ferb, seconded by Trustee Felice, and unanimously carried, the Board approved the Board Meeting minutes from May 26, 2020.

Village Treasurer Krawczyk stated the total bills for the period ending June 8, 2020 were $674,235.20. The five largest bills were as follows: $250,000.00 for Village of Patchogue Service Award; $157,650.45 for NYS Employee Health; $8,106.42 for Bonita West; $7,513.09 for Mr. and Mrs. Sung So; and $5,971.00 for Pilger Skidmore.

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

Village Treasurer Krawczyk asked the Board to approve a loan from the General Fund.
Upon a motion by Trustee Ferb, seconded by Trustee Devlin, and unanimously carried, the Board approved the following loan from the General Fund: $364,060.42 to the Capital Projects Fund.

Village Treasurer Krawczyk stated that these funds would be reimbursed.

Village Clerk Seal read notice of a public hearing as follows: 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.

Village Attorney Egan stated that this had been a request from the Building Department with regard to permits which were going to expire on rental occupancies that had already been inspected at least once which were up for renewal between March 7, 2020 until three months from today. This proposed local law would allow the extension of rental permits for a period of up to six months, upon application to and acceptance by the building inspector. It would also permit the property owner to certify that the property was in compliance with applicable state and local laws. This local law would expire after six months. Adopting these recommendations would allow the building inspector to avoid going into properties and eliminate the inconvenience to property owners of having someone come onto their premises during these difficult times. Village Attorney Egan reiterated that this would allow residents to self-certify that their premises remained in compliance.

Trustee Brinkman stated that she believed that this was a great opportunity to keep permits in an active state while protecting residents and Village employees. It would also provide records when this was all said and done so that the Building Department could keep moving forward.

Mayor Pontieri inquired if there were any other comments on the proposed local law. There were none. Trustee Brinkman stated that she did not see any comments on Facebook or YouTube, and no attendees had raised his or her hand to speak.

Upon a motion by Trustee Brinkman, seconded by Deputy Mayor Krieger, and unanimously carried, the Board accepted the following as presented:

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.

Village Clerk Seal stated that this was the last time she would be reading a notice of public hearing. She then proceeded to read the notice as follows: 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/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.

Village Attorney Egan indicated that this was an historic moment as this was the last time that Village Clerk Seal would refer a public hearing to him for review. He noted that the Building Department had recommended this change and indicated that both Trustee Brinkman and Trustee Devlin had worked on it. The main purpose of this was to streamline Village government. Village Attorney Egan noted that this recognized the importance of the ARB to maintaining the character.
of the community and reflected the actual function and process of that board. He stated that the ARB had been sitting with the Planning Board and had been very effective in providing feedback and recommendations to applications with a positive reaction from citizens. This legislation would eliminate an additional meeting for applicants to attend. Having the ARB work as an advisory committee to the Planning Board would allow for the immediate integrations of their recommendations to make great projects even better. Village Attorney Egan reiterated that this would streamline the government while recognizing the importance of the ARB’s work. He then reviewed some of the changes being made including that the new name of the ARB would be the Committee of Historic Preservation and Architectural Review. Members would still be appointed by the Mayor and the Board. This committee would be charged with advising the Planning Board and building inspector with regard to a project’s land use, design, and historical impact. All duplication of process with the Planning Board would be eliminated but would sit in adjunct with that body. The committee would continue to maintain its jurisdiction with regard to advising the Board of Trustees as to the designation of landmarks and recommend certificates of appropriateness to the Planning Board. Previous considerations and factors of appropriateness were maintained, and the committee would continue to review and recommend signage approval. Village Attorney Egan noted that these changes would reflect how this body was actually functioning and allow them to work more closely with the Planning Board.

Trustee Devlin indicated that Village Attorney Egan had done a great job with this. These changes had been discussed for a number of years in order to determine how best to streamline the application process and save applicants an additional six to eight weeks in the approval process. The different jurisdictions had been well detailed and having the Planning Board and ARB in the same room now would eliminate some of the confusion which had been created in the past. This legislation would preserve the value of what the ARB brought to the table in terms of expertise and would dovetail nicely with the Planning Board’s areas of expertise. Trustee Devlin stated that she felt that this was a good direction to go in and Trustee Brinkman had agreed as well.

Mayor Pontieri inquired if there were any other comments on the proposed local law. There were none. Trustee Brinkman stated that she did not see any comments on Facebook or YouTube, and no attendees had raised his or her hand to speak.

