



Minutes
Public Hearings/Business Meeting
August 22, 2005

1. Approved: Close Public Hearing for Section 241 – Trees, Grading and Land Clearing.
2. Approved: Close the Public Hearing for Section 250-9 subparagraph c – Walls.
3. Approved: Close Public Hearing for Section 245-56 – Stop Sign (on East Main Street and Arden Place).
4. Approved: Minutes of July 11, 2005 as amended.
5. Approved: Minutes of July 18, 2005 as amended.
6. Approved: Budget Transfers as requested by Treasurer Diane Javitz.
7. Approved: Authorization for the Mayor to sign the Undertaking the Village of Port Jefferson in Connection with Highway Work Permits Issued By the New York State Department of Transportation Resolution.
8. Approved: Antique Auto Club BOGO to rent space in the Community Center for a 2-week period at a cost of only 1 week, subject to the Certificate of Occupancy of room and receipt of insurance certificate naming the Village as also insured and holds harmless clause by owner of each auto.
9. Approved: Parks Commission appointments of Kelly Juliano, term exp. June 2009; Bob Cassidy, term exp. June 2008; and Eileen Hull, term exp. June 2010.
10. Approved: Recreation Director Ron Carlson's recommendation to hire Alyx Sternlicht as a lifeguard, effective immediately, for the remainder of the season at \$7.50/hr.
11. Approved: Country Club General Manager Larry Henn's recommendation to hire Collin Cash as a laborer at the golf course at \$9.50 per hour, effective August 10, 2005.
12. Approved: Grant a 50% refund to Marion Gennaro based on CCMAC recommendation.
13. Approved: Accept resignation of Kathy Light from the CCMAC.
14. Approved: Request of Charles T. Russo, Principal of Port Jefferson High School, for the students of Earl L. Vandermeulen High School to have a bonfire on Friday, September 30, 2005 and conduct a parade in the village on Saturday, October 1, 2005.
15. Approved: Request from LISEC for use of the promenade at Harborfront Park and the parking lot at Centennial Park for their 2nd Annual Family Day on September 24, 2005 from 10am to 6pm and permission to hang a banner advertising the event for 10 days prior to September 24th.
16. Approved: Request of Coast Steward for the use of a Village 4x4 pickup truck to help with their Annual Port Jefferson Harbor Beach Cleanup.
17. Approved: Warrants as presented by Treasurer Javitz.
18. Approved: Go to Executive Session at 11:15pm to discuss Lombardi contract negotiation, salary review, Village Center contract and personnel matter.
19. Approved: salary increases of non-union Village employees, effective June 2005, with the exception of James Krause, whose increase will become effective January 1, 2006.

Public Hearing:

- Section 241 – Trees, Grading and Land Clearing.
Clerk read Legislative Intent and Caveat.

Comments:

Barbara Sabatino: Questioned definitions. Commented that 2 trees at 4 inches is too restrictive – 4 trees would be more appropriate.

Shirley Leonard: Questioned who is responsible for topographical survey. Attorney Warren answered and pointed out the requirements in the "Caveat".

Trustee Ransome: Cited situation on Contessa Court where land was clear-cut.

Barbara Schroeder: Asked about the fines involved – Village Attorney read the fine schedule included in the code change.

Marge Ehrensens: Recommended that the fines be doubled.

Motion by Trustee Ransome, second by Trustee Faulknor, to close the Public Hearing for Section 241 – Trees, Grading and Land Clearing. Motion carried. Voting: 5-0.

- Section 250-9 Subparagraph c – Walls. Village Attorney Warren advised Mayor Lee as to the intent.

No Comments.

Motion by Trustee Britt, second by Trustee Ransome, to close the Public Hearing for Section 250-9 subparagraph c – Walls. Motion carried. Voting: 5-0.

- Section 245-56 – Stop Sign. Install a stop sign on East Main Street and Arden Place.

