



Minutes
Business Meeting/ Public Hearing/ Public Forum – 6:00 PM
Village Hall
October 3, 2016

Approved: close the Public Forum

Approved:

Approved: Action items 1-10

Mayor Garant called the meeting to order at 6:00pm

ATTENDANCE:

Mayor Garant, Trustees D'Abramo, Loucks, LaPointe, Miller

Village Attorney Egan, Village Treasurer Wintjen, Village Administrator/Clerk Juliano

Business Meeting:

Action Items:

1. Approve the Minutes of September 19, 2016
2. Approve the Minutes of Sept. 26, 2016
3. Set a date of November 7, 2016 for a public hearing for
 - a. To amend Article II of Chapter 117 of the Village Code to Authorize the Town of Brookhaven to seize dogs at large;
 - b. To Amend Sections 245-23 & 245-65 of the Village Code to authorize regulation of Time Limit Parking by Resolution
 - c. To amend Sections 101-3 & 205-9 to incorporate the provisions of the NYS Energy Conservation Code.
4. Approve the recommendation of Christine Wood to hire Leah Jackson as p/t Justice Court Clerk at \$13/hr. nte 16hrs /week effective September 26, 2016.
5. **Approve the following Resolution**

RESOLUTION - REAFFIRMING THE FINDINGS STATEMENT FOR THE COMPREHENSIVE PLAN FOR THE ADOPTION OF A LOCAL LAW AMENDING CERTAIN ZONING REGULATIONS FOR THE UPPER PORT NEIGHBORHOOD

The Board of Trustees of the Incorporated Village of Port Jefferson, duly convened, does hereby declare as follows:

WHEREAS, the Board is considering the adoption of a local law to amend certain portions of the Village Zoning Code pertaining to the C-2 General Commercial District for the purpose of revitalizing the area known as Upper Port in accordance with the recently enacted 2030 Comprehensive Plan Update (hereinafter the "Proposed Action"); and

WHEREAS, the Board of Trustees arranged for the preparation of a Generic Environmental Impact Statement (GEIS) for the adoption of the 2030 Comprehensive Plan Update for the Village of Port Jefferson pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, on April 21, 2014 the Board designated itself as lead agency pursuant to the implementing regulations of the State Environmental Quality Review Act, specifically 6 NYCRR §617.6(b)(4), with respect to the adoption of the Comprehensive Plan and the implementation of its recommendations; and

WHEREAS, having determined that the adoption of the Comprehensive Plan is a Type I Action, the Board arranged for the drafting of a Draft Generic Environmental Impact Statement ("DGEIS") and on June 24, 2014 held a duly noticed public hearing to solicit public comment on the DGEIS; and

WHEREAS, comments on the DGEIS were requested and accepted until August 1, 2014; and

WHEREAS, the Final Generic Environmental Impact Statement (FGEIS) addressed all substantive comments made during the public review process and was adopted by the Board on January 20, 2015 after a duly noticed public hearing; and

WHEREAS, on June 22, 2015, the Board adopted its Findings Statement with regards to the Comprehensive Plan; and

WHEREAS, the 2030 Comprehensive Plan Update includes the specific code amendment proposals found in the Proposed Action; and

WHEREAS, the passage of time since completion of SEQRA Findings does not necessarily require a new review of the environmental effects of a project. *See Stewart Park and Reserve Coalition v. New York State Department of Transportation*, 157 A.D.2d 1 (3rd Dep't 1990); and

WHEREAS, the Board has reviewed the DEIS, the FEIS, and the Findings Statement and the documents incorporated by reference therein, as well as such other documents as the Board felt it necessary or appropriate to examine to adequately review the Proposed Action; and

WHEREAS, the Board finds that the Findings Statement attached hereto accurately and adequately examines environmental issues presented by the Proposed Action; and

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

THAT, based upon the foregoing and the analysis contained herein, the Lead Agency hereby reaffirms and ratifies the SEQRA Statement of Findings on June 22, 2015. Said Statement of Findings is attached hereto and incorporated herein by reference and made part hereof, as if fully set forth at length; and

THAT, this Resolution shall take effect immediately.

6. **Approve the following Resolution -**

RESOLUTION DESIGNATING THE BOARD OF TRUSTEES AS THE LEAD AGENCY PURSUANT TO SEQRA FOR THE PAYMENT IN LIEU OF PARKING LOCAL LAW

The Board of Trustees of the Incorporated Village of Port Jefferson, duly convened, does hereby declare as follows:

WHEREAS, the Board is considering the enactment of a Payment in Lieu of Parking local law which would require the payment of certain sums to the Village for building permit and site plan applicants in commercial districts whose plans fail to provide sufficient parking under the Village Code (hereinafter the "Proposed Action"); and

WHEREAS, pursuant to 6 NYCRR §§617.4 and 617.5, the Board of Trustees reviewed the Proposed Action and preliminarily determined that same is an Unlisted action; and

WHEREAS, pursuant to 6 NYCRR Part 617, coordinated review of an Unlisted action is optional, and was not undertaken by the Board of Trustees;

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

THAT, the Board of Trustees hereby designates itself as lead agency pursuant to the implementing regulations of the State Environmental Quality Review Act, specifically 6 NYCRR §617.6(b)(4), with respect to the Proposed Action, as described above;

THAT, this Resolution shall take effect immediately.