Village Attorney Egan reiterated that these changes had been proposed as a result of the dedication and professionalism of both the Planning Board and ARB members. All of these individuals were dedicated to their mission of serving the community and were well led by their respective chairs. Both bodies worked very hard and had worked together to streamline this process to ensure that there would be a good symbiosis between the ARB and the Planning Board in integrating each other’s decisions.

Mayor Pontieri indicated that John Rocco, the chairman of the Planning Board, had held that position for at least 20 years and Karen Zorzenon had been the chair of the ARB for at least 14 years. This was a tremendous amount of institutional knowledge which these individuals brought to those boards. There was also a great amount of talent amongst the remaining individuals who served on the Planning Board and ARB including such individuals as Kevin Weeks, Alan Fertman, and Carter Biggs. Mayor Pontieri noted that this large amount of knowledge helped to ensure that what was done was done well. In addition, time was money, and being able to save time, especially
now, would help keep applicants from being discouraged by a cumbersome process. Another strength that the village had was the 20 to 25 years of experience that Carol Giglio, Planning Board Coordinator, had. Trustee Brinkman, Trustee Devlin, and Trustee Felice had all served on either the Planning or Zoning Boards, so there was a wealth of knowledge available from many places. Mayor Pontieri stressed that the changes being proposed were to improve the process and were not being made to eliminate anything.

Mayor Pontieri inquired if there were any other comments on the proposed local law. There were none. Trustee Brinkman stated that she did not see any comments on Facebook or YouTube, and no attendees had raised his or her hand to speak.

Upon a motion by Trustee Devlin, seconded by Trustee Brinkman, and unanimously carried, the Board accepted the following as presented:


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:

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[New Language] [Language to be Deleted]
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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.
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 for 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.

F. 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 § 435-87, 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 may 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, structure, land, trees or plantings 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.

C. 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. Any Board rendering a recommendation or decision pursuant to this Article shall not be limited by the factors set forth in Subsection C. It 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.[1]

§ 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 Committee 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

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

Upon a motion by Trustee Felice, seconded by Trustee Brinkman, and unanimously carried, the Board granted approval for the Church of St. Francis de Sales to hold an outdoor celebration of mass on Sunday, June 14th at 11:00 a.m. pending state approval.
Dennis Smith reviewed the BID and special projects report. He thanked Village Clerk Seal for all she had contributed to the Village over the last 16 years and for putting up with him as well. Mr. Smith then wished her the happiest of retirements and noted that he was sure he would still see her. He continued by noting that the BID was in summer mode, and the hanging baskets had been put in place about two weeks ago. They had been taken down from East Main Street due to the recent rallies being held but would be put back in place next week. The watering trucks were up and running, and all looked good with them. Mr. Smith indicated that the planters were scheduled to be planted this week as long as Phase 2 was implemented on Wednesday. The garden maintenance work being performed by the DPW staff should be done by the end of the week with the Terry Street lot being completed and mulch added. He noted that the BID would then take over this maintenance work throughout the summer. Mr. Smith indicated that the Sunday Market should be open this Sunday with six to eight vendors. These would only be food vendors at this time and all COVID-19 guidelines would be followed with regard to masks, social distancing, and sanitation stations. The market had gotten some advertisement with Chris Capobianco mentioning it on his Facebook page and a small ad put in the Advance. Mr. Smith indicated that the Arts in Patchogue video had been pulled for a couple of weeks to be re-edited and was now ready to go again. First Responders Park was still a work in progress, but the decorative fencing had been installed. He had gotten together with the Fire Department and Ambulance Company and had sent away for the plaques to be completed. It would take approximately four to six weeks for them to arrive, so he hoped to be able to get that park dedicated and opened by the end of August. He indicated that it would be beautiful once it was completed. Mr. Smith then noted that the BID’s Annual Meeting would be held the next day on Zoom with the assistance of Trustee Brinkman. Constituents could attend if they wanted to do so. After the Annual Meeting, the regular monthly meeting would be held and the BID would discuss how they could assist the businesses and restaurants with the reopening of Patchogue.

David Kennedy reviewed the Chamber of Commerce report. He noted that it was wonderful to join the Board on this forum for the first time and expressed his appreciation for the opportunity to present his report. There was much to discuss. First, he offered his thanks to Village Clerk Seal on behalf of the Chamber. He stated that she had been a tremendous asset to work with and had always been the first person to reach out to obtain the right advice and direction. The village clerk served as an ambassador for the residents, and Village Clerk Seal had certainly been one for the community. Mr. Kennedy stated that she would be missed tremendously and expressed his appreciation for her friendship which he knew would continue. He indicated that he looked forward to the day that they could more formally celebrate her tenure and see her in person. Village Clerk Seal thanked Mr. Kennedy for his kind words and stated that she valued his friendship. She recounted her memories of walking with him while she was campaigning for her trustee position in 2004 and expressed her appreciation for him complimenting her on how well she had done as a candidate. Village Clerk Seal stated that she was grateful for their 16 year friendship and for the opportunity to work with him and the Chamber. She had been the Chamber liaison when she served on the Board, and he had done an amazing job. It had been her privilege to work with him as co-workers and friends, and she would miss working with him a lot.

