

1 VILLAGE OF GREENPORT  
2 COUNTY OF SUFFOLK : STATE OF NEW YORK

-----x

3 BOARD OF TRUSTEES

4 REGULAR MEETING

5 -----x

6 Third Street Firehouse  
7 Greenport, New York

8 July 23, 2020  
9 7:00 P.M.

10 B E F O R E:

11 GEORGE HUBBARD, JR. - MAYOR

12 JACK MARTILOTTA - DEPUTY MAYOR

13 PETER CLARKE - TRUSTEE

14 MARY BESS PHILLIPS - TRUSTEE

15 JULIA ROBINS - TRUSTEE (Absent)

16  
17  
18 JOSEPH PROKOP - VILLAGE ATTORNEY

19 SYLVIA PIRILLO - VILLAGE CLERK

20 PAUL PALLAS - VILLAGE ADMINISTRATOR

1 (The meeting was called to order at 7 p.m.)

2 MAYOR HUBBARD: Okay. I'll call the

3 meeting to order with the Pledge to the Flag.

4 (All stood for the Pledge of Allegiance)

5 MAYOR HUBBARD: Please remain standing for

6 a moment of silence for Elizabeth Lynn Davis,

7 Lynn Ellen Menaker, Jacqueline Hansen Monsell,

8 Richard R. Prieto, Nancy Elaine Schwartz, Brian

9 Lee Shedrick, Sr., and Lynne E. Webb.

10 (All remained standing for a Moment of

11 Silence)

12 MAYOR HUBBARD: Thank you. You may be

13 seated.

14 Okay. We've got two held-over public

15 hearings from last month. We did those on the

16 Zoom meeting, and we kept them open so that the

17 public could address either one of the public

18 hearings.

19 The first one is on *proposed local law of*

20 *2020 amending Chapter 88 (Noise) of the Village*

21 *of Greenport Code regarding the regulation of*

22 *noise within the Village of Greenport.* If

23 anybody would like to enter more comments on the

24 public hearing.

25 What we're doing is we don't have a podium

1 with a shared microphone, just for safety.  
2 Anybody who wants to speak on this, stand up,  
3 your name and address for the record so the  
4 Transcriptionist can get it, and just speak loud  
5 so everybody in the room could hear. All right?  
6 Go right ahead.

7 MR. SACKS: Good evening. My name is  
8 Michael Sacks, 306 Sixth Street.

9 I'd like to -- I'd like to object to a  
10 couple of the proposed changes to this ordinance,  
11 specifically the changes that remove the language  
12 about yelling and shouting from the definition of  
13 noise pollution and from the section about  
14 prohibitions. My reasoning is this: A neighbor  
15 who consistently yells and shouts at loud volume  
16 at all times of the day can disrupt our quality  
17 of life just as much as a neighbor who runs  
18 machinery or plays musical devices. I think the  
19 current ordinance recognizes that, and I think it  
20 would be a pity to provide us with less  
21 protection, rather than more. Thank you.

22 MAYOR HUBBARD: Thank you.

23 MS. ZEMSKY: I'll talk a little louder now.  
24 I'm Dena Zemsky and I live 306 Sixth Street.

25 I would like to address specifically the

1 quality of life issues associated with noise  
2 pollution. I notice -- I know most importantly  
3 the Village is concerned with commercial noise,  
4 and all those concerns are probably all valid,  
5 and the code should have strict rules enforced  
6 for and time parameters strictly enforced. I for  
7 one think construction and landscapers should  
8 have a 7 p.m. stop time, but that has been  
9 debated endlessly and we haven't gotten anywhere  
10 with that.

11 But there is also neighbor-to-neighbor  
12 noise and how that affects one's quality of life  
13 that concerns and affects me directly, as it does  
14 many neighbors. What I am seeing in the Village,  
15 after living here for 27 years, is that more and  
16 more owners are installing wrap-around fencing,  
17 tall hedge treatments, pools, and multiple  
18 playground equipment in their backyards. I feel  
19 many forget who lives on the other side of those  
20 fences and hedges and are not considerate.

21 At our own -- at our home, we have  
22 experienced long and sustained noises, screaming  
23 and hollering at all times of the day, and in the  
24 afternoon until after 11 p.m. at night,  
25 compounded by the spring action noise of a very

1 large trampoline.

2 I feel there should be more in the code to  
3 address these issues and directly sort of  
4 compromise fall on deaf ears.

5 Please do not eliminate any of the wording  
6 about hollering and hooting that's not only  
7 coming from bars, and consider more comprehensive  
8 wording about residential noise.

9 Thank you.

10 MAYOR HUBBARD: Thank you.

11 MR. COLLINS: My name is Michael Collins,  
12 232 Manor Place in Greenport, and I'd just like  
13 to provide some input regarding basically loud  
14 music.

15 Most all major events held in the Village  
16 require a permit. I feel or my suggestion would  
17 be any venue with music, live or recorded, held  
18 in the Village should require a permit, which  
19 would be reviewed and approved or disapproved  
20 annually. If the Village receives complaints, a  
21 permit can be revoked, fines issued, and a  
22 waiting period enforced for a new application  
23 would be -- for a new application would be  
24 considered. This permit process would provide  
25 education regarding noise regulations to business

1 owners, the musicians who play at the venues, and  
2 to Village residents. Even a garage sale  
3 requires a permit.

4 From my personal experience over the past  
5 five years, there is a man very close to me, and  
6 they -- every Tuesday evening from 6 to 9 during  
7 the summer they hold an event that's held on the  
8 lawn along by the water, and includes very loud  
9 amplified live music, sometimes recorded music.  
10 The music is so loud that I find it difficult to  
11 even talk with a neighbor in my front yard.

12 Over the years I've complained many times  
13 to the owner, to the Village by the website  
14 complaint form. I've also talked with the  
15 Village Code Enforcement Officer, as well as  
16 phone complaints to the Town of Southold Police  
17 Department, which I hate to bother them with, and  
18 the issue is yet to be resolved.

19 I always try to be a good neighbor and  
20 expect the same consideration in return. And I  
21 hope that everyone visiting the Village has a  
22 wonderful experience and a great time, but not at  
23 the expense of residents. Thank you.

24 MAYOR HUBBARD: Thank you. Okay. Anybody  
25 wish to -- else wish to comment on the public

1 hearing on the noise ordinance?

2 (No Response)

3 MAYOR HUBBARD: Okay. I'll offer a motion  
4 to close the public hearing on that, and we will  
5 discuss it at our work session next month.

6 TRUSTEE PHILLIPS: Second

7 MAYOR HUBBARD: All right. All in favor?

8 TRUSTEE CLARKE: Aye.

9 TRUSTEE PHILLIPS: Aye.

10 MAYOR HUBBARD: Aye.

11 Opposed?

12 (No Response)

13 MAYOR HUBBARD: Motion carried.

14 Put that on for a discussion at next  
15 month's work session. Thank you.

16 All right. The second public hearing to be  
17 held over was the Wetlands Permit Application of  
18 Paul Pawlowski on behalf of 123 Sterling Avenue  
19 Corp for the property located at 123 Sterling  
20 Avenue.

21 This is changing -- the only thing that is  
22 up for discussion was being able to put the boat  
23 at the end of the bulkhead at 123 Sterling, which  
24 was added as a stipulation by the Board's feeling  
25 when we issued the wetlands permit. And that's

1 the only part that we're actually discussing,  
2 because that's all they're asking to change on  
3 the wetlands permit.

4 So if anybody wants to discuss tying the  
5 boat to the end of the bulkhead, that public  
6 hearing is open, you're welcome to comment.  
7 Yeah, go ahead.

8 MR. SALADINO: John Saladino, Sixth Street.  
9 I'm opposed to removing that condition of the  
10 original wetlands permit. When the CAC spoke to  
11 the applicant, he made it plain to them that he  
12 wasn't going to rent that portion. There was --  
13 there was a public hearing, there was discussion.  
14 The Board chose to make that part of the  
15 conditions for the wetlands permit. I don't  
16 understand.

17 The dock is -- the dock in question is,  
18 depending on which map you look at, is either  
19 inside the pier and dock line or outside the pier  
20 and dock line. Traditionally, this Board and  
21 previous Boards has never given permission to a  
22 boat to dock outside a pier and dock line or  
23 build outside the pier and dock line.

24 Our code says you can't anchor a motorboat  
25 in a fairway or a channel. So it shouldn't be up



1 to the Village to prove that that dock or the  
2 boat that would be tied to that dock, the future  
3 boat that would be tied to that dock, will be  
4 inside the pier and dock line, it's the  
5 applicant's responsibility to do that. It's his  
6 job to do that, to prove to this Board that the  
7 boat that he plans on docking there won't be  
8 anchored in a Federally regulated channel in  
9 Stirling Creek.

10 Right now, everybody in this room knows  
11 that the entrance to Stirling Creek is shoaling  
12 over. There's no plan to dredge until December.

13 MAYOR HUBBARD: September, I believe,  
14 September or October.

15 ADMINISTRATOR PALLAS: Yes. September, yes.

16 MR. SALADINO: September or October. If  
17 Safe Harbor is still in a position to want to do  
18 it, because of a pandemic, perhaps, we don't  
19 know, maybe they're not willing to do that  
20 anymore. If they're not, then we have to wait  
21 for the County to do it. It's not a good idea.

22 I understand it's a revenue issue. It does  
23 have 14 slips, 18 slips, 12 slips, whatever it is  
24 in Racketts Basin to tie a boat up at that dock.  
25 Again, it's not an opinion, it's your code. You

1 can't anchor in a fairway. You can't anchor or  
2 moor a boat in a fairway or a channel. My  
3 opinion is, from looking at maps, 11 years  
4 experience with the CAC, is that where that boat  
5 would be tied up to that dock is inside that  
6 Federal boat channel.

7 I could remember the public hearing, the  
8 Attorney says, "Well, you have to prove that."  
9 That's not my job to prove, that's the  
10 applicant's job to prove that it's not there, if  
11 you choose to agree with him.

