



236 THIRD STREET  
GREENPORT, NY  
11944

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villageofgreenport.org

**MAYOR**  
KEVIN STUESSI  
EXT 215

**TRUSTEES**  
MARY BESS PHILLIPS  
DEPUTY MAYOR

PATRICK BRENNAN

LILY DOUGHERTY-  
JOHNSON

JULIA ROBINS

**VILLAGE CLERK**  
CANDACE HALL  
EXT 214

March 21, 2024 at 6:00 PM  
Mayor and Board of Trustees – Work Session Meeting  
Third Street  
Firehouse  
Greenport, NY 11944

**AMENDED MARCH 19, 2024**

**Thursday, March 21, 2024, at 6:00 p.m.**

**MOTION TO OPEN PUBLIC HEARING**

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARINGS**

- Public hearing regarding the proposed local law 2 for the maximum speed limit in non-school zones throughout the Village to 25 miles per hour; public hearing remained open from February 22, 2024.
- Public hearing regarding the Wetlands Permit Application submitted by Costello Marine Contracting Corp., as Agent for the property located at 2050 Manhasset Avenue, Greenport, New York, 11944 SCTM# 1001-3-1-2 to perform the following work: Construct a 112' low profile retaining wall. Install three rows of 12" coir-logs, 16' in length. Plant Cape America Beach Grass 12" o.c.
- Public hearing to discuss and possibly take action amending and restating Chapter 88, entitled "Noise" of the Greenport Village Code.
- Public hearing amending Chapter 44, entitled "Assemblies", and Chapter 101 Recreation Areas and Beaches, of the Code of the Village of Greenport.

**MOTION TO CLOSE PUBLIC HEARINGS**

**MOTION TO OPEN WORK SESSION MEETING**

**MONTHLY REPORTS FOR THE FOLLOWING:**

- **FIRE DEPARTMENT – CHIEF WAYDE MANWARING**  
Including compilation of all monthly meeting minutes
- **VILLAGE ADMINISTRATOR**

Road and Water Department  
Sewer Department  
Light Department  
Building Department  
Recreation Department  
Harbor Department  
Marina Manager

- **VILLAGE DEPUTY TREASURER** – ADAM BRAUTIGAM  
Meter Department  
Housing Authority & Community Development
- **VILLAGE CLERK** – CANDACE HALL
- **VILLAGE ATTORNEY** – HARRIS BEACH PLLC

**MAYOR AND VILLAGE BOARD OF TRUSTEES**

**BOARD DISCUSSION**

**PUBLIC TO ADDRESS THE BOARD**

Bill VOG 02-24.

A local law to amend the Code of the Village of Greenport, to amend the maximum speed limit in non-school zones throughout the Village to 25 miles per hour.

Section 1. Legislative Intent and Findings.

The Village of Greenport currently imposes a speed limit of 25 miles per hour on Main Street and Front Street, and 30 miles per hour on all other streets (except in school zones where the speed limit is 20 miles per hour). The Village recognizes that there is significant pedestrian and bicycle traffic, including residents and tourists, throughout the Village, not just on Main and Front Streets but on the residential streets in the Village, and finds that due to these conditions and traffic engineering considerations streets would be made safer if the speed limit on all streets, other than in school zones, is 25 miles per hour. Establishing a Village-wide 25 miles per hour speed limit will reduce the potential for traffic accidents and pedestrian or bicyclist injuries and will improve the character of the Village.

Section 2. Chapter 132 of the Code of the Village of Greenport is hereby amended, to read as follows:

"§132-45. Schedule VII: Speed Limits.

In accordance with the provisions of §132-10, the maximum speed limit at which vehicles may proceed on or along any streets or highways within the Village is hereby established at 25 miles per hour, except as indicated below.

<b>Name of Street</b>	<b>Speed limit (mph)</b>	<b>Location</b>
Moore's Lane (school zone)	20	1,450 feet from Route 25 to Water Tower Property (this would include the stone-paved road which is the entrance to the polo grounds on the north end.)

Section 3. Severability. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective date. This local law shall take effect immediately upon filing with the Secretary of State.



**Bill VOG 01B-24**

A local law amending and restating Chapter 88 of the Code of the Village of Greenport, to amend regulations of noise and enforcement of noise regulations in the Village.

Section 1. Chapter 88 is amended and restated as follows:

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## **Chapter 88 Noise**

**GENERAL REFERENCES**

Mass Public Assemblies—See Ch. 44.

Recreation areas and beaches—See Ch. 101.

Entertainment Permits—See Ch. 150.

**§ 88-1 Purpose.**

The purpose of this Chapter is to minimize the exposure of residents and visitors in the Village of Greenport to unreasonably loud or excessive sound, which is harmful to the peace, welfare, comfort, safety, convenience, good order and prosperity of residents and visitors of the Village of Greenport. It is the public policy and findings of the Village of Greenport Board of Trustees that every person is entitled to be protected from sound that is detrimental to life, health and the enjoyment of his or her property. The intent of the Village of Greenport Board of Trustees is to enact legislation that: (A) serves to control the level of sound in a manner which promotes commerce, the use, value and enjoyment of property, sleep and repose and the quality of the environment by establishing limits on sound levels within the Village of Greenport; (B) provides for appropriate exceptions to the provisions of this Chapter to allow for the functioning of commercial businesses and the operation of construction, landscaping and emergency equipment; and (C) provides clear guidance that certain sound-producing activities constitute unreasonable noise and are therefore prohibited by this Chapter.

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**§ 88-2 Definitions; word usage.**

A. All terminology defined herein that relates to the nature of sound and the mechanical detection and recordation of sound is in conformance with the terminology of the American National Standards Institute or its successor body.

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B. As used in this chapter, the following terms shall have the meanings indicated:

**A-WEIGHTED SOUND PRESSURE LEVEL**

The sound pressure level measured in decibels with a general-purpose sound level meter complying with the provisions of the ANSI Specifications for Sound Level Meters (ANSI S1.4 1971), properly calibrated and operating on the A-weighting network. The level so read is hereinafter abbreviated as "dBA".

**ABATEMENT**

An action to reduce, cease, remove, stop or otherwise reduce the level of any sound or sound source.

**ANSI**

The American National Standards Institute.

**CODE ENFORCEMENT OFFICER**

Any person who is designated to enforce the ~~ordinances~~ laws and regulations for the Village as appointed by the Board of Trustees of the Village pursuant to §-53-3 from time to time; provided that if such person is enforcing the provisions of this Chapter that relate to a specific dBA and require the use of sound level meter, such person shall only be ~~entitled~~ authorized to enforce such provisions to the extent that he or she has been trained in the measurement of sound using such a device.

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**COMMERCIAL AREA**

Any real property located within ~~the any of the areas zoned by Chapter 150 of the Code of the Village of Greenport and the Zoning Map of the Village of Greenport as~~ CR (Retail Commercial) District, CG (General Commercial) District or WC (Waterfront Commercial) District, ~~as shown on the Village Zoning Map~~, including any public waterway or public right-of-way located within the ~~jurisdictional~~ boundaries of any such zone or district, but excluding any public park that is located in any such zone or district.

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**COMMERCIAL LANDSCAPER**

Any person who, for a fee, uses mowers, tractors or other tools or machinery for the purpose of cutting grass and providing other services associated with landscaping.

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**CONSTRUCTION**

Any site preparation (including blasting), assembly, erection, demolition, repair, alteration or similar action for, or of, public or private rights-of-way, buildings, structures, utilities or other property.

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**CONSTRUCTION DEVICE**

Any power device or equipment designed and intended for use in construction, including, but not limited to, air compressors, bulldozers, backhoes, trucks, shovels, derricks and cranes.

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**DECIBEL (dB)**

The unit of measurement for sound pressure level. The number of "decibels" of a measured sound is equal to twenty (20) times the logarithm of the base 10 of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound twenty (20) micropascals, abbreviated "dB".

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**DEMOLITION**

Any dismantling, intentional destruction or removal of buildings, structures, rights-of-way, roadways or other similar property.

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**EMERGENCY WORK**

Any work or action required to (1) restore property to a safe condition following a public calamity, (2) protect persons or property from imminent exposure to danger ~~and~~ or (3) ~~to~~ provide or restore immediately necessary utility and emergency services, including, but not limited to, repairing water, gas, electricity, telephone and sewer facilities and public transportation, removing fallen trees on public rights-of-way and abating other life-threatening conditions.

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**ENTERTAINMENT PERMIT**

Has the meaning specified in Chapter 150.

**GAS-POWERED LEAF BLOWER**

Any portable, handheld or backpack style power equipment that is powered by fuel and used in any landscape maintenance, construction, property repair or property maintenance for the purpose of blowing, moving, removing, dispersing, vacuuming or redistributing leaves, dust, dirt, grass clippings, cuttings and trimmings from trees and shrubs or any other type of litter or debris.

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**IMPULSIVE SOUND**

A sound of short duration usually less than one (1) second and of high intensity with an abrupt onset and

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rapid delay. Examples of "impulsive sound" would be explosions, drop forge impacts, discharge of firearms.

**LANDSCAPING OR LANDSCAPE**

The maintaining of and/or providing care of lawns, including, but not limited to, mowing, cutting and trimming, also the gathering, raking, blowing and/or removal of leaves, grass or lawn clippings and/or other debris on any lot, plot or parcel of land. This includes regular maintenance as well as fall and spring clean-ups. ~~"LANDSCAPE" shall have a similar meaning.~~

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**LANDSCAPING EQUIPMENT**

Any engine or motor-powered device or equipment, including any gas-powered leaf blower, utilized in connection with landscaping.

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**LEAF BLOWER**

~~Any portable, handheld or backpack style power equipment used in any landscape maintenance, construction, property repair or property maintenance for the purpose of blowing, moving, removing, dispersing, vacuuming or redistributing leaves, dust, dirt, grass clippings, cuttings and trimmings from trees and shrubs or any other type of litter or debris~~

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**MOTOR VEHICLE**

~~Any vehicle that is propelled or drawn on land by an engine or motor, including, but not limited to, passenger cars, trucks, truck-trailers, campers and motorcycles.~~

**MASS ASSEMBLY PERMIT**

~~Has the meaning specified in Chapter 44.~~

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**MOTORBOAT**

Any vessel that operates on water and that is propelled by a motor, including, but not limited to, boats, barges, water ski towing devices, jet skis and hover craft.

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**MULTI-DWELLING BUILDINGS**

Any building wherein there are two (2) or more dwelling units.

**OWNER**

~~Any person or entity who owns property, and where such entity is a limited liability company, any member of such company.~~

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**PERSON**

An individual, association, firm, syndicate, company, ~~limited liability company or partnership~~, trust, partnership, corporation, department, bureau or agency, or any other entity recognized by law.

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**PERSONAL SOUND REPRODUCTION DEVICE**

Any battery powered radio, tape player, compact disc player, MP3 player, phone or a portable compact bluetooth speaker, in each case of a type that is generally considered to be for personal use.

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**PLAINLY AUDIBLE**

Any sound that can be detected by a ~~reasonable person of normal sensitivities~~ using his or her unaided hearing faculties. As an example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to be plainly audible sound.

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**PUBLIC HOLIDAY**

The first day of January, known as New Year's Day; the third Monday of January, known as Dr. Martin Luther King, Jr. Day; the twelfth day of February, known as Lincoln's birthday; the third Monday in February, known as Washington's birthday or Presidents' Day; the last Monday in May, known as Memorial Day; the second Sunday in June, known as Flag Day; the nineteenth day of June, known as Juneteenth; the fourth day of July, known as Independence Day; the first Monday in September, known as Labor Day; the second Monday in October, known as Columbus Day or Indigenous People's Day; the eleventh day of November, known as Veterans' Day; the fourth Thursday in November, known as Thanksgiving Day; and the twenty-fifth day of December, known as Christmas Day; each general election day and each day appointed by the President of the United States or the Governor of New York State as a day of general thanksgiving, general fasting and prayer or other general religious observance day. Where a public holiday falls on a Monday, the preceding Sunday shall be deemed a public holiday for purposes of this Chapter.

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**PUBLIC PARK**

Any park, playground, athletic field, boat-launching ramp, skate park or beach that is owned by, leased by, maintained by, or otherwise under the control of, the Village of Greenport, regardless of whether zoned as "Park District" or otherwise, including without limitation, the park and beach area located at the south ends of Fifth and Sixth Streets, the playground located at Third Street adjacent to the Village of Greenport Firehouse, the basketball court located at Third Street north of Center Street, the skatepark located at Moore's Woods and Mitchell Park.  
Has the meaning specified in Chapter 101.

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**PUBLIC RIGHT-OF-WAY**

Any street, avenue, boulevard, lane, road, highway, sidewalk, alley or similar place that is owned or controlled by a governmental entity.

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**PUBLIC SPACE**

Any real property (including any public park) or structures thereon that are owned or controlled by a governmental entity.

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**PUBLIC WATERWAY**

Any navigable waterway within the boundaries of the Village of Greenport, including the area commonly referred to as "Mitchell Park Marina"

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**REAL PROPERTY LINE**

- (1) The imaginary line, including its vertical extension, that separates one (1) parcel of real property from another.
- (2) The vertical and horizontal boundaries of a dwelling unit that is one (1) in a multi-dwelling-unit building.

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**REPETITIVE IMPULSIVE SOUND**

Any sound that is composed of individual impulsive sounds which are repeated continuously.

**RESIDENTIAL AREA OR PROPERTY**

Any real property located within ~~an area zoned by Chapter 150 of the Code of the Village of Greenport and the Zoning Map of the Village of Greenport as the~~ R-1 One-Family Residence District, R-2 One- and Two-Family Residence District or Park District, as shown on the Zoning Map, and including any public waterway or public right-of-way located within the jurisdictional boundaries of any such zone or district.

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**SHORT-TERM RENTAL**



Has the meaning specified in § 103-4 of the Code.

**SOUND**

Any variation in ambient barometric pressure.

**SOUND LEVEL METER**

An instrument, including a microphone, an amplifier and output meter and frequency-weighting networks, for the measurement of sound levels.

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**SOUND PRESSURE LEVEL**

The weighted sound pressure level in decibels obtained using a sound level meter and frequency-weighting network, such as A, B or C. If the frequency weighing employed is not indicated, the A-weighting slow response shall apply.

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**SOUND REPRODUCTION DEVICE**

Any device that is designed to be used or is actually used for the production, reproduction or amplification of sound, including but not limited to any musical instrument, radio, television, tape recorder, compact disc player, phonograph, loudspeaker, public address system or any other electronic device used for the amplification of sound.

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**SOUND SIGNALING DEVICE**

Any device that is designed to be used or is actually used to produce a sound signal, but not spoken language, including, but not limited to, any horn, whistle, bell, gong, siren, rattle, clapper, hammer, drum or air horn.

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**SOUND SOURCE**

Any activity or device whatsoever that produces sound.

**SOUND SOURCE SITE**

Any one (1) parcel of land, or a tract of land consisting of two (2) or more parcels that includes all contiguous land and water areas under the ownership or control of a person in or upon which one (1) or more sound sources are located. The "sound source site" includes all individual sound sources that are located on such site, whether stationary, movable or mobile. A "sound source site" is created by the installation of one (1) or more sound sources thereon.

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**SPECIAL EVENT PERMIT**

~~Has the meaning specified in Chapter 44.~~

**UNREASONABLE NOISE**

Sound that:

- (1) Endangers or injures any person or animal; or
- (2) Annoys, disturbs or discomforts a reasonable person of normal sensitivities; or
- (3) Adversely affects the sleep, repose, health or safety of any person.

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Standards to be considered in determining whether "unreasonable noise" exists in a given situation include but are not limited to the following:

- (a) The volume of the sound.
- (b) The intensity of the sound.

- (c) Whether the nature of the sound is usual or unusual.
- (d) Whether the origin of the sound is natural or unnatural
- (e) The volume and intensity of the background sound, if any.
- (f) The proximity of the sound to residential sleeping facilities.
- (g) The nature and zoning district of the areas within which the sound emanates.
- (h) The time of day or night the sound occurs.
- (i) The time duration of the sound.
- (j) Whether the sound source is temporary.
- (k) Whether the sound is impulsive sound or a repetitive impulsive sound.

**VEHICLE**

Any vehicle that is propelled or drawn on land by an engine or motor, including, but not limited to, passenger cars, trucks, truck-trailers, campers and motorcycles.

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**§ 88-3 Enforcement; Use of Sound Level Meter.**

- A. The provisions of this chapter shall be enforced by one or more code enforcement officer and/or any police officer of the Town of Southold.
- B. Any sound measurement utilizing a sound level meter for purposes of determining compliance with this Chapter 88 shall be made as follows:
  - (1) Using a sound level meter that is designated by its manufacturer as meeting the precision requirements of ANSI S1.4 or IEC 651 for Type 1 or Type 2 sound level meters.
  - (2) Using a  $\Delta$  sound level meter shall be appropriately calibrated and adjusted as necessary by means of an acoustical calibrator of the coupler-type to assure meter accuracy within the tolerances set forth by the ANSI.
  - (3) Using a "slow" meter response, except as necessary to identify a repetitive impulsive sound.
  - (4) Using a windscreen approved by the manufacture of the instrument.
  - (5) At a height of at least four feet above the ground and not closer to the sound source than the real property line of the property on which the sound source is located.
  - (6) For purposes of any outdoor measurement, the back of the curb, the outside edges of driveways, fences, hedges, docks or other physical features commonly associated with property boundaries are presumed to be at a point which is at or beyond the applicable real property line of the applicable sound source site.
  - (7) When measuring sound indoors, the microphone shall be at least three feet distant from any wall, ceiling or partition and the average measurement of at least three microphone positions throughout the room shall be determined.

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(8) When measuring sound within a multi-dwelling unit, all doors and windows shall be closed and the measurements shall be taken in the center of the room most affected by the applicable sound or sound source.

(9) Indoor measurements shall only be taken if the sound source is on or within the same property as the receiving property, as in the case of a multi-use property or a multi-dwelling property.

C. In all cases, the maximum sound pressure level permitted in any applicable zoning district shall be determined based on the applicable zoning district of the property from which the sound pressure level is measured. When a sound source can be identified and the sound emanating therefrom can be measured in more than one zoning district, the limits of the most restrictive zoning district shall apply.

**§ 88-4 Maximum permissible sound pressure levels.**

A. Subject to § 88-6, no person shall make, continue to make, cause to be made or continued, or permit to occur on premises owned by such person, any sound, or use any sound source, within the boundaries of the Village of Greenport, including any waters or beaches falling within the jurisdictional boundaries of the Village, in such a manner as to create a sound pressure level that exceeds the particular limits set forth in Table I when measured at or beyond the real property line of the applicable sound source site, except those acts specifically prohibited pursuant to § 88-5 for which no measurement of sound pressure level is required.

B. ~~Subject to § 88-6~~Except for sounds exempt pursuant to §88-6, no person who is in custody and control of any real property or the owner ~~and/or~~and operator of any ~~motor~~-vehicle or motorboat, located within the boundaries of the Village of Greenport shall permit any other person to make, continue to make, cause to be made or continued any sound, or use any sound source on any such property in such a manner as to create a sound pressure level that exceeds the particular limits set forth in Table I measured at or beyond the real property line of the applicable sound source or which shall create any sound that would otherwise be prohibited pursuant to § 88-5 except to the extent expressly permitted pursuant to § 88-6. For purposes of this Chapter, the following persons shall be presumed to be in "custody and control" of a property: (1) an individual owner or owners where the premises are owner-occupied, (2) (a) in the case of any short-term rental, the owner or owners of such property and (b) in all other cases where a property is rented or leased to a tenant, the tenant or tenants occupying such property, (3) (a) in the case of any business that has an entertainment permit, each responsible person specified in the application relating to the issuance of such entertainment permit and (b) in the case of any other business, the manager or the person in charge of such business and (4) in the case of any motor vehicle or motorboat, the operator thereof. A person found to be in custody and control of any property that is the subject of a violation of this Chapter shall be responsible for the payment of any fines imposed pursuant to § 88-9. Any person who is in custody or control of any short-term rental shall ensure that any person staying therein from time to time is aware of the applicable limitations set forth in this Chapter 88, including the limitations set forth in § 88-5 below.

**§ 88-5 Prohibitions.**

Subject to § 88-6, no person shall make, continue to make, permit or cause to be made or continued or permit to occur on premises owned by such person, any unreasonable noise as defined in § 88-1 within the boundaries of the Village of Greenport, including any waters or beaches ~~following~~-within the ~~jurisdictional~~ boundaries of the Village of Greenport. In particular, without limitation of the foregoing provision of this Section, the following enumerated acts are declared to be in violation of this Section:

A. Sound reproduction devices.

(1) The operation, playing, use or permitting the operation or playing or use of any sound reproduction device that results in any sound that is plainly audible ~~within~~at a distance of 50 feet or more from either



(a) the applicable sound source (including, any motor-vehicle or motorboat) ~~or at the real property site~~  
or (b) beyond the real property line on which or from which such sound is produced as follows:

(a) in any residential area:

(i) on any Friday, Saturday or any public holiday occurring between May 15 and October 1 of each calendar year, between the hours of 11:00 p.m. of such day and 10:00 a.m. of the immediately following day; and

(ii) on any other day, between the hours of 10:00 p.m. of such day and 10:00 a.m. of the immediately following day; and

(b) in any commercial area:

(i) on any Friday or Saturday occurring between May 15 and October 1 of each calendar year, between the hours of 12:30 a.m. and 10:00 a.m. of the immediately following day;

(ii) on any public holiday occurring between May 15 and October 1, between the hours of 11:00 p.m. of such day and 10:00 a.m. of the immediately following day;

(iii) on any other Friday or Saturday, between the hours of 11:00 p.m. of such day and 10:00 a.m. of the immediately following day; and

(iv) on any other day, 10:00 p.m. of such day and 10:00 a.m. of the immediately following day.

Notwithstanding the foregoing, the operation, playing, use or the permitting of operating, playing or use of any sound reproduction device in any public space, public right-of-way or public waterway shall be subject to the provisions of § 88-5A(4) below.

(2) The operation, playing, use or the permitting of operating, playing or use of any sound reproduction device for commercial or business advertising purposes or for the purposes of attracting attention to any performance, show or sale or display of merchandise in connection with any commercial operation, as follows:

(a) in front or outside of any building, structure or on any property abutting or adjacent to a public right-of-way or public space, where the sound therefrom is plainly audible in any residential area or on any adjacent public right-of-way or public space; or

(b) on any boat or in any other manner on the waters within the jurisdiction of the Village of Greenport;  
or

(c) anywhere on any public right-of-way or public space.

(3) The operation, playing, use or permitting of the operation, playing or use of any sound reproduction device by any person in any commercial area in connection with providing any entertainment (as defined in Chapter 150 of the Village Code), the hosting of any catered event (as defined in Chapter 150 of the Village Code) or the hosting of any mass assembly event (as defined in Chapter 44 of the Village Code) unless:

(a) the use thereof is otherwise permitted pursuant to § 150-51J of the Village Code without a valid entertainment permit as required under § 150-51 of the Village Code; or

(b) such person has (i) a valid and existing entertainment permit issued pursuant to § 150-51 of the Village Code and the use of such sound reproduction device is otherwise being operated in accordance with the terms of such entertainment and (ii) to the extent applicable, a special event



permit issued pursuant to Chapter 44 and the use of such sound reproduction device is otherwise being operated in accordance with the terms of such ~~special-mass assembly~~ event.

- (4) The operation, playing, use or permitting the operation, playing or use of any sound reproduction device at any public space, public waterway or any public right-of-way except as follows:
  - (a) the use by an individual person of a personal sound reproduction device to the extent that either:
    - (i) the user thereof is using headphones or earphones in connection therewith; or
    - (ii) the sound emanating from such personal sound reproduction device is played at a low level and is not plainly audible either (A) at a distance of within 25 feet or more from the emitting sound source or (B) at or beyond the real property line of any property located in any residential area;  
or
  - (b) the use thereof is expressly authorized pursuant to a special event permit issued pursuant to Chapter 44.