Mr. Kennedy continued by noting that, on behalf of the Chamber, he stood by the peaceful protestors who were standing up against racial injustice and would continue to do so. He indicated that all the protestors who had visited the Village deserved credit for being peaceful. Mr. Kennedy
thanked the Village for their leadership during these incredibly difficult and challenging times. All of the information he had received from Village Hall had been on point and had been shared with all of the Chamber members in a timely manner. Mr. Kennedy then highlighted some of the activities which had been occurring, and he hoped would continue. One of those had been a very successful drive-in movie night. He believed that this was the first time this type of activity had ever occurred in the downtown area. There had been 240 cars attend in total between the four showings, and the event had been completely sold out. All had gone smoothly, and everyone had a wonderful time while staying in their cars and following the required guidelines. Hopefully, these events could continue throughout the season, and he planned to discuss this possibility with Bill Hilton and the Village. He thanked everyone who had participated for their support. Mr. Kennedy continued by noting that since Alive After Five could not happen this year as in the past, arrangements were being made to try organizing a virtual Alive After Five by pulling together a virtual bar crawl, as had been organized by Better Man Distilling, along with a livestream band performance in one format. There would also be a virtual marketplace of stores. Mr. Kennedy indicated that the first planned Alive After Five had been scheduled for June 25th, but since there were many technical pieces to put together, the first virtual event would be moved to July. He noted that the Patchogue Theatre was working with them, and consideration was being given to perhaps livestreaming a performance from the Theatre’s stage. He felt this might be a good way to highlight the Theatre and inquired as to when he could speak with Deputy Mayor Krieger about this possibility. Deputy Mayor Krieger stated that he could call him the next day.

Mr. Kennedy then expressed excitement that Phase 2 of business openings was scheduled to begin on Wednesday. He was grateful that the governor had included outdoor dining as part of this phase. However, Board approval was required to allow the restaurants to use space outside their establishments for tables on a daily basis. These areas could include the sidewalks and possibly parking lots for those establishments with back doors. Mr. Kennedy noted the need for a fair approach, so that all restaurants would have the opportunity to use available outdoor space. He recognized the challenge the Building Department was facing to work with all of the restaurants, but he knew that Senior Building Inspector Sarich was working with all of them individually and reviewing their applications as they were submitted. He asked if the Board could provide formal approval for public space to be used by the restaurants so that they could start moving forward as soon as possible. Mr. Kennedy then indicated that discussion had been occurring with regard to the concept of a weekly closure of Main Street to allow for increased space for outdoor dining. He noted that this Saturday would be a great day to start, but he realized that there were many pieces which needed to be put together before this could be done as had been noted in an earlier conversation, he had with Mayor Pontieri. The biggest challenge would be to prevent overcrowding. A reservation service would be needed, and people would not be permitted to come unless they had a reservation. There were many details which needed to be discussed including how retail establishments could be included in these events. He knew that Phase 2 permitted some in store business to occur, but he was not sure if sidewalk sales would also be allowed. Mr. Kennedy continued by noting that he believed that retailers should also be able to participate in the outdoor dining events by permitting some sidewalk sales as well. He noted that other communities across Long Island were taking similar actions, and he wanted to ensure that Patchogue continued to be a leader. Mr. Kennedy reiterated that he realized there were a lot of pieces to put together, and this type of event might be simpler in concept than execution. He
stressed the need to follow the guidelines and offered to answer any questions the Board might have for him and to defer for the Board’s decision on this proposal.