Comments:

Ray DiBiase: In favor of southbound, but also requests one be installed northbound on East Main as well.

Sandra Swenk: In full agreement with a 3-way stop sign - Would also like crosswalks to be more defined.

Motion by Trustee Ransome, second by Trustee Faulknor, to close the Public Hearing for Section 245-56 – Stop Sign (on East Main Street and Arden Place). Motion carried. Voting: 5-0.

Business Meeting

- Parking Committee meeting with Board of Trustees – Re: Managed parking in the Village. Michael Mart addressed the Village Board regarding the findings of the Parking Committee. Samir Nazir representing the Chamber of Commerce and Peter Sverd representing the BID addressed the Board of Trustees regarding the merits of managed parking. Sandra Swenk stated that she is in favor of this managed parking proposal. Board of Trustees thanked the Parking Committee for all their work.

- Review and amend Minutes of July 11, 2005.

Motion by Trustee Faulknor, second by Trustee Ransome to approve the Minutes of July 11, 2005 as amended. Motion carried. Voting: 5-0.

- Review and amend Minutes of July 18, 2005.

Motion by Trustee Britt, second by Trustee Harty to approve the Minutes of July 18, 2005 as amended. Motion carried. Voting: 5-0.

Budget Transfers and Increases

- Treasurer Diane Javitz is requesting the following budget transfers

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$15,000.00	A7145.10 Village Center FT	A7145.40 Village Center Exp
\$10,000.00	A7145.12 Village Center PT	A7145.40 Village Center Exp

Motion by Trustee Faulknor, second by Ransome, to approve the recommended Budget Transfers as requested by Treasurer Diane Javitz. Motion carried. Voting: 5-0.

UNDERTAKING THE VILLAGE OF PORT JEFFERSON IN CONNECTION WITH HIGHWAY WORK PERMITS ISSUED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, the undersigned Village of Port Jefferson from time to time receives permits from the Department of Transportation of the State of New York (herein referred to as the “Department”) allowing the Village of Port Jefferson to temporarily obstruct, install, construct, maintain, operate or replace any facilities within the bounds of a state highway right-of-way pursuant to Sections 52, 103, 203, 249 and /or 250 of the Highway Law; and

WHEREAS, the Department requires that the municipality file an undertaking to secure the Village of Port Jefferson faithful performance within the terms of any such permit and also to indemnify the State of New York (hereinafter referred to as the “State”) and others with respect to all operations under such permits by the Village of Port Jefferson.

NOW THEREFORE, the Village of Port Jefferson hereby undertakes, to and with the State and the Department, that:

1. The Village of Port Jefferson will well, truly and faithfully comply with and perform all the terms and conditions of each such permit on its part to be kept and performed, and abide by and comply with all such conditions, rules and regulations as may be, from time to time, promulgated by the Commissioner of Transportation of the State of New York (hereinafter referred to as the “Commissioner”), according to the true intent and meaning of such permits, rules and regulations.

2. The Village of Port Jefferson will, at its own expense, promptly complete the work allowed under each permit and within a reasonable time restore State property damaged by its work to substantially the same or equivalent condition as existed before such work was begun; and in the event that Village of Port Jefferson fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Municipality, may restore the property to substantially the same or equivalent condition as existed before the Municipality began the work and require the municipality to reimburse the State for any and all costs incurred by the State in such restoration;

3. The Village of Port Jefferson will indemnify, hold harmless and defend and protect the State of New York, the Commissioner and the Department, their officials, officers, agents and employees against and pay any and all amounts, damages and costs and judgments which may or shall be recovered against said State, or its officers, or agents, or which such State may be called upon to pay to any person or corporation by reason of damages arising or growing out of operations pursuant to said permits or the manner of doing the same, or the neglect of said Village of Port Jefferson, or its agents or servants, or the improper performance pursuant to the conditions of said permits by the municipality, its agents or servants.

