



**Minutes
Business Meeting
Village Hall
February 3, 2020 6:00 PM**

Approved: Action Items 1 – 11

Approved: Amend Code section 250-58 and Amend Chapter 173

Approved: Go into Executive Session at 6:25 p.m.

Approved: Come out of Executive Session at 6:59 p.m.

Approved: Close the public forum at 8:06 p.m.

Approved: Adjourn the meeting at 8:06 p.m.

Mayor Garant called the meeting to order at 6:00 PM.

ATTENDANCE:

**Mayor Garant, Trustees Loucks, D'Abramo, Miller, Snaden ,
Village Attorney Egan, Village Administrator Palumbo, Village Clerk Sakovich, Village Treasurer
Mordente, Village Deputy Treasurer Ferrante**

I. Action Items:

1. Approve the minutes of January 21, 2020.
2. Approve the following dates for Coastal Steward to conduct beach cleanups from the corner of Crystal Brook Hollow Road heading north to the parking lot and swings at a cost of \$1,000 plus \$500 for a dumpster per cleanup.
 - Sunday May 10, 2020 Mount Sinai Harbor/ Port Jeff
 - Saturday, November 7, 2020 Mount Sinai Harbor/ Port Jeff
3. Approve the following resolution and stipulation of settlement for N&S Karayiannis Inc.:

RESOLUTION

TO SETTLE OUTSTANDING TAX CERTIORARI PROCEEDINGS PENDING AGAINST THE VILLAGE OF PORT JEFFERSON IN CONNECTION WITH PROPERTY OWNED BY N & S KARAYIANNIS, INC., AND KNOWN AS DISTRICT 206, SECTION 21, BLOCK 4, AND LOT 34 (A/K/A PREMISES: 1600 MAIN STREET (BARBER SHOP & GROCERY STORE/DELI ON S/W CORNER).

The Board of Trustees of the Incorporated Village of Port Jefferson, duly convened pursuant to State and Local Law, does hereby declare as follows:

WHEREAS, pursuant to the New York State Real Property Tax Law the Petitioner herein, owner of real property designated on the Suffolk County Tax Map as District 206, Section 21, Block 4, Lot 34 having duly filed tax certiorari proceedings against such property for the 2015/16 through and including the 2019/20 tax years, and WHEREAS, the Port Jefferson Village Assessor having reviewed and negotiated the case with Petitioner's representative is recommending settlement of said proceedings, and

WHEREAS, the Village of Port Jefferson and this Board are empowered by State and Local Law to compromise and otherwise settle legal claims against the Village, and the Village Assessor has provided an appropriate form Settlement Stipulation and approved the content therein:

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

1. The subject tax certiorari proceedings, filed in the name of the aforementioned Property Owner-Petitioner are hereby settled, subject to the term of the attached Settlement Stipulation, for the 2015/16 through and including the 2019/20 tax years for a total payment of FIVE THOUSAND TWO HUNDRED DOLLARS AND XX/00 CENTS (\$5,200.00), including a refund of \$ 3,800.00, paid in two equal installments, the first within 60 days of execution of the settlement stipulation, and the second no later than the following August 1st, and tax savings (a reduced bill) compensating for ONE THORUSAND FOUR HUNDRED DOLLARS in the 2020/21 tax year; and
 2. Said settlement will also include a reduction of the current \$7,660 assessment to \$ 4,800 beginning with the 2020/21 assessment roll.
 3. The Village attorney is hereby authorized to execute said Stipulation on behalf of the Village based on the aforementioned terms of settlement; and
 4. The Village Assessor is hereby authorized to make the necessary assessment adjustments, if any, and to record the terms of settlement, as may be required or appropriate, and to take necessary action in connection with the settlement; and
 5. The Village Treasurer is hereby authorized to issue payment to the Petitioner's counsel, Forchelli, Deegan, Terrana, on behalf of Petitioner, and instructed to do so in accordance with the terms of the Settlement; and
 6. This Resolution shall take effect immediately.
4. Approve the following resolution and stipulation for Peoples United Bank (F/K/A Suffolk County National Bank):

RESOLUTION

TO SETTLE OUTSTANDING TAX CERTIORARI PROCEEDINGS PENDING AGAINST THE VILLAGE OF PORT JEFFERSON IN CONNECTION WITH PROPERTY OWNED BY PEOPLES UNITED BANK (F/K/A SUFFOLK COUNTY NATIONAL BANK) AND KNOWN AS DISTRICT 206, SECTION 12, BLOCK 7, AND LOTS 1 AND 3 (A/K/A PREMISES: 135 WEST BROADWAY).