Mayor Pontieri stated that he had been considering the suggestions that the restaurants had put forward and understood their concerns about total seating capacity as driven by social distancing requirements. However, his biggest concern was that if the Village and restaurants did not have total control of the situation, there could be an even bigger problem than had been experienced recently in another town with 1500 people showing up for 400 available seats. He had no problem with recommending the concept for approval, but until a plan was fully reviewed and approved, he did not believe that such an event should occur. Unfortunately, he did not believe that this could be done in time for this weekend. Trustee Devlin expressed concern about how access would be controlled and how restrictions could be communicated to the public to prevent them from treating this like an Alive After Five event. She noted that she could see a pent up demand from people to be out becoming an issue. It could be quite challenging to control people from wanting to come in because the street was closed. Mayor Pontieri stated that he had set up a meeting with all involved organizations including public safety, the Suffolk County Police Department, and DPW. Mr. Kennedy stated that he appreciated these concerns and noted that it had been made clear to the businesses that, whatever concept was approved, north and south running streets would need to remain open in order to provide continuous access to south Patchogue. East and West Main Street would need to be barricaded off, and there would need to be a checkpoint to only allow those in who had reservations through a reservation system which would either be a shared system for all restaurants or individual ones. Mr. Kennedy noted that, from a business perspective, there was a lot of space on Main Street which was not directly connected to restaurants, and the more outside table space that could be provided the better within social distancing guidelines. The challenge would be to how best to fairly and directly utilize these common areas amongst all the restaurants. He suggested that the space directly in front of restaurants be under the direct control of those businesses through their reservation systems. Other common areas could be controlled by the Chamber through a reservation system, and patrons could order from whichever restaurant they wanted. Mr. Kennedy proposed that this concept could start with the space in front of the restaurants and go out from there as the concept evolved. Mayor Pontieri expressed concern about the proposed use of common areas amongst all the restaurants noting that there could be an issue with patrons ordering from Bobbique from a table located in front of the Congregational Church. He also noted that menus would need to be limited in choice similar to restaurant week options in order to limit prep time to 15 minutes so that people could be moved through quickly in order for profits to be made. Social distancing guidelines would not allow for many tables. Trustee Brinkman observed that parameters needed to be set so that one party could not linger at a table for several hours. Mr. Kennedy stated that reservations would be required, and patrons could only sit for a maximum of an hour and a half so that more seatings could be accommodated. Trustee Ferb expressed concern about mixing restaurants and retail. Retail establishments did not require reservations, and if retail businesses were open, this was an invitation for more people to come. He suggested starting slowly with restaurants only at first. Mr. Kennedy observed that this was a good point. Though traditionally retail did not get a large amount of traffic, it would be more controlled by limiting people shopping. Since people were anxious to get out, this could become an issue. Business owners would still need to maintain order; however, he did not want the retailers to feel left out and expressed that it would only be fair to extend them some opportunities as well. He noted that he, the Mayor, Senior Building Inspector
Sarich, and the restaurants had met on a Zoom meeting this past Wednesday not knowing that Phase 2 would allow outdoor dining. Another meeting had been scheduled for this Wednesday at 11:00 a.m. to follow up. Mr. Kennedy inquired if permission could at least be given for the sidewalks to be used this week. He also noted that Mayor Pontieri had mentioned the possibility of utilizing parking spaces as well. Mayor Pontieri stated that he had reviewed the availability of parking spaces but felt that this would be tough to do safely. He stressed that proper planning was extremely important as major issues could arise if this was done wrong. Mayor Pontieri indicated that all of the restaurants had submitted plans to Senior Building Inspector Sarich which were being reviewed. He noted that the Dine Till 9 concept needed more discussion, and he did not believe it would be possible to have everything in place for this weekend. Mr. Kennedy suggested that the Board approve daily dining in public spaces around restaurants subject to approval by the Building Department so that this could be done between Board meetings. Village Attorney Egan stated that he had been having discussion with Senior Building Inspector Sarich and noted that the Village already permitted sidewalk dining so there was a mechanism in place to modify existing language to allow alley and parking lot dining as well. Mayor Pontieri asked the Board to consider adopting a resolution, based upon guidance from the governor with regard to occupancy limits and approval by the Senior Building Inspector of plans to allow sidewalk dining, and when a proper plan was put in place, dining on Main Street. Village Attorney Egan stated that it might be a bit early to authorize dining on Main Street due to the concerns which had been discussed. Mayor Pontieri stated that he did not want to limit the restaurants from moving forward should a plan be created between meetings. Village Attorney Egan stated that the Board could always be polled if needed between meetings. He would be fine with the Board authorizing the Senior Building Inspector to approve sidewalk or public property applications as long as required guidelines were met. Mayor Pontieri then suggested that a $100 application fee be required so that Village costs could be covered, especially due to losses in revenue which were occurring.