4. The Village of Port Jefferson which is insured, will pay any and all damages, costs, including but not limited to attorney's fees, and judgments recovered against the State, the Commissioner of Transportation, the Department of Transportation and their officials, officers and employees in connection with work allowed by a permit or from use of a permit by the Village of Port Jefferson or by any person acting by, through or for the Village of Port Jefferson or by any person acting by, through or for the Village of Port Jefferson, including omission and supervisory acts of any of the entities or person named above;

5. It is understood that this undertaking is one of indemnity only and is not to be construed as imposing on the Village of Port Jefferson an obligation to pay claims for which there would not otherwise be a remedy in law against the State of New York.

6. Any payments required by the foregoing will be guaranteed by the full faith and credit of the Village of Port Jefferson or its districts, as applicable, and will be paid out of current budgeted funds, or if insufficient for its liability and casualty reserve fund or from the proceeds of bonds which current laws permit the Village of Port Jefferson to issue to pay claims against it.

Motion by Trustee Ransome, second by Trustee Britt, to authorize the Mayor to sign the Undertaking the Village of Port Jefferson in Connection with Highway Work Permits Issued By the New York State Department of Transportation Resolution. Motion carried. Voting: 5-0.

Board Member Reports

Trustee Britt

- East Broadway – New York State DOT sent resolution/Contract for design approval, cost not to exceed \$329,000.00 – Village Attorney Warren to review.
- Community development funds - \$77,000.00 to be used for repaving and driveway aprons – targeted area is Stony Hill Road.
- Barnum Avenue – Received letter from LIPA – re: relocation of poles where they infringe on sidewalks. Total cost is \$10,000.00 – Village responsible for \$5,000.00.
- Village Center – Rob Sisler would like to use the Community Center for a 2-week period to display Antique cars.

Motion by Trustee Britt, second by Trustee Faulknor to allow the Antique Auto Club BOGO to rent space in the Community Center for a 2-week period at a cost of only 1 week, subject to the Certificate of Occupancy of room and receipt of insurance certificate naming the Village as also insured and holds harmless clause by owner of each auto. Motion carried. Voting: 5-0.

Trustee Faulknor

- PJCC Contract Issues – Meeting to be scheduled for late September/early October.
- Parks Commission Appointments –
Motion by Trustee Faulknor, second by Trustee Ransome to approve the appointment of Kelly Juliano, term exp. June 2009; Bob Cassidy, term exp. June 2008 and Eileen Hull, term exp. June 2010. Motion carried. Voting: 5-0.
- Village Center
 - Distributed list of names for rental rooms of the center for the board to review.
 - Computer Software Program for Village Center – Our computer consultants have reviewed the proposal and have agreed that it is a good choice – Attorney Warren to review the contract.
- Computer
- Recreation Director Ron Carlson is recommending the hiring of Alyx Sternlicht as lifeguard, effective immediately, for the remainder of the season at \$7.50/hr.
Motion by Trustee Faulknor, second by Trustee Harty, to approve the recommendation of Recreation Director Ron Carlson to hire Alyx Sternlicht as a lifeguard, effective immediately, for the remainder of the season at \$7.50/hr. Motion carried. Voting: 5-0.
- Country Club General Manager Larry Henn is recommending the hiring of Collin Cash as a laborer for the golf course grounds crew at \$9.50 per hour, effective August 10, 2005.

Motion by Trustee Faulknor, second by Trustee Britt, to approve the recommendation of General Manager Larry Henn to hire Collin Cash as a laborer at the golf course at \$9.50 per hour, effective August 10, 2005. Motion carried. Voting: 5-0.

- Letter from Mario Gennaro requesting a golf membership refund for the remainder of the season due to illness. CCMAC recommends approval of 50% refund.

Motion by Trustee Faulknor, second by Trustee Britt to grant a 50% refund to Marion Gennaro based on CCMAC recommendation. Motion carried. Voting: 5-0.

- Resignation of Kathy Light from the CCMAC.