7. **Approve the following Resolution;**

RESOLUTION ADOPTING A NEGATIVE DECLARATION PURSUANT TO SEQRA FOR THE PAYMENT IN LIEU OF PARKING LOCAL LAW

The Board of Trustees of the Incorporated Village of Port Jefferson, duly convened, does hereby declare as follows:

WHEREAS, the Board is considering the enactment of a Payment in Lieu of Parking local law which would require the payment of certain sums to the Village for building permit and site plan applicants in commercial districts whose plans fail to provide sufficient parking under the Village Code (hereinafter the "Proposed Action"); and

WHEREAS, the proposed action is more particularly described in the attached Environmental Assessment Form; and

WHEREAS, the Board of Trustees declared itself, by Resolution, the lead agency for the proposed action, pursuant to the implementing regulations of the State Environmental Quality Review Act, specifically 6 NYCRR §617.6(b)(4); and

WHEREAS, the Board of Trustees, as lead agency, has caused to be prepared the attached Short Environmental Assessment Form (EAF) to evaluate potential significant adverse environmental impacts associated with the proposed action, and has reviewed the aforesaid Short EAF and agrees with the contents thereof;

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

THAT, the Board of Trustees, as lead agency for the action contemplated herein, after review of the proposed action and 6 NYCRR Part 617, hereby determines that the above-described project is an Unlisted action; and

THAT, based upon the information contained in the Short EAF and other relevant information before the Board of Trustees, the Board of Trustees, as lead agency for the action contemplated herein, and after due deliberation, review and analysis, hereby determines that the proposed action will not result in significant adverse impacts to the environment, and hereby adopts a Negative Declaration for the proposed action.

THAT, this Resolution shall take effect immediately.

8. Justice Court Grant approval. The following resolution is needed for the grant application:

Resolved: That Christine Wood, as Senior Court Clerk of Port Jefferson Village Justice Court, Tara Higgins and John F. Reilly as the Village Justices, are authorized and directed to file an application for funds from the State of New York Unified Court System Office of Court Administration under its Justice Court Assistance Program, in an amount not to exceed \$30,000.00, and upon approval said request to enter into and execute a project agreement with the State for such financial assistance to the Port Jefferson Justice Court.

9. Approve the warrants as presented.

FUND	AMOUNT	DATE	CHECK
General	\$ 56,831.00	9/30/16	030047-030049
General	\$ 90,317.11	10/3/16	030050-030104
General	\$ 25,425.13	10/3/16	030105-030120
PJCC	\$ 28,408.54	10/3/16	20347-20371
Trust	\$ 2,234.00	10/3/16	002485-002490

10. **RESOLUTION ESTABLISHING MINIMUM BID COSTS FOR THE SALE OF SEIZED KAYAKS AND ABANDONED VESSELS**

The Board of Trustees of the Incorporated Village of Port Jefferson, duly convened, does hereby declare as follows:

WHEREAS, by prior Resolution, the Village added Chapter 246 to the Village Code to regulate abandoned kayaks and other vessels; and

WHEREAS, the Village has developed procedures for the collection and disposition of abandoned vessels on beaches and other public property within the Village; and

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

THAT,

1. The fee for removal of an abandoned vessel shall be \$25.00, or the actual cost of removal, whichever is greater.
2. The fee for storage of a vessel shall be \$10.00 per day.
3. Any abandoned vessel proposed for sale under Section 246-5 shall be scheduled for public sale in accordance with Chapter 246 at a minimum opening bid of \$25.00 or the actual cost of removal/storage, whichever is greater; and

THAT, this Resolution shall take effect immediately.

- **Motion by Mayor Garant, second Trustee Loucks, to approve Action Items 1-10.**

Motion passed 5/0 #5 Trustee Miller No

- **Motion by Trustee Loucks, second by Mayor Garant, to approve the 2017 PJCC rates as recommended and revised.**

Motion passed 5/0

PUBLIC HEARING:

1. **PUBLIC HEARING - TO AMEND SECTION 250-27(B) OF THE VILLAGE CODE TO AUTHORIZE A PAYMENT IN LIEU OF PARKING (PILOP) FEE WHEN AN OWNER IN THE C-1, C-2, MW-1, OR MW-2 DISTRICT PROVIDES INSUFFICIENT PARKING**
 - **Motion by Mayor Garant , second by Trustee Loucks to close the public Hearing concerning Code Change to Section 250-27(B)
Motion passed 5/0**
2. **PUBLIC HEARING - TO AMEND SECTIONS 250-17, 250-19, AND 250-27 OF THE VILLAGE CODE AND TO AMEND THE BULK AND PARKING REGULATIONS FOR NONRESIDENTIAL STRUCTURES, AND TO ADD BULK AND PARKING REGULATIONS FOR STRUCTURES IN THE C-2 OVERLAY DISTRICTS, FOR THE PURPOSE OF IMPLEMENTING THE RECOMMENDATIONS SET FORTH IN APPENDIX Q OF THE VILLAGE OF PORT JEFFERSON 2030 COMPREHENSIVE PLAN UPDATE (UPPER PORT JEFFERSON REVITALIZATION PLANNING AND URBAN DESIGN STUDY).**
 - **Motion by Mayor Garant, second by Trustee Loucks to close the public Hearing concerning Code Change to Section 250-17, 19, & 27
Motion 5/0**

Public Safety Issues – Floor open for Public Safety Comments

Public Forum - Floor open for General Comments

CODE CHANGE –

- 1) **Motion by Mayor Garant, second by Trustee D’Abramo to approve the public Hearing concerning Code Change to Section 250-27 (B)
Motion passed 4/0/1; Trustee Miller Abstained**
- 2) **Motion by Mayor Garant, second by Trustee D’Abramo to approve the public Hearing concerning Code Change to Section 250-17, 19, & 27 subject to modification of \$15,000.00 and relief subject to PILOP fee.
Motion passed 4/1; Trustee Miller No**

Adjourn

- **Motion by Mayor Garant second by Trustee D’Abramo to close the Public Forum portion of the meeting and Adjourn the meeting at 9:10 PM. .
Motion passed 5/0**

Respectfully Submitted,

Robert J. Juliano
Village Administrator/ Clerk