Deputy Mayor Krieger suggested a motion to authorize the Senior Building Inspector, upon submission of an application, to approve use of public outdoor property for restaurant and/or retail sales subject to State Liquor Authority and Department of Health regulations with a $100 application fee. Mr. Kennedy noted that, even though there had always been a fee to obtain approval for outdoor seating, the expectation had been that the fee might be waived for a short period of time due to current conditions even though he understood the Mayor’s concern. Village Attorney Egan indicated that the Board could discuss waiving the application fee. Mr. Kennedy stated that this should be for a short period of time and felt that it would be appropriate to have a window on this waiver. It would definitely be a help, though, to waive the fee for now. Village Attorney Egan indicated that a temporary license could be issued to allow for sidewalk dining and retail sales on spaces adjacent to a business’ property to allow for more outdoor areas. Village Clerk Seal stated that the resolution called for a $100 flat application fee. Mayor Pontieri stated that the fee would be waived for now. Trustee Felice observed that planning was to key to managing, policing, and enforcing these uses. He believed that everyone working together could get these businesses open, but it needed to be done right to prevent huge crowds on Main Street with no social distancing. He felt that enforcement would be a huge deal as people needed to be mindful that the virus was still out there, and he felt numbers would increase as restrictions were eased. However, he was in favor of small businesses getting back to work.
Upon a motion by Deputy Mayor Krieger, seconded by Trustee Felice, and unanimously carried, the Board authorized the Senior Building Inspector, upon submission of an application, to approve use of public outdoor property for restaurant and/or retail sales subject to State Liquor Authority and Department of Health regulations.

Mr. Kennedy thanked the Board for their actions. He then addressed Trustee Devlin and indicated that he hoped to be able to incorporate the arts as much as possible in upcoming events. Mr. Kennedy also expressed his appreciation for the Board streamlining the application process for businesses by making the changes to the ARB and Planning Board relationship. The ARB members provided exceptional value to the planning process.

Deputy Mayor Krieger thanked Village Clerk Seal for all she had done and noted that she had been a good friend to him over the years. He wished her good luck in her retirement.

Deputy Mayor Krieger asked the Board to approve Code Enforcement Officers not covered by CSEA to receive the same benefits as a CSEA employee.

Upon a motion by Deputy Mayor Krieger, seconded by Trustee Brinkman, and unanimously carried, the Board granted 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.

Deputy Mayor Krieger thanked the public safety officers for doing a great job and expressed his appreciation for all of their efforts throughout this pandemic and the other events going.

Mayor Pontieri inquired as to the status of negotiations with regard to the Theatre. Deputy Mayor Krieger stated that prep work to reopen the Theatre was ongoing. Ideas were being discussed with how to participate with the Chamber on certain events while following social distancing guidelines. He also noted that the Gateway contract was up but negotiations with them to remain at the Theatre were progressing well.

Mayor Pontieri indicated that the Village had received a federal transportation department grant in 2006-2007 for $1.4 million to be used on various road projects. It had taken a long time to get to this point of starting a project and costs for black top and labor had increased tremendously, so there would not be as much work able to be done as had originally been planned. He noted that Trustee Keyes had worked on this project for this entire time, and he thanked him for his efforts on this project.

Trustee Keyes first thanked Village Clerk Seal as a resident for her efficient running of Village Hall for so many years. As a trustee, he thanked her for her support in providing whatever he needed and her valuable friendship. In the early days of PEP, she and he had worked and learned together. He thanked her for all her support and expressed hope that she would really enjoy her retirement. Village Clerk Seal thanked him and expressed his appreciation for their friendship over the years. Trustee Keyes then expressed his appreciation for living in an open minded and
flexible community in these times. The community had displayed all types of acceptive support throughout the years, and he appreciated the passion of all.

Trustee Keyes then noted that the Oak Street Project to which the Mayor had referred had been a long time coming. He also thanked Marion Russo for all her work throughout the years. There had been at least three engineers involved in this project over the last ten years as well as four or five different NYS DOT representatives. Every time a new representative or engineer came on the project, the project went back to square one. The entire long drawn out process now had an anticipated start date of June 15th. It was anticipated to last approximately 75 days throughout the entire summer. Mayor Pontieri indicated that he believed that the expected length of time had been increased to 120 days. Trustee Keyes hoped that the weather remained good so the project could be completed as quickly as possible. He had confidence in the contractor and was excited to finally see the work begin.