Motion by Trustee Faulknor, second by Trustee Ransome to accept the resignation of Kathy Light from the CCMAC. Motion carried. Voting: 5-0.

Trustee Harty

- Sweeper – Board to consider contract with Town of Brookhaven for sweeping services throughout the Village at different times throughout the year. Trustee Harty to bring contract in for review by the Board.
- Managed Parking Presentation – next step - contact Central Parking for updated proposal.

Trustee Ransome

- Planning Board Training Classes – Members of Planning Board and Village Planner to attend.
- BAS Program presentation – Hardware guidelines to be reviewed.
- Ferry Lanterns – 1. Ken Brady – Lantern dedicated to parents. 2. Ferry owns lanterns – Fred Hall to dedicate lanterns to Village – Ferry to continue to maintain them.
- Little Gray House – Foundation bid opening scheduled for Friday at 3:30pm.
- General Cleanliness of Village is lacking – 2006 season, Village should hire/contract landscaper to maintain, weed, etc. areas of the Village.
- ZBA and Planning Board Agendas were reviewed.
- Dickens
 - 4 Homes on board for House Tour
 - New Events: Holiday Costume Ball at Village Center and new show at Masonic Temple.
 - Ice Event to be planned.
 - Next volunteer meeting scheduled for September 8, 2005.
- MW Zone – Tom Isles of SC Planning will have proposal sometime after Labor Day.
- Children's Maritime Museum
 - Have produced newsletter.
 - Hosting event on September 18, 2005 at Sports Plus – tickets are \$25 per person.
 - Moving forward with Exhibition space in the Chandlery Building. Chandlery foundation is complete.

Village Attorney Warren

- George Wallis – noise issue at Papa Joe's Restaurant – Meeting scheduled for September 13, 2005.
- Santiago Encroachment – Awaiting covenant from the Santiago's attorney.

Correspondence

- Letter from Charles T. Russo, Principal of Port Jefferson High School, requesting permission for the students of Earl L. Vandermeulen High School to have a bonfire on Friday, September 30th and conduct a parade in the village on Saturday, October 1, 2005.

Motion by Trustee Faulknor, second by Trustee Harty to approve the request of Charles T. Russo, Principal of Port Jefferson High School, for the students of Earl L. Vandermeulen High School to have a bonfire on Friday, September 30, 2005 and conduct a parade in the village on Saturday, October 1, 2005. Motion carried. Voting: 5-0.

- Letter from LISEC asking permission to use the promenade at Harborfront Park and the parking lot at Centennial Park for their 2nd Annual Family Day on September 24, 2005 from 10am to 6pm and permission to hang a banner advertising the event for 10 days prior to September 24th.

Motion by Trustee Britt, second by Trustee Faulknor to approve the request of LISEC for use of the promenade at Harborfront Park and the parking lot at Centennial Park for their 2nd Annual Family Day on September 24, 2005 from 10am to 6pm and permission to hang a banner advertising the event for 10 days prior to September 24th. Motion carried. Voting: 5-0.

- Letter from Coastal Steward requesting the use of a Village 4x4 pickup truck to help with their Annual Port Jefferson Harbor Beach Cleanup.

Motion by Trustee Ransome, second by Trustee Britt, to approve the request of Coast Steward for the use of a Village 4x4 pickup truck to help with their Annual Port Jefferson Harbor Beach Cleanup. Motion carried. Voting: 5-0.

- Letter from Barry Haim, Regency Condominium resident requesting the installation of an additional handicap parking space. **Attorney Warren – should Village install additional handicap parking spaces, they would be available to all - Administrator/Clerk Juliano to follow up with Regency Condominium informing them of this.**

Voucher

- Treasurer Diane Javitz has submitted the following **Warrants** for approval:

FUND	WARRANT Num.	AMOUNT
General (A)	7	\$153,206.89
PJCC (CR)	7	\$35,332.37
Trust (T)	6	\$6,626.50
Capital (H)	5	\$28,535.00

Motion by Trustee Harty, second by Trustee Britt to approve the Warrants as presented by Treasurer Javitz. Motion carried. Voting: 5-0.

