



**September 26, 2019 at 7:00 PM
Mayor and Board of Trustees – Regular Meeting
Third Street Firehouse
Greenport, NY 11944**

236 Third Street
Greenport NY
11944

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

MAYOR
GEORGE W. HUBBARD,
JR.
EXT. 215

TRUSTEES
JACK MARTILOTTA
DEPUTY MAYOR

PETER CLARKE

MARY BESS PHILLIPS

JULIA ROBINS

**VILLAGE
ADMINISTRATOR**
PAUL J. PALLAS, P.E.
EXT. 219

CLERK
SYLVIA PIRILLO, RMC
EXT. 206

TREASURER
ROBERT BRANDT
EXT. 217

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

- Albert George Cook
- Muriel S. Snyder
- Amber Stulsky
- Joseph Townsend, Jr.

ANNOUNCEMENTS

- The annual North Fork TV Festival will be held on October 4, 2019 and October 5, 2019.
- The Carousel Committee is in need of volunteers. Please contact Village Clerk Sylvia Pirillo if you are interested in joining the Committee.

LIQUOR LICENSE APPLICATION

- New liquor license application from applicant "Entity to be formed by Emily Demarchelier" at 471 Main Street

PUBLIC COMMENT PERIOD

- A proposed project(s) for CDBG funds

PUBLIC HEARINGS

- A public hearing regarding a proposed amendment to Chapter 142 (Wetlands, Floodplains and Drainage) of the Code of the Village of Greenport

PUBLIC TO ADDRESS THE BOARD

REGULAR AGENDA

CALL TO ORDER**RESOLUTIONS****RESOLUTION # 09-2019-1**

RESOLUTION adopting the September, 2019 agenda as printed.

RESOLUTION # 09-2019-2

RESOLUTION accepting the monthly reports of the Greenport Fire Department, Village Administrator, Village Treasurer, Village Clerk, Village Attorney, Mayor and Board of Trustees.

FIRE DEPARTMENT**RESOLUTION # 09-2019-3**

RESOLUTION approving the application for membership of Hermogenes M. Aguilera to the Standard Hose Company of the Greenport Fire Department, as approved on September 18, 2019 by the Greenport Fire Department Board of Wardens.

VILLAGE ADMINISTRATOR**RESOLUTION # 09-2019-4**

RESOLUTION authorizing the solicitation of bids for a spare effluent pump at the Wastewater Treatment Plant; and directing Clerk Pirillo the notice the solicitation of bids accordingly.

RESOLUTION # 09-2019-5

RESOLUTION authorizing the solicitation of bids for an air conditioning system at the Third Street Fire Station at Third and South Streets; and directing Clerk Pirillo to notice the solicitation of bids accordingly.

RESOLUTION # 09-2019-6

RESOLUTION awarding the bid for road-end water quality improvements at: Brown Street, Clark Street and Fourth Street to KJB Industries, Inc. at a total cost of \$ 339,933.00, per the bid opening on September 12, 2019; and authorizing Mayor Hubbard to sign the contract between the Village of Greenport and KJB Industries, Inc. for road-end water quality improvements at: Brown Street, Clark Street and Fourth Street.

RESOLUTION # 09-2019-7

RESOLUTION authorizing the attendance of Trustee Julia Robins and Village Administrator Paul Pallas at the NYAPP Annual Fall Business Meeting from October 15, 2019 through October 16, 2019 in Albany, New York, at a conference fee of \$ 235.00 per person and a room rate of \$ 165.00 per night per person, reimbursable meal expenses not to exceed \$ 35.00 per day, and mileage and travel reimbursement in accordance with the Village of Greenport Travel Policy, to be expensed from account E.0782.000 (Management Services).

VILLAGE TREASURER**RESOLUTION # 09-2019-8**

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment #4185, to appropriate reserves to fund the engineering services for the North Ferry Rehabilitation Project, and directing that Budget Amendment #4183 be included as part of the formal meeting minutes of the September 26, 2019 regular meeting of the Board of Trustees.

RESOLUTION # 09-2019-9

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment #4213, to appropriate reserves to fund the change orders (approved by the Village of Greenport Board of Trustees on August 22, 2019) to the contract between CHA Consulting and the Village of Greenport for the design of two Solar/ Battery Installations for the Micro-Grid Project, and directing that Budget Amendment #4213 be included as part of the formal meeting minutes of the September 26, 2019 regular meeting of the Board of Trustees.

RESOLUTION # 09-2019-10

RESOLUTION authorizing Treasurer Brandt to perform attached Budget Amendment #4216, to appropriate reserves to fund the removal, transportation and repair of one of the effluent pumps at the WWTP, and directing that Budget Amendment #4216 be included as part of the formal meeting minutes of the September 26, 2019 regular meeting of the Board of Trustees.