B. Vocal Disturbances and Peddling.

- (1) Vocal disturbances, including shouting, yelling, hooting, or the making of any other loud outcries, exclamations or other loud or boisterous sounds or loud and boisterous singing by any person or group of persons or the use of any device to amplify the aforesaid sound on, or in, any public right-of-way, public waterway or public space between the hours of (a) the earlier of (i) the hour on which any public space is required to close pursuant to § 101-2 of the Village Code and (ii) 9:30 p.m. of any day and (b) 8:00 a.m. of the immediately following day except to serve as a danger warning.
- (2) Vocal disturbances, including shouting, yelling, hooting, crying or bellowing or the use of any device to amplify any such sound by any peddler, hawker or vendor for the purpose of advertising goods, services, wares or merchandise. The provisions of this subsection shall not apply to the sale of merchandise, food and beverages (a) pursuant to a ~~special-event~~mass assembly permit duly issued in accordance with Chapter 44 or (b) to the extent the applicable peddler, hawker or vendor is in receipt of a valid and effective permit issued pursuant to Chapter 197 of the Code of the Town of Southold and is otherwise operating in accordance with the terms thereof.
- (3) Human conversation from a group gathering area on any property (including at any swimming pool or hot tub) intermittently or at continuously for a period of more than 15 minutes at a volume plainly audible inside a closed residence located at 25 feet or more from such gathering area between the hours of 9:30 p.m. and 8:00 a.m. The actual words of the conversation need not be intelligible; audibility of the sound of conversation under the conditions described is sufficient to constitute unreasonable noise. A closed residence shall be a dwelling unit located in a residential area which has all windows and doors closed to the outside.

C. Noise-Sensitive Zones. The creation of any sound by means of any device or otherwise on any public right-of-way, public waterway or public space adjacent to any school, court, house of worship or public library while such facility is in use or adjacent to any hospital or nursing home at any time, so that such sound disrupts the normal activities conducted at such facilities or disturbs or annoys persons making use of such facilities. Any such activity that is plainly audible within any such noise sensitive zone shall constitute *prima facie* evidence of a violation of this Section.

D. Loading and Unloading. The loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials or similar objects between the hours of 8:00 p.m. and 7:00 a.m. the following day so as to be plainly audible across or into any residential property.

E. Sound Signaling Devices. Causing or permitting to be caused the sounding of any sound signaling device on or in any motor vehicle or motorboat except to serve as a danger warning or in compliance with a regulatory or statutory requirement.

F. Motor Vehicles and Motorboats

(1) The operation of any engine of any ~~motor~~ vehicle, motorboats or any auxiliary equipment attached thereto for a period longer than five (5) minutes in any hour while such motor vehicle or motorboat is stationary, for reasons other than traffic congestion, on any private property, public waterway, public right-of-way or other public space such that the sound therefrom is plainly audible at either (a) a distance of 50 feet or more from such motor vehicle, motorboat or equipment or (b) the realat-any property ~~line of any~~~~located in a~~ residential area, on any day between the hours of (i) 9:00 p.m. of such day and (ii) 8:00 a.m. of the following day.

(2) The operation of any motor vehicle or motorboat that does not include a muffler or other sound-suppression equipment in operable condition.

(3) Any disturbing or raucous sounds caused on any public right-of-way, public spaces or in public waterway at any time by racing or accelerating the engine of any motor vehicle or motorboat while moving or not moving, by the willful backfiring of any engine and exhaust from the engine tailpipe or muffler or from the screeching of tires.

(4) The operation of any sound reproduction device on any motorboat or other vessel so that the sound therefrom is plainly audible at a distance of 25 feet or more from such motorboat or vessel.

G. Construction. The operation or permitting of the operation of any construction device, including, but not limited to, construction and demolition work, excavating or earthmoving equipment:

(1) Between the hours of (a) on any Monday through Saturday, 8:00 p.m. of such day and 8:00 a.m. the following day on weekdays or (b) at any time on Sundays or on any public holiday, such that the sound is plainly audible on any adjacent property.

(2) At any other time such that the continuous sound-in-air level at or across the real property line of the sound source site on which such construction device is being operated exceeds an L10 of eighty (80) dBA.

(3) At any other time such that the impulsive sound-in-air level has a peak sound pressure level at or across the real property line of the sound source site on which such construction device is being operated is in excess of one hundred thirty (130) dBA.

H. Landscaping Equipment. The operation or permitting of the operation of any landscaping equipment by any commercial landscaper during the following days and times: (1) Monday through Friday between the hours of 7:00 p.m. on such day and 8:00 a.m. on the following day, (b) Saturday, prior to 9:00 a.m. or after 6:00 p.m. or (c) on any Sunday or public holiday,

I. Air Conditioning and Heat Pump Equipment. The operation of any air-conditioning or air-handling equipment, swimming pool or spa pump, exhaust fan or other heat-pump based equipment in such a manner as to exceed 55 dBA over a ten (10)- minute period of time, measured from a distance of 50 feet or more from the sound source.

J. Garbage Pick Up. Garbage collection between the hours of 8:00 p.m. and 7:00 a.m. in such manner as to be plainly audible across or into any residential property.

M. Animals. Barking or other sounds made by a dog or other domestic animal intermittently or



continuously for more than 15 minutes.

N. Leaf Blowers. Notwithstanding any other provision in this chapter or elsewhere in the Village Code, commencing on January 1, 2025, the use of any gas-powered leaf blower or a leaf blower powered by a generator, off-site electrical conduit or vehicle is prohibited at all times. Prior to such prohibition, gas-powered leaf blowers and leaf blowers powered by a generator, off-site electrical conduit or vehicle may be used only between March 15 through May 15, and October 15 through December 15. During the portions of the year when gas-powered leaf blowers and leaf blowers powered by a generator, off-site electrical conduit or vehicle are permitted, they cannot be used during the following days and times: (a) Monday through Friday between the hours of 7:00 p.m. on such day and 8:00 a.m. on the following weekday (which is not a legal holiday), (b) Saturday, prior to 9:00 a.m. or after 6:00 p.m. or (c) on any time on Sunday or public holiday.

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§ 88-6 **Exceptions.**

The following activities and/or sounds are exempt from the provisions of this Chapter:

- A. Sounds created by bells, chimes or carillons not operating continuously for more than five (5) minutes in any hour.
- B. Emergency work as defined in Section 88-2 (B). Sounds from snowblowers, snow throwers and snowplows, when operated with a muffler, for the purpose of snow removal and when used in accordance with manufacturer's specifications,
- D. Sound from stationary emergency signaling devices owned and operated by any public utility, municipal subdivision, fire department or ambulance corps when used in connection with an emergency or for testing purposes, including, but not limited to, train switching.
- E. Sound from a burglar alarm of any building or motor vehicle, provided that such burglar alarm shall terminate its operation within fifteen (15) minutes after it has been activated and shall not be operated more than fifteen (15) minutes in any one-hour period.
- F. Sounds from generators during periods when there is no electrical service available due to natural disaster or power outage; *provided* that the sound created by any stationary generator shall not exceed 75dBA at any real property line of the applicable sound source site.
- G. Sound resulting from any vehicle when responding to an emergency call or acting in time of emergency.
- H. Outdoor speakers aboard excursion boats or ferries used to announce sights or make other customary announcements to passengers; *provided* that the sound created thereby shall not exceed 65dBA as measured on any property located within the boundaries of the Village of Greenport.
- I. Sounds caused by natural phenomena or wildlife.
- J. Stationary amplified announcements at athletic events, political events or civic events.
- K. Sound resulting from or, in connection with, any event that is the subject of a ~~special-mass assembly~~ event permit that specifically provides for relief from the provisions of this Chapter 88 during the approved duration of such event; *provided* that any applicable sound reproduction device used in connection with any such event shall be expressly permitted to be used pursuant to the terms of such special event permit.
- L. Sound associated with any ~~demonstration-mass assembly event~~ (as defined in Chapter 44) that is permitted to occur without a ~~special-event~~ ~~mass assembly~~ permit pursuant to the terms of Chapter 44, other than any sound that results from the use of a sound reproduction device of any type other than a

musical instrument, megaphone or bullhorn.

M. Sound occurring that arises as a result of the operation of equipment utilized in the ordinary course of operations of permitted water-dependent uses, located in the Waterfront Commercial District, as defined in Section 150-11(A)(5), (6), (7), and (8).

**§ 88-7 Prima Facie Evidence of Offenses.**

The following shall constitute *prima facie* evidence of a violation of this Code:

- A. The occurrence of any activity set forth in §§ 88-5A through 88-5NM that is plainly audible at a distance of 50 feet or more from the location from where the sound source thereof is located.
- B. With respect to unreasonable noise of the types described in §§ 88-5A(1), 88-5A(3), 88-5A(4), 88-5B(1), 88-5B(3), 88-5D, 88-5F(1), 88-F(2), 88-(G)(1), 88-(H), 88-5(J), 88-5(M) or 88-5(NM), the making of separate and distinct but substantially similar reports to a code enforcement officer or police officer by two or more persons living in separate dwelling units (which may include apartments or condominiums located within the same building) alleging that the applicable sound constitutes unreasonable noise and specifying as to the time, duration and general location of the sound source of the applicable unreasonable noise.
- C. The occurrence of any of the activities set forth in § 88-5 that any individual person hears and reports to a code enforcement officer or police officer and the occurrence of which is corroborated by a code enforcement officer or police officer.

**§ 88-8 Penalties for offenses.**

A. Any person who violates any provision of this Chapter shall be guilty of a violation and shall be subject to penalties in the following manner:

- (1) Upon a first violation, by a fine of not less than \$250 nor more than \$1,500.
- (2) Upon a second violation in any twelve (12)-month period, by a fine of not less than \$1,000 nor more than \$2,500.
- (3) Upon a third violation in any twelve (12)-month period by a fine, of not less than \$1,500 nor more than \$5,000.
- (4) Upon a fourth or consecutive violation in any twelve (12)-month period by a fine, of not less than \$5,000 nor more than \$20,000.
- (5) Each action that constitutes a violation of this Chapter 88, which either continues or is repeated more than 30 minutes after the issuance of any notice of abatement has been issued pursuant to § 88-9 or a code enforcement officer or police officer has issued an order to cease said activity, shall be considered an additional separate and distinct offense.

(6) Any offense occurring prior to the adoption of Local Law 1 of 2024 shall not be counted as a first offense for purposes of this section.

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B. Nothing herein contained shall prevent the Village of Greenport from taking whatever action in law or equity as may be available to prevent and remedy an offense, including, without limitation, any action for declaratory judgment and/or the enjoinder of any continued violation of this Chapter or any action by the Village Board of Trustees pursuant to §150-51 to revoke any entertainment permit as a result of violations by any person of this Chapter 88.

~~C. Notwithstanding the aforesaid penalties, the owner or owners of the premises at which a violation of 88-5N occurs, shall be solely responsible for the aforesaid penalties.~~

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**§ 88-9 Abatement.**

- A. Except as provided in Subsection B below, in lieu of issuing a summons, any code enforcement officer or police officer may issue a warning requiring abatement of any source of sound alleged to be in violation of this Chapter.
- B. A warning shall not be issued when the applicable code enforcement officer or police officer has reason to believe that there will not be compliance with the warning, when the alleged violator has been served with a previous warning or had previously been convicted for a violation of this Chapter.

**§ 88-10 Construal.**

No provision of this chapter shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this Chapter or from other law.

**Attachments:**

[088a Appendix A](#)



APPENDIX A

TABLE I

Maximum Permissible A-Weighted Pressure Levels by Receiving Property Category, in dBA

Sound Source Property Category	Receiving Property Category			
	Residential, Public Space or any Public Right-of-Way or Public Waterway abutting a Residential Area		Commercial or any Public Right-of-Way or Public Waterway abutting a Commercial Area, Public Waterway	
	12:30 a.m. to 8:00 a.m. (next day)	8:00 a.m. to 12:30 a.m. (next day)	12:30 a.m. to 8:00 a.m.	8:00 a.m. to 12:30 a.m. (next day)
Residential Area, Public Space or any Public Right-of-Way or Public Waterway abutting a Residential Area	50	65	60	70
Commercial Area, or any Public Right-of-Way or Public Waterway abutting a Commercial Area	50	65	60	70

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Section 2. Severability. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 3. Effective date. This local law shall take effect immediately upon filing with the Secretary of State.

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**Bill VOG 01B-24**

A local law amending and restating Chapter 88 of the Code of the Village of Greenport, to amend regulations of noise and enforcement of noise regulations in the Village.

Section 1. Chapter 88 is amended and restated as follows:

## “Chapter 88 Noise

**§ 88-1 Purpose.**

The purpose of this Chapter is to minimize the exposure of residents and visitors in the Village of Greenport to unreasonably loud or excessive sound, which is harmful to the peace, welfare, comfort, safety, convenience, good order and prosperity of residents and visitors of the Village of Greenport. It is the public policy and findings of the Village of Greenport Board of Trustees that every person is entitled to be protected from sound that is detrimental to life, health and the enjoyment of his or her property. The intent of the Village of Greenport Board of Trustees is to enact legislation that: (A) serves to control the level of sound in a manner which promotes commerce, the use, value and enjoyment of property, sleep and repose and the quality of the environment by establishing limits on sound levels within the Village of Greenport; (B) provides for appropriate exceptions to the provisions of this Chapter to allow for the functioning of commercial businesses and the operation of construction, landscaping and emergency equipment; and (C) provides clear guidance that certain sound-producing activities constitute unreasonable noise and are therefore prohibited by this Chapter.

**§ 88-2 Definitions; word usage.**

- A. All terminology defined herein that relates to the nature of sound and the mechanical detection and recordation of sound is in conformance with the terminology of the American National Standards Institute or its successor body.
- B. As used in this Chapter, the following terms shall have the meanings indicated:

**A-WEIGHTED SOUND PRESSURE LEVEL**

The sound pressure level measured in decibels with a general-purpose sound level meter complying with the provisions of the ANSI Specifications for Sound Level Meters (ANSI S1.4 1971), calibrated and operating on the A-weighting network. The level so read is hereinafter abbreviated as “**dba**”.

**ABATEMENT**

An action to reduce, cease, remove, stop or otherwise reduce the level of any sound or sound source.

**ANSI**

The American National Standards Institute.

**CODE ENFORCEMENT OFFICER**

Any person who is designated to enforce the laws and regulations for the Village as appointed by the Board of Trustees of the Village pursuant to §53-3 from time to time; *provided* that if such person is enforcing the provisions of this Chapter that relate to a specific dba and require the use of sound level meter, such person shall only be authorized to enforce such provisions to the extent that he or she has

been trained in the measurement of sound using such a device.

### **COMMERCIAL AREA**

Any real property located within the CR (Retail Commercial) District, CG (General Commercial) District or WC (Waterfront Commercial) District, as shown on the Village Zoning Map, including any public waterway or public right-of-way located within the boundaries of any such zone or district, but excluding any public park that is located in any such zone or district.

### **COMMERCIAL LANDSCAPER**

Any person who, for a fee, uses mowers, tractors or other tools or machinery for the purpose of cutting grass and providing other services associated with landscaping.

### **CONSTRUCTION**

Any site preparation (including blasting), assembly, erection, demolition, repair, alteration or similar action for, or of, public or private rights-of-way, buildings, structures, utilities or other property.

### **CONSTRUCTION DEVICE**

Any power device or equipment designed and intended for use in construction, including, but not limited to, air compressors, bulldozers, backhoes, trucks, shovels, derricks and cranes.

### **DECIBEL (dB)**

The unit of measurement for sound pressure level. The number of "decibels" of a measured sound is equal to twenty (20) times the logarithm of the base 10 of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound twenty (20) micropascals, abbreviated "dB".

### **DEMOLITION**

Any dismantling, intentional destruction or removal of buildings, structures, rights-of-way, roadways or other similar property.

### **EMERGENCY WORK**

Any work or action required to (1) restore property to a safe condition following a public calamity, (2) protect persons or property from imminent exposure to danger and/or (3) provide or restore immediately necessary utility and emergency services, including, but not limited to, repairing water, gas, electricity, telephone and sewer facilities and public transportation, removing fallen trees on public rights-of-way and abating other life-threatening conditions.

### **ENTERTAINMENT PERMIT**

Has the meaning specified in Chapter 150.

### **GAS-POWERED LEAF BLOWER**

Any portable, handheld or backpack style power equipment that is powered by fuel and used in any landscape maintenance, construction, property repair or property maintenance for the purpose of blowing, moving, removing, dispersing, vacuuming or redistributing leaves, dust, dirt, grass clippings, cuttings and trimmings from trees and shrubs or any other type of litter or debris.

### **IMPULSIVE SOUND**

A sound of short duration usually less than one (1) second and of high intensity with an abrupt onset and rapid delay. Examples of "impulsive sound" would be explosions, drop forge impacts, discharge of firearms.

### **LANDSCAPING OR LANDSCAPE**

The maintaining of and/or providing care of lawns, including, but not limited to, mowing, cutting and trimming, also the gathering, raking, blowing and/or removal of leaves, grass or lawn clippings and/or



other debris on any lot, plot or parcel of land. This includes regular maintenance as well as fall and spring clean-ups.

### **LANDSCAPING EQUIPMENT**

Any engine or motor-powered device or equipment, including any gas-powered leaf blower, utilized in connection with landscaping.

### **LEAF BLOWER**

Any portable, handheld or backpack style power equipment used in any landscape maintenance, construction, property repair or property maintenance for the purpose of blowing, moving, removing, dispersing, vacuuming or redistributing leaves, dust, dirt, grass clippings, cuttings and trimmings from trees and shrubs or any other type of litter or debris

### **MASS ASSEMBLY PERMIT**

Has the meaning specified in Chapter 44.

### **MOTORBOAT**

Any vessel that operates on water and that is propelled by a motor, including, but not limited to, boats, barges, water ski towing devices, jet skis and hover craft.

### **MULTI-DWELLING BUILDINGS**

Any building wherein there are two (2) or more dwelling units.

### **OWNER**

Any person or entity who owns property, and where such entity is a limited liability company, any member of such company.

### **PERSON**

An individual, association, firm, syndicate, company, limited liability company or partnership, trust, partnership, corporation, department, bureau or agency, or any other entity recognized by law.

### **PERSONAL SOUND REPRODUCTION DEVICE**

Any battery powered radio, tape player, compact disc player, MP3 player, phone or a portable compact bluetooth speaker, in each case of a type that is generally considered to be for personal use.

### **PLAINLY AUDIBLE**

Any sound that can be detected by a reasonable person of normal sensitivities using his or her unaided hearing faculties. As an example, if the sound source under investigation is a portable or personal vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to be plainly audible sound.

### **PUBLIC HOLIDAY**

The first day of January, known as New Year's Day; the third Monday of January, known as Dr. Martin Luther King, Jr. Day; the twelfth day of February, known as Lincoln's birthday; the third Monday in February, known as Washington's birthday or Presidents' Day; the last Monday in May, known as Memorial Day; the second Sunday in June, known as Flag Day; the nineteenth day of June, known as Juneteenth; the fourth day of July, known as Independence Day; the first Monday in September, known as Labor Day; the second Monday in October, known as Columbus Day or Indigenous People's Day; the eleventh day of November, known as Veterans' Day; the fourth Thursday in November, known as Thanksgiving Day; and the twenty-fifth day of December, known as Christmas Day; each general election day and each day appointed by the President of the United States or the Governor of New York State as a day of general thanksgiving, general fasting and prayer or other general religious observance day. Where a public holiday falls on a Monday, the preceding Sunday shall be deemed a public holiday

for purposes of this Chapter.

### **PUBLIC PARK**

Any park, playground, athletic field, boat-launching ramp, skate park or beach that is owned by, leased by, maintained by, or otherwise under the control of, the Village of Greenport, regardless of whether zoned as "Park District" or otherwise, including without limitation, the park and beach area located at the south ends of Fifth and Sixth Streets, the playground located at Third Street adjacent to the Village of Greenport Firehouse, the basketball court located at Third Street north of Center Street, the skatepark located at Moore's Woods and Mitchell Park.

### **PUBLIC RIGHT-OF-WAY**

Any street, avenue, boulevard, lane, road, highway, sidewalk, alley or similar place that is owned or controlled by a governmental entity.

### **PUBLIC SPACE**

Any real property (including any public park) or structures thereon that are owned or controlled by a governmental entity.

### **PUBLIC WATERWAY**

Any navigable waterway within the boundaries of the Village of Greenport, including the area commonly referred to as "Mitchell Park Marina"

### **REAL PROPERTY LINE**

- (1) The imaginary line, including its vertical extension, that separates one (1) parcel of real property from another.
- (2) The vertical and horizontal boundaries of a dwelling unit that is one (1) in a multi-dwelling-unit building.

### **REPETITIVE IMPULSIVE SOUND**

Any sound that is composed of individual impulsive sounds which are repeated continuously.

### **RESIDENTIAL AREA OR PROPERTY**

Any real property located within the R-1 One-Family Residence District, R-2 One- and Two-Family Residence District or Park District, as shown on the Zoning Map, and including any public waterway or public right-of-way located within the jurisdictional boundaries of any such zone or district.

### **SHORT-TERM RENTAL**

Has the meaning specified in § 103-4 of the Code.

### **SOUND**

Any variation in ambient barometric pressure.

### **SOUND LEVEL METER**

An instrument, including a microphone, an amplifier and output meter and frequency-weighting networks, for the measurement of sound levels.

### **SOUND PRESSURE LEVEL**

The weighted sound pressure level in decibels obtained using a sound level meter and frequency-weighting network, such as A, B or C. If the frequency weighting employed is not indicated, the A-weighting slow response shall apply.

### **SOUND REPRODUCTION DEVICE**

Any device that is designed to be used or is actually used for the production, reproduction or amplification of sound, including but not limited to any musical instrument, radio, television, tape recorder, compact disc player, phonograph, loudspeaker, public address system or any other electronic device used for the amplification of sound.

### **SOUND SIGNALING DEVICE**

Any device that is designed to be used or is actually used to produce a sound signal, but not spoken language, including, but not limited to, any horn, whistle, bell, gong, siren, rattle, clapper, hammer, drum or air horn.

### **SOUND SOURCE**

Any activity or device whatsoever that produces sound.

### **SOUND SOURCE SITE**

Any one (1) parcel of land, or a tract of land consisting of two (2) or more parcels that includes all contiguous land and water areas under the ownership or control of a person in or upon which one (1) or more sound sources are located. The "sound source site" includes all individual sound sources that are located on such site, whether stationary, movable or mobile. A "sound source site" is created by the installation of one (1) or more sound sources thereon.

### **UNREASONABLE NOISE**

Sound that:

- (1) Endangers or injures any person or animal; or
- (2) Annoys, disturbs or discomforts a reasonable person of normal sensitivities; or
- (3) Adversely affects the sleep, repose, health or safety of any person.

Standards to be considered in determining whether "unreasonable noise" exists in a given situation include but are not limited to the following:

- (a) The volume of the sound.
- (b) The intensity of the sound.
- (c) Whether the nature of the sound is usual or unusual.
- (d) Whether the origin of the sound is natural or unnatural.
- (e) The volume and intensity of the background sound, if any.
- (f) The proximity of the sound to residential sleeping facilities.
- (g) The nature and zoning district of the areas within which the sound emanates.
- (h) The time of day or night the sound occurs.
- (i) The time duration of the sound.
- (j) Whether the sound source is temporary.

- (k) Whether the sound is impulsive sound or a repetitive impulsive sound.

## **VEHICLE**

Any vehicle that is propelled or drawn on land by an engine or motor, including, but not limited to, passenger cars, trucks, truck-trailers, campers and motorcycles.