Old Business

- Code change for Planning Board Stenographer at Public Meetings – Public hearing must be set.
- Port Jefferson Volunteer Ambulance - Re: Retirement Program – **Two open items need to be addressed – Issues to be addressed with Port Jefferson Volunteer Ambulance attorney.**
- Chapter 241: Trees, Grading and Land Clearing. – **Public Hearing held on August 22, 2005 – Board to vote at next business meeting on September 12, 2005.**
- Code Changes -
 1. M-W Zone –
 2. Site Development §250-10 – **Focus meeting – September 15, 2005.**
 3. Cut and Fill fees – **Focus meeting – September 15, 2005.**
 4. §250-37 Lighting – **Focus meeting – September 15, 2005.**
 5. Eating and Drinking Establishments – **Focus meeting – September 15, 2005.**
 6. Conditional Uses in residential districts – **Focus meeting – September 15, 2005.**
 7. House Trailers – **Focus meeting – September 15, 2005.**
 8. Neon signs – **Focus meeting – September 15, 2005.**

Reminders

- September 12, 2005 meeting to start at 6pm to discuss Parking Moratorium.
- September 15, 2005 Focus Meeting for Code Changes – 5pm to 8pm.

Executive Session

Motion by Trustee Faulknor, second by Trustee Britt to go to Executive Session at 11:15pm to discuss Lombardi contract negotiation, salary review, Village Center contract and personnel matter. Motion carried. Voting: 5-0.

Motion by Trustee Ransome, second by Trustee Faulknor to return from Executive Session at 12:30pm. Motion carried. Voting: 5-0.

Motion by Trustee Ransome, second by Trustee Britt, to approve \$15,000 fee for Stellar Construction for the month of September. Motion carried. Voting: 5-0.

Motion by Trustee Ransome, second by Trustee Britt to approve appropriate legal action be taken by the Building Department on Contessa Court. Motion carried. Voting: 5-0.

Motion by Trustee Ransome, second by Trustee Britt, to approve the following salary increases effective June 2005, with the exception of James Krause, whose increase will become effective January 1, 2006. Motion carried. Voting: 5-0.

Title	Name	Salary		Percent Increase
		2004/05	2005/06	
Village Engineer	Koubek	\$79,651.66	\$84,030.00	5.5%
Recreation Supervisor	Carlson	\$78,409.24	\$82,720.00	5.5%
Village Clerk/Administrator	Juliano	\$77,268.32	\$81,515.00	5.5%
Village Treasurer	Javitz	\$69,250.73	\$73,060.00	5.5%
Deputy. Parks Director PJCC	Krause	\$65,000.00	\$68,575.00	5.5%
Parks Crew Leader	Feinberg	\$64,015.08	\$67,535.00	5.5%
Labor Crew Leader 2	Gallagher	\$45,000.00	\$50,500.00	12.2%
Village Planner	Rau	\$45,700.00	\$48,215.00	5.5%
Deputy. Clerk	Howell	\$36,287.50	\$39,290.00	8.3%
Deputy. Treasurer	French	\$32,500.00	\$34,290.00	5.5%
Assistant Rec. Leader	Prochilo	\$27,825.00	\$29,355.00	5.5%
Assistant to Mayor	Quinn	\$25,000.00	\$26,375.00	5.5%

		Hourly	Hourly	
	Boyd	\$ 15.00	\$ 15.83	5.5%
	Bertolotti	\$ 20.00	\$ 21.10	5.5%
	Saladino	\$ 22.50	\$ 23.73	5.5%

Adjourn

Motion by Trustee Ransome, second by Trustee Britt to adjourn the meeting at 12:45am. Motion carried. Voting: 5-0.

Respectfully submitted,

Lynda Howell
Deputy Village Clerk