VILLAGE CLERK

RESOLUTION # 09-2019-11

RESOLUTION scheduling a public hearing for 7:00 p.m. on October 24, 2019 at the Third Street Fire Station, Third and South Streets, Greenport, New York, 11944; regarding the Wetlands Permit Application submitted by Paul Pawlowski on behalf of 123 Sterling Avenue LLC, to: install a 4-foot-wide by 6-foot-long fixed platform leading to a 3-foot-wide by 15-foot-long ramp leading to a 4-foot-wide by 34-foot-long float, a 4-foot-wide by 20-foot-long float, three (3) 3-foot-wide by 20-foot-long finger floats on the northern float and two (2) 3-foot-wide by 20-foot-long finger floats on the western float; each secured by one (1) 12-inch-diameter timber pile, four (4) safety ladders and four (4) 12-inch diameter timber piles; and directing Clerk Pirillo to notice the public hearing accordingly.

RESOLUTION # 09-2019-12

RESOLUTION approving the attached SEQRA resolution regarding the Wetlands Permit Application submitted by Costello Marine Contracting on behalf of Rosemary Gutwillig to resheathe 265' of face of existing bulkhead, remove 37' of existing concrete and stone seawall and construct 37' of new southwest bulkhead in-place, on the property at 109 Bay Avenue, Greenport, New York, 11944.

RESOLUTION # 09-2019-13

RESOLUTION approving the Wetlands Permit Application submitted by Costello Marine Contracting Corporation on behalf of Rosemary Gutwillig to resheathe 265' of face of existing bulkhead, remove 37' of existing concrete and stone seawall and construct 37' of new southwest bulkhead in-place, for the property at 109 Bay Avenue per the public hearing held at 7:00 p.m. on August 22, 2019; conditioned upon the Conservation Advisory Council recommendation that any natural vegetation removed during the construction will be replaced in-kind and with the resulting Wetlands Permit to expire two years from the date of issue.

RESOLUTION # 09-2019-14

RESOLUTION adopting the attached SEQRA resolution regarding the proposed local law of 2019 amending Chapter 150 (Zoning) of the Village of Greenport Code; adopting lead agency status, determining the adoption of the local law amending Chapter 150 (Zoning) to be an Unlisted Action for purposes of SEQRA, and adopting a Negative Declaration, determining that the approval of the Local Law will not have a significant negative impact on the environment.

RESOLUTION # 09-2019-15

RESOLUTION adopting Local Law # _____ of 2019, amending Village of Greenport Code Chapter 150 (Zoning) regarding the maximum number of rooms permitted in a Bed and Breakfast in the Village of Greenport.

RESOLUTION # 09-2019-16

RESOLUTION approving the Public Assembly Permit Application submitted by the Greenport High School to close to vehicular traffic, and utilize, the Village-owned streets from the IGA Supermarket to the High School, for the annual Homecoming Parade from 5:30 p.m. through 6:30 p.m. on October 18, 2019.

RESOLUTION # 09-2019-17

RESOLUTION approving the Public Assembly Permit Application submitted by the North Fork Unity Action Committee for the use of a portion of Mitchell Park, from 1 p.m. through 4 p.m. on October 20, 2019 for an informational presentation on public issues.

RESOLUTION # 09-2019-18

RESOLUTION approving the attendance of any Trustee, Planning Board member, Zoning Board member, and Village Manager or staff person at the SCVOA Municipal Training seminar on October 10, 2019 at the Hilton Long Island Huntington in Melville, New York. The \$ 65 fee, and mileage reimbursement in accordance with the Village of Greenport Travel Policy, will be expensed from the corresponding account number(s).

RESOLUTION # 09-2019-19

RESOLUTION hiring Dale Raynor as a full-time Laborer in the Sewer Department, at a wage rate of \$ 16 per hour, effective September 30, 2019. All health insurance and other full-time employment benefit provisions specified in the current contract between the Village of Greenport and CSEA Local 1000 apply to this hiring, as does the standard twenty-six week Suffolk County Civil Service probationary period.

RESOLUTION # 09-2019-20

RESOLUTION approving the attached agreement between the Village of Greenport and the North Ferry Corporation regarding the contribution(s) of the North Ferry to the funding of the match portion of the grant administered by the New York Metropolitan Transportation Council for the design and re-construction of the North Ferry Terminal in Greenport, New York; and authorizing Mayor Hubbard to sign the agreement between the Village of Greenport and the North Ferry Corporation.

VILLAGE ATTORNEY**RESOLUTION # 09-2019-21**

RESOLUTION authorizing Village Attorney Prokop to commence legal action against the owner of 337 2nd Street, Greenport, New York regarding outstanding violations and unsafe conditions at the premises.