### **§ 88-3 Enforcement; Use of Sound Level Meter.**

- A. The provisions of this chapter shall be enforced by one or more code enforcement officer and/or any police officer of the Town of Southold.
- B. Any sound measurement utilizing a sound level meter for purposes of determining compliance with this Chapter 88 shall be made as follows:
  - (1) Using a sound level meter that is designated by its manufacturer as meeting the precision requirements of ANSI S1.4 or IEC 651 for Type 1 or Type 2 sound level meters.
  - (2) A sound level meter shall be appropriately calibrated and adjusted as necessary by means of an acoustical calibrator of the coupler-type to assure meter accuracy within the tolerances set forth by the ANSI.
  - (3) Using a “slow” meter response, except as necessary to identify a repetitive impulsive sound.
  - (4) Using a windscreen approved by the manufacture of the instrument.
  - (5) At a height of at least four feet above the ground and not closer to the sound source than the real property line of the property on which the sound source is located.
  - (6) For purposes of any outdoor measurement, the back of the curb, the outside edges of driveways, fences, hedges, docks or other physical features commonly associated with property boundaries are presumed to be at a point which is at or beyond the applicable real property line of the applicable sound source site.
  - (7) When measuring sound indoors, the microphone shall be at least three feet distant from any wall, ceiling or partition and the average measurement of at least three microphone positions throughout the room shall be determined.
  - (8) When measuring sound within a multi-dwelling unit, all doors and windows shall be closed and the measurements shall be taken in the center of the room most affected by the applicable sound or sound source.
  - (9) Indoor measurements shall only be taken if the sound source is on or within the same property as the receiving property, as in the case of a multi-use property or a multi-dwelling property.
- C. In all cases, the maximum sound pressure level permitted in any applicable zoning district shall be determined based on the applicable zoning district of the property from which the sound pressure level is measured. When a sound source can be identified and the sound emanating therefrom can be measured in more than one zoning district, the limits of the most restrictive zoning district shall apply.

### **§ 88-4 Maximum permissible sound pressure levels.**

- A. Subject to § 88-6, no person shall make, continue to make, cause to be made or continued, or permit to



occur on premises owned by such person, any sound, or use any sound source, within the boundaries of the Village of Greenport, including any waters or beaches falling within the jurisdictional boundaries of the Village, in such a manner as to create a sound pressure level that exceeds the particular limits set forth in Table I when measured at or beyond the real property line of the applicable sound source site, except those acts specifically prohibited pursuant to § 88-5 for which no measurement of sound pressure level is required.

- B. Except for sounds exempt pursuant to §88-6, no person who is in custody and control of any real property or the owner and/or operator of any vehicle or motorboat located within the boundaries of the Village of Greenport shall permit any other person to make, continue to make, cause to be made or continued any sound, or use any sound source on any such property in such a manner as to create a sound pressure level that exceeds the particular limits set forth in Table I measured at or beyond the real property line of the applicable sound source or which shall create any sound that would otherwise be prohibited pursuant to § 88-5 except to the extent expressly permitted pursuant to § 88-6. For purposes of this Chapter, the following persons shall be presumed to be in “custody and control” of a property: (1) an individual owner or owners where the premises are owner-occupied, (2) (a) in the case of any short-term rental, the owner or owners of such property and (b) in all other cases where a property is rented or leased to a tenant, the tenant or tenants occupying such property, (3) (a) in the case of any business that has an entertainment permit, each responsible person specified in the application relating to the issuance of such entertainment permit and (b) in the case of any other business, the manager or the person in charge of such business and (4) in the case of any motor vehicle or motorboat, the operator thereof. A person found to be in custody and control of any property that is the subject of a violation of this Chapter shall be responsible for the payment of any fines imposed pursuant to § 88-9. Any person who is in custody or control of any short-term rental shall ensure that any person staying therein from time to time is aware of the applicable limitations set forth in this Chapter 88, including the limitations set forth in § 88-5 below.

#### § 88-5 Prohibitions.

Subject to § 88-6, no person shall make, continue to make, permit or cause to be made or continued or permit to occur on premises owned by such person, any unreasonable noise as defined in § 88-1 within the boundaries of the Village of Greenport, including any waters or beaches within the boundaries of the Village of Greenport. In particular, without limitation of the foregoing provision of this Section, the following enumerated acts are declared to be in violation of this Section:

#### A. Sound reproduction devices.

- (1) The operation, playing, use or permitting the operation or playing or use of any sound reproduction device that results in any sound that is plainly audible at a distance of 50 feet or more from either (a) the applicable sound source (including, any vehicle or motorboat) ~~or at the real property~~ or (b) beyond the real property line on which or from which such sound is produced as follows:

#### (a) in any residential area:

- (i) on any Friday, Saturday or any public holiday occurring between May 15 and October 1 of each calendar year, between the hours of 11:00 p.m. of such day and 10:00 a.m. of the immediately following day; and
- (ii) on any other day, between the hours of 10:00 p.m. of such day and 10:00 a.m. of the immediately following day; and

#### (b) in any commercial area:

- (i) on any Friday or Saturday occurring between May 15 and October 1 of each calendar year, between the hours of 12:30 a.m. and 10:00 a.m. of the immediately following day;

- (ii) on any public holiday occurring between May 15 and October 1, between the hours of 11:00 p.m. of such day and 10:00 a.m. of the immediately following day;
- (iii) on any other Friday or Saturday, between the hours of 11:00 p.m. of such day and 10:00 a.m. of the immediately following day; and
- (iv) on any other day, 10:00 p.m. of such day and 10:00 a.m. of the immediately following day.

Notwithstanding the foregoing, the operation, playing, use or the permitting of operating, playing or use of any sound reproduction device in any public space, public right-of-way or public waterway shall be subject to the provisions of § 88-5A(4) below.

- (2) The operation, playing, use or the permitting of operating, playing or use of any sound reproduction device for commercial or business advertising purposes or for the purposes of attracting attention to any performance, show or sale or display of merchandise in connection with any commercial operation, as follows:
  - (a) in front or outside of any building, structure or on any property abutting or adjacent to a public right-of-way or public space, where the sound therefrom is plainly audible in any residential area or on any adjacent public right-of-way or public space; or
  - (b) on any boat or in any other manner on the waters within the jurisdiction of the Village of Greenport; or
  - (c) anywhere on any public right-of-way or public space.
- (3) The operation, playing, use or permitting of the operation, playing or use of any sound reproduction device by any person in any commercial area in connection with providing any entertainment (as defined in Chapter 150 of the Village Code), the hosting of any catered event (as defined in Chapter 150 of the Village Code) or the hosting of any mass assembly event (as defined in Chapter 44 of the Village Code) unless:
  - (a) the use thereof is otherwise permitted pursuant to § 150-51J of the Village Code without a valid entertainment permit as required under § 150-51 of the Village Code; or
  - (b) such person has (i) a valid and existing entertainment permit issued pursuant to § 150-51 of the Village Code and the use of such sound reproduction device is otherwise being operated in accordance with the terms of such entertainment and (ii) to the extent applicable, a special event permit issued pursuant to Chapter 44 and the use of such sound reproduction device is otherwise being operated in accordance with the terms of such mass assembly event.
- (4) The operation, playing, use or permitting the operation, playing or use of any sound reproduction device at any public space, public waterway or any public right-of-way except as follows:
  - (a) the use by an individual person of a personal sound reproduction device to the extent that either:
    - (i) the user thereof is using headphones or earphones in connection therewith; or
    - (ii) the sound emanating from such personal sound reproduction device is played at a low level and is not plainly audible either (A) at a distance of 25 feet or more from the emitting sound source or (B) at or beyond the real property line of any property located in any residential area; or
  - (b) the use thereof is expressly authorized pursuant to a special event permit issued pursuant to Chapter 44.

B. Vocal Disturbances and Peddling.

- (1) Vocal disturbances, including shouting, yelling, hooting, or the making of any other loud outcries, exclamations or other loud or boisterous sounds or loud and boisterous singing by any person or group of persons or the use of any device to amplify the aforesaid sound on, or in, any public right-of-way, public waterway or public space between the hours of (a) the earlier of (i) the hour on which any public space is required to close pursuant to § 101-2 of the Village Code and (ii) 9:30 p.m. of any day and (b) 8:00 a.m. of the immediately following day except to serve as a danger warning.
- (2) Vocal disturbances, including shouting, yelling, hooting, crying or bellowing or the use of any device to amplify any such sound by any peddler, hawker or vendor for the purpose of advertising goods, services, wares or merchandise. The provisions of this subsection shall not apply to the sale of merchandise, food and beverages (a) pursuant to a mass assembly permit duly issued in accordance with Chapter 44 or (b) to the extent the applicable peddler, hawker or vendor is in receipt of a valid and effective permit issued pursuant to Chapter 197 of the Code of the Town of Southold and is otherwise operating in accordance with the terms thereof.
- (3) Human conversation from a group gathering area on any property (including at any swimming pool or hot tub) intermittently or at continuously for a period of more than 15 minutes at a volume plainly audible inside a closed residence located at 25 feet or more from such gathering area between the hours of 9:30 p.m. and 8:00 a.m. The actual words of the conversation need not be intelligible; audibility of the sound of conversation under the conditions described is sufficient to constitute unreasonable noise. A closed residence shall be a dwelling unit located in a residential area which has all windows and doors closed to the outside.

C. Noise-Sensitive Zones. The creation of any sound by means of any device or otherwise on any public right-of-way, public waterway or public space adjacent to any school, court, house of worship or public library while such facility is in use or adjacent to any hospital or nursing home at any time, so that such sound disrupts the normal activities conducted at such facilities or disturbs or annoys persons making use of such facilities. Any such activity that is plainly audible within any such noise sensitive zone shall constitute *prima facie* evidence of a violation of this Section.

D. Loading and Unloading. The loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials or similar objects between the hours of 8:00 p.m. and 7:00 a.m. the following day so as to be plainly audible across or into any residential property.

E. Sound Signaling Devices. Causing or permitting to be caused the sounding of any sound signaling device on or in any motor vehicle or motorboat except to serve as a danger warning or in compliance with a regulatory or statutory requirement.

F. Motor Vehicles and Motorboats

- (1) The operation of any engine of any vehicle, motorboats or any auxiliary equipment attached thereto for a period longer than five (5) minutes in any hour while such motor vehicle or motorboat is stationary, for reasons other than traffic congestion, on any private property, public waterway, public right-of-way or other public space such that the sound therefrom is plainly audible at either (a) a distance of 50 feet or more from such motor vehicle, motorboat or equipment or (b) the real property line of any residential area, on any day between the hours of (i) 9:00 p.m. of such day and (ii) 8:00 a.m. of the following day.
- (2) The operation of any motor vehicle or motorboat that does not include a muffler or other sound-suppression equipment in operable condition.
- (3) Any disturbing or raucous sounds caused on any public right-of-way, public spaces or in public waterway at any time by racing or accelerating the engine of any motor vehicle or motorboat while



moving or not moving, by the willful backfiring of any engine and exhaust from the engine tailpipe or muffler or from the screeching of tires.

- (4) The operation of any sound reproduction device on any motorboat or other vessel so that the sound therefrom is plainly audible at a distance of 25 feet or more from such motorboat or vessel.
- G. Construction. The operation or permitting of the operation of any construction device, including, but not limited to, construction and demolition work, excavating or earthmoving equipment:
- (1) Between the hours of (a) on any Monday through Saturday, 8:00 p.m. of such day and 8:00 a.m. the following day on weekdays or (b) at any time on Sundays or on any public holiday, such that the sound is plainly audible on any adjacent property.
  - (2) At any other time such that the continuous sound-in-air level at or across the real property line of the sound source site on which such construction device is being operated exceeds an L10 of eighty (80) dBA.
  - (3) At any other time such that the impulsive sound-in-air level has a peak sound pressure level at or across the real property line of the sound source site on which such construction device is being operated is in excess of one hundred thirty (130) dBA.
- H. Landscaping Equipment. The operation or permitting of the operation of any landscaping equipment by any commercial landscaper during the following days and times: (1) Monday through Friday between the hours of 7:00 p.m. on such day and 8:00 a.m. on the following day, (b) Saturday, prior to 9:00 a.m. or after 6:00 p.m. or (c) on any Sunday or public holiday,
- I. Air Conditioning and Heat Pump Equipment. The operation of any air-conditioning or air-handling equipment, swimming pool or spa pump, exhaust fan or other heat-pump based equipment in such a manner as to exceed 55 dBA over a ten (10)- minute period of time, measured from a distance of 50 feet or more from the sound source.
- J. Garbage Pick Up. Garbage collection between the hours of 8:00 p.m. and 7:00 a.m. in such manner as to be plainly audible across or into any residential property.
- M. Animals. Barking or other sounds made by a dog or other domestic animal intermittently or continuously for more than 15 minutes.
- N. Leaf Blowers. Notwithstanding any other provision in this chapter or elsewhere in the Village Code, commencing on January 1, 2025, the use of any gas-powered leaf blower or a leaf blower powered by a generator, off-site electrical conduit or vehicle is prohibited at all times. Prior to such prohibition, gas-powered leaf blowers and leaf blowers powered by a generator, off-site electrical conduit or vehicle may be used only between March 15 through May 15, and October 15 through December 15. During the portions of the year when gas-powered leaf blowers and leaf blowers powered by a generator, off-site electrical conduit or vehicle are permitted, they cannot be used during the following days and times: (a) Monday through Friday between the hours of 7:00 p.m. on such day and 8:00 a.m. on the following weekday (which is not a legal holiday), (b) Saturday, prior to 9:00 a.m. or after 6:00 p.m. or (c) on any time on Sunday or public holiday.

#### **§ 88-6 Exceptions.**

The following activities and/or sounds are exempt from the provisions of this Chapter:

- A. Sounds created by bells, chimes or carillons not operating continuously for more than five (5) minutes in any hour.



- B. Emergency work as defined in Section 88-2 (B). Sounds from snowblowers, snow throwers and snowplows, when operated with a muffler, for the purpose of snow removal and when used in accordance with manufacturer's specifications,
- D. Sound from stationary emergency signaling devices owned and operated by any public utility, municipal subdivision, fire department or ambulance corps when used in connection with an emergency or for testing purposes, including, but not limited to, train switching.
- E. Sound from a burglar alarm of any building or motor vehicle, provided that such burglar alarm shall terminate its operation within fifteen (15) minutes after it has been activated and shall not be operated more than fifteen (15) minutes in any one-hour period.
- F. Sounds from generators during periods when there is no electrical service available due to natural disaster or power outage; *provided* that the sound created by any stationary generator shall not exceed 75dBA at any real property line of the applicable sound source site.
- G. Sound resulting from any vehicle when responding to an emergency call or acting in time of emergency.
- II. Outdoor speakers aboard excursion boats or ferries used to announce sights or make other customary announcements to passengers; *provided* that the sound created thereby shall not exceed 65dBA as measured on any property located within the boundaries of the Village of Greenport.
- I. Sounds caused by natural phenomena or wildlife.
- J. Stationary amplified announcements at athletic events, political events or civic events.
- K. Sound resulting from or, in connection with, any event that is the subject of a mass assembly event permit that specifically provides for relief from the provisions of this Chapter 88 during the approved duration of such event; *provided* that any applicable sound reproduction device used in connection with any such event shall be expressly permitted to be used pursuant to the terms of such special event permit.
- L. Sound associated with any mass assembly event (as defined in Chapter 44) that is permitted to occur without a mass assembly permit pursuant to the terms of Chapter 44, other than any sound that results from the use of a sound reproduction device of any type other than a musical instrument, megaphone or bullhorn.
- M. Sound occurring that arises as a result of the operation of equipment utilized in the ordinary course of operations of permitted water-dependent uses, located in the Waterfront Commercial District, as defined in Section 150-11(A)(5), (6), (7), and (8).

#### § 88-7 Prima Facie Evidence of Offenses.

The following shall constitute *prima facie* evidence of a violation of this Code:

- A. The occurrence of any activity set forth in §§ 88-5A through 88-5N that is plainly audible at a distance of 50 feet or more from the location from where the sound source thereof is located.
- B. With respect to unreasonable noise of the types described in §§ 88-5A(1), 88-5A(3), 88-5A(4), 88-5B(1), 88-5B(3), 88-5D, 88-5F(1), 88-F(2), 88-(G)(1), 88-(H), 88-5(J), 88-5(M) or 88-5(N), the making of separate and distinct but substantially similar reports to a code enforcement officer or police officer by two or more persons living in separate dwelling units (which may include apartments or condominiums located within the same building) alleging that the applicable sound constitutes unreasonable noise and specifying as to the time, duration and general location of the sound source of

the applicable unreasonable noise.

- C. The occurrence of any of the activities set forth in § 88-5 that any individual person hears and reports to a code enforcement officer or police officer and the occurrence of which is corroborated by a code enforcement officer or police officer.

**§ 88-8 Penalties for offenses.**

- A. Any person who violates any provision of this Chapter shall be guilty of a violation and shall be subject to penalties in the following manner:
  - (1) Upon a first violation, by a fine of not less than \$250 nor more than \$1,500.
  - (2) Upon a second violation in any twelve (12)-month period, by a fine of not less than \$1,000 nor more than \$2500.
  - (3) Upon a third violation in any twelve (12)-month period by a fine, of not less than \$1,500 nor more than \$5,000.
  - (4) Upon a fourth or consecutive violation in any twelve (12)-month period by a fine, of not less than \$5,000 nor more than \$20,000.
  - (5) Each action that constitutes a violation of this Chapter 88, which either continues or is repeated more than 30 minutes after the issuance of any notice of abatement has been issued pursuant to § 88-9 or a code enforcement officer or police officer has issued an order to cease said activity, shall be considered an additional separate and distinct offense.
  - (6) Any offense occurring prior to the adoption of Local Law 1 of 2024 shall not be counted as a first offense for purposes of this section.
- B. Nothing herein contained shall prevent the Village of Greenport from taking whatever action in law or equity as may be available to prevent and remedy an offense, including, without limitation, any action for declaratory judgment and/or the enjoinder of any continued violation of this Chapter or any action by the Village Board of Trustees pursuant to §150-51 to revoke any entertainment permit as a result of violations by any person of this Chapter 88.
- C. Notwithstanding the aforesaid penalties, the owner or owners of the premises at which a violation of 88-5N occurs, shall be solely responsible for the aforesaid penalties.

**§ 88-9 Abatement.**

- A. Except as provided in Subsection B below, in lieu of issuing a summons, any code enforcement officer or police officer may issue a warning requiring abatement of any source of sound alleged to be in violation of this Chapter.
- B. A warning shall not be issued when the applicable code enforcement officer or police officer has reason to believe that there will not be compliance with the warning, when the alleged violator has been served with a previous warning or had previously been convicted for a violation of this Chapter.

**§ 88-10 Construal.**

No provision of this chapter shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this Chapter or from other law.

**Attachments:**

088a Appendix A

APPENDIX A

TABLE I

Maximum Permissible A-Weighted Pressure Levels by Receiving Property Category, in dBA

Sound Source Property Category	Receiving Property Category			
	Residential, Public Space or any Public Right-of-Way or Public Waterway abutting a Residential Area		Commercial or any Public Right-of-Way or Public Waterway abutting a Commercial Area, Public Waterway	
	12:30 a.m. to 8:00 a.m. (next day)	8:00 a.m. to 12:30 a.m. (next day)	12:30 a.m. to 8:00 a.m.	8:00 a.m. to 12:30 a.m. (next day)
Residential Area, Public Space or any Public Right-of-Way or Public Waterway abutting a Residential Area	50	65	60	70
Commercial Area, or any Public Right-of-Way or Public Waterway abutting a Commercial Area	50	65	60	70

“

Section 2. Severability. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 3. Effective date. This local law shall take effect immediately upon filing with the Secretary of State.



Bill VOG 06-24.

A local law amending and restating Chapter 44 of the Code of the Village of Greenport, to modify the regulation of mass public assemblies.

## Chapter 44 Assemblies, Mass Public

**GENERAL REFERENCES**

~~Noise— See Ch. 115.~~

~~Recreation Areas and Beaches— See Ch. 101.~~

~~Streets and sidewalks— See Ch. 115.~~

~~Entertainment permits— §§150-52, 150-51.~~

**§ 44-1 Intent.**

The Board of Trustees of the Village of Greenport, being concerned for the health, safety and welfare of the residents of the Village of Greenport and the public that otherwise are within the jurisdiction of the Village of Greenport, and being cognizant of the difficulties in the concentration and gatherings of persons in public places has enacted this chapter.

**§ 44-1A Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**ADDITIONAL EQUIPMENT OR STRUCTURES**

Any temporary structure (including, tents, dance floors or stages), furnishings (including tables and chairs), sound reproduction devices (including speakers), entertainment devices (but excluding sound reproduction devices) such as bouncy houses, inflatable slides, jet skis, movie or film screens or other similar items, food trucks or carts or any other equipment (but excluding sound reproduction devices), including generators, grills, powered refrigeration units or catering trucks that is intended to be brought in specifically in connection with the hosting of any mass assembly event, but excluding, for the avoidance of doubt, any beach umbrella, any beach pop-up tent that is intended for sun protection, any beach canopy that is intended for sun protection, beach chairs, portable coolers that do not require any type of power or small tables being utilized to hold small items for personal use but not for seating or dining related purposes.

~~**CATERED EVENT**~~

~~Has the meaning set forth in Chapter 150.~~

**CHARITABLE ORGANIZATION**

An organization as defined in New York Executive Law § 171-a, including but not limited to, not-for-profit corporations. Such charitable organizations shall be recognized as exempt from federal taxation

under Internal Revenue Code § 501(c)(3), shall be duly registered with the Charities Bureau of the Attorney General of the State of New York and shall provide services or funds that benefit the Village of Greenport.

**DEMONSTRATION**

Any assembly or gathering of one or more persons held for the purpose of exercising free speech activity protected either by the First Amendment to the United States Constitution or Article I, Section 8 of the New York State Constitution, which shall include conduct the sole or principal object of which is the expression, dissemination or communication of opinion, views or ideas and for which no fee or donation is charged or required as a condition of participation in, or attendance at, such assembly or gathering. Examples of a demonstration may include, without limitation, press conferences, speeches and protests.

**ENTERTAINMENT PERMIT**

A permit issued to any business in accordance with §150-51 in connection with such business providing entertainment (as defined in Chapter 150) or hosting catered affairs (as defined in Chapter 150).

**MASS ASSEMBLY EVENT**

Any organized parade, procession, walk, run, march, race, ride, motorcade, concert, theatrical event, cultural event, exhibit, fair, fundraising event, boat show, car show, sporting event, catered event or any other similar social occasion or event or activity that involves the planned one-time assembly of persons for a common purpose, with or without a requirement for the payment of any fee or donation or any sponsorship, of more than (A) to the extent utilizing in whole or in part any (i) public space, (ii) public waterway, (iii) public-right-of-way or (iv) private property located in any residential area, the lesser of (x) such number of persons as shall be prescribed for any applicable public park pursuant to Chapter 101 and (y) 50 persons or (B) in all other cases, 100 persons. Examples of mass assembly events may include, without limitation, a circus, carnival, fair, festival, block party, marathon or other running event, bicycle race or tour, sporting tournament, spectator sporting event (such as football, baseball and basketball games), art show, craft fair, barbeque, reception party, wedding, family reunion, graduation party, birthday party, dance or movie screening event.

**MITCHELL PARK**

Means the public park and marina located south of Front Street between Bootleg Alley and Third Street which is commonly referred to as “Mitchell Park” or “Mitchell Park Marina”.

**PERSONS**

An individual, association, firm, syndicate, company, trust, partnership, corporation, department, bureau or agency or any other entity recognized by law.

**PUBLIC HOLIDAY**

Has the meaning specified in Chapter 88.

**PUBLIC PARK**

Has the meaning specified in Chapter 101 and shall include for the avoidance of doubt Mitchell Park.

**PUBLIC RIGHT-OF-WAY**

Has the meaning specified in Chapter 88.



**PUBLIC SPACE**

Has the meaning specified in Chapter 88 and shall include for the avoidance of doubt any public park.

**PUBLIC WATERWAY**

Has the meaning specified in Chapter 88.

**RESIDENT**

With respect to any location, a natural person who makes such location their primary place of domicile as evidenced by such person using such location as (a) their address for purposes of official personal identification (i.e. a driver's license) and (b) the primary location for purposes of income tax filings or otherwise demonstrating through other customary means that such location is the principal domicile such person.