12 You've made -- you've made the condition  
13 now, and I'm just not quite sure why, that when  
14 the CAC went for the site inspection, there was  
15 no question in the people that we spoke to's mind  
16 that there would be no boat tied up there.

17 Then I just don't understand why we just  
18 can't do what we all agreed to. If we agreed to  
19 that, why is it now a modification? Why is there  
20 going to be a stipulation?

21 We took -- we took the applicant for his  
22 word that he wouldn't do it. We didn't think we  
23 had to sign it in blood. We didn't think we had  
24 to, you know, get an attorney to like hear us all  
25 swear to it and stuff. That's what we normally

1 do. We talk to an applicant, they say, "Yeah, we  
2 plan on doing this," we make a value judgment, is  
3 he telling the truth, is he not, and we go with  
4 it and we make that recommendation to you guys.

5 I would just urge you to keep the wetlands  
6 permit without this mod the way it is. Thank  
7 you. Thanks for listening.

8 MR. PAWLOWSKI: Good evening. I'm Paul  
9 Pawlowski, the applicant for 123 Sterling.

10 The day we met with the CAC and Mr. Pallas  
11 onsite, the discussion about the entire project,  
12 whether it was redoing the bulkhead, the floating  
13 docks, and our long-term goal or plan for our 14  
14 slips is 100% accurate. We don't plan on renting  
15 any. We -- for every resident that would be  
16 buying on our property, they would be deeded a  
17 boat slip. So that was 100% the conversation.

18 The only stipulation at the time on that  
19 site meeting was would we, as the applicant, be  
20 willing to put in a pumpout or a -- for the Town  
21 pumpout boat, instead of having that boat having  
22 to go all the way around to the ferry. So we  
23 agreed that, yes, let's put in a pump station for  
24 the Town pump boat, and that -- so talking about  
25 rentals, not using that slip, 100% in the long

1 term, once this project is done, we're not going  
2 to be renting boat slips, they'll be going to the  
3 residents of that property.

4 Currently, Ken McDonald has been the -- he  
5 was the manager of the marina for the last, you  
6 know, 10, 15 years. He's been renting it out, as  
7 he's been doing. And we just were on, you know,  
8 autopilot with Ken running the marina, doing his  
9 thing, and once the project is done, each  
10 resident would get it. So we don't have any  
11 long-term plans to rent out any slips. However,  
12 not one word was spoken about not using that slip  
13 that day.

14 So we came in on agreement, you know what,  
15 this is a renewal of a permit for a 132-foot  
16 bulkhead to be refinished. It was roughly  
17 400 feet that was approved. The sellers that we  
18 bought off didn't finish the job. We were  
19 renewing a permit to finish that job. We took it  
20 a step further and agreed to a pumpout, which is  
21 roughly a \$50,000 investment. I've already given  
22 a deposit to Kip Skrezec to do his job, and we're  
23 delighted to do that. I thank Skip for not only  
24 the Town boat, but our people at the marina.

25 We're not renting out long-term. That's

1        what I said on the site, that's what I'm saying  
2        today, it's recorded. However, there wasn't one  
3        even thought of giving up a right of a bulkhead  
4        that's been used for over 120 years. Waterfront  
5        Commercial in the Village of Greenport is one of  
6        the biggest assets. We're not going to -- we  
7        don't want to give that up.

8                And I -- first of all, this was a renewal  
9        of a permit from 2008 with no stipulations, not  
10       even a pumpout. We're doing the pumpout. We had  
11       in November -- in October a work session and  
12       November an approval. I get a call in the next  
13       morning, "Hey, we made a mistake, we've got to do  
14       this all over again." I went to every single  
15       meeting, and I said, "No problem. We got to redo  
16       it, I want it to be legal." I go to the second  
17       work session for the second process, no questions  
18       about, you know, giving up a right to a dock  
19       that's been used for 100 years.

20               I call. The second meeting is a vote only,  
21       not supposed to be open to discussion. I don't  
22       come, to the first meeting I don't come to during  
23       this entire process. I find out the next day in  
24       the paper that I gave up the rights to use  
25       100-foot -- the biggest assets on the property.

1        So we, as the applicant, never thought that was  
2        coming. It never was spoken of in 2008, it  
3        wasn't spoken of in the first approval, it was  
4        only spoken of when I wasn't here.

5                Now, with all that said, we appreciate the  
6        concerns of the CAC. In my letter to the Board,  
7        where the channel is most tight, in 45 years, it  
8        was tighter 45 years ago than it is today. In my  
9        letter, I said we wouldn't keep a boat there  
10       until it is dredged. So if it's dredged this  
11       year in September or next year in September,  
12       we'll keep a boat off that. There hasn't been  
13       one boat there this year since this stipulation  
14       was put. We won't do it until that's dredged.

15               We would even take it a step further.  
16       There's roughly 130 feet of bulkhead. It's only  
17       tight at the northerly point. We would take --  
18       we would -- we would say no parking, no boats, no  
19       tie-ups for the first 40 feet, like my letter  
20       says, because the CAC is right, there is a little  
21       bit of an issue there. But once you get past the  
22       first 40 feet, it is double the width of every  
23       boat that pulls into Stirling Harbor's marina in  
24       their floating dock, double the width. So when  
25       you're headed out in that inlet, headed south,

1       once you get past 40 feet, it exponentially  
2       splays out.

3               So we will 100% work with the CAC to make  
4       it navigable, but we can't give up a right that  
5       is the most important right of every Waterfront  
6       Commercial property in Greenport. So we're  
7       willing to meet halfway. We never once said  
8       onsite we want to give up rights to use a boat.  
9       We 100% said we're not renting.

10              Not anywhere in any discussion am I going  
11       back on my word or do I need to sign a contract  
12       on a site visit. That will never happen on this  
13       bulkhead, that will never happen in one  
14       inspection, that will never happen across the  
15       way. I really just want to keep the right that's  
16       been there for 100 years, as the applicant will  
17       meet the CAC in the middle to improve the  
18       navigable waters. We'll put in the pump station  
19       and we'll improve on it, and I hope that that is  
20       good enough.

21              I appreciate your time.

22              TRUSTEE PHILLIPS: Mr. Mayor, can I ask the  
23       applicant a question?

24              MAYOR HUBBARD: Sure, go ahead.

25              TRUSTEE PHILLIPS: Paul, in your statement,

1       you just said that there's 14 slips. My  
2       understanding is that you have a proposal to  
3       increase, with the possibility of increasing the  
4       main building by a few more units. So if you're  
5       going to be giving each unit a boat slip, where  
6       are you going to come up with the other -- what  
7       is it, three that you're increasing to 17?  
8       It's 17.

9               MR. PAWLOWSKI: So there's a problem. So  
10       on the approved wetlands permit, the slips are  
11       defined. It will tier down. So the -- let's  
12       just say there's 17 units currently, and we're  
13       asking for 17 market rate, some of those won't  
14       have a dock, they'll have a dinghy slip, just  
15       like they did in (inaudible). So you could  
16       either -- on the easterly portion for the first  
17       eight or so docks, you could have a real site  
18       boat. To the westerly portion, you're not going  
19       to have a deeded, you're going to have a dinghy  
20       slip. So it would be tiered to sizes, so there  
21       would be roughly 12 decent size slips and five,  
22       you know, tie-ups, not a slip. So they won't  
23       have a full deeded slip.

24              TRUSTEE PHILLIPS: Okay. So in years past,  
25       and I have to go back to in the discussions --



1       and I need to make a clarification. I have  
2       objected, and it was in the discussions about it,  
3       because historically, before 123 Sterling  
4       originally purchased that property, there was --  
5       there was transient boats there that came in  
6       unloaded and left. There was never really any  
7       boats tied up there. In the original ZBA  
8       agreement at one point, it was supposed to be  
9       worded in there that nothing was supposed to be  
10      tied up. That was left out of the stipulation.  
11      I don't know why it was left out of the  
12      stipulation. So I need to correct that, because  
13      that is part of the history down there, okay?

14             The other thing is the fact that I'm  
15      concerned that, at some point, do you plan on  
16      putting more than one boat there?

17             MR. PAWLOWSKI: It's not about one boat or  
18      not, we would meet in the middle. And where it's  
19      the tightest portion of where the peninsula is  
20      closest to our bulkhead, the first --

21             TRUSTEE PHILLIPS: I'm familiar with it.

22             MR. PAWLOWSKI: The first 40 feet is where  
23      anyone can say it's tight. It's still not nearly  
24      as tight as every single finger slip pulling in  
25      the marina to the north. However, there is a

1       valid point to that. But I would like to say the  
2       first 40% of that we would have no dock, no  
3       transient, no long-term, we would take away any  
4       of the tie-up abilities. But the rest of it, the  
5       60%, you could have two 20-foot boats, two  
6       30-foot boats, one big boat with no issues. If  
7       there's an issue there, then every -- the 300  
8       boats to the north have a problem.

9               And so as far as being the applicant, every  
10       picture I've seen has been -- my only knowledge  
11       is in the last year-and-a-half there, right? And  
12       there's always been a huge sailboat there. I  
13       didn't even know that person, Ken McDonald dealt  
14       with that person. They were there for the last  
15       several years renting that space. Not once, not  
16       once has there been an accident, not once.

17              Now past that, I went back to the '40s, and  
18       there was pretty much a boat there all summer  
19       every day, whether it was oyster factory, from  
20       the -- from the boat to conveyor belt, to an  
21       excavator in, and they took up the entire  
22       120 feet.

23              I will totally meet in the middle and make  
24       there -- you know, make this a better situation.  
25       But once you start heading south past the first

1 40%, it is wide open, and then there is no  
2 navigable issues whatsoever.

3 And this wasn't an issue on the first  
4 permit issued, the second permit issued was an  
5 issue, and then it was only brought up the third  
6 time around when I wasn't here. I had no say in  
7 that stipulation for that.