Trustee Keyes then noted that the decision to not open the pool had not been easily reached. He and the Parks Director had worked diligently on what they considered a good reopening plan, but there were so many steps that were needed to protect residents’ health and welfare. The plan had been doable but tough. However, when they had reviewed their plan with the guidelines provided by the CDC and NYS, it became very difficult. In addition, finances were tough due to decreased revenues being received by the Village and capacity needing to be reduced to 25%. Finally, obtaining the necessary supplies and tools would be difficult and extremely expensive. By not opening the pool, the Village would not receive the revenue it generally generated. However, opening the pool under these new circumstances was not financially feasible. Finances, though, were secondary to ensuring the health and welfare of residents. Trustee Keyes again expressed his disappointment in this decision since the pool had been run since 1963. It was especially troubling because if the numbers between now and September decreased, people would say that the pool should have opened. However, those numbers might have been different if the pool had opened. It was an extremely difficult decision but because of the uncertainty of the pandemic, but they had committed to putting the health and welfare of residents first. Mayor Pontieri stated that Trustee Keyes, Parks Director Giustizia, and Bill Hilton had spent a tremendous amount of time on plans for the pool. He was fortunate to have the people he had working with him and stressed the need to trust the decisions that were made. He thanked Trustee Keyes for his time and effort. Though today it might not seem like an accomplishment, if the numbers stay down, that will be an accomplishment.

Trustee Felice thanked Village Clerk Seal for all of her great service to the Village of Patchogue. She had been an ambassador for the Village and her personality and charisma would certainly be missed. He wished her and her husband the best of luck and thanked her for all she had done. Village Clerk Seal thanked him and told him it had been a pleasure to work with him.

Trustee Felice expressed his appreciation for Trustee Keyes’ hard work on trying to arrange for a plan to open the pool and noted that he felt that he had made the right decision. For the cost in funds and potential health risks, it was not worth it to open the pool.

Trustee Felice noted that the DPW staff were working very hard edging, weeding, and mulching throughout the Village. He anticipated that the Terry Street lot should be done this week.
Everything was looking great, and he appreciated the hard work being done by all the staff and his fellow Board members. Village Clerk Seal thanked Trustee Felice for his hard work as well.

Trustee Ferb thanked Village Clerk Seal for her service and friendship. He then noted that he was on the phone with the Mayor every day at 4:00 p.m. to receive updates on the pandemic situation. Trustee Ferb expressed his belief that the governor’s movement on outdoor dining was helped by Mayor Pontieri. There was some good information available on these calls as well as many inconsistencies. It was definitely interesting to participate in these calls.

Trustee Ferb then noted that there would be no Lions Club 4th of July parade this year, but there would be an event held at the intersection of Ocean Avenue and Main Street instead. There would be a band and the event would be livestreamed as the Memorial Day service was. He then asked for approval of this event.

Upon a motion by Trustee Ferb, seconded by Trustee Felice, and unanimously carried, the Board granted 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 10:00 a.m.-12:00 p.m.(rain date street closure 12:30 p.m. - 2:30 p.m.).

Trustee Ferb asked the Board to approve hiring three Sunday Market Supervisors.

Upon a motion by Trustee Ferb, seconded by Trustee Felice, and unanimously carried, the Board granted approval to hire three Sunday Market Supervisors at the rate of $100 per Sunday starting Sunday, June 14th.

Trustee Ferb asked the Board to approve the closure of Main Street each Saturday from 2:00 p.m. - 9:00 p.m. starting June 13th for the Dine Until Nine event. Mayor Pontieri asked the Board to hold off on action on this for now. Village Clerk Seal stated that she would poll the Board if necessary.

Trustee Ferb again thanked Village Clerk Seal for her service. Village Clerk Seal stated that it had been a pleasure working with him.

Trustee Devlin congratulated Village Clerk Seal and noted that she knew she was excited to retire. She felt they had bonded back in 2004 while campaigning and had fun ever since. Hopefully, they could go to The Oar at least once this summer. Village Clerk Seal stated that she had been a trusted friend and colleague, and she cherished every moment they had spent together.

Trustee Devlin inquired if Mr. Smith could email her some details about the Famers’ Market so she could put it on her Facebook page. Mr. Smith noted that Chris Capobianco had the details on his Facebook page, but he would email them to her as well. He expressed his appreciation to her for getting the word out.

Trustee Brinkman thanked Village Clerk Seal for all her guidance and helping her to become the best trustee she could. She appreciated all she had done for the Village and the residents and
wished her the happiest of retirements. Village Clerk Seal thanked her and stated that it had been a pleasure to work with her. She had been her mentor, especially with regard to Zoom, and she thanked her for her friendship and guidance. Trustee Brinkman stated that she was a very special person and would be missed.

Trustee Brinkman indicated that the CDA had held a very successful Zoom meeting on June 4th. She noted that Marion Russo was doing a great job with the CDA and was also doing a fantastic job working with her COAD partners. It was wonderful to see the work being done for the residents.