**SOUND REPRODUCTION DEVICE**

Has the meaning specified in Chapter 88.

**MASS ASSEMBLY PERMIT**

A permit issued by the Board of Trustees by the Village of Greenport as required under the terms of this Chapter.

**SPONTANEOUS DEMONSTRATION**

Any demonstration occasioned by news or affairs coming into public knowledge and initiating a peaceful public response.

**§ 44-2 Special permit required for mass public assembly; Exceptions to Mass Assembly Permit Requirement; Limitations on use of Mitchell Park.**

- A. (1) Subject to § 44-2(B) below, a mass assembly permit is required for all mass assembly events within the Village of Greenport, including, in any public waterway, public space or on or using any public right-of-way.
- (2) Subject to § 44-2(B) below, no person or group of persons shall maintain, conduct, promote, engage in, operate or knowingly participate in any mass assembly event within the boundaries of the Village of Greenport, including, in, on or using any public waterway, public space or public right-of-way. except pursuant to, and in accordance with, a mass assembly permit issued by the Board of Trustees of the Village of Greenport as hereinafter provided.

Any mass assembly event that is held pursuant to a mass assembly permit shall be held in accordance with the information provided in the application for such mass assembly permit and shall be subject in all respects to any other applicable provisions of Village Code, including, those set forth in Chapter 88 (Noise) and Chapter 101 (Recreation Areas and Beaches) and any other terms, conditions or limitations contained in the applicable mass assembly permit. The organizers of any mass assembly event that shall receive a mass assembly permit shall be responsible for satisfying the requirements set forth in § 44-8 below prior to the occurrence of the applicable mass assembly event or such mass assembly permit shall be considered void.

B. A mass assembly permit shall not be required for any of the following:

- (1) Any activity undertaken by any person that expressly permitted under any conditional use approval, site plan approval or entertainment permit validly issued and in effect in accordance with the provisions of Chapter 150, except to the extent of any catered event involving more than 100



persons which event shall also require the issuance of a mass assembly permit to the extent constituting a mass assembly event.

- (2) Any (a) spontaneous demonstration occurring between the hours of 9:00 a.m. and 10 p.m.; *provided* that such demonstration relates to events that have occurred in the immediately preceding 48 hours or (b) any other demonstration occurring between the hours of 9:00 a.m. and 10 p.m.; *provided* that the Village Clerk and the Southold Town Police Department are notified of the plan to hold such demonstration by no later than close of business of the day immediately preceding the day on which such demonstration is to be held; and *provided further* that, in either case, such demonstration does not involve the use of vehicles, animals, fireworks or equipment (other than any sound reproduction device which is otherwise expressly permitted to be used in connection therewith in accordance with Chapter 88); or
- (3) Lawful picketing; or
- (4) Funeral processions by a licensed mortuary; or
- (5) Events sponsored by the Village of Greenport, including, without limitation, an annual Halloween Parade, an annual Christmas Parade and Tree Lighting, an annual Menorah lighting, a summer concert series in Mitchell Park, an Easter Egg hunt, and other similar events; or
- (6) Regular sporting events or tournaments held at facilities intended for such purposes; or
- (7) Student assemblies at any school chartered by New York State.

C. No mass assembly permit shall be issued for the holding of any mass assembly event at Mitchell Park except for the following types of events:

- (1) Any mass assembly event that is open to the public and held for the purpose of benefiting a charitable organization;
- (2) Any mass assembly event that is open to the public for cultural, arts, educational or sporting or fitness purposes, including races, marathons, yoga, tai chi or other fitness classes, theater events, musical performances and other similar events; *provided* that no such event shall require any sponsorship, the payment of any fee or the making of any donation in order to participate therein
- (3) Any mass assembly event for a private event (i.e. one that is not generally open to the public such as a birthday party, wedding, retirement party, engagement party or reunion) that is held at either ~~(ix)~~ the carousel or in the area immediately adjacent thereto or ~~(iix)~~ in the area above the marina office and in the grass area adjacent to the Mitchell Park Marina Office and the Camera Obscura; *provided* that (a) such event is being held or hosted by a resident of the Village of Greenport, (b) no such event shall be permitted to occur on any ~~(ix)~~ public holiday, ~~(iix)~~ Saturday or Sunday that falls immediately before or after a public holiday or ~~(iiiz)~~ day on which any other mass assembly event is occurring in Mitchell Park and (c) no more than five (5) such events shall be permitted between the period ~~of-through~~beginning on the Friday immediately preceding the last Monday in May (otherwise being known as the Friday immediately before Memorial Day) and continuing through the first Monday in September, known as Labor Day of any calendar year.
- (4) Any other mass assembly event as determined by the Board of Trustees to be consistent with the policies set forth in this Chapter.

§ 44-3 **Application procedure; review; contents of mass assembly permit.**

A. Application procedure.



- (1) Any person seeking to organize or host any mass assembly event shall file an application with the Village Clerk at least 60 days prior to the date or dates upon which such mass assembly event is to take place or such later date as the Village Board of Trustees may agree to but in any event a date that is no later than seven (7) days prior to any regularly scheduled meeting of the Board of Trustees that precedes the date on which such mass assembly event is to take place.
- (2) The application shall include the following:
  - (a) A description of the proposed mass assembly event, including a description of the purpose of such event, all related activities to be carried out in connection therewith and the fee, donation or sponsorship required to be made in connection with participation (if any) in such event and the proposed property or location where such event is contemplated to be located.
  - (b) The expected maximum number of persons intended to use the relevant property, or location in connection with such event, including the total number of participants, guests, organizers, performers (if applicable), employees (if applicable), merchants (if applicable) and instructors (if applicable). In the event that any proposed mass assembly event is proposed to take place in Mitchel Park pursuant to Section 44-2(C)(3), the applicant shall also include a general description of the persons intended to be invited to attend such event (i.e relatives, friends, etc.,) and indicate approximately what percentage of such attendees reside in the Village of Greenport and/or the Town of Southold.
  - (c) The proposed date or dates thereof.
  - (d) The proposed duration of the event.
  - (e) The means of accommodating attendees as to:
    - (i) Food and beverages, if food and beverage service is part of the event, including the name and address and telephone number of any person or persons who will be engaged in the preparation and/or sale of food and a copy of any applicable County Department of Health Services permit number.
    - (ii) Shelter (if applicable).
    - (iii) Facilities for toilet and other personal sanitary needs for men and women.
    - (iv) Emergency first aid.
    - (v) Parking of cars, showing the means of ingress, egress and parking areas for gatherings of 100 or more persons.
    - (vi) Provision for public safety, guards or special police assisting in the control of traffic and the supervision of those persons attending the event, for outdoor events.
  - (f) The name, address and telephone number(s) of the person(s) organizing the event and who can be contacted prior to and during the event by the Village or any Southold Town police officer.
  - (g) The names of any groups, organizations, charitable organizations, businesses or individuals who shall benefit from the proceeds of such event (if any).

- (h) Whether it is contemplated that any additional equipment or structures and/or sound reproduction devices will be used in connection with such mass assembly event and, if so, a description of such additional equipment or structures, sound reproduction devices and the proposed placement and use thereof.
- (i) Provisions for the disposition of any garbage, trash, rubbish or other refuse that arises in connection with such mass assembly event.
- (j) A description of any signage or lighting to be utilized in connection with such mass assembly event.
- (k) A description of any food, beverages, goods or other services to be sold or auctioned at, or otherwise be made available to attendees, in connection with such mass assembly event.
- (l) If a transportation shuttle is proposed, the location of parking for shuttle passengers and any pick-up/drop-off locations within the Village.
- (m) Any additional information required by the Board of Trustees.

- B. In making a determination as to whether to grant an application for a mass assembly permit, the Board of Trustees of the Village of Greenport shall review the application and consider the following:
- (1) The size and capacity of the proposed area where the mass assembly event is scheduled to take place to accommodate the proposed mass assembly event without unduly impinging on the public's right to access or use of any associated public space, public waterway or public right-of-way.
  - (2) The impact of the proposed mass assembly event on the safe and orderly movement of traffic in the area directly surrounding the proposed mass assembly event and in the Village more generally
  - (3) The need for the Southold Town Police Department or any emergency services to be present in connection with the proposed mass assembly event.
  - (4) The potential impact of the proposed mass assembly event on fire and police protection and ambulance service to the areas contiguous to the proposed mass assembly event and to the Village in general.
  - (5) The potential impact of the proposed mass assembly event on the movement of firefighting equipment or ambulance service in the Village of Greenport.
  - (6) The potential impact of the proposed mass assembly event on adjacent property owners and the surrounding neighborhood.
  - (7) Possible conflicts with other events and seasonal demands which may overtax or cause an undue burden on the Village of Greenport and/or Town of Southold. As a general rule, mass assembly events in public parks should be avoided on public holidays and Saturdays or Sundays immediately following or preceding any such public holiday except to the extent open to the general public and specifically related to such public holiday.
  - (8) Whether the applicant is the subject of any outstanding violations in respect of the provisions of this Chapter or any other provisions of the Code.



- (9) The frequency of the proposed mass assembly event and whether it constitutes a use of the applicable property compatible with its character and that of the surrounding area.
- (10) Whether the proposed mass assembly event has a high probability of disorderly conduct likely to endanger public safety or to result in significant public damage.

(11) The availability of parking for the event.

- (12+) Any other matters that relate to the health, safety and welfare of the general public.

A mass assembly permit is a privilege and not a right and may be denied ~~in the event that~~(a) if the applicant fails to comply with any applicable provision of this Chapter or (b) for any other reason not prohibited by law.

- C. The Board of Trustees may issue a mass assembly permit upon such terms and conditions as the Board of Trustees deems necessary and proper to ensure the public health, safety and welfare. In particular, but without limitation, the Board of Trustees may place limitations on (1) the use or placement of any additional equipment or structures in connection with a particular mass assembly event, (2) the hours during which such mass assembly event may occur, (3) the total number of participants or guests permitted to attend such mass assembly event and (4) the use and placement of sound reproduction devices in connection with such mass assembly event.
- D. A mass assembly permit shall include the following information:
  - (1) The location of the applicable mass assembly event and date, starting and endings times therefore.
  - (2) Whether such mass assembly event is permitted to utilize any additional equipment and structures or sound reproduction devices and, if so, any limitations applicable thereto. In the event that a mass assembly permit does not include a specific authorization for any of the foregoing, the use thereof shall not be permitted if otherwise prohibited pursuant to the terms of Chapter 88 or 101 or any other provision set forth in this Code.
  - (3) The maximum number of participants permitted in connection with such mass assembly event or, if such mass assembly event consists of a parade, motorcade or other similar moving event, the maximum number of vehicles and/or length of such parade, motorcade or event.
  - (4) Any requirements for the presence of Southold Town police or any emergency services in connection with such mass assembly event.
  - (5) Any conditions around the use of signage in respect of such mass assembly event.
  - (6) The name and contact details of the organizers of the applicable mass assembly event.
- E. No mass assembly permit is transferable and shall expire at the close of the mass assembly event for which it is issued.
- F. An applicant who is denied a mass assembly permit by the Board of Trustees may apply to the Board of Trustees for reconsideration of the application by filing an appeal with the Village Clerk within 10 days of the date of the denial. A complete copy of the original application for the applicable mass assembly event shall accompany the request for reconsideration. The Board of Trustees may, following a public hearing, affirm, amend or reverse the determination of its prior decision subject to any conditions



deemed appropriate under the circumstances.

**§ 44-4 Concurrent remedies.**

Nothing contained herein shall be deemed or construed so as to prevent the enforcement of any other remedy at law, concurrent or otherwise, available to the Board of Trustees or other law enforcement authority to avoid or prevent any violation or attempted violation of this chapter, such as but not limited to an injunction or restraining order. The Village of Greenport may maintain any action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this chapter.

**§ 44-5 Supplementary provisions.**

This chapter is in addition to any other law, ordinance or regulation affecting the subject matter herein and is not in limitation thereof.

**§ 44-6 Penalties for offenses.**

Any person or persons, who shall violate or aid in, take part in or assist in the violation of this chapter shall be subject to: (a) a minimum fine of not less than \$500 and not more than \$1,000 for the first offense and (b) a minimum fine of \$1,000 or a maximum fine of \$5,000 for each additional offense occurring within twelve (12) months of the first offense. Any penalties payable under this § 44-6 shall be in addition to any other penalties that such person or persons may be liable for pursuant to any other provision of this Code, including, without limitation, pursuant to Chapter 88 or Chapter 101.

**§ 44-7 Revocation of Permit.**

Any mass assembly permit may be summarily revoked by the Mayor or Board of Trustees ~~or the Southold Town Police~~ at any time, when, by reason of disaster, public calamity, riot or other emergency, it is determined that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by certified mail or by such other notice as the Board of Trustee may designate from time to time.

**§ 44-8 Other Applicable Requirements.**

- A. Each applicant for a mass assembly permit shall be required to pay to the Village Clerk an application fee of not less than \$150 or such greater amount as the Board of Trustees may prescribe from time to time by resolution; *provided* that an applicant may include a request for approval of up to *six* (6) different mass assembly events in connection with any application for a mass assembly permit (without any greater cost in respect of the fee for such application
- B. Each applicant for any mass assembly event to be held at any public space, public right-of-way or public waterway shall be required to provide a certificate of general liability insurance naming the Village of Greenport as an additional insured with limits of \$1,000,000 per occurrence or such other limit as may be required by the Village Board of Trustees in connection with approving the applicable mass assembly permit for events where expected attendance is anticipated to exceed 100 persons.
- C. Each applicant that is hosting a mass assembly event to be held at any public space, public right-of-way or public waterway shall be required to make (1) a minimum clean up deposit with the Village of Greenport of \$500 which shall be returned upon a demonstration that no damage has occurred as a result of such mass assembly event and that all garbage, trash, rubbish, signage and other refuse has been satisfactorily disposed of in accordance with the provisions of this Section and any other applicable provisions of the Code, including Chapter 101 and (2) at the discretion of the Board of Trustees, a deposit in an amount to be determined based upon the estimated direct costs attributable to any

additional police or emergency costs associated with the relevant mass assembly event. Any such deposit shall be used to cover any applicable costs associated with clean up or the provisions of additional police or emergency services and any monies remaining will be returned to the applicant.

- D. For all mass assembly events which anticipating attendance in excess of 100 persons, the organizers must retain the services of a security professional possessing either a private investigator's license or a watch, guard or patrol agency license from the State of New York. Said security professional shall submit to the Village Clerk and the Southold Town Police Department a detailed security plan, in a form acceptable to the Southold Town Police Department outlining potential security threats affecting the applicable mass assembly event and plans to mitigate the same. The Southold Town Police Department shall approve the security plans in order for any applicable mass assembly permit to be issued.
- E. The Board of Trustees for the Village of Greenport may waive in whole or in part any of the requirements set forth above in clauses A, B, C or D.
- F. No additional equipment or structures may be placed on the location of the proposed mass assembly event to be held at any public space, public right-of-way or public waterway prior to the date on which such event is permitted to occur and all such structures shall be removed at the close of such mass assembly event unless the mass assembly permit shall expressly provide ~~to the contrary~~ for different time periods.
- G. No signage associated with the mass assembly event shall be permitted to be put up in any public space or public right-of-way more than five (5) days prior to the occurrence of such event and all such signage put up in connection with any mass assembly event shall be removed and disposed of offsite by no later than two (2) days after the end of such mass assembly event.



Bill VOG 06-24.

A local law amending and restating Chapter 44 of the Code of the Village of Greenport, to modify the regulation of mass public assemblies.

## Chapter 44

# Assemblies, Mass Public

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### § 44-1 **Intent.**

The Board of Trustees of the Village of Greenport, being concerned for the health, safety and welfare of the residents of the Village of Greenport and the public that otherwise are within the jurisdiction of the Village of Greenport, and being cognizant of the difficulties in the concentration and gatherings of persons in public places has enacted this chapter.

### § 44-1A **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

#### **ADDITIONAL EQUIPMENT OR STRUCTURES**

Any temporary structure (including, tents, dance floors or stages), furnishings (including tables and chairs), sound reproduction devices (including speakers), entertainment devices (but excluding sound reproduction devices) such as bouncy houses, inflatable slides, jet skis, movie or film screens or other similar items, food trucks or carts or any other equipment (but excluding sound reproduction devices), including generators, grills, powered refrigeration units or catering trucks that is intended to be brought in specifically in connection with the hosting of any mass assembly event, but excluding, for the avoidance of doubt, any beach umbrella, any beach pop-up tent that is intended for sun protection, any beach canopy that is intended for sun protection, beach chairs, portable coolers that do not require any type of power or small tables being utilized to hold small items for personal use but not for seating or dining related purposes.

#### **CHARITABLE ORGANIZATION**

An organization as defined in New York Executive Law § 171-a, including but not limited to, not-for-profit corporations. Such charitable organizations shall be recognized as exempt from federal taxation under Internal Revenue Code § 501(c)(3), shall be duly registered with the Charities Bureau of the Attorney General of the State of New York and shall provide services or funds that benefit the Village of Greenport.

#### **DEMONSTRATION**

Any assembly or gathering of one or more persons held for the purpose of exercising free speech activity protected either by the First Amendment to the United States Constitution or Article I, Section 8 of the



New York State Constitution, which shall include conduct the sole or principal object of which is the expression, dissemination or communication of opinion, views or ideas and for which no fee or donation is charged or required as a condition of participation in, or attendance at, such assembly or gathering. Examples of a demonstration may include, without limitation, press conferences, speeches and protests.

**ENTERTAINMENT PERMIT**

A permit issued to any business in accordance with §150-51 in connection with such business providing entertainment (as defined in Chapter 150) or hosting catered affairs (as defined in Chapter 150).

**MASS ASSEMBLY EVENT**

Any organized parade, procession, walk, run, march, race, ride, motorcade, concert, theatrical event, cultural event, exhibit, fair, fundraising event, boat show, car show, sporting event, catered event or any other similar social occasion or event or activity that involves the planned one-time assembly of persons for a common purpose, with or without a requirement for the payment of any fee or donation or any sponsorship, of more than (A) to the extent utilizing in whole or in part any (i) public space, (ii) public waterway, (iii) public-right-of-way or (iv) private property located in any residential area, the lesser of (x) such number of persons as shall be prescribed for any applicable public park pursuant to Chapter 101 and (y) 50 persons or (B) in all other cases, 100 persons. Examples of mass assembly events may include, without limitation, a circus, carnival, fair, festival, block party, marathon or other running event, bicycle race or tour, sporting tournament, spectator sporting event (such as football, baseball and basketball games), art show, craft fair, barbeque, reception party, wedding, family reunion, graduation party, birthday party, dance or movie screening event.

**MITCHELL PARK**

Means the public park and marina located south of Front Street between Bootleg Alley and Third Street which is commonly referred to as “Mitchell Park” or “Mitchell Park Marina”.

**PERSONS**

An individual, association, firm, syndicate, company, trust, partnership, corporation, department, bureau or agency or any other entity recognized by law.

**PUBLIC HOLIDAY**

Has the meaning specified in Chapter 88.

**PUBLIC PARK**

Has the meaning specified in Chapter 101 and shall include for the avoidance of doubt Mitchell Park.

**PUBLIC RIGHT-OF-WAY**

Has the meaning specified in Chapter 88.

**PUBLIC SPACE**

Has the meaning specified in Chapter 88 and shall include for the avoidance of doubt any public park.

**PUBLIC WATERWAY**

Has the meaning specified in Chapter 88.

**RESIDENT**

With respect to any location, a natural person who makes such location their primary place of domicile as evidenced by such person using such location as (a) their address for purposes of official personal identification (i.e. a driver’s license) and (b) the primary location for purposes of income tax filings or otherwise demonstrating through other customary means that such location is the principal domicile

such person.

**SOUND REPRODUCTION DEVICE**

Has the meaning specified in Chapter 88.

**MASS ASSEMBLY PERMIT**

A permit issued by the Board of Trustees by the Village of Greenport as required under the terms of this Chapter.

**SPONTANEOUS DEMONSTRATION**

Any demonstration occasioned by news or affairs coming into public knowledge and initiating a peaceful public response.

**§ 44-2 Special permit required for mass public assembly; Exceptions to Mass Assembly Permit Requirement; Limitations on use of Mitchell Park.**

- A. (1) Subject to § 44-2(B) below, a mass assembly permit is required for all mass assembly events within the Village of Greenport, including, in any public waterway, public space or on or using any public right-of-way.
- (2) Subject to § 44-2(B) below, no person or group of persons shall maintain, conduct, promote, engage in, operate or knowingly participate in any mass assembly event within the boundaries of the Village of Greenport, including, in, on or using any public waterway, public space or public right-of-way. except pursuant to, and in accordance with, a mass assembly permit issued by the Board of Trustees of the Village of Greenport as hereinafter provided.

Any mass assembly event that is held pursuant to a mass assembly permit shall be held in accordance with the information provided in the application for such mass assembly permit and shall be subject in all respects to any other applicable provisions of Village Code, including, those set forth in Chapter 88 (Noise) and Chapter 101 (Recreation Areas and Beaches) and any other terms, conditions or limitations contained in the applicable mass assembly permit. The organizers of any mass assembly event that shall receive a mass assembly permit shall be responsible for satisfying the requirements set forth in § 44-8 below prior to the occurrence of the applicable mass assembly event or such mass assembly permit shall be considered void.

B. A mass assembly permit shall not be required for any of the following:

- (1) Any activity undertaken by any person that expressly permitted under any conditional use approval, site plan approval or entertainment permit validly issued and in effect in accordance with the provisions of Chapter 150, except to the extent of any catered event involving more than 100 persons which event shall also require the issuance of a mass assembly permit to the extent constituting a mass assembly event.(2) Any (a) spontaneous demonstration occurring between the hours of 9:00 a.m. and 10 p.m.; *provided* that such demonstration relates to events that have occurred in the immediately preceding 48 hours or (b) any other demonstration occurring between the hours of 9:00 a.m. and 10 p.m.; *provided* that the Village Clerk and the Southold Town Police Department are notified of the plan to hold such demonstration by no later than close of business of the day immediately preceding the day on which such demonstration is to be held; and *provided further* that, in either case, such demonstration does not involve the use of vehicles, animals, fireworks or equipment (other than any sound reproduction device which is otherwise expressly permitted to be used in connection therewith in accordance with Chapter 88); or
- (3) Lawful picketing; or

- (4) Funeral processions by a licensed mortuary; or
- (5) Events sponsored by the Village of Greenport, including, without limitation, an annual Halloween Parade, an annual Christmas Parade and Tree Lighting, an annual Menorah lighting, a summer concert series in Mitchell Park, an Easter Egg hunt, and other similar events; or
- (6) Regular sporting events or tournaments held at facilities intended for such purposes; or
- (7) Student assemblies at any school chartered by New York State.

C. No mass assembly permit shall be issued for the holding of any mass assembly event at Mitchell Park except for the following types of events:

- (1) Any mass assembly event that is open to the public and held for the purpose of benefiting a charitable organization;
- (2) Any mass assembly event that is open to the public for cultural, arts, educational or sporting or fitness purposes, including races, marathons, yoga, tai chi or other fitness classes, theater events, musical performances and other similar events; *provided* that no such event shall require any sponsorship, the payment of any fee or the making of any donation in order to participate therein
- (3) Any mass assembly event for a private event (i.e. one that is not generally open to the public such as a birthday party, wedding, retirement party, engagement party or reunion) that is held at either (i) the carousel or in the area immediately adjacent thereto or (ii) in the area above the marina office and in the grass area adjacent to the Mitchell Park Marina Office and the Camera Obscura; *provided* that (a) such event is being held or hosted by a resident of the Village of Greenport, (b) no such event shall be permitted to occur on any (i) public holiday, (ii) Saturday or Sunday that falls immediately before or after a public holiday or (iii) day on which any other mass assembly event is occurring in Mitchell Park and (c) no more than five (5) such events shall be permitted between the period beginning on the Friday immediately preceding the last Monday in May (otherwise being known as the Friday immediately before Memorial Day) and continuing through the first Monday in September, known as Labor Day of any calendar year.
- (4) Any other mass assembly event as determined by the Board of Trustees to be consistent with the policies set forth in this Chapter.