8 TRUSTEE PHILLIPS: I think you need to go  
9 back to the minutes.

10 MR. PAWLOWSKI: So it's a big thing. I  
11 will say this. We understand the concern, and I  
12 feel by helping the situation, it will go a long  
13 way with everyone pulling in and out of that  
14 channel.

15 MAYOR HUBBARD: Okay. I just want to  
16 clarify one thing. The pumpout station is part  
17 of our LWRP, it's required if you have a marina  
18 with more than four slips. So it wasn't like you  
19 were doing that out of the goodness of your  
20 heart, or whatever, it's required by our code,  
21 said you have to do it, make all the condos and  
22 everybody else do it. I just want to clarify  
23 that.

24 MR. PAWLOWSKI: Yeah, yes.

25 MAYOR HUBBARD: I know it's an expense to

1       you, but that's required by our code that we have  
2       in place.

3               MR. PAWLOWSKI: Completely understand. My  
4       point was that was the --

5               MAYOR HUBBARD: Okay. That's all, I just  
6       want to clarify that for everybody.

7               MR. PAWLOWSKI: That was the only  
8       discussion on -- besides replacing the 132 feet,  
9       this is what you're going to do. And we agree  
10      that it's part of having a marina, but there  
11      was --

12              MAYOR HUBBARD: Right, okay.

13              MR. PAWLOWSKI: There was zero discussion  
14      on saying, "Hey, we're going to put a stipulation  
15      in that you're going to lose your slip."

16              MAYOR HUBBARD: I'm not questioning that,  
17      but I just want to clarify your comment that  
18      you're spending money to put in the pumpout, like  
19      you're doing it out of the goodness of your  
20      heart. You have to. I mean, anybody who got a  
21      bulkhead or wetlands permit application --

22              MR. PAWLOWSKI: Yep, agreed.

23              MAYOR HUBBARD: -- has to do that. Pat, do  
24      you want to comment? Yes.

25              MS. MUNDUS: Hi. Pat Mundus, 182 Sterling

1 Street.

2 I agree with Paul. Paul has really done  
3 extraordinary promises, and he's said he's not  
4 going to put a boat on the bulkhead. And, you  
5 know, that's really great, as long as Paul owns  
6 the property. But if this permit continues to  
7 the next owner and the next owner, what's going  
8 to happen in the future?

9 I -- can I approach the podium, because I  
10 made a little visual aid?

11 MAYOR HUBBARD: Sure.

12 MS. MUNDUS: Because there's shared  
13 liability. And if an accident does happen, it's  
14 going to be Paul, it's going to be the Village,  
15 it's going to be both boat owners.

16 So what I did was I took a Google Earth  
17 screenshot, and then I scrolled over to the East  
18 Pier, and I, in the same exact scale, took a  
19 picture of the pier. And then with a pair of  
20 low-tech scissors, I cut out a 100-foot motor  
21 yacht, put it on here like that, and I cut out a  
22 120-foot motor yacht, because motor yacht dockage  
23 is an extreme need right now, okay?

24 Now Paul may say that within the last 45  
25 years there hasn't been a problem pitching.

1       Anybody who comes in and out of there every day,  
2       especially at 4 or 5 o'clock in the afternoon --  
3       I'll put a 100-foot boat on there, because that's  
4       more reasonable. This is Zaida. Now Zaida,  
5       you're right, has lived on that dock for over 10  
6       or 12 years, I think, but Zaida's beam is only 13  
7       feet. A motor yacht like this little one, a  
8       100-footer, is at least 25 feet, if not 30. So  
9       now we're talking about much more impingement on  
10      the Federal navigation channel.

11               So I love your instincts to say the boat  
12      doesn't belong there, but what happens if you  
13      sell it to another guy who doesn't feel the same  
14      way? So here's the 100-foot motor yacht.

15               MAYOR HUBBARD: Okay. Just hold it up so  
16      everybody can see it, and the Board can see it in  
17      there.

18               MS. MUNDUS: It's really -- it's not glued  
19      or anything.

20               MAYOR HUBBARD: No, well, I understand  
21      that, but so the camera and everybody can see  
22      what you have.

23               TRUSTEE PHILLIPS: I completely understand  
24      that.

25               MS. MUNDUS: So I superimposed a 100-foot

1 motor yacht right on top of the photograph of  
2 Zaida, who was there for 10 years, and you can  
3 see that's a substantial difference.

4 Now, contrary to what Paul says, two boats  
5 being able to pass side by side is almost  
6 impossible right now. If they do, they're little  
7 mosquito boats, they're not properly sized boats  
8 that need to maneuver. And accidents don't  
9 happen when everything goes good. To say that  
10 nobody has been hit there since we've been  
11 following it, really, to me, that's -- that's not  
12 safe management.

13 So until the inlet does get dredged -- I'll  
14 go back to my -- until the inlet does get  
15 dredged, and, you know, there might be some  
16 wording in there somehow to carry further in the  
17 deed covenant that if the channel is reduced by a  
18 certain amount because of the inevitable erosion,  
19 all that sand comes right -- you see in the  
20 year-by-year photographs, it all comes in and  
21 encroaches. This photograph is two years old and  
22 it's not even close to being where it is. Now  
23 it's like this.

24 Single-file traffic only is the only thing  
25 that makes that inlet usable. If one guy loses a

1 steering pin, if one guy is drunk, you know,  
2 what, more dollars than cents, a guy who doesn't  
3 have any experience could cause an accident. So  
4 this is a really important thing for all of us to  
5 consider, the shared liability. Thank you very  
6 much.

7 MR. PAWLOWSKI: So right off that point, I  
8 agree with Pat, I agree with Mr. Saladino, that  
9 we need to improve that situation. Once it's  
10 dredged and until it's dredged, there won't be a  
11 boat.

12 By reducing 40% use on that bulkhead will  
13 greatly improve the navigable waters there,  
14 because if you take that 100-foot boat and make  
15 it a 60-foot boat, the difference from side to  
16 side now goes from 138 feet to 250 feet. If two  
17 boats can't go in 250 feet, then the Shinnecock  
18 Canal needs to be shut down tonight, because  
19 that's less than half of that width. And the  
20 current isn't worse in all of our waters besides  
21 out off of Orient.

22 So I agree with the point, and I think, as  
23 the applicant, we're giving up the use of 40% of  
24 a bulkhead that's been used for over 100 years.  
25 And I could guarantee you that there has not been



1 one lawsuit to the Village for a boat hitting  
2 another boat off that bulkhead. Well, there  
3 might -- would that happen? Maybe. But if we  
4 meet in the middle, cut off the first 40% to the  
5 north of our bulkhead, we are going to  
6 drastically improve the navigable waters by  
7 almost 50% better than the last 100 years.

8 And since 1948 until today, there's 10 feet  
9 more room between the point and our bulkhead.  
10 Once it's dredged, it will be even better. But  
11 as I said in my letter, it's been written, we  
12 won't, we won't have a boat there. As I said in  
13 my letter, we would contribute to improving the  
14 peninsula across the way, whether it's with a  
15 rock revetment, or whatever. Whatever so be, we  
16 would help in that regards.

17 And what I'm proposing isn't just if we own  
18 the property, it's long-term. We could -- we  
19 could mark it off on a survey saying "No boats  
20 here," so the next person, if there's a next  
21 person, so it protects everyone living there.

22 The CAC is doing the job, we're doing the  
23 job. I think what we're proposing is very  
24 generous compared to what most people would want  
25 to give up. When I bought that property and saw

1       that sailboat there, I said this is one of a  
2       kind, because of that sailboat sitting there. No  
3       one else has that opportunity besides Claudio's  
4       dock. But what we're proposing will help all  
5       of -- will really improve the situation.

6               MAYOR HUBBARD: Thank you.

7               MR. SALADINO: I'm sorry. I just have to  
8       correct one thing that Paul had said. I made my  
9       comments to this Board as a member of the CAC at  
10      a public hearing. There wasn't some clandestine  
11      by stealth, some meeting that we had and you guys  
12      agreed to modify the wetlands permit.

13              Paul says, "I've been to every meeting, I  
14      showed up, except that one, and then all of a  
15      sudden at that meeting these conditions are  
16      imposed." Where you are or what you did that  
17      evening is certainly your business. I made my  
18      comments to this Board at a public hearing for  
19      the public and the television camera to hear.  
20      It's not like I dreamed this up in some secret  
21      email. It was -- so I just wanted to get that  
22      out.

23              The other thing is, you know, my father  
24      used to say, when we talked about stuff, he would  
25      say, "Well, John that was then, this is now." So

1       120 years ago, yeah, maybe there was boats docked  
2       there 100 years ago, 50 years ago, 60 years ago.  
3       Right now we have a code in the Village of  
4       Greenport that says you can't dock a boat, you  
5       can't moor a boat in Federal -- in a fairway or a  
6       channel. Until it's decided if that is a  
7       Federally regulated channel, I mean, the whole  
8       question is moot. We're saying, well, because we  
9       did it 120 years ago, I'm sure there's a lot of  
10      people in this room that can remember 120 years  
11      ago in Greenport things were different. Now, now  
12      it's not. Now we have a code that says you can't  
13      do that.

14             The fact that there was a boat there and  
15      nobody said anything because it wasn't enforced  
16      didn't make it legal, it just made it happen,  
17      that's all.

18             It's about time that perhaps we should look  
19      at the code. As crazy as it sounds, maybe we  
20      should follow it. And if somebody gains some  
21      space or somebody loses some space, that's it.  
22      Then your option is to change the code. If you  
23      don't like the way it reads, then change it. I  
24      say it all the time.

25             Thank you. Thanks for listening.

1           MR. PAWLOWSKI: So, lastly, I don't think  
2           there was any sort of secret email. My point was  
3           there was an approval, then a second approval,  
4           and then we had to come back again. And I had no  
5           idea that there would be a discussion on using  
6           that dock. I agree, there was nothing done out  
7           of malice or under any of that, that's not my  
8           point. My point was I just didn't come to a  
9           meeting because it was supposed to be vote only,  
10          no, no discussion. And it was the third -- it  
11          wasn't like it was the first approval or the  
12          second approval.