VOUCHER SUMMARY**RESOLUTION # 09-2019-22**

RESOLUTION approving all checks for Fiscal Year 2019/2020 per the Voucher Summary Report dated September 20, 2019, in the total amount of \$1,359,646.98 consisting of:

- o All regular checks in the amount of \$ 1,232,877.84, and
- o All prepaid checks (including wire transfers) in the amount of \$ 126,769.14.

VILLAGE OF GREENPORT

Budget Adjustment Form

Year: 2020 Period: 9 Trans Type: B2 - Amend Status: Batch
 Trans No: 4216 Trans Date: 09/11/2019 User Ref: ROBERT
 Requested: A. HUBBARD Approved: Created by: ROBERT 09/11/2019
 Description: TO APPROPRIATE RESERVES TO FUND THE REMOVAL, TRANSPORT AND REPAIR OF ONE OF THE EFFLUENT PUMPS AT THE WWTP
 Account # Order: No
 Print Parent Account: No

Account No.	Account Description	Amount
G.8120 401	EQUIPMENT REPAIR..	25,850.00
G.5990	APPROPRIATED FUND BALANCE	25,850.00
Total Amount:		51,700.00

BOARD OF TRUSTEES
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING THE WETLANDS PERMIT APPLICATION
OF APPLICANT COSTELLO MARINE CONTRACTING CORP. ON BEHALF OF ROSEMARY GUTWILLIG

WHEREAS an application for a wetlands permit approval was filed by applicant Costello Marine contracting Corp. on behalf of Rosemary Gutwillig with the Board of Trustees of the Village of Greenport; and

WHEREAS the Board of Trustees of the Village of Greenport has duly considered the obligations of the Village of Greenport with respect to the wetlands permit application and the Board of Trustees of the Village of Greenport with regard to SEQRA, and completed a short form EAF for purposes of SEQRA, it is therefore;

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with regard to the consideration and approval of the wetlands permit application and it is further

RESOLVED that the Board of Trustees hereby determines that the approval of the wetlands permit application is an Unlisted Action for purposes of SEQRA; it is further;

RESOLVED that the Board of Trustees of the Village of Greenport hereby determines that the approval of the wetlands permit application;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than

a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant two or more related actions each of which is not significant but when reviewed together are significant.

RESOLVED that a Negative Declaration is hereby adopted for purposes of SEQRA.

Upon motion by Trustee

seconded by Trustee

this resolution is carried as follows:

Dated: August 30, 2019

BOARD OF TRUSTEES - VILLAGE OF GREENPORT
SEQRA RESOLUTION REGARDING THE AMENDMENT OF CHAPTER 150
(ZONING), SECTION 7(B)7(C) – BED AND BREAKFASTS -
OF THE VILLAGE OF GREENPORT CODE

WHEREAS THE Village of Greenport intends to amend Chapter 150 (Zoning) of the Village of Greenport Code to update the regulations contained in Chapter 150 regarding the number of rooms permitted in Bed and Breakfasts in the Village of Greenport; and

WHEREAS the Board of Trustees of the Village of Greenport has duly considered the obligations of the Village of Greenport with respect to the amendment of Chapter 150 (Zoning) and completed a short form EAF for purposes of SEQRA, it is therefore;

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with regard to the amendment of Chapter 150 (Zoning), of the Village of Greenport Code regarding the number of rooms permitted in Bed and Breakfasts in the Village of Greenport; and it is further

RESOLVED that the Board of Trustees hereby determines that the amendment of Chapter 150 (Zoning) of the Village of Greenport Code regarding the number of rooms permitted in Bed and Breakfasts in the Village of Greenport; it is further

RESOLVED that the Board of Trustees of the Village of Greenport hereby determines that the amendment of Chapter 150 (Zoning) regarding the number of rooms permitted in a Bed and Breakfast in the Village of Greenport; is an Unlisted Action for purposes of SEQRA;

Will not have a significant negative impact on the environment in the action, and;
Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or

wildlife species, impacts on habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant two ore more related actions each of which is not significant but when reviewed together are significant.

RESOLVED that a Negative Declaration is hereby adopted for purposes of SEQRA.

Upon motion by Trustee / seconded by Trustee

this resolution is carried as follows:

Dated: August 30, 2019

May 9, 2019

LOCAL LAW NO. OF THE YEAR 2019
A LOCAL LAW AMENDING SECTION 150-7(B)(7)(c)
OF THE GREENPORT VILLAGE CODE

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INCORPORATED
VILLAGE OF GREENPORT AS FOLLOWS:

Section 1.0 Enactment, Effective Date,
Purpose and Definitions.

1.1. Title of Local Law

1.2. Enactment.

1.3. Effective Date.

1.4. Purpose and Intent of Local Law.

2.0. General Provisions

2.1. Amendment of Section 150-7(B)(7)(c).

3.0 Severability.

1.1 Title.

This Local Law shall be entitled “Local Law of 2019 Amending Section 150-7(B)(7).