**§ 44-3 Application procedure; review; contents of mass assembly permit.**

A. Application procedure.

- (1) Any person seeking to organize or host any mass assembly event shall file an application with the Village Clerk at least 60 days prior to the date or dates upon which such mass assembly event is to take place or such later date as the Village Board of Trustees may agree to but in any event a date that is no later than seven (7) days prior to any regularly scheduled meeting of the Board of Trustees that precedes the date on which such mass assembly event is to take place.
- (2) The application shall include the following:
  - (a) A description of the proposed mass assembly event, including a description of the purpose of such event, all related activities to be carried out in connection therewith and the fee, donation or sponsorship required to be made in connection with participation (if any) in such event and the proposed property or location where such event is contemplated to be located.
  - (b) The expected maximum number of persons intended to use the relevant property, or location in connection with such event, including the total number of participants, guests, organizers,



performers (if applicable), employees (if applicable), merchants (if applicable) and instructors (if applicable). In the event that any proposed mass assembly event is proposed to take place in Mitchel Park pursuant to Section 44-2(C)(3), the applicant shall also include a general description of the persons intended to be invited to attend such event (i.e relatives, friends, etc.,) and indicate approximately what percentage of such attendees reside in the Village of Greenport and/or the Town of Southold.

- (c) The proposed date or dates thereof.
- (d) The proposed duration of the event.
- (e) The means of accommodating attendees as to:
  - (i) Food and beverages, if food and beverage service is part of the event, including the name and address and telephone number of any person or persons who will be engaged in the preparation and/or sale of food and a copy of any applicable County Department of Health Services permit number.
  - (ii) Shelter (if applicable).
  - (iii) Facilities for toilet and other personal sanitary needs for men and women.
  - (iv) Emergency first aid.
  - (v) Parking of cars, showing the means of ingress, egress and parking areas for gatherings of 100 or more persons.
  - (vi) Provision for public safety, guards or special police assisting in the control of traffic and the supervision of those persons attending the event, for outdoor events.
- (f) The name, address and telephone number(s) of the person(s) organizing the event and who can be contacted prior to and during the event by the Village or any Southold Town police officer.
- (g) The names of any groups, organizations, charitable organizations, businesses or individuals who shall benefit from the proceeds of such event (if any).
- (h) Whether it is contemplated that any additional equipment or structures and/or sound reproduction devices will be used in connection with such mass assembly event and, if so, a description of such additional equipment or structures, sound reproduction devices and the proposed placement and use thereof.
- (i) Provisions for the disposition of any garbage, trash, rubbish or other refuse that arises in connection with such mass assembly event.
- (j) A description of any signage or lighting to be utilized in connection with such mass assembly event.
- (k) A description of any food, beverages, goods or other services to be sold or auctioned at, or otherwise be made available to attendees, in connection with such mass assembly event.
- (l) If a transportation shuttle is proposed, the location of parking for shuttle passengers and any pick-up/drop-off locations within the Village.

(m) Any additional information required by the Board of Trustees.

B. In making a determination as to whether to grant an application for a mass assembly permit, the Board of Trustees of the Village of Greenport shall review the application and consider the following:

- (1) The size and capacity of the proposed area where the mass assembly event is scheduled to take place to accommodate the proposed mass assembly event without unduly impinging on the public's right to access or use of any associated public space, public waterway or public right-of-way.
- (2) The impact of the proposed mass assembly event on the safe and orderly movement of traffic in the area directly surrounding the proposed mass assembly event and in the Village more generally
- (3) The need for the Southold Town Police Department or any emergency services to be present in connection with the proposed mass assembly event.
- (4) The potential impact of the proposed mass assembly event on fire and police protection and ambulance service to the areas contiguous to the proposed mass assembly event and to the Village in general.
- (5) The potential impact of the proposed mass assembly event on the movement of firefighting equipment or ambulance service in the Village of Greenport.
- (6) The potential impact of the proposed mass assembly event on adjacent property owners and the surrounding neighborhood.
- (7) Possible conflicts with other events and seasonal demands which may overtax or cause an undue burden on the Village of Greenport and/or Town of Southold. As a general rule, mass assembly events in public parks should be avoided on public holidays and Saturdays or Sundays immediately following or preceding any such public holiday except to the extent open to the general public and specifically related to such public holiday.
- (8) Whether the applicant is the subject of any outstanding violations in respect of the provisions of this Chapter or any other provisions of the Code.
- (9) The frequency of the proposed mass assembly event and whether it constitutes a use of the applicable property compatible with its character and that of the surrounding area.
- (10) Whether the proposed mass assembly event has a high probability of disorderly conduct likely to endanger public safety or to result in significant public damage.
- (11) The availability of parking for the event.
- (12) Any other matters that relate to the health, safety and welfare of the general public.

A mass assembly permit is a privilege and not a right and may be denied (a) if the applicant fails to comply with any applicable provision of this Chapter or (b) for any other reason not prohibited by law.

C. The Board of Trustees may issue a mass assembly permit upon such terms and conditions as the Board of Trustees deems necessary and proper to ensure the public health, safety and welfare. In particular, but without limitation, the Board of Trustees may place limitations on (1) the use or placement of any additional equipment or structures in connection with a particular mass assembly event, (2) the hours

during which such mass assembly event may occur, (3) the total number of participants or guests permitted to attend such mass assembly event and (4) the use and placement of sound reproduction devices in connection with such mass assembly event.

- D. A mass assembly permit shall include the following information:(1) The location of the applicable mass assembly event and date, starting and endings times therefore.
- (2) Whether such mass assembly event is permitted to utilize any additional equipment and structures or sound reproduction devices and, if so, any limitations applicable thereto. In the event that a mass assembly permit does not include a specific authorization for any of the foregoing, the use thereof shall not be permitted if otherwise prohibited pursuant to the terms of Chapter 88 or 101 or any other provision set forth in this Code.
- (3) The maximum number of participants permitted in connection with such mass assembly event or, if such mass assembly event consists of a parade, motorcade or other similar moving event, the maximum number of vehicles and/or length of such parade, motorcade or event.
- (4) Any requirements for the presence of Southold Town police or any emergency services in connection with such mass assembly event.
- (5) Any conditions around the use of signage in respect of such mass assembly event.
- (6) The name and contact details of the organizers of the applicable mass assembly event.
- E. No mass assembly permit is transferable and shall expire at the close of the mass assembly event for which it is issued.
- F. An applicant who is denied a mass assembly permit by the Board of Trustees may apply to the Board of Trustees for reconsideration of the application by filing an appeal with the Village Clerk within 10 days of the date of the denial. A complete copy of the original application for the applicable mass assembly event shall accompany the request for reconsideration. The Board of Trustees may, following a public hearing, affirm, amend or reverse the determination of its prior decision subject to any conditions deemed appropriate under the circumstances.

#### **§ 44-4 Concurrent remedies.**

Nothing contained herein shall be deemed or construed so as to prevent the enforcement of any other remedy at law, concurrent or otherwise, available to the Board of Trustees or other law enforcement authority to avoid or prevent any violation or attempted violation of this chapter, such as but not limited to an injunction or restraining order. The Village of Greenport may maintain any action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this chapter.

#### **§ 44-5 Supplementary provisions.**

This chapter is in addition to any other law, ordinance or regulation affecting the subject matter herein and is not in limitation thereof.

#### **§ 44-6 Penalties for offenses.**

Any person or persons, who shall violate or aid in, take part in or assist in the violation of this chapter shall be subject to: (a) a minimum fine of not less than \$500 and not more than \$1,000 for the first offense and (b) a minimum fine of \$1,000 or a maximum fine of \$5,000 for each additional offense occurring within twelve (12) months of the first offense. Any penalties payable under this § 44-6 shall be in addition to any other penalties that such person or persons may be liable for pursuant to any other provision of this Code,



including, without limitation, pursuant to Chapter 88 or Chapter 101.

**§ 44-7 Revocation of Permit.**

Any mass assembly permit may be summarily revoked by the Mayor or Board of Trustees at any time, when, by reason of disaster, public calamity, riot or other emergency, it is determined that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by certified mail or by such other notice as the Board of Trustees may designate from time to time.

**§ 44-8 Other Applicable Requirements.**

- A. Each applicant for a mass assembly permit shall be required to pay to the Village Clerk an application fee of not less than \$150 or such greater amount as the Board of Trustees may prescribe from time to time by resolution; *provided* that an applicant may include a request for approval of up to *six* (6) different mass assembly events in connection with any application for a mass assembly permit (without any greater cost in respect of the fee for such application
- B. Each applicant for any mass assembly event to be held at any public space, public right-of-way or public waterway shall be required to provide a certificate of general liability insurance naming the Village of Greenport as an additional insured with limits of \$1,000,000 per occurrence or such other limit as may be required by the Village Board of Trustees in connection with approving the applicable mass assembly permit for events where expected attendance is anticipated to exceed 100 persons.
- C. Each applicant that is hosting a mass assembly event to be held at any public space, public right-of-way or public waterway shall be required to make (1) a minimum clean up deposit with the Village of Greenport of \$500 which shall be returned upon a demonstration that no damage has occurred as a result of such mass assembly event and that all garbage, trash, rubbish, signage and other refuse has been satisfactorily disposed of in accordance with the provisions of this Section and any other applicable provisions of the Code, including Chapter 101 and (2) at the discretion of the Board of Trustees, a deposit in an amount to be determined based upon the estimated direct costs attributable to any additional police or emergency costs associated with the relevant mass assembly event. Any such deposit shall be used to cover any applicable costs associated with clean up or the provisions of additional police or emergency services and any monies remaining will be returned to the applicant.
- D. For all mass assembly events which anticipate attendance in excess of 100 persons, the organizers must retain the services of a security professional possessing either a private investigator's license or a watch, guard or patrol agency license from the State of New York. Said security professional shall submit to the Village Clerk and the Southold Town Police Department a detailed security plan, in a form acceptable to the Southold Town Police Department outlining potential security threats affecting the applicable mass assembly event and plans to mitigate the same. The Southold Town Police Department shall approve the security plans in order for any applicable mass assembly permit to be issued.
- E. The Board of Trustees for the Village of Greenport may waive in whole or in part any of the requirements set forth above in clauses A, B, C or D.
- F. No additional equipment or structures may be placed on the location of the proposed mass assembly event to be held at any public space, public right-of-way or public waterway prior to the date on which such event is permitted to occur and all such structures shall be removed at the close of such mass assembly event unless the mass assembly permit shall expressly provide for different time periods.

- G. No signage associated with the mass assembly event shall be permitted to be put up in any public space or public right-of-way more than five (5) days prior to the occurrence of such event and all such signage put up in connection with any mass assembly event shall be removed and disposed of offsite by no later than two (2) days after the end of such mass assembly event.

Bill VOG 07-24.

A local law amending and restating Chapter 101 of the Code of the Village of Greenport, to modify the regulation of recreation areas and beaches.

## Chapter 101 Recreation Areas and Beaches

GENERAL REFERENCES

Alcoholic beverages— See Ch. 35.

Mass public assemblies— See Ch. 44.

Boats and boating— See Ch. 48.

Noise— See Ch. 88.

§ 101-1 **Purpose.**

The Village of Greenport, for the preservation and maintenance of suitable recreation facilities for its citizens and their guests, hereby enacts this chapter so as to ensure the peaceful, orderly and most beneficial use of any and all recreational facilities supported, in whole or in part, maintained or owned by the Village of Greenport.

§ 101-2 **Definitions.**

**ADDITIONAL EQUIPMENT OR STRUCTURES**

Has the meaning specified in Chapter 44.

**BEACH**

Any land lying within the jurisdictional boundaries of the Village of Greenport between the mean high water line of a body of water and the base of any bluff or dune or where no bluff or dune is or present, between such body of water and the naturally occurring beach grass or upland vegetation if no naturally occurring beach grass is present.

**MASS ASSEMBLY EVENT**

Has the meaning specified in Chapter 44.

**MASS ASSEMBLY PERMIT**

Has the meaning specified in Chapter 44.

**MITCHELL PARK**

Has the meaning specified in Chapter 44.

**PERSON**

Has the meaning specified in Chapter 44.



**PUBLIC PARK**

Any park, playground, athletic field, boat-launching ramp, skate park or beach that is owned by, leased by, maintained by, or otherwise under the control of, the Village of Greenport, regardless of whether zoned as “Park District” or otherwise, including without limitation, the park and beach area located at the south ends of Fifth and Sixth Streets, the playground located at Third Street adjacent to the Village of Greenport Firehouse, the basketball court located at Third Street north of Center Street, the skatepark located at Moore’s Woods and Mitchell Park.

**PUBLIC RIGHT-OF-WAY**

Has the meaning specified in Chapter 88.

**UNREASONABLE NOISE**

Has the meaning specified in Chapter 88.

**§ 101-2 Hours.**

- A. All public parks shall open at sunrise and close at one hour after sunset or such later hour as may be specified in any applicable mass assembly permit, with the following exceptions to closing time:
  - (1) The area set aside for the village campsite;
  - (2) Mitchell Park which shall close at 12:00 a.m.; and
  - (3) the public park located at Moore’s Woods (including the skate park) which shall close at 10:00 p.m.
- B. No person or persons shall remain in or enter a public park before opening time and/or after the closing time thereof without the prior written permission of the Board of Trustees.

**§ 101-3 Littering.**

No person shall bring in or dump, deposit or leave any bottle, broken glass, ashes, paper boxes, cans, dirt, rubbish, waste, garbage, refuse, brush, gravel, fill or other similar materials in any public park or any adjacent public right-of-way except in proper trash receptacles provided by the Village of Greenport expressly therefor. Where receptacles are not so provided, all such items shall be carried away from the public park by the person responsible for its presence and properly disposed of elsewhere.

**§ 101-4 Alcoholic beverage restrictions.**

Except to the extent specifically permitted pursuant to any duly issued mass assembly permit, no person or persons shall consume alcoholic beverages from any container in any public park.

**§ 101-5 Animals.**

- A. Dogs or domestic animals shall not be allowed on or within (1) any designated bathing beach during such time that a lifeguard is on duty or (2) any public park that is posted with signage indicating that ~~d~~Dogs or ~~d~~Domestic ~~a~~Animals are prohibited<sup>21</sup>.
- B. To the extent not prohibited pursuant to clause (A) above, dogs or domestic animals shall only be allowed on or within any public park (including any beach) in compliance with the conditions set forth in Chapter 39 and shall at all times be on a leash and restrained no more than four (4) feet from the owner or custodian of such dog or domestic animal.



§ 101-6 **Liability for injuries and stolen property.**

Anyone using any public park or any related facilities shall do so with the understanding that the Village assumes no responsibility for any injury or damage which such person may sustain while an occupant of the applicable public park or while using any related facilities; and the Village shall not be responsible in any manner for any article that may be stolen from any public park, any structure located on any public park or from any motor vehicle or motorboat parked on a right-of-way adjacent to any public park.

§ 101-7 **Selling; vending; distribution of certain goods**

The selling, vending or offering for sale of any wares or merchandise or any tickets for admission to entertainment or other functions or chances or letters or whatsoever is strictly prohibited, except in such case and instances as the Board of Trustees has issued a permit therefor.

- ~~A. No person shall sell, vend, rent or offer for sale or rent any wares, merchandise, goods, services or tickets for admission, entertainment or other events at any public park or any adjacent public waterway except as expressly provided for in any validly issued: (1) mass assembly permit, (2) [concession agreement, (3)] license issued by the Town of Southold pursuant to Chapter 197 of the Code of the Town of Southold or (4) other permit granted by resolution by the Board of Trustees.~~
- ~~B. [The Board of Trustees of the Village of Greenport may grant concessions for the use of a portion of any public park or public waterway area to one or more persons from time to time pursuant to such terms and conditions as the Board may determine are in the best interests of the Village; provided that (1) the granting of any such concession shall be subject to the terms of Chapter 29 and any other applicable laws or regulations relating to the Village's granting of any concession and entering into of any related concession agreement, (2) the decision to put out to bid any concession or otherwise grant a concession shall be the subject of a public hearing, (3) the initial duration of any concession shall be no longer than [two (2)] years, (4) the process for bidding on any concession shall be subject to such other terms and conditions as the Board of Trustees shall set forth in any request for proposal for a concession. In conducting any bid for any concession, the Board of Trustees shall include provisions governing rights of appeal and protest in connection with any denial or determination of noncompliance by an application for a concession as are required by law or otherwise deemed advisable by the Board of Trustees. Any concession agreement entered into by the Village in connection with the granting of any concession shall expressly provide for the right of the Village Board of Trustees to terminate such concession agreement upon a finding that the person(s) holding the related concession are in breach of their obligations thereunder in addition to any other remedies that may be specified therein.]~~

§ 101-8 **Other Prohibitions.** Except to the extent expressly provided for to the contrary in any mass assembly permit or any other permit issued by the Board of Trustees from time to time, the following activities are prohibited in any public park and on any public waterway or public right-of-way immediately adjacent thereto:

- A. Except for areas designated for parking, parking aisles and driveways providing access to such parking areas, driving or use of a motor vehicle in any public park; placement of any motorboat in any public park (except to the extent that there is a marina expressly provided therefor).
- B. Any mass assembly event- without a permit as required pursuant to Chapter 44 (other than any event that is not required to obtain a mass assembly permit pursuant to Chapter 44, including any demonstration).
- C. Conduct or activities, including any fighting or other violent, tumultuous or threatening behavior, that:



(1) significantly interferes with ordinary park use by the public, (2) jeopardizes the safety of the public or (3) is indecent or disorderly.

- D. (1) Digging or removing sand, gravel, rocks or other similar materials located in any public park or adjacent public waterway or (2) cutting, carving, removing or otherwise damaging any tree or plant in any public park.
- E. Erecting, constructing or placing any additional equipment or structure, fence, barricade or sign without having obtained the express permission of the Board of Trustees of the Village of Greenport.
- F. Unreasonable noise.
- G. The playing or operation of any sound reproduction device (as defined in Chapter 88) except to the extent permitted under the terms of Chapter 88.
- H. The kindling, building, maintaining or use of any fire in any place or portable receptacle, except in places or receptacles provided by the Village of Greenport or as expressly permitted pursuant to any mass assembly permit.
- I. Any marking, defacing, injuring or damage to any building, structure, property or equipment located therein.
- J. Undressing or dressing either by changing from ordinary street clothes into bathing or beach attire or otherwise except in any building or structure provided therefore.
- K. Camping or sleeping or the erection of any additional building or structure, temporary or otherwise for such a purpose.
- L. Possession or discharge of fireworks.
- M. The playing of any games involving thrown or otherwise propelled objects, such as balls, stones, arrows, javelins or model airplanes except in areas set apart for such forms of recreation, including any field or court or other similar area established therefor.
- N. Distribution of any leaflets or handbills containing harassing, threatening or intimidating text or images.
- O. Harassing, threatening or intimidation of another person of reasonable sensitivities.

§ 101-9 **Use of Picnic Areas.** No person shall, in any public park:

- A. Picnic in a location in such public park other than a place designated for such purpose.
- B. Violate the regulation that use of any Village provided for grills or fireplaces, together with tables and benches provided therefor , follows generally the rule of first come, first served, except if it is an organized mass assembly event that exhibits a mass assembly permit.
- C. Use any portion of a picnic area or any of the equipment, furnishings, buildings or structures located at any public park for the purpose of holding a picnic to the exclusion of other persons or for an



unreasonable time if the facilities are crowded.

- D. Leave a picnic area before a fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles or other refuse is placed in prior disposal receptacles where provided or carried away from the applicable picnic area.

**§ 101-10 Mitchell Park.**

- A. No person shall organize any private event or activity involving the congregation of twenty-five (25) or more persons (other than any use of the carousel, the camera obscura or skating park in the ordinary course of its business<sup>1</sup>) that is intended to take place in any portion of Mitchell Park without first obtaining a mass assembly permit in accordance with Chapter 44 (unless such event or activity is a type that is not required to have a mass assembly permit pursuant to §44-2(B) and is an otherwise permitted activity conducted during the hours that Mitchell Park is open).
- B. No additional equipment or structure or sound reproduction device shall be placed, used or operated by any person in Mitchell Park except to the extent expressly permitted pursuant to any Mass Assembly Permit or other resolution enacted by the Village Board of Trustees from time to time.
- C. ~~For the avoidance of doubt~~ Except as specifically permitted in section 101-10(A), the use of Mitchell Park by any person is subject to all of the other provisions set forth in this Chapter 101 with respect to the use of any public park.

**§ 101-11 Beaches.**

- A. No person shall swim, bathe or wade in any waters or waterways in or adjacent to any beach except in such waters and at such places as are provided therefor and in compliance with such regulations as are herein set forth or may otherwise be adopted from time to time.
- B. Any designated bathing or swimming area shall be kept free from any form of motorboat, water equipment or other floating objects that may cause inconvenience, injury or discomfort to bathers, except of such equipment is intended for the protection of life.
- C. No person shall bring into or operate any boat, raft or watercraft, whether motor-powered or not, upon any water places designated for bathing.
- D. No person shall (1) fish within 20 feet of any designated bathing or swimming area or (2) use any surfboard, paddleboard or windsurfing equipment (except for the launch thereof) within 150 feet of any designated bathing or swimming area.

**§ 101-12 Penalties for offenses.**

- A. Any person or persons who shall violate or aid in, take part in or assist in the violation of this chapter shall be subject to: (a) a minimum fine of not less than \$500 and not more than \$1,000 for the first offense and (b) a minimum fine of \$1,000 or a maximum fine of \$5,000 for each additional offense occurring within twelve (12) months of the first offense. Any penalties payable under this § 101-15 shall be in addition to any other penalties that such person or persons may be liable for pursuant to

any other provision of this Code, including, without limitation, pursuant to Chapter 88.

- B. A code enforcement officer or police officer of Southold Town Police Department shall have the authority to enforce and/or eject from any public park any person violating the provisions of this Chapter or any other provisions of the Code.

§ 101-12 **Concurrent remedies.** Nothing contained herein shall be deemed or construed so as to prevent the enforcement of any other remedy at law, concurrent or otherwise, available to the Board of Trustees or other law enforcement authority to avoid or prevent any violation or attempted violation of this chapter, such as but not limited to an injunction or restraining order. The Village of Greenport may maintain any action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this chapter.

§ 101-13 **Supplementary provisions.** This chapter is in addition to any other law, ordinance or regulation affecting the subject matter herein and is not in limitation thereof.

Bill VOG 07-24.

A local law amending and restating Chapter 101 of the Code of the Village of Greenport, to modify the regulation of recreation areas and beaches.

## Chapter 101

# Recreation Areas and Beaches

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### § 101-1 Purpose.

The Village of Greenport, for the preservation and maintenance of suitable recreation facilities for its citizens and their guests, hereby enacts this chapter so as to ensure the peaceful, orderly and most beneficial use of any and all recreational facilities supported, in whole or in part, maintained or owned by the Village of Greenport.

### § 101-2 Definitions.

#### **ADDITIONAL EQUIPMENT OR STRUCTURES**

Has the meaning specified in Chapter 44.

#### **BEACH**

Any land lying within the jurisdictional boundaries of the Village of Greenport between the mean high water line of a body of water and the base of any bluff or dune or where no bluff or dune is present, between such body of water and the naturally occurring beach grass or upland vegetation if no naturally occurring beach grass is present.

#### **MASS ASSEMBLY EVENT**

Has the meaning specified in Chapter 44.

#### **MASS ASSEMBLY PERMIT**

Has the meaning specified in Chapter 44.

#### **MITCHELL PARK**

Has the meaning specified in Chapter 44.

#### **PERSON**

Has the meaning specified in Chapter 44.

#### **PUBLIC PARK**

Any park, playground, athletic field, boat-launching ramp, skate park or beach that is owned by, leased by, maintained by, or otherwise under the control of, the Village of Greenport, regardless of whether zoned as "Park District" or otherwise, including without limitation, the park and beach area located at the south ends of Fifth and Sixth Streets, the playground located at Third Street adjacent to the Village of Greenport Firehouse, the basketball court located at Third Street north of Center Street, the skatepark located at Moore's Woods and Mitchell Park.