13          Now, if that's considered the channel,  
14          there's a ton of boats in that channel to the  
15          north. Then this is going to be a compounding  
16          disaster. And I hope we're helping set a  
17          precedent that we're going to help the situation  
18          by giving up a right that's been there that is --  
19          whether it's -- there's a lot of maritime rules  
20          here that are outside the Village control that I  
21          don't even want to get into. But I can assure  
22          you, we have rights to use that. And I think  
23          not -- I'm not even talk about the last 120  
24          years, I'm talking about the last year or the  
25          year before that there's been a boat there. And

1 now we're willing to, instead of having 120-foot  
2 boat there, 100-foot boat there, we're willing to  
3 go down to a 60 or two 30s, however we want to do  
4 it. I'll cut off the pilings so they can't even  
5 tie up to improve it.

6 But this is a -- this is a big  
7 conversation, and the thing we have on our side  
8 is history and knowledge from the history, not  
9 what I'm saying, not what the future is. We have  
10 a lot of history of, you know what, it's a  
11 five-mile-an-hour zone. If people can't navigate  
12 in roughly a 250-foot span, once we take away  
13 40%, we're in trouble.

14 MAYOR HUBBARD: Okay. All right. Pat.

15 MS. MUNDUS: Pat Mundus. Speaking of a  
16 broken record, who keeps -- every meeting I come  
17 I say the same thing. Accidents don't happen  
18 because people safely navigate. Accidents happen  
19 because gear failure, somebody has a stroke or  
20 something, accidents happen.

21 The second point is, I forgot to say when I  
22 first spoke, if I were in Paul's shoes and I  
23 owned that piece of property, I certainly would  
24 like to have access to that, to the use of that  
25 dock. I'm not saying to prohibit any kind of

1 site line on the dock, because that's a valuable  
2 asset on that property. But I'm just saying,  
3 please, keep in mind the beam of the boats  
4 that -- in the '40s, when you said all those  
5 other boats were coming and going, it was such a  
6 wide channel, boats were smaller. It's an  
7 industry fact. Boats are bigger and bigger, and  
8 wider and wider, because everybody wants a  
9 Seagull and with a bait hooker (phonetic), super  
10 wide. That's what they are these days. You  
11 can't compare boats in the '40s to boats in 2020.

12 Second of all, in the '40s, nobody  
13 came to Stirling Basin to go to the fuel dock.  
14 Right now the only fuel in Greenport is at Safe  
15 Harbor Brewer's Stirling. Those big bruisers,  
16 not the big ones that are on the East Pier, but  
17 there are plenty of 80 and 90-footers that come  
18 all the way in just to go and back into the fuel  
19 dock.

20 So, you know, all these things are now run  
21 on autopilots. People get mixed up, they have  
22 hydraulic issues, they have electronic issues.  
23 These are not the same boats, and they're going  
24 to the fuel dock. So it is a valid point.

25 I don't think we're squabbling over

1 something inferior here, this is a real major  
2 point. It's about the dredging as much as it is  
3 about the bulkhead there.

4 MR. PAWLOWSKI: So I agree 100% with that  
5 statement. And I feel the way to improve on  
6 boats from the past to the future is by reducing  
7 the use of the north part of this bulkhead, which  
8 is the tightest part between our bulkhead and the  
9 peninsula, and it will greatly -- it doesn't  
10 matter if there's a 15 to 10-foot beam or 30-foot  
11 beam. Where I'm talking, if we allow no more  
12 than a 60-foot boat, it won't matter. There's  
13 not -- it will not matter, because that's how  
14 much it splays out.

15 So I agree with that. I agree we can wait  
16 until it's dredged, and I think we could -- I  
17 think we could accomplish the goals of the CAC  
18 and Pat's comments by helping the situation as  
19 proposed.

20 MAYOR HUBBARD: Okay. Mr. Swiskey, you  
21 wanted to say something?

22 MR. SWISKEY: I don't know much about this,  
23 but --

24 MAYOR HUBBARD: Just your name and address.

25 MR. SWISKEY: Oh, William Swiskey, 184

1 Fifth Street. Sorry.

2 MAYOR HUBBARD: Thank you.

3 MR. SWISKEY: I don't know why I forgot  
4 this, but if the Village is going to use  
5 contention that the boat would be in what they  
6 call the channel, or the -- what's its name?  
7 But, anyway, the Village is going to have to  
8 prove that in court. Therefore, it's incumbent  
9 on the Village to do a survey to set that fact  
10 either one way or the other, then you could have  
11 the argument.

12 MAYOR HUBBARD: Okay. But we're not going  
13 to keep going back and forth all night on this.

14 MS. MUNDUS: And this is the last thing.  
15 Again, it's the beam of the boat, not the length.  
16 If you put a 60-foot catamaran there, you  
17 theoretically could have a 35-foot beam. Not the  
18 length of the boat that's the restriction, the  
19 beam of the boat.

20 MR. PAWLOWSKI: Agreed.

21 MAYOR HUBBARD: Okay.

22 MR. MACKEN: I just want to make one point  
23 in relation to what everybody has said, that --  
24 and especially Mr. Saladino as to the code. The  
25 code is there for a reason. The code, the rules



1 are there, and that applies to everything to do  
2 with this project. And it's -- of course, he is  
3 seeking to enhance his property.

4 The fact is, as Pat pointed out, it's all  
5 about the beam of the boat. The boats are  
6 getting bigger and bigger and bigger. In the  
7 last 22 years that I've been here, the boats are  
8 just humongous. There are boats tied up out  
9 there that are just in the marina and the Village  
10 is making money out of it. The boats are just  
11 super yachts at this point.

12 And so, if you concede this to  
13 Mr. Pawlowski and he sells on the property, as he  
14 will, he's -- at some point, he's going to move  
15 on, the future owner will say, "I've got a right  
16 to put a boat there." And unless the Village is  
17 prepared to monitor and enforce what kind of boat  
18 can be there, and what the beam of the boat is to  
19 be there, so that the Code Enforcement Officer  
20 goes out with a tape measure, and, as Pat says,  
21 accidents just happen. When there's a tide  
22 running through there and everything, and some  
23 weather, you know, stuff happens. So it's just  
24 about being -- about being safe, really.

25 I don't know how the Village would be able

1 to enforce the size of the boat if you grant that  
2 a boat can be there. And I think it's a  
3 different thing that if -- that if boats pulled  
4 up and let people off or something and then move  
5 on, I think it's a different -- there are two  
6 different things. There's access to the bulkhead  
7 and use of the bulkhead, and then actually  
8 mooring a boat on that bulkhead. I think those  
9 are two different things that perhaps those  
10 haven't been explored. Thank you.

11 MR. SWISKEY: Just one comment, George.

12 MAYOR HUBBARD: Okay, go ahead.

13 MR. SWISKEY: In other words, if the  
14 Village has a current map, he can't put a boat in  
15 the channel. And it's incumbent on the Village  
16 to know what's there, so that's why the Village,  
17 in other words, needs to do the survey.

18 MAYOR HUBBARD: Okay. Any other  
19 discussions on the public hearing?

20 (No Response)

21 MAYOR HUBBARD: Okay. I'll offer a motion  
22 to close the public hearing. We will discuss  
23 this at our work session.

24 TRUSTEE MARTILOTTA: Second

25 MAYOR HUBBARD: We got a second. All in

1 favor?

2 TRUSTEE MARTILOTTA: Aye.

3 TRUSTEE CLARKE: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response)

8 MAYOR HUBBARD: Motion carried. We will

9 discuss that at our work session next month.

10 Okay.

11 Okay. Public to address the Board. This  
12 is open to anybody who wants to address the Board  
13 on any topic. Just remember, your name and  
14 address for the record, so the Transcriptionist  
15 gets it. And go ahead, Mr. Swiskey.

16 MR. SWISKEY: Thank you. William Swiskey,  
17 184 Fifth Street. I just had some basic  
18 questions, because nobody has been able to go to  
19 meetings for months.

20 What's the status of the Genesys suit?

21 MAYOR HUBBARD: Okay. The Village Attorney  
22 talked about that at our work session last week.  
23 Do have a specific question? I mean --

24 MR. SWISKEY: When will the --

25 MR. PROKOP: So the Board -- so the Board

1 authorized mediation, a mediation process, and  
2 the Village and Genesys have been in that process  
3 for some time now. Right now, right now, they're  
4 at the -- near the end of that process, where  
5 they're reviewing. The engineers that have been  
6 hired by both sides are reviewing each other's  
7 documents. So we're actually -- at this time,  
8 actually the Village's engineer is in the process  
9 of reviewing the Genesys documents. That should  
10 conclude shortly, and then there'll be a  
11 mediation session where we try to resolve this  
12 with a mediator

13 MR. SWISKEY: Who is the Village's  
14 engineers?

15 MR. PROKOP: Don -- I'm sorry, I apologize,  
16 I forget his name. It's an individual. Do you  
17 remember, Paul?

18 ADMINISTRATOR PALLAS: I'm sorry, I don't  
19 remember --

20 MR. SWISKEY: What?

21 ADMINISTRATOR PALLAS: -- his last name at  
22 the moment.

23 MR. PROKOP: Bizoller (phonetic), I think  
24 his name is. I apologize, I'm sorry. It's an  
25 individual and I don't recall his name.

1           MR. SWISKEY: That don't sound good to me,  
2           George. Maybe I'm just a little bit -- all  
3           right.

4           MR. PROKOP: Well, there's -- the Village  
5           has outside counsel who's working on this with  
6           the engineer. I'm not --

7           MR. SWISKEY: But the Village Board should  
8           at east least know the name of the people that  
9           are working for you. You're paying these people,  
10          I think, 3, \$400 bucks an hour, right?

11          MR. PROKOP: I don't think it's 3 or \$400  
12          an hour. I'm not sure.

13          MR. SWISKEY: Anyway, it just doesn't --  
14          anyway, I constantly go on the Village website  
15          and I noticed no monthly financials published  
16          since April. Now there's May, June. I mean, you  
17          know, the Coronavirus has really only started to  
18          show in the -- May and June. I mean, there was  
19          some revenues, and I'd like to know why they  
20          haven't been published.