The Board of Trustees of the Incorporated Village of Port Jefferson, duly convened pursuant to State and Local Law, does hereby declare as follows:

WHEREAS, pursuant to the New York State Real Property Tax Law the Petitioner herein, owner of real property designated on the Suffolk County Tax Map as District 206, Section 12, Block 7, Lots 1 and 3 having duly filed tax certiorari proceedings against such property for the 2015/16 through and including the 2019/20 tax years, and WHEREAS, the Port Jefferson Village Assessor having reviewed and negotiated the case with Petitioner's representative is recommending settlement of said proceedings, and

WHEREAS, the Village of Port Jefferson and this Board are empowered by State and Local Law to compromise and otherwise settle legal claims against the Village, and the Village Assessor has provided an appropriate form Settlement Stipulation and approved the content therein:

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

1. The subject tax certiorari proceedings, filed in the name of the aforementioned Property Owner-Petitioner are hereby settled, subject to the terms of the attached Settlement Stipulation, for the 2015/16 through and including the 2019/20 tax years for a total payment of TEN THOUSAND DOLLARS AND XX/00 CENTS (\$10,000), including a refund of \$7,500, paid in two equal installments, the first within 60 days of execution of the settlement stipulation, and the second no later than the following

August 1st, and tax savings (a reduced bill) compensating for TWO THOUSAND FIVE HUNDRED DOLLARS AND XX/00 CENTS in the 2020/21 tax year; and

2. Said settlement will also include a reduction of the current \$15,700 assessment to \$8,400 for both lots (\$5,600 for Lot 1 and \$2,800 for Lot 3) beginning with the 2020/21 assessment roll.
 3. The Village attorney is hereby authorized to execute said Stipulation on behalf of the Village based on the aforementioned terms of settlement; and
 4. The Village Assessor is hereby authorized to make the necessary assessment adjustments, if any, and to record the terms of settlement, as may be required or appropriate, and to take necessary action in connection with the settlement; and
 5. The Village Treasurer is hereby authorized to issue payment to the Petitioner's counsel, Forchelli Deegan Terrana, on behalf of Petitioner, and instructed to do so in accordance with the terms of the Settlement; and
 6. This Resolution shall take effect immediately.
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5. Approve the request of Cornel University to allow them to study horseshoe crabs for 15 nights at Mt Sinai at Crystal Brook Harbor Road between 5/5/20 and 7/8/20 and park their vehicles in the cul-de-sac. The Code Chief has approved and temporary parking permits will be issued.
 6. At the request of Renee Lemmerman, approve to enter into a contract with Setauket Country Club (DBA World Gym Setauket) for the 2020 season at PJCC-Tennis from April 15, 2020-October 18, 2020. Total fees paid to SCC-\$34,110 (Director of Tennis fee \$11,250, manage tennis pro shop \$18,450, tennis court maintenance \$4,410).
 7. Approve the proposal from Brian McCaffrey Jr. for administration of the Village's stormwater management program for the March 10, 2020 to March 9, 2021 reporting year at a cost of \$3,500.00.
 8. Authorize the Mayor to enter into and/or sign the agreement (subject to attorney review) of the Energy Efficiency Program with New York Power Authority to replace all lighting fixtures throughout the Village, including, but not limited to, street, park/recreational, decorative and Village facilities with LED Lighting fixtures and other Smart Cities devices.
 9. Adopt the revised Seasonal Outdoor Dining Permit under Village Code fee Section 250-58.
 10. At the request of Renee Lemmerman, hire Chris Seuffert as Custodian I at a salary of \$31,110.96 starting on February 12, 2020.
 11. Approve the warrants as presented by Treasurer Mordente and approved by claims auditor Carlson:

Date: 2/3/2020 WARRANT

FUND	AMOUNT	DATE	CHECK
General	\$ 104,648.70	02/03/20	035534-035584
PJCC	\$ 3,423.33	01/23/2020	ACH
PJCC	\$ 10,711.54	02/03/2020	022316-022326
PJCC	\$ 1,500.00	02/03/2020	022327-022328
Trust	\$ 8,941.28	02/03/2020	003110-003116
Trust	\$ 1,000.00	02/03/2020	003117-003118

Motion by Mayor Garant, second by Kathianne Snaden, to approve Action Items 1-11. Motion passed 5/0

III. EXECUTIVE SESSION

- Motion by Mayor Garant, second by Bruce Miller to go into executive session at 6:25 p.m. to discuss a personnel item.
- Motion by Mayor Garant, second by Bruce D'Abramo to come out of executive session at 6:59 p.m..

IV. PUBLIC FORUM

- A. Bill Kiriluk Presentation
- B. Public Safety Issues – Floor open for Public Safety Comments
- C. Board Reports

V. PUBLIC HEARING

TO AMEND CHAPTER 173 OF THE CODE OF THE VILLAGE OF PORT JEFFERSON ENTITLED NOISE TO ALTER THE LIMITATIONS ON PERMITTED NOISE

- Motion by Mayor Garant, second by Bruce D'Abramo to Close the Public Hearing at 7:52 PM.
- Motion by Mayor Garant, second by Bruce D'Abramo to Approve altering the limitations on permitted noise hearing. Motion passed 5/0

TO AMEND SECTION 250-58 OF THE CODE OF THE VILLAGE OF PORT JEFFERSON ENTITLED SEASONAL OUTDOOR DINING TO REMOVE CONFLICTS WITH OTHER SECTIONS OF THE CODE, TO CLARIFY THE LANGUAGE AND TO ALTER THE REQUIREMENTS RELATED TO NOISE AND OCCUPANCY

- Motion by Mayor Garant, second by Bruce Miller to Close the Public Hearing at 8:06 PM.
- Motion by Mayor Garant, second by Kathianne Snaden to Approve the Seasonal outdoor dining to remove conflicts with other sections of the code public hearing. Motion passed 5/0

VI. ADJOURN

- Motion by Mayor Garant, second by Bruce Miller, to adjourn the meeting at 9:02 P.M.

Respectfully Submitted
Barbara Sakovich
Village Clerk