Trustee Brinkman also noted that the Planning Board had held its first successful Zoom meeting. She was happy to see them back up and running, and the Building Department was getting some applications approved. The first ZBA meeting on Zoom was scheduled for June 17th. These were exciting times for the Building Department to keep things running for residents.

Trustee Brinkman then indicated, on a fun note for Patchogue, that the second osprey egg hatched yesterday. There were now two beautiful babies which she had decided to refer to as Patch and Ogue.

Village Clerk Seal stated that it had been beyond an honor to serve each and every one of them. They had been her mentors, friends, and colleagues. She had loved almost every minute of her position here, first as a trustee and then as village clerk. Village Clerk Seal indicated that she had worked with some amazing individuals. She and her husband had purchased their home here in 1999 for $150,000 and had never looked back. When Mayor Pontieri and Highway Supervisor Dean asked her to run for trustee in 2003-04, she had made her decision and never looked back. Coming here as a resident, serving in the best job she ever had, and working with all of them had been extraordinary. She was looking forward to retirement, but she asked everyone to please know that working with her colleagues and all of them had been the most amazing part of her life outside of marriage and motherhood. She loved, admired, and cherished them all and would never look back on her time as village clerk with anything but happiness and joy and love. Village Clerk Seal thanked everyone again. Mayor Pontieri stated that it had been a pleasure and honor to work with her, and her friendship meant much to all.

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

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

Upon a motion made by Village Clerk Seal, seconded by Deputy Mayor Krieger, and unanimously carried, the meeting was adjourned at 7:35 p.m.

Signed___________________________________

vp
Agenda Summary

Village Bills (see attached)

Background

Additional Information
Agenda Summary

Top 5 Bills (see attached)

Background

Additional Information

ATTACHMENTS:

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**FIVE LARGEST BILLS PAID BD MTG 6/08/20**

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<td>THE LIRO GROUP</td>
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$1,425,577.19
Agenda Summary

Request approval to amend sections 435-42 and 435-43(H)(2) of the Village Code to prohibit certain neon and neon-like signage.

Background

Additional Information

ATTACHMENTS:

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<tr>
<th>Description</th>
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<tr>
<td>Legal Notice amend 435-42</td>
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<td>Cover Memo</td>
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</table>
LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, June 22, 2020, at 6:00 p.m., by video conference, by the Village Board of Trustees of the Incorporated Village of Patchogue, TO AMEND SECTIONS 435-42 AND 435-43(H)(2) OF THE VILLAGE CODE TO PROHIBIT CERTAIN NEON AND NEON-LIKE SIGNAGE, 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 11, 2020
AMENDING SECTIONS 435-42 AND 435-43(H)(2) OF THE VILLAGE CODE TO PROHIBIT CERTAIN NEON AND NEON-LIKE SIGNAGE

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 Section 435-42 and 435-43(H)(2) of Chapter 435 of the Village Code which shall read as follows:

§ 435-42 Definitions.

As used in this article, the following words and phrases shall have the following meanings:

ACCESSORY SIGN
Any sign related to a business or profession conducted upon or from the premises where such sign is located.

ANIMATED SIGN
Any sign which is designed and constructed to give its message through a sequence of progressive changes of parts (including sequins or similar devices) or lights or degree of reflection of lighting, excluding time and temperature signs.

APPLICANT
Any person or entity who is making application for a permit under this article.

AWNING
A roof-like retractable or permanent covering of cloth or other material with or without a frame and attached to or supported by a building.

BANNER
A piece of fabric or cloth that may be hung for the purpose of advertising or announcement.

BILLBOARD
A sign bearing a message unrelated to the business or the commercial entity on which it is located or bearing a noncommercial message to serve as a message for an owner who does not conduct business at the location of said sign.

DETACHED DIRECTORY SIGN
A sign indicating a directory of businesses within a complex, mall or office building.

**EXTERIOR LIGHTING**
Any use of lighting on the exterior of a storefront or business or commercial building or property.

**EXTERIOR SIGN**
Any sign located upon or in front of or visible from the exterior of a storefront, business or commercial building or property.

**EXTERIOR WINDOW**
Any window easily viewed from the exterior of a storefront or business or commercial building or property.

**FREESTANDING SIGN**
A sign supported by uprights or braces itself in or upon the ground and not attached to any part of a building.

**FACADE**
The decoration, architectural design, or the outward appearance, of a storefront or business or commercial building or property.