21          MAYOR HUBBARD: Okay. Right now, we're  
22          doing well with our tax revenue and everything  
23          that's been coming in. Some of our incomes,  
24          Marina, Carousel all were down, but our expenses  
25          are down, also because we're not paying employees

1 to do that. Our financial outlook right now is  
2 not great, but we're holding our own with it.

3 I can say that they're working on a second  
4 round of the CARES Act money. We have a call  
5 into Congressman Zeldin's Office, because they  
6 have a figure that's been calculated for every  
7 village and municipality in Suffolk County. We  
8 have a letter into Mark Woolley trying to get an  
9 answer of what that money would mean to us, if  
10 the Federal Government does pass that. And,  
11 hopefully, next week we'll have an answer on what  
12 we might possibly get, if they vote on the floor,  
13 and it's the fourth package of Corona relief.

14 MR. SWISKEY: That doesn't answer the  
15 question. Where are the monthly financials? We  
16 do have a Treasury Department, don't we?

17 MAYOR HUBBARD: Yes, we -- monthly  
18 financials have --

19 MR. SWISKEY: There's quite a few people.  
20 How come they can't get these things out? This,  
21 basically, a few commands of the computer and  
22 they pop out. Where are they?

23 TRUSTEE PHILLIPS: Mr. Mayor. Wait.

24 MAYOR HUBBARD: The last one that's up  
25 there is May? May is out there. I don't think

1 June is out yet. May is on the website.

2 MR. SWISKEY: April, May, that's one.

3 MAYOR HUBBARD: April, May I believe are  
4 both on the website. You can look at it any  
5 time, Bill.

6 MR. SWISKEY: I looked. I looked before I  
7 came here, they're not. April has been there  
8 forever.

9 CLERK PIRILLO: If I may, I believe it's  
10 April. And I'll check with the Treasurer  
11 tomorrow, but I think --

12 MR. SWISKEY: Go to the website now.

13 CLERK PIRILLO: If I may.

14 MR. SWISKEY: I don't like being -- they're  
15 not there, George.

16 CLERK PIRILLO: April is -- April is the  
17 last --

18 MR. SWISKEY: I think you should ask the  
19 Treasurer why.

20 CLERK PIRILLO: -- one that's there.

21 MAYOR HUBBARD: Okay. The Treasurer's not  
22 here right now, I'll ask him tomorrow.

23 MR. SWISKEY: Please do. Thank you.

24 MAYOR HUBBARD: Okay.

25 MR. SWISKEY: Now the next thing was the

1 status of the revenues, which I can't find out  
2 without the monthly financial.

3 Also, you bonded \$1.2 million for curbs and  
4 sidewalks on the dream of getting a State grant,  
5 right? But that ain't coming. The State's  
6 \$65 million in debt, the Feds -- nobody's handing  
7 out money. If they're going to hand out money,  
8 it's going to be the schools. So I don't  
9 think -- you should go carefully, and not do a  
10 lot of work until maybe, maybe October, November,  
11 until you know where you are financially.

12 MAYOR HUBBARD: All projects that we had  
13 planned on has been cancelled, except for the one  
14 project that we have funding from CDBG through  
15 the consortium for Southold, was \$50,000 for  
16 curbs and sidewalks on Sixth Avenue that we  
17 talked about at the work session. We're going to  
18 move forward with that, so we don't lose the  
19 \$50,000.

20 MR. SWISKEY: All right.

21 MAYOR HUBBARD: The other projects that we  
22 had bonded for earlier in the year, we put them  
23 all on hold until we see where we stand.

24 MR. SWISKEY: Well, that's good news,  
25 because it's not a good situation out there right



1 now. We're looking for government monies.  
2 Schools are going to be hurting and they're going  
3 to be first priority, because that's where the  
4 big most population is.

5 All right. Now the Fifth Street drain, has  
6 anybody looked at that estimate? What did you  
7 pay for that? You go down the street, here's the  
8 cover, six inches below that is the water.  
9 You're not putting anything in the ground. When  
10 the rain comes and it fills up, it goes out that  
11 last drain by the pipe that goes overboard. The  
12 whole project was a disaster, and I think you  
13 should have an engineer review it, see what it  
14 would take to make it right, because it should --  
15 it's just a mess, and I have pictures, I can  
16 prove it.

17 Now -- oh, where did the riprap that was on  
18 the trail go?

19 MAYOR HUBBARD: Say that again, Bill.

20 MR. SWISKEY: The crushed cement, the dirt,  
21 whatever it was, it was a big pile. I mean, it  
22 was the Village's material, right? Where did  
23 Scott Corwin take it?

24 MAYOR HUBBARD: I'm sorry, Bill, I can't --  
25 I didn't understand the question. What is the

1 question?

2 MR. SWISKEY: There was that big pile of  
3 crushed concrete, they call it blend --

4 TRUSTEE PHILLIPS: You're talking about --

5 MR. SWISKEY: -- on Monsell Trail.

6 TRUSTEE PHILLIPS: Okay, on Monsell Trail.

7 MAYOR HUBBARD: On Monsell Trail.

8 MR. SWISKEY: Yes. Scott Corwin took it  
9 away.

10 MAYOR HUBBARD: Yes, he did.

11 MR. SWISKEY: Why? It was the Village's,  
12 wasn't it?

13 MAYOR HUBBARD: It was donated through  
14 Marcello Masonry on Shelter Island, along with  
15 Scott Corwin. He bought the stuff, they stored  
16 it here, we took what we needed out of it, what  
17 was usable. The rest was sitting there until  
18 whoever needed it first. Scott Corwin of Dirt  
19 Works had a use for it, so he came and took it  
20 out of there to clear the road up, so we could  
21 get down to the power lines if we need to, and he  
22 took and he used the rest of the leftover  
23 material. It was all clean. There was one  
24 section that was bad that we had picked up  
25 individually and we had that removed.

1           MR. SWISKEY: What did it cost us to get  
2 rid of it? The Village took it away, right?

3           MAYOR HUBBARD: Yeah. I'm not sure how  
4 much it cost.

5           ADMINISTRATOR PALLAS: I'll have to look  
6 it up.

7           MAYOR HUBBARD: All right. Well, we can  
8 get an answer from the Village Administrator  
9 tomorrow on the cost.

10          MR. SWISKEY: Did it cost us more than if  
11 we bought our own blend?

12          ADMINISTRATOR PALLAS: Bill, I just said I  
13 don't know

14          MR. SWISKEY: Nobody knows. Let me see  
15 here. Oh, the -- has anybody looked at the pole  
16 line on Monsell Place between Main and I guess  
17 Atlantic? That is the circuit that goes to the  
18 hospital. There's a tree growing through it and  
19 it's all overgrown. The tree is at least six  
20 foot above the line. Granted, when we put that  
21 line in in the 1990s, it was really low, but it  
22 ain't going to stand that kind of abuse. What's  
23 going to happen is it's going to rub through and  
24 the line's going to burn out. Aluminum has no  
25 strength, and it's all through the Village. When

1 was the last time we trimmed trees, trimmed the  
2 circuit?

3 ADMINISTRATOR PALLAS: We don't -- we trim  
4 on an as-needed basis and routinely.

5 MR. SWISKEY: On an as-needed basis? You  
6 know what the policy used to be? You trimmed two  
7 circuits a year, so any circuit never had more  
8 than three years without being trimmed. If you  
9 ride around this Village, the next big storm that  
10 hits here is going to kick your butt. Time to  
11 get off -- somebody's got to get off their butt.  
12 Go right around the Village and look up.

13 MAYOR HUBBARD: All right. Thank you.  
14 Anybody else wish to address the board?

15 MS. ZEMSKY: Last year, I think you had --  
16 I think Sylvia helped me out and the Road Crew.  
17 They did a lot of poison ivy remediation down at  
18 the end of Clark and by Widow's Hole. It's on  
19 the north side of the property that's owned by  
20 the environmental group now. There's a lot of  
21 poison ivy there. If the guys could go down  
22 again and remediate some of that poison ivy, that  
23 would be great, if I could request that.

24 MAYOR HUBBARD: Okay.

25 MR. LUDACER: Thomas Ludacer, 133 Sixth

1 Street.

2 Given the (inaudible), discussed under the  
3 Village of Greenport purview, I'm reaching out  
4 about how you intend to meet the moment in  
5 regards to the current political and racial  
6 climate. Across the country --

7 MAYOR HUBBARD: Sorry, we cannot  
8 hear you --

9 TRUSTEE PHILLIPS: Whoa, whoa, whoa, you  
10 need to talk louder.

11 MAYOR HUBBARD: -- neither can the  
12 Transcriptionist. Could you speak a little  
13 louder for us, please?

14 MR. LUDACER: Across the country, cities  
15 and citizens are becoming privy to the inequities  
16 that we are faced with. Of course, there are  
17 varying degrees of racism, but racism all the  
18 same. The very least that a community such as  
19 ours can do is acknowledge and affirm that it  
20 exists.

21 I am pleased to hear of our officials'  
22 involvement in Southold Town's steps for reform.  
23 Ideally, cultivating community-based solutions  
24 comprised of residents, professionals and law  
25 enforcement alike will be a benefit.

1           Citing from the Department of Justice's  
2           Guide for Municipalities: Avoiding Racial  
3           Conflict, a number of ways are offered to aid in  
4           this.

5           The Community Relations Service indicates  
6           that outbreaks of civil disorder may be  
7           attributed to the existence of two volatile  
8           community dynamics. First is a perception that  
9           severe inequities exist in certain areas of the  
10          social structure. Second is the lack of group  
11          confidence in the interest or capability of  
12          government and other institutions to provide  
13          redress of grievances.