**PUBLIC RIGHT-OF-WAY**

Has the meaning specified in Chapter 88.

**UNREASONABLE NOISE**

Has the meaning specified in Chapter 88.

**§ 101-2 Hours.**

- A. All public parks shall open at sunrise and close at one hour after sunset or such later hour as may be specified in any applicable mass assembly permit, with the following exceptions to closing time:
  - (1) The area set aside for the village campsite;
  - (2) Mitchell Park which shall close at 12:00 a.m.; and
  - (3) the public park located at Moore’s Woods (including the skate park) which shall close at 10:00 p.m.
- B. No person or persons shall remain in or enter a public park before opening time and/or after the closing time thereof without the prior written permission of the Board of Trustees.

**§ 101-3 Littering.**

No person shall bring in or dump, deposit or leave any bottle, broken glass, ashes, paper boxes, cans, dirt, rubbish, waste, garbage, refuse, brush, gravel, fill or other similar materials in any public park or any adjacent public right-of-way except in proper trash receptacles provided by the Village of Greenport expressly therefor. Where receptacles are not so provided, all such items shall be carried away from the public park by the person responsible for its presence and properly disposed of elsewhere.

**§ 101-4 Alcoholic beverage restrictions.**

Except to the extent specifically permitted pursuant to any duly issued mass assembly permit, no person or persons shall consume alcoholic beverages from any container in any public park.

**§ 101-5 Animals.**

- A. Dogs or domestic animals shall not be allowed on or within (1) any designated bathing beach during such time that a lifeguard is on duty or (2) any public park that is posted with signage indicating that dogs or domestic animals are prohibited.
- B. To the extent not prohibited pursuant to clause (A) above, dogs or domestic animals shall only be allowed on or within any public park (including any beach) in compliance with the conditions set forth in Chapter 39 and shall at all times be on a leash and restrained no more than four (4) feet from the owner or custodian of such dog or domestic animal.

**§ 101-6 Liability for injuries and stolen property.**

Anyone using any public park or any related facilities shall do so with the understanding that the Village assumes no responsibility for any injury or damage which such person may sustain while an occupant of the applicable public park or while using any related facilities; and the Village shall not be responsible in any manner for any article that may be stolen from any public park, any structure located on any public park or from any motor vehicle or motorboat parked on a right-of-way adjacent to any public park.

**§ 101-7 Selling; vending; distribution of certain goods**

The selling, vending or offering for sale of any wares or merchandise or any tickets for admission to

entertainment or other functions or chances or letters or whatsoever is strictly prohibited, except in such case and instances as the Board of Trustees has issued a permit therefor.

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- F. Unreasonable noise.
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- I. Any marking, defacing, injuring or damage to any building, structure, property or equipment located therein.
- J. Undressing or dressing either by changing from ordinary street clothes into bathing or beach attire or otherwise except in any building or structure provided therefore.
- K. Camping or sleeping or the erection of any additional building or structure, temporary or otherwise for such a purpose.
- L. Possession or discharge of fireworks.
- M. The playing of any games involving thrown or otherwise propelled objects, such as balls, stones, arrows, javelins or model airplanes except in areas set apart for such forms of recreation, including any field or court or other similar area established therefor.

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- C. No person shall bring into or operate any boat, raft or watercraft, whether motor-powered or not, upon



any water places designated for bathing.

- D. No person shall (1) fish within 20 feet of any designated bathing or swimming area or (2) use any surfboard, paddleboard or windsurfing equipment (except for the launch thereof) within 150 feet of any designated bathing or swimming area.

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- B. A code enforcement officer or police officer of Southold Town Police Department shall have the authority to enforce and/or eject from any public park any person violating the provisions of this Chapter or any other provisions of the Code.

**§ 101-12 Concurrent remedies.** Nothing contained herein shall be deemed or construed so as to prevent the enforcement of any other remedy at law, concurrent or otherwise, available to the Board of Trustees or other law enforcement authority to avoid or prevent any violation or attempted violation of this chapter, such as but not limited to an injunction or restraining order. The Village of Greenport may maintain any action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this chapter.

**§ 101-13 Supplementary provisions.** This chapter is in addition to any other law, ordinance or regulation affecting the subject matter herein and is not in limitation thereof.



236 THIRD STREET  
GREENPORT, NY  
11944

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[villageofgreenport.org](http://villageofgreenport.org)

**MAYOR**  
KEVIN STUESSI  
EXT 215

**TRUSTEES**  
MARY BESS PHILLIPS  
DEPUTY MAYOR

PATRICK BRENNAN

LILY DOUGHERTY-  
JOHNSON

JULIA ROBINS

**VILLAGE CLERK**  
CANDACE HALL  
EXT 214

Submitted: March 15, 2024  
Meeting: March 21, 2024 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: Jeanmarie Odon, *Deputy Clerk*  
From: Candace Hall, *Village Clerk*  
Department: Village Clerk Department

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### Greenport Fire Dept March 2024 Work Session

**Attachments:**

Greenport Fire Dept March 2024 Work Session (PDF)

CHIEF WAYDE MANWARING  
1<sup>ST</sup> ASST CHIEF JAMES KALIN  
2<sup>ND</sup> ASST CHIEF ALAIN DeKERILLIS  
CHAPLAIN FRANK MUSTO  
CHAPLAIN CLAUDE KUMJIAN  
SECRETARY/TREASURER JAMES KALIN



(631) 477-9801 - STATION 1  
(631) 477-8261 - STATION 2  
(631) 477-1943 - CHIEFS OFFICE  
(631) 477-4012 - FAX  
311 THIRD STREET · P.O. BOX 58  
GREENPORT, NY 11944  
Email: gfdfire@optonline.net  
www.greenportfd.org

## Greenport Fire Department Monthly Report February, 2024

**Number of calls this month:** 64

**Number of calls to date:** 151

**Breakdown of calls by signal numbers:**

9 (stand/by) 0  
12 (brush fire) 0  
13 (automatic alarm, smoke, etc.) 13  
13-35 (working structure fire) 0  
14 (vehicle fire) 0  
16 (ambulance/rescue) 44  
16-23 (MVA, water rescue, misc.) 1  
16-59 (routine transport) 0  
23 (CO alarm, medi-vac) 4  
24/13-35 (mutual aid working structure fire) 1  
24/16 (mutual aid ambulance/rescue) 1  
24/16-23 (mutual aid MVA) 0  
24/23 (mutual aid water rescue/misc.) 0  
26 (boat fire) 0

**Breakdown of calls by location:**

Within the Incorporated Village of Greenport 35  
Within the East/West Fire Protection District 27  
Other (mutual aid) 2

(31 calls ahead of last year)

Prepared by: Secretary 03/03/2024



CHIEF WAYDE MANWARING  
1<sup>ST</sup> ASST CHIEF JAMES KALIN  
2<sup>ND</sup> ASST CHIEF ALAIN DeKERILLIS  
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## **Meeting of the Board of Wardens**

**WEDNESDAY February 21, 2024**

### **OPENING**

Chief Wayde Manwaring opened the meeting at 7:00pm with The Pledge of Allegiance to the Flag and a moment of silence for the departed members.

### **ATTENDANCE**

Chief Wayde Manwaring

1<sup>st</sup> Ass't Chief Alain de Kerillis

2<sup>nd</sup> Ass't Chief Craig Johnson

Wardens Bernard Purcell and Joseph Walters of Eagle Hose Co. #1

Warden Antone Volinski III of Relief Hose Co. #2

Warden Robert Hamilton of Star Hose Co. #3

Warden Wayne Miller of Standard Hose Co. #4

Wardens Clifford Harris and Peter Harris of Phenix Hook & Ladder Co. #1

Mary Bess Phillips VOG/GFD Liaison

Excused: Warden Patrick Brennan of Star Hose Co. #3

Absent: Warden Norma Corwin of Relief Hose Co. #2 and Warden Scott Hollid of Standard Hose Co. #4.

**THOSE WISHING TO ADDRESS THE BOARD** – None

**READING OF THE PREVIOUS MINUTES**

Motion made by C. Harris, seconded by P. Harris, to approve the minutes of the January 17, 2024 meeting of the Board of Wardens as printed and distributed.  
Motion Carried.

**FINANCE COMMITTEE**

The finance committee report was read by Chief de Kerillis. Motion made by W. Miller, seconded by C. Harris, to accept the report. Motion Carried.

1. W. Miller asked if we bought the bottles and if we would be reimbursed for them. 1<sup>st</sup> Asst Chief de Kerillis said yes.
2. W. Miller also said instead of putting absent down to put budget items, they have never written absent in the past.

**COMPANY OFFICERS' MEETING MINUTES-**

The Company Officers' meeting minutes were read by 1<sup>st</sup> Asst Chief de Kerillis for info only.

**TREASURER'S REPORT**

The Treasurer's report for the period of December 4, 2023 through February 20 2024 was read by Secretary/Treasurer de Kerillis. Motion made by A.Volinski III, seconded by R. Hamilton, to accept the treasurer's report as read. Motion carried.  
(report attached)

**BILLS-** None.

**COMMUNICATIONS**

1. Robert Bohn looked at the roof where it was leaking into the medic's room and gave a quote of \$2,375. He also looked at the gutters but didn't give anything on that. P. Harris mentioned that there should probably be a warranty and the flashing should be part of it. Chief Manwaring will look into it.
2. \$100 donation in memory of Ray Corwin from RHS Touchdown Club.
3. East Marion Installation Dinner 3/9 at the American Legion.

4. Letter from Edward Romaine asking about location of AEDs and who takes care of them.
5. Thank you letter from CAST for support at polar plunge.
6. Cutchogue St Patrick's Day Parade, 3/9.
7. Letter from Helen Reiss reporting that she tripped over the wire by the old 8-3-5 truck outside.
8. Hawkeye sent a letter with information about where hazmat material is located.
9. GHS Senior Breakfast 6/7.
10. East End Emerald Society's St Patrick's Day Parade in Jamesport, 3/30.

Motion by A. Volinski III, seconded by, P. Harris, to file and/or forward all communications, Motion Carried.

**APPLICATIONS FOR MEMBERSHIP**- None.

### **REPORTS OF COMMITTEES**

#### **Buildings and Grounds**

1. C. Harris reported that the sink and stove are in and they are waiting for Nyce to get back to move forward. He also said he has been asked if we can cook in there- we can. We need gallons of soap for the dishwasher.
2. C. Harris also reported that there was a crack in the epoxy where the two floors come together, it was repaired, and someone stepped on it after even with tape on it.

**Bylaws**- No Report.

**Finance**- No Report.

**Fire District**- No Report.

**Pre-Incident Planning**- No Report.

**Service Awards**- Motion made by C. Harris, seconded by P. Harris to accept the points that have been posted and send them over to the Village. Motion Carried.

**Recruitment**- No Report.

**Casualty Fund**-No Report.

**Funeral**- No Report.



**Communications-**

1. Chief Manwaring reported that tomorrow and Friday they will be shutting the building down to get the solar panels set up-the radio system may or may not go in and out.
2. A. Volinski III asked what is going on with the sirens still going off after 7pm. Chief Manwaring said that if it is on the timer, it has not been repaired yet, the guy has been paid. Chief Manwaring will reach out to him to get it repaired.

**Trips & Travel-** No Report.

**COMPANY REQUESTS**

Eagle Hose Co. #1- Budget items.

Relief Hose Co. #2- Budget items.

Star Hose Co. #3- Budget items

Standard Hose Co. #4- Budget items, members requesting not having to wear class A uniforms to installation. A. Volinski III said that it is in the bylaws and it would need to be changed.

Phenix Hook & Ladder Co. #1- Budget items, Elastic straps for face pieces.

Rescue Squad- Budget items.

Fire Police- Budget items.

Water Rescue-Budget items.

**UNFINISHED BUSINESS –**

1. C. Harris reached out to Joel from FRES about the old 8-3-5. He will come to look at the vehicle. They are working on a funding source and draft resolution to accept the vehicle as a donation. It was delayed with the change in administration. P. Harris said that there is supposed to be a resolution 3/4/24.

**REPORTS OF DELEGATES-** No Report.

**NEW BUSINESS-** No Report.

**GOOD OF THE DEPARTMENT**

1. Bernard Purcell has a resignation letter from Carol Hydell as Captain and member of Eagle Hose. She is requesting to be an honorary member. The company accepted the resignation. Motion made by C. Harris, seconded by W. Miller, to accept Carol Hydell's letter of resignation with regret. Motion Carried.
2. Motion made by P. Harris, seconded by C. Harris, to attend the Cutchogue and Jamesport parades. Motion Carried.
3. Peter Harris asked how the secretary is working out. 1<sup>st</sup> Asst. Chief de Kerillis said that she seems to be hesitant on the lingo/signals etc. which is a major requirement for entering it into the programs, but she is getting better. He isn't sure how much more time she will need until she's comfortable. Cliff Harris said that she needs a cheat sheet with signals etc. on it to use as a reference. 2<sup>nd</sup> Asst. Chief Johnson will make one up for her.
4. A. Volinski III asked what is going on with the heater. 1<sup>st</sup> Asst. Chief Alain de Kerillis reported that he called Burts and asked for a repair. They need to be rebuilt and they said that they don't do it, only one company in Queens does and the quote was \$1,900 for just 1. We will need 6 done-around \$11,000. A. Volinski III asked if we talked to RLB plumbing. 1<sup>st</sup> Asst. Chief Alain de Kerillis will call them tomorrow.
5. C. Harris mentioned that on Saturday we were looking for rectangle tables. He said 2 are housing old uniforms. He is recommending we get a garment rack or 2 to make it easier to look through them and it will give us 2 tables. He also brought up a couple months ago getting a shelving unit for bunker gear and thinks we should order that too. 2<sup>nd</sup> Asst. Chief Johnson will order both garment racks and a shelving unit from ULINE. Motion made by Robert Hamilton, seconded by Cliff Harris, to purchase the garment racks and shelving unit. Motion Carried.
6. B. Purcell said that in the back building we still have old tools, batteries, tires etc. C. Harris said the Terry Farrell Fund said that they will take the tools and the stuff that is intact. The old gator stuff is sitting around too. We could have used that for the Mule instead of ordering new stuff. Chief Manwaring said that we should set up a dept. clean up.

7. C. Harris said that we have the old sink and drain board, it is stainless steel- we don't have a use for it, not sure if we know anyone that would want it.
8. A. Volinski III read the bylaws regarding the Class A Uniforms and installation dinner.
9. C. Harris said that with all the 45 min cylinders coming he'd like to see 8-3-5 be the back up for 8-3-15 any time it goes out of service. He says it's much better than rolling up in a pickup truck. He would like to see the 45 min cylinders go on 8-3-5. Motion made by W. Miller, seconded by P. Harris, to have 8-3-5 be the back up for 8-3-15 and is the first unit to be outfitted with the 45 min cylinders when they come in. Motion Carried.
10. A. Volinski III said that we have duty companies, and we should start using them because companies are going out no matter what. People are just going and not using them. They are not giving the duty companies enough time to get there. W. Miller said that it is hard to not have a truck that has a full crew roll. A. Volinski III said then we need to get rid of it and have the first two companies with full crews roll. It is a policy that is not being followed.
11. Motion Made by C. Harris, seconded by W. Miller, to give the check in memory of Ray Corwin to Star Hose Company. Motion Carried.

### **READING OF THE MINUTES**

Motion by C. Harris, seconded by P. Harris, to dispense with the reading of the minutes of tonight's meeting. Motion carried.

### **ADJOURMENT**

Motion by P. Harris, seconded by W. Miller, to adjourn. Motion carried. The meeting was adjourned at 8:05 pm.

Submitted by,

Rebecca J. McKnight

Recording Secretary



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y			
1																												
2	Greenport Fire Department period ending February 29, 2024																							## maximum points in category				
3																												
4		elect/app	# Fire	%	pts	# EMS	%	pts	st/by	mtgs	misc	train	drill	pos(dis)	points	phys	haz	bb	wp/sh	yap								
5	Arnold, Jordan		9	28 %	25	10	8.5 %	0	0	3	5	5	1	0	39		X	X										
6	Barron, Megan		17	53 %	25	32	27 %	25	0	3	5	2	1	0	61													
7	Barszczewski, Joseph		0	0 %	0	0	0 %	0	0	0	1	0	0	0	1													
8	Barszczewski, Joseph III	L	3	9.4 %	0	0	0 %	0	0	4	4	4	0	1.25	13.25		X	X					X					
9	Betz, James		0	0 %	0	3	2.5 %	0	0	0	1	0	0	0	1													
10	Birmingham, Kenneth		6	19 %	25	4	3.4 %	0	0	1	6	0	0	0	32													
11	Blasko, Bruce		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0													
12	Breese, Colleen	S	7	22 %	25	15	13 %	25	0	3	7	0	0	1.25	61.25	X												
13	Breese, Harry	D	7	22 %	25	1	0.8 %	0	0	1	6	0	0	0.75	32.75													
14	Brennan, Patrick	W	2	6.3 %	0	1	0.8 %	0	1	5	5	1	0	2	14													
15	Buchanan, Shawn		4	13 %	25	0	0 %	0	0	1	3	4	0	0	33	X	X	X					X					
16	Bumble III, Charles	T	1	3.1 %	0	2	1.7 %	0	0	2	7	0	0	1.25	10.25													
17	Bumble, Samantha		0	0 %	0	0	0 %	0	0	2	2	0	0	0	4													
18	Butler, Michael		9	28 %	25	0	0 %	0	0	2	2	4	0	0	33		X	X					X					
19	Capon, George		13	41 %	25	45	38 %	25	0	2	3	0	0	0	55													
20	Carey, Patrick		2	6.3 %	0	2	1.7 %	0	0	2	2	4	0	0	8		X	X					X					
21	Carrig, Melinda		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0													
22	Charters, Gary		0	0 %	0	0	0 %	0	0	0	0	0	0	0	0													

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y
4		elect/app	# Fire	%	pts	# EMS	%	pts		pts	st/by	mtgs	misc	train	drill	pos(dis)	points	phys	haz	bb	wp/sh	yap			
44	Edwards, Alison		1	3.1	%	0	2	1.7	%	0	0	1	1	0	0	0	0	2							
45	Edwards, Carol		1	3.1	%	0	36	31	%	25	0	0	0	0	0	0	0	25							
46	Ellis, Scott		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
47	Ferguson, Peter		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
48	Ferrari, Dakota		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
49	Ficurilli, Michael		11	34	%	25	4	3.4	%	0	0	3	5	4	0	0	37		X	X	X	X	X	X	
50	Flora, Michael		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
51	Fogarty, Jonathan	T	6	19	%	25	1	0.8	%	0	0	2	3	4	0	1.25	35.25		X	X	X	X	X	X	
52	Garcia-Dinizio, Gloria		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
53	Golden, Danielle		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
54	Golden, Jillian		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
55	Grattan, Timothy		0	0	%	0	0	0	%	0	0	2	0	0	0	0	2								
56	Gray, Enya		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
57	Gray, Sally Anne		0	0	%	0	6	5.1	%	0	0	0	0	0	0	0	0	0							
58	Grilli, Jared		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
59	Grilli, Jennifer	L	1	3.1	%	0	0	0	%	0	0	2	6	4	0	1.25	13.25		X	X	X	X	X	X	
60	Grilli, John		1	3.1	%	0	0	0	%	0	0	2	6	4	0	0	12		X	X	X	X	X	X	
61	Hamilton Jr., Robert	D, W	14	44	%	25	11	9.3	%	0	0	2	6	4	0	2.75	39.75		X	X	X	X	X	X	
62	Hanold, Christopher	C, T	3	9.4	%	0	6	5.1	%	0	0	3	5	0	0	3.25	11.25								
63	Hanold, Christopher, Jr.		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
64	Harris, Cliff	C, W	1	3.1	%	0	0	0	%	0	0	4	3	4	0	4	15		X	X	X	X	X	X	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y
4		elect/app	# Fire	%	pts	# EMS	%	pts		pts	st/by	mtgs	misc	train	drill	pos(dis)	points	phys	haz	bb	wp/sh	yap			
86	Martocchia, Jerome		2	6.3	%	0	3	2.5	%	0	0	1	2	0	0	0	0	3							
87	McDaniels, Leslie		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
88	McMelly, Megan		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
89	Miller, Peter		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
90	Miller, Wayne	W	4	13	%	25	2	1.7	%	0	0	6	4	4	0	2	41		X	X		X			
91	Mills, Wm. J., III		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
92	Mills, Robert		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
93	Milovich Jr., Joseph		15	47	%	25	3	2.5	%	0	0	2	5	4	0	0	36		X	X		X			
94	Mims, Ralph		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0	0							
95	Musto, Francis	S, Ch	6	19	%	25	33	28	%	25	0	6	10	5	0	2.5	73.5	X	X	X		X			
96	Mysliforski, Linda		1	3.1	%	0	0	0	%	0	0	1	1	0	0	0	2								
97	Narkiewicz, Piotr		10	31	%	25	26	22	%	25	0	2	0	1	0	0	53						X		
98	Nedoszytko, William	S	0	0	%	0	0	0	%	0	0	1	0	4	0	1.25	6.25		X	X		X			
99	Nyce, David		15	47	%	25	10	8.5	%	0	1	6	5	6	0	0	43		X	X		X			
100	O'Brien, Michael		6	19	%	25	1	0.8	%	0	0	2	3	4	0	0	34	X	X	X		X			
101	Pal-Singh, Vijay		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0								
102	Petrigliano, Victor		0	0	%	0	0	0	%	0	0	0	0	0	0	0	0								
103	Piel, Jeffrey		0	0	%	0	0	0	%	0	0	1	0	0	0	0	1								
104	Pirillo, James A.		16	50	%	25	3	2.5	%	0	0	4	5	5	1	0	40		X	X		X			
105	Pope, George		16	50	%	25	29	25	%	25	0	4	6	5	0	0	65		X	X		X			
106	Purcell, Bernard	W	32	100	%	25	100	85	%	25	0	9	9	6	1	2	77	X	X	X		X			



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y
4		elect/app	# Fire	%	pts	# EMS	%	pts	%	pts	st/by	mtgs	misc	train	drill	pos(dis)	points	phys	haz	bb	wp/sh	yap			
128	Trapani, Heather		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0							
129	Vandenburgh, Richard		1	3.1	0	0	0	0	0	0	0	2	2	4	0	0	8		X	X	X				
130	VanEtten, George	D	11	34	25	2	1.7	0	0	0	0	4	6	4	0	0.75	39.75		X	X	X				
131	Verity, Michael		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0								
132	Verley, Joseph, Jr.		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0								
133	Volinski, Antone, III	W,L	7	22	25	34	29	25	0	25	0	6	3	0	0	3.25	62.25								
134	Volinski, Darryl		2	6.3	0	5	4.2	0	0	0	0	0	0	0	0	0	0								
135	Walker, David, Jr.		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0								
136	Waller, Kristie		0	0	0	0	0	0	0	0	0	1	0	0	0	0	1								
137	Walters, Joseph	W	0	0	0	0	0	0	0	0	0	2	0	4	0	2	8		X	X	X				
138	Weingart, Jeffrey		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0								
139	Wright, William		12	38	25	34	29	25	0	25	0	2	2	4	0	0	58		X	X	X				
140	Zaymayer, Elias	C	14	44	25	20	17	25	0	25	0	5	6	4	0	2	67		X	X	X				
141	Zurek, Gregory		10	31	25	4	3.4	0	0	0	0	2	8	0	0	0	35								
142	Zurek Jr, Stanley		2	6.3	0	0	0	0	0	0	0	1	0	4	0	0	5		X	X	X				
143																									

# GREENPORT F.D

## March 2024

Duty Companies 8-3-3 & 8-3-2 First due on Signal 24s + 8-3-3

OFFICE: 631.477.1943

FAX: 631.477.4012

gfdfire@optonline.net

gfdsec@optonline.net

Sun	Mon	Tue	Wed	Thu	Fri	Sat
3	4	5	6	7	8	9
	Relief Hose Mtg Standard Hose Mtg	Eagle Hose Mtg	Marine Rescue	Dept Training Elevators 19:50		Driver Training 09:00
10	11	12	13	14	15	16
	Star Hose Mtg	Rescue and Finance Mtgs	Phenix Hook and Ladder Mtg			
17	18	19	20	21	22	23
	DEPT PHYSICALS (Dr. Buono)	Fire Police Mtg	DEPT PHYSICALS (Dr. Buono) Wardens Mtg			
24	25	26	27	28	29	30
	CME @ Peconic Landing	GFD ANNUAL MEETING 7:30 pm				Jamesport St Pat's Parade 8-3-3, 8-3-5, 8-16
31	Chief Manwaring 631.644.5430 1st Assistant Chief de Kerillis 631.208.7506 2nd Assistant Chief Johnson 631.466.5294					



236 THIRD STREET  
GREENPORT, NY  
11944

Tel: (631)477-0248  
Fax: (631)477-1877

villageofgreenport.org

**MAYOR**  
KEVIN STUESSI  
EXT 215

**TRUSTEES**  
MARY BESS PHILLIPS  
DEPUTY MAYOR

PATRICK BRENNAN

LILY DOUGHERTY-  
JOHNSON

JULIA ROBINS

**VILLAGE CLERK**  
CANDACE HALL  
EXT 214

Submitted: March 14, 2024  
Meeting: March 21, 2024 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: William Schulz,  
From: William Schulz,  
Department: Village Administrator

**Work Session**

**Work Session Report for Road and Utilities**

March 21, 2024

**Administrator's Office**

**Statistics**

**Work Orders:**

Electric = 44 Written, 44 Completed

Water = 25 Written, 25 Completed

Sewer = 35 Written, 35 Completed

Road = 50 Written, 50 Completed

**Reports**

- ❖ DOH-360: This is a monthly report for bacteriological presence and residual chlorine levels, it was sent on 02-06-2024. The results are detailed below in the Road Department's *Sampling* section.
- ❖ GADS Data: This is a monthly report about run and usage data for the generators at the Power Plant, it was sent on 02-06-2024.