1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State
of New York, the Incorporated Village of Greenport, County of Suffolk and State of
New York, hereby enacts by this Local Law of 2019, a Local Law of the Village of
Greenport.

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the

Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Incorporated Village of Greenport.

1.4. Purpose and Intent of Local Law.

The purpose and intent of this Local Law is to increase the number of rooms in a bed and breakfast in the Village from 3 rooms to 5 rooms.

2.0. General Provisions.

2.1. Amendment to Section 150-7(B)(7)(c).

Section 150-7(B)(7)(c) of the Greenport Village Code is hereby amended to read as follows:

“(c) The renting of rooms is limited to five rooms for lodging and serving of breakfast.”

3.0. Severability

In the event that one or more sections of this law shall be deemed to be void or invalid, the remaining sections of this law shall remain in full force and effect.

AGREEMENT

Agreement made this day of September, 2019 by and between the Village of Greenport, with an office address of 236 Third Street, Greenport, New York 11944, (the "Village"), and the North Ferry Corporation, with an office address of 12 Summerfield Place, Shelter Island, New York 11965 ("Ferry") (jointly referred to as the "Parties"), regarding the contribution of Ferry to the funding of the match portion of the grant administered by the New York Metropolitan Transportation Council ("NYMTC") for the design and reconstruction of the North Ferry Terminal at Greenport, New York, as follows:

1. The Village of Greenport has been awarded a matching funded NYMTC Grant (the "Grant") for the design and reconstruction of the North Ferry Terminal in the Village of Greenport (the "Project").

2. The Grant is a matching grant which provides that the Village of Greenport is responsible for a matching payment of twenty percent (20%) of the total grant amount, which is currently five-hundred thousand dollars (\$ 500,000.00), with an expected total grant amount of not more than approximately three-million dollars (\$ 3,000,000.00).

3. The Grant and Project include a design phase, for which the Village selected and contracted with L. K. McLean Associates, P. C. (LKMA) to provide the services necessary for the design phase, at a cost of one hundred and twelve thousand dollars (\$112,000).

4. The Village is responsible for the twenty percent (20%) matching portion of the LKMA contract, which is twenty-two thousand four hundred dollars (\$22,400).

5. Due to the mutual benefits to be obtained by the Village and Ferry from the Project, Ferry hereby agrees to reimburse the Village a 50% portion of the Village's matching obligation - i.e. - the amount of eleven thousand two hundred dollars (\$11,200). In addition, Ferry hereby agrees to reimburse the Village one-half of the Village's matching portion of any other costs from the design phase of the Project, following approval by Ferry of any additional costs, which approval by Ferry will not be unreasonably withheld.

6. Reimbursements are to be paid to the Village within five (5) calendar days of the receipt by Ferry of notice from the Village that the Village has issued a payment for which reimbursement is due.

7. All notices required or permitted under this Agreement shall be in writing and shall be deemed sufficiently served if served by Certified Mail return receipt requested and facsimile transmission addressed as follows:

TO VILLAGE: Sylvia Lazzari Pirillo, RMC
Village Clerk
Village of Greenport
236 Third Street
Greenport, New York 11944

Facsimile transmission number: (631) 477.1877

TO FERRY: North Ferry Corporation
12 Summerfield Place / P.O. Box 589
Shelter Island, New York 11965
Facsimile transmission number _____

8. In the event of a dispute, the parties may on their mutual consent submit this matter for mediation or arbitration in a mutually agreed forum.

9. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

10. This Agreement and the Plans represent the entire agreement between Village and Ferry and supersedes and replaces all terms and conditions of any prior agreements, arrangements, negotiations, or representations, written or oral regarding the Project. The terms of this Agreement may only be amended by a mutually agreed document signed by both parties.

In Witness Whereof, this Agreement has been executed by the Village and Ferry effective from the day and year first written above.

VILLAGE OF GREENPORT:

By: _____

NORTH FERRY CORPORATION

By: _____

ACKNOWLEDGEMENT OF NORTH FERRY CORPORATION

STATE OF _____)
)ss:
COUNTY OF _____)

On this ____ day of _____, 20__, before me personally came _____ to me known, who, being by me duly sworn did depose and say that he resides at _____ that he is the _____ of _____ the Corporation described in and which executed the foregoing instrument; that he knows the Seal of said Corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

(SEAL)

Notary Public

ACKNOWLEDGEMENT OF VILLAGE

STATE OF NEW YORK
COUNTY OF SUFFOLK

On this ____ day of _____, 20__, before me personally came _____ to me known to be the _____ the person described as such in and who as such executed the foregoing instrument and he acknowledged to me that he executed the same as for purposes therein mentioned.

(SEAL)

Notary Public