14          Each municipality may wish to enact a Human  
15          Relations Commission as the central  
16          instrumentality to monitor the municipality's  
17          commitment to equal rights and assure its  
18          conformity with the Constitution and Federal and  
19          State Civil Rights Laws, while at the same time  
20          promoting the goals of equality, justice, and  
21          harmony.

22          The commitment of local governments to  
23          protect civil rights and promote harmonious race  
24          relations can be manifested in the enactment of  
25          ordinances and the promulgation of policies. It

1 can take shape in a multitude of ways, including,  
2 but not limited to, public service announcements  
3 or hotlines reporting instances to the  
4 (inaudible).

5 Suggestions such as these, especially in  
6 these times, should not go unheeded. As to quote  
7 Laura Morgan Roberts and Ella F. Washington in  
8 the Harvard Business Review, "Racism isn't just  
9 Black people's problem, it's everyone's problem,  
10 because it erodes the fabric of society,"

11 Thank you.

12 MAYOR HUBBARD: Okay. Thank you. Anybody  
13 else wish to address the Board? Go ahead.

14 MR. MACKEN: I'm speaking on behalf of  
15 Steve Weiss from, I think, 113, maybe 117  
16 Sterling Street. So he couldn't be here because  
17 he's worried about his health, and as are a  
18 number of elderly residents who are interested in  
19 some of the topics that are here tonight.

20 So his question was why is -- why is it --  
21 what provision is being -- I think it was on Zoom  
22 and now it's not. So, really, he can't attend.  
23 There is no interaction between the number of  
24 people who would be interested in attending.  
25 Attendance here is restricted to something like

1        what, you know, 20% of what it was? So there  
2        really -- I mean, if you're going to be holding  
3        hearings and going forward, and you're going to  
4        be holding public hearings, how is it really  
5        going to be -- how are you going to address that?  
6        I mean, and will it be held in the Greenport  
7        School auditorium or something?

8                I mean, I notice that, you know, for, you  
9        know, even Parliaments are -- the Parliaments in  
10       England and Ireland, for example, are meeting in  
11       huge auditoriums and stadiums, you know, they're  
12       no longer meeting in their chambers. So I think  
13       it's an ongoing problem. So how is -- how are --  
14       how is the Village going to include its elderly  
15       and vulnerable residents going forward, given the  
16       conditions, which may not significantly improve  
17       for some time now?

18               MAYOR HUBBARD: Okay. I mean, we're  
19       working with the capabilities of what we have.  
20       We're trying to do it with social distancing with  
21       the guidelines that are in place. Hopefully, the  
22       restrictions come down and things could be more  
23       open.

24               We're trying to keep everybody safe and  
25       all, but, you know, by State Law and Open



1 Meetings Law and all, we need to have public  
2 hearings and let everybody be heard. If somebody  
3 doesn't feel comfortable coming to a public  
4 hearing, they could submit written comments at  
5 any point, you know, a day before the meeting, so  
6 it gets read into the record. I know the Zoning  
7 Board had about 75 letters that were submitted to  
8 them on another project that was going on for a  
9 meeting they had Tuesday.

10 So anybody who doesn't feel comfortable  
11 coming here, they can submit their comments at  
12 any point at least 24 hours before the meeting,  
13 and they'll be part of the record. The Clerk  
14 will get them and then the whole Board will know  
15 what their comments are. Go ahead.

16 MS. SCHNEPEL: Ellen Schnepel, 165 Sterling  
17 Street.

18 Picking up from where Frank left off,  
19 several people wanted to participate in this  
20 meeting, but couldn't come. And since the Go To,  
21 whatever it's called, is no longer available,  
22 they have to look at the video, but the video  
23 doesn't allow for any kind of interactive work.  
24 So, in other words, someone had -- can watch, but  
25 cannot make comments or ask questions. And

1 sometimes those comments or questions are drawn  
2 from what is discussed, rather than something  
3 that comes the night before, so a question is  
4 written to the Board.

5 So I think, following up on what Frank  
6 said, there needs to be some way for an  
7 interactive public hearing when people cannot  
8 come.

9 MAYOR HUBBARD: Okay. We're following the  
10 guidance that the State has put out and  
11 everything else on the Open Meetings Law, so we  
12 have to conduct public hearings and we're  
13 following that guidance. To do everything  
14 completely by Zoom, then you're not following --  
15 everybody's supposed to be getting out and  
16 starting interacting doing these meetings. I  
17 mean, some people are doing Zoom. Most people  
18 are going back to live meetings now, because  
19 that's the way things were before.

20 I mean, I don't know the answer on that.  
21 We're reviewing it, we have questions all the  
22 time about how we're doing the meetings, and we  
23 said this is the way we're going back. We're  
24 following the State guidance on opening things  
25 back up, people coming to the meetings and all.

1 I know some people feel uncomfortable with it,  
2 but we never expected COVID to be here and the  
3 whole thing, and we're -- you know, we're trying  
4 to get everybody's input. That's what I'm  
5 saying, people can submit letters, emails and  
6 anything else beforehand on any comments of any  
7 topic that they have and the Board will get all  
8 their comments.

9 MS. SCHNEPEL: Yes, but one may not  
10 preclude the other. Why can we not have both?  
11 That's what I'm saying.

12 MR. MACKEN: Exactly.

13 MS. SCHNEPEL: And why cannot we expand --  
14 if those are the State regulations, why is there  
15 not ability for the Village to change to  
16 accommodate people who can't make it, because you  
17 did that before? In other words, the technology  
18 is there, but maybe not the sentiment from the  
19 Board.

20 MAYOR HUBBARD: Well, we have technology.  
21 We've done Zoom meetings, we were doing -- we did  
22 Zoom meetings for three months and all, but then  
23 the State says, you know, you had to start doing  
24 stuff in public. That's the guidance from the  
25 State when they opened everything back up, they

1       said this is what it is. Open Meetings Law and  
2       everything else means people come in and interact  
3       at the meeting, and that's the guidance that  
4       comes from the State. That's not something we  
5       set, that's something that the State is doing, I  
6       mean, you know, so --

7               MR. MACKEN: Why could we not combine the  
8       two and set up a monitor, and set up a -- you  
9       know, people would send -- would text in their  
10      questions and then they could -- there'd be a  
11      line of people, or whatever.

12             You know, I mean, as Ellen says, the  
13      technology is there, it's not difficult. The  
14      same conversation is happening in Southold, by  
15      the way, and numerous other towns around the --  
16      around the area.

17             MAYOR HUBBARD: Okay. But, I mean, just  
18      say trying to run a meeting, I can't be looking  
19      at a computer screen with 30 people from home,  
20      with 30 people in the room, and try to monitor  
21      everybody all at one time not. That's just not  
22      possible for me to actually manage and run a  
23      meeting and be constructive in what we're doing  
24      if we're all in front of a laptop looking at  
25      these people, and hearing people here come up and

1 everything else. That's just --

2 MS. SCHNEPEL: No, no one is asking you to  
3 do that. In these Zoom meetings, there is a  
4 person who is in charge of taking the questions  
5 and reading them allowed so they could be  
6 responded to. So it doesn't mean that your tasks  
7 are being more complicated or -- there is someone  
8 who has that particular responsibility.

9 MAYOR HUBBARD: Yes. The person who does  
10 that is the Village Administrator, who's also  
11 here to answer questions from the public when  
12 things come up.

13 MR. MACKEN: Well, then we could have  
14 somebody else do it.

15 MS. SCHNEPEL: Yeah, you don't have to have  
16 a public official to do it.

17 MAYOR HUBBARD: Okay. We don't have a huge  
18 staff at Village Hall that can go and do this. I  
19 mean, all meetings were done through the Village  
20 Administrator, who is the I.T. person, because  
21 that is our -- I.T. Department is the Village  
22 Administrator and he sets the meetings up and  
23 everything else.

24 We can look at trying to expand it, but I'm  
25 just saying, you know, as we're doing this,

1 restrictions get loosened up, we went from 10  
2 people to 25, now we're up to 50. So we're  
3 allowed to have more people around with the  
4 meeting laws as the State opens things back up.  
5 And, you know, we will look at that, okay? Okay.

6 MR. PROKOP: I just wanted -- I'm sorry. I  
7 had one other thing before you close.

8 MAYOR HUBBARD: Okay, go ahead, Joe.

9 MR. PROKOP: I just want to mention I  
10 mispronounced the Engineer's name before. I  
11 think I said Bizolli (phonetic). His name is  
12 actually Berozi. It's Don, Don Berozi is the  
13 person who's the engineer working with the  
14 Village with Genesys.

15 MAYOR HUBBARD: Okay.

16 MR. SWISKEY: Well, I know who Don Berozi  
17 is, yeah.

18 ATTORNEY PROKOP: Thank you.

19 MAYOR HUBBARD: Okay. Pat, you had  
20 something?

21 MS. MUNDUS: Pat Mundus, 182 Sterling  
22 Street. I just counted, there are 15 resident  
23 participants. And we have 123 Sterling coming  
24 up, a public meeting, Village Trustees, ZBA,  
25 Planning Board, HPC. I guarantee there's going

1 to be more than 16, 15 people attending those  
2 meetings. So maybe we could try to think ahead  
3 and have a different place. I don't know where,  
4 what secondary place it would be. But, I mean,  
5 every single 123 Sterling public meeting we've  
6 had we pretty much packed the room, so we're  
7 going to be needing that.

8 MAYOR HUBBARD: Okay, Chatty.

9 MS. ALLEN: Would it be -- Chatty Allen,  
10 Third Street. Sorry. Would it be possible -- I  
11 know Tuesday night I wanted to be here, and I was  
12 literally two people too late. So I was like I  
13 can't stand out in the heat, I'm going to go home  
14 and watch it. They have speakers set up outside  
15 for the people to hear. Is there any way you  
16 could have the trucks taken out of the bays, open  
17 the -- you know, and have a speaker in that room?  
18 You can distance a lot more people in that room  
19 specifically for the public hearings.

20 I know I'm one that doesn't go out. I go  
21 out maybe once a week, that's it, so this is a  
22 big thing for me to come here tonight. So I  
23 understand the caution. But I'm just thinking  
24 while I was sitting here, going if we took those  
25 out of the bays, you could fit a lot of people in

1       there with a speaker, and that way you can get  
2       more people.