**Discussion**

**Resolutions**

**Road/Water Department**

**Statistics**

Water Distribution:

5,574,000 Gallons Sold

Sampling:

All water samples complied with Department of Health requirements.

Locations:    419 Sixth Street - Slop Sink

Total Coliform = Absent

E Coli = Absent

Residual Chlorine = 0.48 mg/L

Third Street Firehouse - Kitchen Sink

Total Coliform = Absent

E Coli = Absent

Residual Chlorine = 0.46 mg/L

The form, DOH-360, was filed with the DOH on February 6, 2024, with the above results.

## **Report**

### Tasks Accomplished:

- ❖ Did all normal highway tasks.
- ❖ Patched throughout Village.
- ❖ Removed seasonal hunting signs at Moores Woods.
- ❖ Removed construction/dirt pile on Webb St.
- ❖ Repaired fencing at 5th beach.
- ❖ Put chain up at dead end of Webb Street.
- ❖ Rotated G-44 tires, rotor, and brake replacement on G-8, Repaired G-32 salter and changed oil on 4x4 truck.
- ❖ Cleaned and organized mechanic's shop.
- ❖ Changed oil in Street Sweeper.
- ❖ Removal of debris from various street drains.
- ❖ Plow, salted roads, and sidewalks for winter event's on: 2/12/24 and 2/17/24
- ❖ Cleaned and salt neutralized all highway vehicles.
- ❖ Replaced pedestrian crossing signs at various crosswalks throughout the Village.
- ❖ Set up staging for Washington's day parade at Mitchel Park.
- ❖ Removed debris and garbage at parks.
- ❖ Replaced no parking outside of lines on 1st Street.
- ❖ Changed oil on all riding mowers.
- ❖ Removed garbage from basin of turntable.

## Sewer Department

### Flow and Sampling:

The plant continues to run well, exceeding DEC permit requirements.

Total plant flow for the month of February = 10,392,000 Gallons

Average Daily Flow = .358 (MGD) Permit Limit = .650 MGD

Total Suspended Solids percent removal (TSS) = 97% Permit Limit = 75%

CBOD percent removal = 98% Permit Limit = 75%

Coliform Fecal General = <1.8 MPN. Permit limit 200 MPN/100

Coliform Total General = 2.0 MPN. Permit limit 700 MPN/100

Total Nitrogen = 10.4 LBS/day

### Sludge Removal:

43,000 Gallons of sludge hauled in February

### Report

#### ❖ Treatment Plant:

De-ragged #2 nitrate recirculation pump

DEC Inspection



Cleaned UV channel

Changed ballast on module 1A in UV system

❖ Collection System:

Cleaned floats and probes at all stations

Contractor cleaned and CCTV Ludlam collection system

Jet-rodded 5<sup>th</sup> Ave to clear blockage

## **Electric Department**

### **Statistics**

#### Monthly Power Usage:

Maximum usage day = February 17 @ 111.512 Mwh

Minimum usage day = February 27 @ 85.388 Mwh

Peak demand for the month = 5.392 MW February 17, 6:00pm

Monthly total usage = 2,819.046 Mwh

Service calls/call outs =10

Street light repairs = 15

Customers shut off for nonpayment = 0

Customers turned on for payment = 0

Customers turned on for the season = 0

New Services/Upgrade =2 new service and 0 service upgrade.

**Tasks Accomplished:**

- ❖ The winter DMNC test has been completed for all 3 engines. The test results have been submitted for review and acceptance.
- ❖ Microgrid contractors were at the Fire station and Wastewater completing the startup readiness for the solar system/battery backup system.
- ❖ Changed out several electric meters throughout the Village.
- ❖ Addressed the violations that were cited by Suffolk County Health Department, the replacement of a high-level alarm for a fuel tank, removal of a fuel oil tank, and installed a double wall waste oil drain line.
- ❖ Replaced small metering transformer for voltage control.
- ❖ Service calls due to no power and weather related. Repaired a phase of URID primary for the metering at Safe Harbor.
- ❖ Relocated a transformer at Sterling Condo's for sea wall replacement.
- ❖ Service upgrade for Townsend Manor with new CT rate service.
- ❖ New service on Sandy Beach Road.
- ❖ Repaired-replace streetlights and converted 3 post lights in the Adams Street lot to LED.
- ❖ New hydraulic pump and high pull solenoid on G-16.
- ❖ Replace cracked/broken porcelain cut outs.

**Attachments:**

Greenport Meter 02-2024 (PDF)





Total Usage: 2,819,046.0000 KWH  
 Peak Demand: 5,392.00 KW  
 Occured On: Feb 17 2024 18:00  
 Load Factor: 72.82%  
 Date Start: Thursday, February 1, 2024  
 Date End: Thursday, February 29, 2024

Period Ending	KWH
2/1/2024	91,534.00
2/2/2024	88,860.00
2/3/2024	95,832.00
2/4/2024	96,830.00
2/5/2024	96,420.00
2/6/2024	98,881.00
2/7/2024	96,144.00
2/8/2024	93,783.00
2/9/2024	90,253.00
2/10/2024	86,886.00
2/11/2024	86,065.00
2/12/2024	89,965.00
2/13/2024	102,705.00
2/14/2024	109,860.00
2/15/2024	107,631.00
2/16/2024	102,288.00
2/17/2024	111,512.00
2/18/2024	109,924.00
2/19/2024	102,462.00
2/20/2024	106,614.00
2/21/2024	107,407.00
2/22/2024	98,107.00
2/23/2024	93,630.00
2/24/2024	93,303.00
2/25/2024	103,190.00
2/26/2024	92,759.00
2/27/2024	85,388.00
2/28/2024	83,192.00
2/29/2024	97,621.00



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Submitted: March 14, 2024  
Meeting: March 21, 2024 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: William Schulz,  
From: William Schulz,  
Department: Village Administrator

---

## Building

# Work Session Report for Building Department & Enforcement

February 1, 2024 - March 1, 2024

## Office of Code Enforcement & Fire Prevention

### Reports

- ❖ Code Enforcement continues to patrol the Village and respond to complaints.
- ❖ Rental permit renewal review is being conducted. All property owners are being issued a letter of notification informing them that their permit is expired.
- ❖ Planning Board Work Session Regular Meeting & Public Hearings March 1, 2024
- ❖ Communication Subcommittee March 4, 2024
- ❖ Carousel Committee March 5, 2024

- ❖ **Code Committee March 6, 2024**
- ❖ **Greenport Skate Park March 6, 2024**
- ❖ **Southold Town/Greenport West Zoning Presentation & Community Engagement March 7, 2024**
- ❖ **Tree Committee March 12, 2024**
- ❖ **Stirling Historical Meeting March 12, 2024**
- ❖ **Code Committee March 13, 2024**
- ❖ **Communication Subcommittee March 18, 2024**
- ❖ **Zoning Board Regular Meeting March 19, 2024**
- ❖ **Bid Committee Zoom March 20, 2024**
- ❖ **Code Committee March 20, 2024**
- ❖ **Historical Preservation Commission March 21, 2024**
- ❖ **Board of Trustees Work Session March 21, 2024**
- ❖ **Planning Board Work Session March 22, 2024**
- ❖ **Code Committee March 27, 2024**
- ❖ **Board of Trustees Regular Session March 28, 2024**
- ❖ **Greenport Bid Annual “Egg Roll @ Mitchell Park March 30, 2024**

**Attachments:**

February 2024 CODE (PDF)

February 2024 Building Report (PDF)

February 2024 Building CO Report (PDF)





# Village of Greenport Enforcement Report

## *CODE ENFORCEMENT & FIRE PREVENTION*

February 1, 2024 -  
March 1, 2024

**Monthly Report**  
REPORT COVERING

Incorporated Village


# **RENTAL PERMIT INFORMATION**

## **INFORMATION**

*The following statistics represent the status of rental permits and rental permit violations from  
February 1, 2023 – March 1, 2024*

**New Applications/Renewal Applications Received: 6**

**Incomplete Applications (Missing fees, docs, etc.): 0**

**Applications Pending Inspection: 0**

**Applications Pending Re-Inspection 2**

**Completed/Permits Issued:**

**Applications Completed/Permits Issued: 378**

---



# Village of Greenport Building Department

February 1, 2024 -  
March 1, 2024

## Monthly Report REPORT COVERING 2/1/2023 through 3/1/2024

PERMIT TYPE	PERMIT NO.	PERMIT DATE	PARCEL ID	LEGAL ADDRESS	STATUS








236 THIRD STREET  
GREENPORT, NY  
11944

Tel: (631)477-0248  
Fax: (631)477-1877

villageofgreenport.org

**MAYOR**  
KEVIN STUESSI  
EXT 215

**TRUSTEES**  
MARY BESS PHILLIPS  
DEPUTY MAYOR

PATRICK BRENNAN

LILY DOUGHERTY-  
JOHNSON

JULIA ROBINS

**VILLAGE CLERK**  
CANDACE HALL  
EXT 214

Submitted: March 14, 2024  
Meeting: March 21, 2024 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: William Schulz,  
From: William Schulz,  
Department: Village Administrator

## Recreation

# Work Session Report Recreation Department

March 21, 2024

## Mitchell Park Marina/Parks

- ❖ Routine cleaning of the interior spaces of Village Hall and the Carousel.
- ❖ Ice melt and snow removal at Mitchell Park, the Recreation Center and Village Hall walkways.
- ❖ Debris and garbage collection at Mitchell Park, Third Street Park and basketball court.
- ❖ Sinkhole repairs along the Marina and Railroad Dock are ongoing due to increased need for bulkhead repairs.
- ❖ Full replacement of floating docks at Bayman's Facility, and removal of old demolished docks will be completed soon.
- ❖ Fifth Street pier decking repaired and resecuring of loose boards.
- ❖ Assisted Treasures Department with tax and benefit data entry at Village Hall.
- ❖ Repair of adjacent stockade fence at the Recreation Center was completed.
- ❖ Quotes continue for anticipated repairs of Mitchell Park Marina floating dock at T of A location.

- ❖ Dockwa reservations are above average in frequency amid multiple rendezvous requests.
- ❖ CVAP reimbursement check received this month totaling \$6800.00.
- ❖ The Carousel continues on the winter schedule of 11:00 am - 5:00 pm on the weekends and during school closings.
- ❖ The Friends of Mitchell Park has sponsored another "Free Carousel Day" on February 18<sup>th</sup>. It was a huge success with many who enjoyed this event.
- ❖ Mooring, Bayman's Dock and Railroad Dock dockage fees continue to be processed.

Monthly Revenue Reports are attached.

## **Recreation Center**

### **Statistics**

Attendance:

After School Program=15 Children Enrolled

### **Reports**

- ❖ The After-Care Program is going very well.
- ❖ The children continue to enjoy the weekly literacy program at Floyd Memorial Library. They continue to work on their creative writing and reading skills.
- ❖ The Recreation Center is preparing to decorate for Black History Month, Grounds Hog Day and Valentine's Day



- ❖ The recreation center sanitized daily.
- ❖ The 2024 Suffolk County EMS Public Defibrillation AED location survey was completed for the Summer Day Camp.

## Campground

### Tasks Accomplished

- ❖ McCann's Campground is closed for the season.
- ❖ McCann's Campground demolition and five adjacent structures attached to the restroom building has begun. There will be new exterior vinyl siding, fascia, and soffit to McCann's Campground restroom building.
- ❖ Removal of hazardous trees from McCann's Campground area adjacent to roadway and the building has been completed.

### **Attachments:**

RECREATION MONTHLY REVENUE REPORT FEB 2024 (PDF)

	MARINA					CAMPGROUND					MOORINGS		
	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	
	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	
JUNE	\$ 189,894.54	\$ 109,399.55	\$ 407,754.97	\$ 741,547.11	\$ 439,072.04	\$ 80,435.00	\$ 34,400.51	\$ 89,227.00	\$ 118,817.75	\$ 83,425.00	\$ 36,400.00	\$ 25,000.00	
JULY	124,727.53	182,091.44	26,808.51	158,855.94	204,095.83	23,860.00	28,450.00	46,747.00	28,895.00	25,650.00	-	-	
AUGUST	117,311.08	164,930.68	122,897.70	200,298.83	184,131.13	17,839.50	23,317.00	41,484.00	37,442.50	25,010.00	-	-	
SEPTEMBER	101,314.05	97,699.56	103,220.90	34,384.88	58,434.05	10,015.00	13,875.00	20,170.00	24,215.00	27,433.88	-	-	
OCTOBER	17,715.75	48,543.46	46,422.76	37,958.32	84,445.92	10,349.50	17,725.00	18,365.00	9,905.00	17,230.00	-	-	
NOVEMBER	-	(17,719.04)	-	1,598.00	18,411.01	-	2,985.00	3,040.00	3,640.00	8,815.00	2,200.00	1,200.00	
DECEMBER	-	134.81	-	-	212.50	-	-	-	-	(367.22)	1,400.00	3,800.00	
JANUARY	-	-	7,728.87	2,418.00	19,898.09	3,155.00	3,075.00	5,805.02	1,020.00	1,445.00	3,900.00	3,700.00	
FEBRUARY	1,211.90	-	1,095.37	533.03	15,079.61	480.00	-	(725.93)	890.00	-	1,900.00	1,500.00	
MARCH	2,007.29	6,789.59	4,743.09	2,605.84	-	1,290.00	2,875.00	100.00	2,040.00	-	2,600.00	1,300.00	
APRIL	-	(2,326.58)	583.01	-	-	-	1,135.00	6,700.00	2,045.00	-	500.00	-	
MAY	1,818.05	10,479.55	37,437.30	40,407.84	-	8,645.00	7,075.00	3,647.06	3,370.50	-	1,300.00	-	
YEAR TO DATE	\$ 365,899.99	\$ 590,898.02	\$ 740,724.98	\$ 1,029,815.89	\$ 1,023,404.18	\$ 181,278.00	\$ 180,482.51	\$ 189,488.99	\$ 227,790.75	\$ 188,753.28	\$ 52,300.00	\$ 48,000.00	
	CAMERA OBSCURA					CAROUSEL					ICE RINK		
	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	
	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	FISCAL YEAR 2023	FISCAL YEAR 2024	FISCAL YEAR 2020	FISCAL YEAR 2021	
	\$ 30.00	\$ -	\$ 10.00	\$ 10.00	\$ -	\$ 18,439.00	\$ -	\$ 16,759.59	\$ 8,854.55	\$ 18,548.25	-	-	
	108.00	-	13.00	15.00	190.00	55,076.85	-	45,122.05	33,917.74	53,759.75	-	-	
	106.00	-	51.00	7.00	30.00	55,430.64	-	41,894.85	35,014.65	50,181.18	-	-	
	37.00	18.00	-	10.00	-	23,070.65	-	19,080.77	22,289.00	28,666.61	-	-	
	14.00	5.00	7.00	11.00	13.00	10,086.84	-	8,622.00	10,237.50	11,070.50	-	-	
	-	-	-	-	-	8,978.88	-	6,884.00	7,470.75	7,310.50	300.00	-	
	-	-	-	-	-	1,891.00	-	4,083.00	5,248.00	5,740.00	250.00	-	
	-	-	-	-	-	4,524.00	-	3,648.00	6,347.00	6,981.51	20,700.00	1,975.00	
	-	-	-	-	-	6,275.00	-	5,103.50	7,030.50	9,497.30	15,574.52	14,072.28	
	-	-	-	-	-	1,878.00	-	5,541.40	3,078.50	-	15,782.00	6,755.00	
	-	-	-	10.00	-	150.00	-	2,575.00	10,004.00	-	1,743.00	450.00	
	-	5.00	29.00	-	-	-	-	8,274.00	15,566.54	8,785.00	-	-	



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Submitted: March 15, 2024  
Meeting: March 21, 2024 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: Jeanmarie Odon, *Deputy Clerk*  
From: Candace Hall, *Village Clerk*  
Department: Village Clerk Department

### Village Clerk March 2024 Work Session Report

Village Clerk March 2024 Work Session Report

#### VILLAGE of GREENPORT - BOARD OF TRUSTEES WORK SESSION

To be presented at the meeting held on 3/21/2024

Report of Candace Hall, Village Clerk

#### Resolutions:

- New Hire - William Frances Cunningham - Pump Out Boat Operator  
Part-time.
- Resolution awarding the contract for the Mitchell Park Public Restrooms 2024 from bid dated February 26, 2024 to Robert Bohn LLC, the lowest bidder, at a bid price of Eighty Two Thousand Five Hundred dollars (\$82,500.00) and authorizing Mayor Stuessi to sign the contract between the Village of Greenport and Robert Bohn, LLC.

#### Public Assembly Permit Applications Received (RESOLUTIONS):

- LGBT Network submitted public assembly applications for the NOFO Pride Parade and Festival; proposed event date June 22<sup>nd</sup>, 2024.
- Greenport Farmers Market submitted on Friday, March 15, 2024 a public assembly application for the Farmers Market at the Mitchell Park location proposed event dates on Friday's starting May 17, 2024 through October 11, 2024. The Greenport Farmers Market is requesting for an upfront waiver for the required \$500.00 security deposit.

**Contracts and Agreements Signed:**

- Penflex - Service Award Program
- Garratt-Callahan
- Cable TV Franchise Agreement
- Village Road End Drainage Project Contract
- DeAl Concrete Corp. (sidewalk project)
- McCann Campground Contract

**Legal Notices:**

- Tax Sale Publication
- Annual Organizational Meeting Notice
- Tentative Budget Hearing Notice
- Public Hearing for Chapter 88 Noise
- Public Hearing for Chapter 44 Assemblies and Chapter 101 Recreation Areas and Beaches
- Ice Rink BID



**Announcements:**

- BID Annual Egg Roll will be held on Saturday March 30<sup>th</sup>, 2024, from 10am-noon; Friends of Mitchell Park is sponsoring FREE carousel rides between for 2-hours after the event.
- The required Annual Training for the Village staff, Board and Mayor has been scheduled.
- IQM2/Granicus (Village Meeting Software) announced their “End of Support Date” and “End of Life” Dates for the software, September 2025, and September 2027 respectively. The Village Clerk is working with Granicus on a solution for the transition.
- State Archives will be returning to Village Hall for another haul out and meeting with the Clerk’s Office on March 26<sup>th</sup>, 2024.
- Village Brush Pick Up begins on April 9<sup>th</sup>, 2024; the bi-weekly schedule has been posted on the Village of Greenport website.
- Tax Sale was conducted at Village Hall on March 12<sup>th</sup>, 2024.

**Attachments:**



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Prepared By: Jeanmarie Oddon, *Deputy Clerk*  
From: Candace Hall, *Village Clerk*  
Department: Village Clerk Department

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### **Village Deputy Treasurer March 2024 Work Session**

#### **REQUEST A MOTION BE PLACED ON THE AGENDA FOR:**

RESOLUTION authorizing Deputy Treasurer Brautigam to perform attached budget Amendment #5594, to appropriate light fund reserves to fund the purchase of secondary current transformers for CT rated electric services and directing that Budget amendment #5594 be included as part of the formal meeting minutes of the March 28<sup>th</sup> Regular Meeting of the Board of Trustees.

RESOLUTION authorizing Deputy Treasurer Brautigam to perform attached budget Amendment #5595 to appropriate light fund reserves to fund emergency repairs to truck G-16 -bucket truck and directing that Budget Amendment #5595 be included as part of the formal meeting minutes of the March 28<sup>th</sup> Regular Meeting of the Board of Trustees.

RESOLUTION authorizing Deputy Treasurer Brautigam to perform attached budget Amendment #5583 to appropriate sewer fund reserves to partially fund J.R.H. Consulting Infrastructure Review and directing that Budget Amendment #5583 be included as part of the formal meeting minutes of the March 28<sup>th</sup> Regular Meeting of the Board of Trustees.

RESOLUTION authorizing Deputy Treasurer Brautigam to perform attached budget Amendment #5596 to appropriate light fund reserves to close out the Microgrid Project and directing that Budget Amendment #5596 be included as part of the formal meeting minutes of the March 28<sup>th</sup> Regular Meeting of the Board of Trustees.

RESOLUTION authorizing Deputy Treasurer Brautigam to perform attached budget Amendment #5597 to transfer funds from MCCANNS park refuse and grounds to MCCANNS park expense to fund improvements at campground and directing that Budget Amendment #5597 be included as part of the formal meeting minutes of the March 28<sup>th</sup> Regular Meeting of the Board of Trustees.

RESOLUTION authorizing Deputy Treasurer Brautigam to approve agreement with Robert Haft Talent Experts, and authorizing Deputy Treasurer Brautigam to sign agreement between the Village of Greenport and Robert Haft Talent Experts for part time treasury assistance, not to exceed \$25,000.

RESOLUTION authorizing Deputy Treasurer Brautigam to perform attached budget Amendment #5640 to appropriate funds from general reserves to fund the removal of trees and stumps along village owned streets and directing that Budget Amendment #5640 be included as part of the formal meeting minutes of the March 28<sup>th</sup> Regular Meeting of the Board of Trustees.

#### **UTILITY BILLING**

End of Month Statistics for February completed

Sector one read and billed.

Sector two bills to be completed by 3/17/2024

**TALKING POINTS**

Housing Authority

**SIGNIFICANT COLLECTIONS**

RENTS COLLECTED ON FEBRUARY 2024- \$72,521.96

PROPERTY TAX COLLECTED THROUGH FEBRUARY 2024-  
1,397,279.16

**SIGNIFICANT PAYMENTS**

Microgrid closeout - \$340,265.89

**COMMUNITY DEVELOPMENT/ HOUSING AUTHORITY**

7 recertifications and 8 interims were performed for February 2024.