**INTERIOR SIGN**
Any sign located on the inside of a window or within four feet of the inside of an exterior window or other opening in a building or other enclosed structure which is visible from the exterior through such a window or other opening to attract the attention of the public. This term does not include merchandise located within a window.

**MARQUEE SIGN**
A sign exceeding six square feet with changeable copy.

**NEON BORDER TUBING**
A cylindrical body of metal, glass, or other material, containing neon or similar gases used for illuminating the borders of windows, doors, or facades.

**NEON-LIKE SIGN**
Any sign or display of lighting or decoration that uses glass, plastic or other tubing or lighted raceways containing LED or LCD components that imitate the look of neon or florescent signs.

**NEON SIGN**
Any sign or display of lighting or decoration that uses neon or similar gases for illumination.

**PERSON**
Any person or entity of any kind.
POLE SIGN
Any freestanding sign supported by a single pole without guy wires, braces or other supporting framework.

POLITICAL SIGN
Any sign that indicates the name, cause or affiliation of any person seeking public office or that indicates an issue for which a public election has been scheduled.

PROJECTING SIGN
A sign designed to project beyond any face of a building and/or perpendicular to the face of the building.

ROOF SIGN
A sign that is erected, constructed or maintained on, above, or as a part of any building.

SIGN
Any display, whether constructed or otherwise, which is attached to any structure or part thereof, or is painted or represented thereon, that displays any letter, word, model, banner, flag, pennant, insignia, device or representation used as or which is in the nature of an announcement, direction or advertisement, or which can be reasonably determined to be a sign as the term is used in common parlance and understanding. Excluded from this definition is any flag, pennant or insignia of any nation, state, or other governmental unit.

TRADITIONAL SIGN
Any flat sign that is made of wood, fiberglass, metal or other traditional architectural material that does not have illumination as a part of its construction, and which represents a business, store or commercial entity.

WINDOW DISPLAY
The decoration intended to attract to, or entertain customers at, any exterior window.

§ 435-43 Permit application, compliance and fees.

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 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.
(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) With the exception of signs advertising alcoholic beverages and “open/closed” signs, neon and neon-like signs are prohibited.

(bc) Neon and neon-like signs advertising alcoholic beverages are not permitted in windows, facades, or within four feet of an exterior window.

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

This Local Law shall take effect immediately.

Aye Nay  Aye Nay
___ ___ Mayor Pontieri ___ ___ Trustee Brinkman
___ ___ Trustee Felice ___ ___ Trustee Krieger
___ ___ Trustee Keyes ___ ___ Trustee Ferb
___ ___ Trustee Devlin

Dated: June ___ , 2020

__________________________________________________________
Patricia M. Seal - Village Clerk
Agenda Summary

Request approval to implement Governor Cuomo’s Executive Order 202.36 to extend the interest-free period for the payment of property taxes to July 21, 2020

Background

Additional Information
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 to hold an Amnesty program for parking tickets remaining open in the Village Justice Court. This program will run from July 1st to August 15th and will offer a 50% discount on all parking tickets that have accrued penalties and have remained unanswered at the recommendation of Village Justice, Patricia Romeo

Background

Additional Information
Agenda Summary

P.E.P. Report

Background

Additional Information
Agenda Summary

Parks & Recreation Report

Background

Additional Information
Agenda Summary

Request approval of the standard work day for William Hilton, Director of Special Events

Background

Additional Information
Agenda Summary

DPW Report

Background

Additional Information
Agenda Summary

Request approval to enter into the Eastern Suffolk Boces Joint Municipal Cooperative Bidding Program for the 2020/2021 school year.

Background

Additional Information
Agenda Summary

Request approval for a change order to increase H2M Main Street sewer construction services by $9,700.

Background

Additional Information
Agenda Summary

Request approval to hire Jake Scala as a Summer Laborer at $15/hr.

Background

Additional Information
Agenda Summary

Major Projects Update

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
Agenda Summary

Request approval to accept the full service retirement of Peter Sarich as Senior Building Inspector, effective July 10, 2020. Request approval to reappoint Peter Sarich as Senior Building Inspector effective July 11, 2020 at a per diem rate of $450.00

Background

Additional Information
Agenda Summary

Request approval to increase the grass cutting and yard maintenance fees to the following; Lawn Cutting and blowing of cut grass formerly $75 to $85, Yard clean-up (up to 3 hours) formerly $300 to $350, Administrative fee for lawn mowing formerly $50 to $75, Administrative fee for yard cleanup formerly $100 to $125

Background

Additional Information
Agenda Summary

Request approval to waive all building fees for the Dialysis Center expansion.

Background

Additional Information