3               Because it is -- I understand, as someone  
4       before all of this happened, many meetings I was  
5       the only one in attendance, but you learn that  
6       way. Things are brought up in a meeting, that  
7       you have a meeting, there's nothing really on the  
8       agenda, but things come up, and you do hear  
9       things and you bounce off of ideas from others.

10              So I get everyone wanting to be able to  
11       participate. I don't think -- I really think it  
12       will be a flipping mess if you try to do this and  
13       Zoom and people in the room all at the same time.  
14       Think of what teachers go through on a normal  
15       day, okay? It's not as simple as saying just do  
16       it. I know that would be a nightmare.

17              So that was just something that popped in  
18       my head. If I was home, I probably wouldn't have  
19       been looking that way.

20              And to change the subject, I would just  
21       like to thank the Mayor, the Trustees, the entire  
22       Village, everyone that works, to say thank you  
23       for everything you have done in these  
24       unprecedented times. There's a lot of things  
25       that have come up. You're behind the scenes and



1 people aren't really seeing what you're doing. I  
2 just want to personally say thank you to all of  
3 you, because I know you're out there, because  
4 you're out there 365 days a year.

5 I listened to last month's meeting, because  
6 I physically couldn't get out, and just listening  
7 to your back and forth with each other, and  
8 trying to correct some of the concerns going on,  
9 what Trustee Clarke brought up about people  
10 sitting. I happened to go through a couple of  
11 days before that, and literally from Bruce's to  
12 D'Latte's, or whatever it is, or Capital One,  
13 literally the entire length people were sitting.  
14 You guys have brought that to your attentions,  
15 you're working on it. Now we need to get every  
16 business downtown to start stepping up more to  
17 tell their patrons, "No, you don't sit there.  
18 No, you don't hang into the road." They've got  
19 to start to step up now.

20 You've done all you can do, and it  
21 infuriates me when I hear people complain,  
22 "Where's the TCO, where's the police?" We're in  
23 unprecedented times. Our Southold Town Police  
24 Force covers from Orient Point to Jamesport  
25 border, Laurel, Jamesport. It's a huge amount

1       they have to cover and they're understaffed. We  
2       have one full-time TCO. They can't be everywhere  
3       at once.

4               But you're doing the best that you can do  
5       in a time that everyone needs to take a step.  
6       You see something, try and help instead of  
7       complaining all the time, this one's doing this,  
8       this one's not wearing a mask, this one's not  
9       doing this, call the police. The police are  
10      being sent on every call you can think of.

11             So I just personally want to thank you for  
12      what you're doing to try and keep us all safe.  
13      So thank you.

14             MAYOR HUBBARD: Thank you. All right  
15      anybody else wish --

16             MS. ZEMSKY: I have one question. What is  
17      the policy in the Village about these open fire  
18      pits and open, you know, backyard fire pits?  
19      Fire -- are they called fire pits, fire holes,  
20      what are they called?

21             MAYOR HUBBARD: Okay. What's in the code  
22      on fire pits, Paul, do you know?

23             ADMINISTRATOR PALLAS: I don't know  
24      offhand. I'll have to double-check.

25             TRUSTEE PHILLIPS: You're not supposed to

1 have open flames.

2 MS. ZEMSKY: Because I know that --

3 MAYOR HUBBARD: Okay.

4 MS. ZEMSKY: -- there's no open fires  
5 allowed, and there's no burn barrels allowed  
6 anymore. When I first lived here, people had  
7 burn barrels, no burn barrels. So, you know, I  
8 would like it kind of brought to the attention of  
9 the Village somehow, I don't know, public  
10 announcement or something, about what the code is  
11 about them, because I have two of my neighbors  
12 who -- and half the time my house smells like a  
13 campfire. You know, if they want to have their  
14 houses smell like a campfire, that's nice, but,  
15 you know.

16 MAYOR HUBBARD: Right. The regular fire  
17 pits I thought were allowed, but the burn barrels  
18 and burning garbage and rubbish were not. We  
19 have to go and get a clarification from the  
20 Village Administrator on that. But definitely  
21 burn barrels. And burning some wood in the  
22 backyard I believe was allowed, but, you know,  
23 burning garbage and other stuff, excessive  
24 smoke --

25 MS. SCHNEPEL: It's the trend to have these

1 burn bowls, you know, these backyard fire --  
2 outside fire pits. I didn't know what the code  
3 was on that.

4 MAYOR HUBBARD: Well, we will check on that  
5 and the Village Administrator could let you know  
6 on that. We'll let you know.

7 ADMINISTRATOR PALLAS: I believe that's --  
8 I believe that's correct. I just don't want  
9 to -- I want to confirm that before I --

10 MAYOR HUBBARD: No. That's just my  
11 assumption, but we will check definitely what it  
12 is and then --

13 MS. ZEMSKY: You believe what is correct?  
14 You believe what is correct?

15 ADMINISTRATOR PALLAS: What the Mayor just  
16 said.

17 MS. ZEMSKY: I didn't hear what he said?  
18 What did you say?

19 ADMINISTRATOR PALLAS: That burn -- I don't  
20 know how you describe them, my apologies. Burn  
21 barrels is -- trash, that kind of thing is not.

22 MS. ZEMSKY: I know they're not. I know  
23 they're not allowed. But I'm saying, with the  
24 fire, what's the deal with the fires?

25 ADMINISTRATOR PALLAS: Again, I'm going to

1 double-check. I believe that that's permitted,  
2 but I'm going to double-check.

3 AUDIENCE MEMBER: It's not. It's not.

4 MR. PROKOP: So the section -- it's under  
5 the public nuisance section of the code. We have  
6 Chapter 90, which defines what public nuisances  
7 are, and one of the things that's defined as a  
8 nuisance is outside burning, so that will be  
9 residential outside burning, generally.

10 There's also fire pits that are used in  
11 commercial establishments, and those are  
12 regulated by the -- by the Code Enforcement  
13 Officer, because he also serves as Fire Marshal,  
14 and he inspects those as -- for safety under the  
15 Uniform Code.

16 MAYOR HUBBARD: Okay.

17 MR. PROKOP: So, generally, it's not --  
18 they're not permitted, only in very unusual  
19 circumstances for commercial establishments,  
20 because you have to have a safe -- you'd have to  
21 have a safe setup, and it's hard to do that for  
22 most of the -- most of the commercial  
23 establishments. And as far as -- as far as  
24 residences, outside burning is considered a  
25 public nuisance.

1           MAYOR HUBBARD: All right. Any outside  
2 burning. So I thought a controlled fire pit,  
3 where you have -- probably put it in, put stuff  
4 in, it's covered, it's a controlled burn, just  
5 for the ambiance, I thought that was allowed.  
6 But open burning leaves, brush, garbage --

7           TRUSTEE PHILLIPS: I think that's --

8           MAYOR HUBBARD: -- 55 gallon drums, you  
9 know, people just burning this stuff was not  
10 allowed.

11           Let us before -- we're just speculating on  
12 that. Let the Village Administrator look at that  
13 and we could post something on the website of  
14 what is or isn't allowed per our code. Contact  
15 the Village Attorney and let's just clarify it  
16 for people. I thought that decorative  
17 contained --

18                               (Discussion in Audience)

19           TRUSTEE PHILLIPS: I'm sorry. I'm sorry,  
20 Mayor. The discussion, I can't -- there's too  
21 much going on. I appreciate everybody's opinions  
22 out there, but I'd like to hear what the Mayor  
23 has to say.

24           MAYOR HUBBARD: Okay.

25           ATTORNEY PROKOP: So the --

1           MAYOR HUBBARD: The Village Administrator  
2 and the Village Attorney will get a clarification  
3 on that for tomorrow.

4           MS. ZEMSKY: I think once it is clarified,  
5 if it's possible that it could be listed on the  
6 website, it would be great.

7           MAYOR HUBBARD: Okay.

8           MS. ZEMSKY: What is allowed, if it's  
9 listed on the website would be very helpful

10          MAYOR HUBBARD: They will.

11          ADMINISTRATOR PALLAS: Yes.

12          MAYOR HUBBARD: They will look at that --

13          ADMINISTRATOR PALLAS: Yes.

14          MAYOR HUBBARD: -- and they'll post  
15 something tomorrow on the website.

16          MS. ZEMSKY: Thank you.

17          MAYOR HUBBARD: Well, being Friday, by  
18 Monday. It may not be tomorrow, but it will be  
19 by Monday, just what the Village regulation is on  
20 that and what is allowed.

21          MR. SWISKEY: Joe asked a question. If I  
22 throw a grill on top of it, a couple of hot dogs,  
23 then it's a barbecue, right?

24          MR. PROKOP: Yes. So I think that -- I  
25 think that burning, which is what's defined in

1 the code as nuisance burning, is -- I think  
2 burning connotes -- connotes -- has a  
3 connotation that you're trying to dispose of  
4 something by burning it, you know, as a way of  
5 disposing something.

6 So I think the Mayor's example, I think, is  
7 correct, if you're burning, you know, trash or  
8 things like that, I think that would be a  
9 nuisance.

10 MAYOR HUBBARD: Right.

11 ATTORNEY PROKOP: But I think -- I think a  
12 decorative situation would be different from  
13 that. But as you said, I'll consult with Paul  
14 Pallas and we'll --

15 MAYOR HUBBARD: Okay.

16 ATTORNEY PROKOP: -- we'll get that.

17 MAYOR HUBBARD: We'll get an answer and get  
18 something out as soon as possible. Okay.

19 MS. KREHLING: My husband called the Code  
20 Enforcement Officer about --

21 ADMINISTRATOR PALLAS: Name and address.

22 MAYOR HUBBARD: Name and address, and just  
23 speak up so she can hear you, please.

24 MS. KREHLING: Lorraine Krehling,  
25 157 Central Avenue.



1           My husband called the Code Enforcement  
2           Officer and had a conversation with him about an  
3           open fire pit, he said they were against code.