**INFORMATIONAL:**

Cash Holdings Report - See attached

Utility Billing Statistics Report - See attached

**Attachments:**

- BANK BALANCE SHEET feb 2024 (PDF)
- CD monthly expenses (2) (PDF)
- HA monthly expenses (2) (PDF)
- March 2024 End of Month Billing Statistics (PDF)
- property tax collected through feb 2024 (PDF)
- budget modification #5594 (PDF)
- budget modification #5595 (PDF)
- budget modification #5583 (PDF)
- budget modification #5596 (PDF)
- budget modification #5597 (PDF)
- budget modification #5640 (PDF)



**BANK ACCOUNT BALANCES  
FOR THE MONTH OF NOVEMBER 2023**

<b>FUND</b>	<b>BANK ACCOUNT NAME</b>	<b>G/L ACCT#</b>	<b>TYPE</b>	<b>BALANCE</b>	
A	General	A.0200.000	Checking	94,489.70	
A	Repair & Maintenance	A.0200.400	Checking	137,471.76	
A	Greenhill Cemetery	A.0201.100	Savings	33,695.02	
A	Money Market	A.0201.130	Money Market	539,682.00	
A	Fire Apparatus	A.0221.110	Savings	534,877.95	
A	Bulding Department Escrow	A.0235.101	Checking	57,197.59	
A	Parks and Recreation	A.0200.200	Checking	5,566.91	
A	General Investment Savings	A.0201.110	Muni Investment Pool	1,160,756.00	
A	American Recovery Plan	A.0200.415	Checking	-	
					<b>TOTAL GENERAL FUND \$ 2,563,736.93</b>
CD	Small Cities Rehab.	CD.0200.000	Savings	18,904.34	
CD	NYS CDBG Funds	CD.0200.400	Public Funds Acct	226.21	
					<b>TOTAL COMMUNITY DEVELOPMENT \$ 19,130.55</b>
E	Light Fund	E.0121.100	Checking	224,582.70	
E	Light Depreciation Savings	E.0116.100	Savings	1,796,122.81	
E	Light Investment Savings	E.0201.110	Muni Investment Pool	1,003,914.83	
E	TTC Collections	E.0121.120	Savings	231,536.17	
E	Renewable Energy Savings	E.0121.130	Savings	195,856.84	
E	Consumer Deposit Savings	E.0191.100	Savings	124,520.06	
E	Consumer Deposit Checking	E.0244.200	Checking	7,474.64	
					<b>TOTAL LIGHT FUND \$ 3,584,008.05</b>
F	Water	F.0200.000	Checking	55,125.72	
F	Water Fund Capital	F.0200.400	Savings	\$8,400.70	
F	Water Investment Savings	F.0201.120	Muni Investment Pool	475,859.64	
F	Water Fund CD (MM)	F.0201.000	Money Market	203,765.98	
F	Water Fund Money Market	F.0201.130	Money Market	457,147.37	
					<b>\$ 1,200,299.41</b>
G	Sewer	G.0200.000	Checking	60,931.09	
G	NYS DEC Consent	G.0201.000	Savings	31,583.60	

G	Sewer Fund I	G.0201.100	Money Market	297,206.07	
G	Sewer Investment Savings	G.0201.110	Muni Investment Pool	751,544.26	
G	NYSEFC	G.0205.000	Checking	185,851.61	
G	Sewer Wastewater	G.0220.110	Savings	12,185.80	
G	NYSERDA	G.0525.000	Checking	111.01	
				<b>TOTAL SEWER FUND</b>	<b>\$ 1,339,413.44</b>
H	Capital	H.0200.000	Checking	363,755.83	
H	Capital Reserve	H.0200.400	Savings	50,465.57	
				<b>TOTAL CAPITAL FUND</b>	<b>\$ 414,221.40</b>
TA	Trust & Agency	TA.0200.000	Checking	46,352.95	
TA	Retirement Savings	TA.0201.000	Savings	49,807.61	
TA	WWI Memorial Trust	TA.0201.001	Savings	732.25	
TA	T & A Special Escrow	TA.0201.002	Savings	6,614.64	
TA	Justice Court	TA.0201.004	Savings	4,801.30	
TA	Global Common	TA.0201.009	Savings	271,994.79	
TA	Basketball Court Donations	TA.0200.101	Checking	92.00	
TA	Tree Committee	TA.0200.102	Checking	5,690.73	
TA	Summer Day Camp Donations	TA.0200.103	Checking	1,680.00	
TA	Recreation Center Donations	TA.0200.104	Checking	16,037.01	
TA	Friends of Fifth Street	TA.0200.106	Checking	113.00	
TA	American Legion Bldg	TA.0200.107	Checking	200.00	
TA	Fifth Street Rehab	TA.0200.120	Checking	13,796.00	
TA	Carousel Committee	TA.0200.113	Checking	17,873.81	
TA	Mitchell Park Bathrooms Rehab	TA.0200.115	Checking	30,000.00	
TA	Accounts Payable	TA.0202.000	Checking	80,007.60	
				<b>TOTAL TRUST &amp; AGENCY FUND</b>	<b>\$ 545,793.69</b>
	Wire Account			269.85	
	Utility Clearing			231,333.36	
					<b>\$ 231,603.21</b>
				<b>TOTAL VILLAGE WIDE</b>	<b>\$ 9,898,206.68</b>

FDS - 213 Center St & 278 2nd Street Monthly Revenue & Expenses - February 2024

\$ 5,100.00

50.00

Account Description	REVENUE: 213 Center 213 Center	REVENUE: 278 2nd Street UNIT 1 - 8124 UNIT 2 - 8327 UNIT 3 HOUSE		
Rent	\$ 1,125.00	\$ 1,475.00		
Late Fees/Credits	\$ 50.00			
<b>TOTAL REVENUE</b>	<b>\$ 1,175.00</b>	<b>\$ 1,475.00</b>	<b>\$ 1,275.00</b>	<b>\$ 3,975.00</b>
<b>EXPENSES:</b>	<b>EXPENSES: 213 Center</b>	<b>EXPENSES: 278 2nd Street</b>		
<u>Utilities</u>		UNIT 1 - 8124 UNIT 2 - 8327 8328 HOUSE - 8590 RE/8361 SW		
Electric				\$ 25.42
Water/Sewer	\$ 60.84			\$ 673.13
Propane/Heating Oil				\$ 1,281.36
<u>Admin</u>				
Salaries & Benefits (Asha, Adam, Paul)	\$ 667.03			\$ 2,001.09
Payment Agreement to Village				\$ 1,000.00
<b>Total</b>	<b>\$ 727.87</b>			<b>\$ 4,981.00</b>
<u>Maintenance Repairs/Other</u>				
Sentry Automatic Fire Protection				\$ 1,250.00
Baluck Construction	\$ 2,520.00			
JP McHale Pest Mgmt, LLC	\$ 55.00			\$ 83.00
Mattituck Enviro Services				\$ 44.07
Pine Oaks Landscaping Lawn cuts				
				\$ -
				\$ -
				\$ 1,377.07
<b>Total Maintenance Expenses</b>	<b>\$ 2,575.00</b>			<b>\$ 1,377.07</b>
<b>MONTHLY FINANCIAL SUMMARY</b>	<b>213 CENTER</b>	<b>278 2nd STREET</b>		
Interest Earned				
Total Revenue	\$ 1,175.00			\$ 3,975.00
Total Expenses	\$ 3,302.87			\$ 6,358.07
<b>NET REVENUE</b>	<b>\$ (2,127.87)</b>			<b>\$ (2,383.07)</b>
<b>EXCESS (DEFICIENCY) OF TOTAL REVENUE</b>	<b>\$ (2,127.87)</b>			<b>\$ (2,383.07)</b>
<b>OVER (UNDER) TOTAL EXPENSES</b>	<b>\$ (2,127.87)</b>			<b>\$ (2,383.07)</b>

Financial Data Schedule - Monthly Revenue & Expenses (HAP REGISTER) - February 2024									
Account Description	79	TOTAL VOUCHERS	TOTAL HAP, PORT, UTILITIES	108,455.00	675.00	#REF!			
REVENUE:	Vouchers Leased on last day of month								
706 PHA HUD Operating Grants		73							
706 Admin fee revenues	FR HAP (714.010)	6							
711 Interest Earned - HAP									
Interest Earned - ADMIN	FR ADMIN (714.020)								
714 Fraud recovery	Accl' HAP	0							
	Supplemental	79							
<b>700 TOTAL REVENUE</b>	Accl' ADMIN from HUD								
<b>EXPENSES:</b>									
<b>Administrative</b>									
912 Auditing fees									
Salaries - Asha (\$33.85), Adam									
Column E, Paul, Column F 2									
911 payperiods									
Medical									
Dental									
Pension T4 15.7%, TS 12.9.3%									
914 Payroll Taxes FICA									
915 Employee Benefit Contribution									
<b>TOTAL</b>									
919 Academy Printing									
977 Legal Fees/Nina JG Stewart									
915 A Gallacher Reimb									
915 A Gallacher Mileage									
915 Office Expenses Total									
916 Administrative Total									
992 Other General Expenses (Office Rent)									
<b>999 TOTAL OPERATING EXPENSES</b>									
<b>970 EXCESS OPERATING REVENUE OVER OPERATING EXPENSES</b>									
973 PHA Utility Allowance									
973 HAP payments									
PORT payments									
973 (HAP, PORT and UTILITY TOTAL)									
HAP & UTIL less Port payments									
Total Admin Revenue									
Net ADMIN									
Total Hap Revenue									
Net HAP									
<b>900 TOTAL EXPENSES</b>									
<b>EXCESS (DEFICIENCY) OF TOTAL REVENUE</b>									
<b>1000 OVER (UNDER) TOTAL EXPENSES</b>									



### EOM Billing Statistics Report

Rate Summary - All Routes

Service	Rate# - Description	Bills	Min. Bills	Usage	Charge	Usage	Demand	Contract	PCA	NVSCES	Comm Tax	Res Tax	
Electric	2 - Electric - Flat Charge	9	0	0		0	0	406.80				5.88	
	9 - Residential (1, 1)	1369	0	971242	110,852.75	0	0		12,356.11	3,846.66		3,070.42	
	10 - Water Heating (2, 2)	11	0	1367	108.45	0	0		17.43	5.41		3.27	
	11 - All Electric (3, 3)	342	0	365809	38,967.27	0	0		4,467.85	1,406.11		1,112.10	
	13 - Demand - Class 3 (5, 5)	4	0	214200	11,973.78	747	8,777.26		2,731.48	848.44	720.97		
	14 - Village St. Lighting (6, 6)	5	0	27203.575	3,131.14	0	0		346.89	107.75			
	15 - Town St Lighting (7, 7)	1	0	1048.845	120.72	0	0		13.37	4.15			
	19 - Traffic Lights (11, 11)	1	0	1019	108.18	0	0		12.99	4.04			
	20 - Contract St Lighting (12, 12)	2	0	147	0.00	0	0						
	21 - Sterling Harbor (13, 13)	2	0	1304.625	150.16	0	0		16.64	5.17	14.83		
	77 - RESIDENTIAL SOLAR	10	0	6831	822.44	0	0		87.10	27.06		23.41	
	78 - CLASS 3 SOLAR	1	0	52400	2,929.16	144	1,692.00		668.20	207.56			
	Electric Total		1757	0	1642572.045	169,164.05	891	10,469.26	406.80	20,718.06	6,462.35	735.80	4,215.08
	Sewer	3 - Sewer - INSIDE Flat Charge	33	0	0	1,739.10	0	0					
		23 - Sewer - IN VILL 3/4" W/SEWER (14, 14)	892	0	3716.9	59,686.60	0	0					
		25 - Sewer - IN VILL 1" W/SEWER (15, 15)	31	9	194	2,465.44	0	0					
		27 - Sewer - IN VILL 1 1/2" W/SEWER (16, 16)	12	5	130.5	1,922.85	0	0					
		29 - Sewer - IN VILL 2" W/SEWER (17, 17)	29	15	225.3	3,543.00	0	0					
		31 - Sewer - IN VILL 3" W/SEWER (18, 18)	1	0	3.6	42.00	0	0					
33 - Sewer - IN VILL 4" W/SEWER (19, 19)		3	2	350.4	5,407.65	0	0						
54 - Sewer - OUTSIDE RES SEWER (50, 50)		89	76	776.4676	18,554.72	0	0						
57 - SPLIT SEWER BILLING (52, 52)		1	0	10	0.00	0	0						
62 - O/S DRIFTWOOD COVE 52		1	1	74.052	3,276.00	0	0						
63 - O/S DRIFTWOOD COVE 49		1	1	136.6596	3,087.00	0	0						
64 - O/S PECONIC LANDING 301		1	0	1830	33,891.00	0	0						
65 - O/S CLIFFSIDE CONDOS-SEWER		1	1	6	4,410.00	0	0						
Sewer Total			1095	717	7453.8792	138,025.36	0	0					
Water		5 - Water - Flat Charge	33	0	0	936.05	0	0					
		22 - RES VILL 3/4" W/SEWER (14, 14)	908	0	4118	28,420.32	0	0					
		24 - RES VILL 1" W/SEWER (15, 15)	32	5	225	1,171.70	0	0					
		26 - COMM VILL 1 1/2" W/SEWER (16, 16)	13	9	145	864.36	0	0					
		28 - COMM VILL 2" W/SEWER (17, 17)	30	22	249	1,834.65	0	0					
		30 - COMM VILL 3" W/SEWER (18, 18)	1	1	4	44.46	0	0					
		32 - COMM VILL 4" W/SEWER (19, 19)	3	2	393	1,881.05	0	0					
	46 - COMM VILLAGE 1 1/2" (42, 42)	1	1	0	44.46	0	0						
	47 - COMM VILLAGE 2" (43, 43)	7	6	76	519.77	0	0						
	48 - RES VILLAGE 3/4" (44, 44)	141	133	360	4,182.10	0	0						
	49 - RES VILLAGE SEWER ONLY (45, 45)	8	0	4	0.00	0	0						
	52 - FLAT-FIRE SPRINKLERS (49, 49)	33	0	0	0.00	0	0						
	53 - OUTSIDE RES SEWER (50, 50)	86	0	861.964	0.00	0	0						
	Water Total		1296	582	6435.964	39,898.92	0	0					
Electric-small commercial	12 - Commercial (4, 4)	378	0	875939.2	98,424.21	0	0		11,170.03	3,469.59	7,857.77		
	16 - Operating Municipali (8, 8)	32	0	40514	4,732.79	0	0		516.62	160.47			
	17 - Water Department (9, 9)	2	0	0	24.86	0	0						
	18 - Sewer Department (10, 10)	9	0	18649	2,107.32	0	0		237.81	73.86			
	73 - Electric Power Plant	5	0	71235	0.00	0	0						
	79 - SMALL COMMERCIAL SOLAR	2	0	53040	5,700.14	0	0		676.36	210.09			

### EOM Billing Statistics Report

ate Summary - All Routes												
Service	Rate# - Description	Bills	Min. Bills	Usage	Charge	Usage	Demand	Contract	PCA	NYSCES	Comm Tax	Res Tax
Electric-small commercial	80 - COMMERCIAL SOLAR	429	0	1059847.2	111,052.04	0	0	12,606.81	5.99	3,915.87	7,863.86	
Grand Total		4577	1299	2716309.0882	458,140.37	891	10,469.26	406.80	33,324.87	10,378.22	8,599.66	4,215.08

Rate Summary - All Routes

Service	Rate# - Description	Total
Electric	2 - Electric - Flat Charge	412.68
	9 - Residential (1, 1)	130,125.94
	10 - Water Heating (2, 2)	134.56
	11 - All Electric (3, 3)	45,953.33
	13 - Demand - Class 3 (5, 5)	25,051.93
	14 - Village St. Lighting (6, 6)	3,586.78
	15 - Town St Lighting (7, 7)	138.24
	19 - Traffic Lights (11, 11)	125.21
	20 - Contract St Lighting (12, 12)	0.00
	21 - Sterling Harbor (13, 13)	186.80
	77 - RESIDENTIAL SOLAR	960.01
	78 - CLASS 3 SOLAR	5,496.92
		212,171.40

Electric Total

Sewer

3 - Sewer -INSIDE Flat Charge	1,739.10
23 - Sewer - IN VILL 3/4" W/SEWER (14, 14)	59,686.60
25 - Sewer - IN VILL 1" W/SEWER (15, 15)	2,465.44
27 - Sewer - IN VILL 1 1/2" W/SEWER (16, 16)	1,922.85
29 - Sewer - IN VILL 2" W/SEWER (17, 17)	3,543.00
31 - Sewer - IN VILL 3" W/SEWER (18, 18)	42.00
33 - Sewer - IN VILL 4" W/SEWER (19, 19)	5,407.65
54 - Sewer - OUTSIDE RES SEWER (50, 50)	18,554.72
57 - SPLIT SEWER BILLING (52, 52)	0.00
62 - O/S DRIFTWOOD COVE 52	3,276.00
63 - O/S DRIFTWOOD COVE 49	3,087.00
64 - O/S PECONIC LANDING 301	33,891.00
65 - O/S CLIFFSIDE CONDOS-SEWER	4,410.00
	138,025.36

Sewer Total

Water

5 - Water - Flat Charge	936.05
22 - RES VILL 3/4" W/SEWER (14, 14)	28,420.32
24 - RES VILL 1" W/SEWER (15, 15)	1,171.70
26 - COMM VILL 1 1/2" W/SEWER (16, 16)	864.36
28 - COMM VILL 2" W/SEWER (17, 17)	1,834.65
30 - COMM VILL 3" W/SEWER (18, 18)	44.46
32 - COMM VILL 4" W/SEWER (19, 19)	1,881.05
46 - COMM VILLAGE 1 1/2" (42, 42)	44.46
47 - COMM VILLAGE 2" (43, 43)	519.77
48 - RES VILLAGE 3/4" (44, 44)	4,182.10
49 - RES VILLAGE SEWER ONLY (45, 45)	0.00
52 - FLAT-FIRE SPRINKLERS (49, 49)	0.00
53 - OUTSIDE RES SEWER (50, 50)	0.00
	39,898.92

Water Total

Electric-small commercial

12 - Commercial (4, 4)	120,921.60
16 - Operating Municipalt (8, 8)	5,409.88
17 - Water Department (9, 9)	24.86
18 - Sewer Department (10, 10)	2,418.99
73 - Electric Power Plant	0.00
79 - SMALL COMMERCIAL SOLAR	6,586.59

# EOM Billing Statistics Report

Date Summary - All Routes  
 Service Rate# - Description  
 80 - COMMERCIAL SOLAR  
 Electric-small commercial Total  
 Grand Total

Total  
 76.66  
 135,438.58  
 525,534.26

### Report Setup Information:

Report Design EOM Billing Statistics Report  
 Output Type Graphics

art Route	End Route	Start Date	End Date
56		1/6/2024	2/6/2024
63		1/31/2024	2/14/2024
72		1/24/2024	2/23/2024
79		2/2/2024	2/28/2024
82		2/2/2024	2/28/2024
80		2/2/2024	2/28/2024
81		2/2/2024	2/28/2024



# VILLAGE OF GREENPORT

## Payment / Balance as of 03/14/2024

### Grand Totals

	Count	Balance Amt	Count	Paid Amt
BID MT	4	731.03	112	52,258.98
SEWER MT	7	3,447.38	25	17,488.99
WLLT	11	9,520.52	1,049	1,313,419.37
WATER MT	7	1,785.94	27	7,915.58
<b>Total PRINCIPAL</b>		<b>15,484.87</b>		<b>1,391,082.92</b>
PEN			66	6,196.24
<b>Total PENALTY</b>				<b>6,196.24</b>
<b>Total</b>		<b>15,484.87</b>		<b>1,397,279.16</b>

















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**MAYOR**  
KEVIN STUESSI  
EXT 215

**TRUSTEES**  
MARY BESS PHILLIPS  
DEPUTY MAYOR

PATRICK BRENNAN

LILY DOUGHERTY-  
JOHNSON

JULIA ROBINS

**VILLAGE CLERK**  
CANDACE HALL  
EXT 214

Submitted: March 19, 2024  
Meeting: March 21, 2024 6:00 PM  
*Work Session Meeting*  
To: Mayor Kevin Stuessi  
Board of Trustees  
Prepared By: Jeanmarie Odden, *Deputy Clerk*  
From: Candace Hall, *Village Clerk*  
Department: Village Clerk Department

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### **Trustee Julia Robins Work Session Report March 2024**

**Attachments:**

Trustee Julia Robins Work Session Report March 2024 (PDF)



# Village of Greenport

## Subcommittee on Parking, Wayfinding and Traffic Advisory Planning Committee

Chair: Greenport Village Trustee Julia Robins

### Background

The Village Subcommittee on Parking, Wayfinding and Traffic has been tasked with providing recommendations regarding a range of mobility and transportation issues impacting the village. Subcommittee meetings have been held weekly at Greenport's Schoolhouse, open to the public, with notice provided on the Village website's monthly calendar.

Given the scope of its charge the committee elected to organize its work using a "hierarchy of needs."

Guiding principles include:

- Accessibility for all, throughout the Village of Greenport
- Pedestrian and bicycle safety
- Calming vehicular traffic and increased safety

### Research and Observations

Committee members have drawn upon public concerns and complaints articulated at numerous public meetings and Trustee and other Board hearings. Members employed standard tools/methodologies to ground their discussions and recommendations with an emphasis on moving from complaints to actionable steps.

- Conducted walking tour of Village streets, focusing on known high-volume traffic intersections
- Reviewed traffic data, public input, past and ongoing intervention strategies
- Reviewed Emergency Vehicle impact and access with Chief Alby Dekerillis GFD.
- Individually reviewed transportation planning documents such as the Long Island Transportation Plan/Vision 2020, Sustainable East End Development Strategies (2005), and others
- Drew upon observed traffic-control features, signs and pedestrian and vehicular patterns and behaviors

### Tools and Options Identified

Materials, tools and interventions reviewed by the subcommittee, suitable for traffic calming, and based upon its principles, include a range of inexpensive, simple options through intermediate/trial ideas, and higher-cost longer-term options:

- High-visibility line paint for crosswalks;
- High-contrast pedestrian area painting
- Crosswalk bumpouts
- Reflective stanchions
- Clear signage designating no parking close to intersection corners ("clearway protection")
- Stoplevel painting
- Trial oneway and pedestrian only areas

- Standard height Stop signs
- Raised crosswalks; smooth transition paving
- Flashing crosswalk signage in downtown business district
- Enforcement to address disregard of jaywalking, delivery zone time limits, and decibel levels
- Employing no-right-on-red light
- Yellow/red flashing lights where appropriate
- Speed feed-back signage

## **Implementation**

Specific recommendations discussed by subcommittee members and based on the principles listed, and research and observations outlined above include the following:

- The intersection of Front and Main:  
Add stop signs on Main in both directions, add red flashing lights in each direction. Add a crosswalk from Crazy Beans eastward across Main. Add Bump Outs at both ends of the new crosswalk.
- First and South St.:  
Add a crosswalk across the north side of the intersection. Create Bump Outs on the NW, SW, SE corners of the intersection. Ensure adequate painting of Stoplines and crosswalks. Elevate Stop signs to standard height. Create clearway by removing the first closest parking spaces to the intersection on First Street southbound, South Street both sides. Create a physical barrier to maintain the clearway and avoid double parked or delivery vehicles. Enforce Delivery zone and time usage.
- Main, Webb and First street.:  
Add curb cut and ramp to Crosswalk on the Northside of the intersection. Add a crosswalk across Webb. Add a speed bump North of the intersection along Main. Consider making First St. one-way northbound only.
- Front St. between Main and Third:  
Trial one way and pedestrian only events in consideration of permanent modification.
- Front and Third:  
Add sound cue to existing pedestrian crossing. Add "no right on red" signage on the Eastbound turn lane from Third.
- Front and Fourth:  
Add button activated crosswalk flashers.
- Fourth and Jitney lot:  
Add a curb cut and crosswalk from the new sidewalk on the west side of 4th to the Railroad museum. Add sidewalk and improve surface quality from RR museum to RR roundtable especially across the RR tracks.
- Front and Mitchell Park:  
Remove the parking spot preceding the existing Bump Out in the westbound lane.
- Main and South:  
Remove the parking spot preceding the existing Bump Out in the southbound lane.
- Main and Central Ave:  
Add button activated crosswalk flashers across Main. Consider relocating the crosswalk to the south side of Central Ave, and Center St.