4           MAYOR HUBBARD: Okay. Well, we will  
5           investigate this and clarify it for everybody,  
6           so, you know, it will be equal across the board.  
7           You know, the topic hadn't come up a lot before,  
8           but it is now, so let's just clarify it and then  
9           everybody will know. Thank you for your -- okay,  
10          go ahead.

11          MR. MACKEN: Yes. I've spoken numbers -- a  
12          number of times I've spoken on somebody else's  
13          behalf. Frank Macken, 138 Sterling Avenue.

14          So as regards the resolution to call for a  
15          public hearing on 123 Sterling, I was very  
16          surprised at last week's meeting to hear about  
17          this. My neighbors and I have a question,  
18          basically three letters, why? Why is the Village  
19          getting involved with this?

20          This is a project that is very  
21          controversial, and based on a certain legal  
22          stipulation. And the applicant has spent the  
23          last year trying to modify it and trying --  
24          getting further and further away from the  
25          original stipulated building. Why is the Village

1 now getting involved in that?

2 Either the stipulation stands or it doesn't  
3 stand, and then all of the current rules of  
4 waterfront commercial, of height restrictions,  
5 all of those things come into play, because the  
6 stipulation cut through all of that, all of  
7 that -- all of those issues, all of those rules,  
8 which are the rules that actually protect  
9 Greenport going forward.

10 So whatever is decided on this project will  
11 affect in a domino effect. And I said this last  
12 year, and I keep saying it, it's going to be a  
13 domino effect all around the waterfront and all  
14 the way down Front Street. So we're going to end  
15 up looking like somewhere like Patchogue with  
16 three story buildings, apartments overhead with  
17 retail below, and like it's just Greenport will  
18 lose it's soul.

19 And the reason that those -- the height  
20 restrictions are there, is like 2, 2 1/2 stories,  
21 so it's 35 feet this building will be, 45 feet by  
22 the time it's built and everything goes on top of  
23 it, and it's huge, it's a huge building.

24 The stipulation that approved, as a result  
25 of litigation, approved a commercial building

1 with residential spaces above. This is not what  
2 it is now. This is not what the application --  
3 applicant is asking for. He's asking for extra  
4 luxury housing. And the Village has a  
5 longstanding 30-year, at least 30 years, where  
6 they decided like we're not going to have anymore  
7 condos on waterfront commercial.

8 So if this is overhead -- overturned, and  
9 the Village -- this man was granted a permit and  
10 plans were drawn up without public knowledge, and  
11 then it was said, okay, we can't stop him, he's  
12 got the right to do it. So he's in there and  
13 he's using this as a way to pry apart all of  
14 those regulations. This is the way we see it.

15 So we think that the rules, and I think  
16 Ms. Phillips brought this up at the last meeting,  
17 it's important to follow the rules, because the  
18 rules are there to protect us all, to protect  
19 Greenport. And if we mess with the rules, or if  
20 we allow the rules to be subverted, then it's  
21 open season on Greenport.

22 And I know there are people in the  
23 Administration, people like in positions of  
24 influence who are -- who want to -- you know, who  
25 think any kind of development is good. It seems

1       like it's a numbers game, we've got to expand the  
2       tax base. Well, the fact is that just looking  
3       around Greenport, the tax base is expanding  
4       nicely. We have what, 12, 14 new houses being  
5       built, have been built coming up. Everything is  
6       going on.

7               There is no reason to rush into a hearing,  
8       especially a hearing in a situation where many  
9       interested residents cannot attend and interact.  
10       There is no reason to -- I think it's premature  
11       for the Board to intervene and say, "Let's change  
12       the stipulation, let's have a meeting to  
13       attend" -- "amend the stipulation. Let's have  
14       all the Boards together."

15              Every individual Board has its own purview,  
16       and every individual Board it's structured like  
17       that. It's like a system of checks and balances  
18       where every Board has -- acts as a check on the  
19       Administration, so you don't get an  
20       Administration that is just powering through  
21       something and saying, "Oh, we're going to just do  
22       transit-friendly development from now on that's  
23       in Greenport." So, you know, if we're going to  
24       allow that kind of thing, then, you know, we're  
25       going to end up screwed.

1           So everything that -- whether it's the size  
2 of a boat on a bulkhead, or allowing a boat, the  
3 code says one thing, waterfront commercial says  
4 something.

5           So your current -- under current code, you  
6 cannot build luxury condos on waterfront  
7 commercial. Now if you guys -- if everybody  
8 wants to get together and change the code, as  
9 Mr. Saladino said, that's a different thing.  
10 Then we need to have a forum where we discuss  
11 what is Greenport going to look like going  
12 forward, but not have this back door -- back door  
13 runaround and run around the regulations, because  
14 somebody 12 years ago said, well, you know -- you  
15 know, let's have a hodgepodge, an ugly duckling  
16 of a building that will please the neighborhood,  
17 it will please the Village, it will satisfy  
18 zoning code. You know, I mean, that's what it  
19 was. It's just ugly.

20           And so now -- and so -- and then a permit  
21 was issued after 12 years of doing nothing on  
22 that site. Ownership changed hands, and  
23 Mr. Raskin was much more amenable. There was a  
24 forum in 2018 where you, Mr. Mayor, took -- you  
25 know, from Mr. Raskin in and a number of other

1 Boards and other stuff, and Mr. Raskin presented  
2 his proposal, and you said at the end of that  
3 meeting, going forward, this will be public,  
4 we're not deciding anything, this and that. The  
5 next thing we knew, a year later, there was a guy  
6 who had a permit, a new owner with a permit and a  
7 full set of plans for a really big building, much  
8 bigger than what Raskin had planned.

9 So, I mean, it's Pandora's box. You open  
10 it, you know, you just don't know what you're  
11 going to get. And like -- and just, you know,  
12 for the future of Greenport, I really implore you  
13 guys to think seriously.

14 Murphy's Law, great Irishman, Murphy, his  
15 law, and unintended consequences, that going  
16 forward, you just don't know. If you do the  
17 wrong thing, it's going to be -- you know, it's  
18 just going to be a domino effect all the way  
19 around. And there are vulnerable important parts  
20 there on the waterfront. There are hedge funds  
21 involved at Claudio's, there is -- there's money,  
22 there's big money that's moved into this area,  
23 and they're looking to, and they've got armies of  
24 lawyers, and they're just looking to like  
25 steamroll and get whatever they can.

1           They don't -- and hats off to  
2       Mr. Pawlowski. I think he's looking to make the  
3       most money he can. He wants to add more units,  
4       he wants to add -- he wants to have his cake and  
5       eat it, basically. And we just have to ask  
6       ourselves is that what's in Greenport's interest?  
7       Is it in our interest to have luxury housing with  
8       private parking below, just like the city, and  
9       three-story building in a two-story neighborhood?  
10      Is it in our interest to do that?

11           You know, so there was a compromise. So if  
12      we're getting away from that compromise, we're  
13      getting further and further away from it. What's  
14      the point in having a hearing where we're  
15      just going -- where we're just going to say, "Oh,  
16      let's just amend it, let's just" -- "let's let  
17      him have his huge" -- "this tall building he  
18      doesn't need anymore," because commercial seems  
19      to have vanished. So then the building would be  
20      lower.

21           There's lots of things to discuss. There's  
22      lots of ways that this could go, and it needs to  
23      be an open -- it needs to be done openly,  
24      transparently with everybody involved, all the  
25      stakeholders, all the residents of Greenport,

1       that we know what's going to happen is not going  
2       to turn us into Patchogue or somewhere like that.

3               So, I mean, that's my -- that's -- that is  
4       our -- I'm just expressing on behalf of several  
5       people who couldn't be here tonight, but that is  
6       our main concern, that everything be done in --  
7       fundamentally, following the rules. And if you  
8       want to change the rules, you have an open  
9       discussion about that, and then everything that's  
10      done -- you guys are our Trustees, we're trusting  
11      you to protect Greenport, to do the best thing  
12      for the -- for the Village going forward.

13              Thank you very much.

14              MAYOR HUBBARD: Let me just correct some  
15      things that you were wrong on. The Village is  
16      involved in this because we are part of the  
17      stipulation, we are part of the lawsuit from 20  
18      years ago, that's why the Village is involved.

19              MR. MACKEN: Right.

20              MAYOR HUBBARD: Your comment saying that I  
21      said something, "We'll see what happens," and  
22      then they got a building permit, by law they were  
23      allowed to get a building permit. We did not  
24      change anything at all about that.

25              Last Thursday I told you, it has to go



1 before all four Boards independently and  
2 separately. I told you that last Thursday, I'm  
3 repeating it again now. It has to go before  
4 Planning, Zoning, Historic and the Village  
5 Board --

6 MR. MACKEN: Right.

7 MAYOR HUBBARD: -- because they are all  
8 parts of the lawsuit, and the Village as a whole.  
9 So nothing's being done back-door or anything  
10 else. You were told this last week. I discussed  
11 the whole thing. I'm being very straightforward  
12 about the whole thing. We're not making this up.

13 MR. MACKEN: No, I --

14 MAYOR HUBBARD: This is just part of the  
15 way it is. I know you've been against this  
16 project forever and you're not going to be happy.  
17 I understand that, and that's your right to do  
18 that. But to say that we're doing things wrong  
19 and inappropriately, that I said this one thing,  
20 and then a year later he gets a permit, he was  
21 allowed to have a permit.

22 The original owner was allowed to get a  
23 permit before Mr. Pawlowski bought it. And the  
24 permit says he's allowed to build "X" building.  
25 He still is allowed to build "X" building. If he

1 wants to modify the stipulation agreement, it has  
2 to go back before all four Boards, which has been  
3 said by the attorneys three years ago. If  
4 they're going to change the stipulation, it has  
5 to go before all four Boards. That's exactly  
6 what we're doing. Nothing's changed in four  
7 years since I've been up here. I'm just  
8 clarifying some facts on that, that's all.

9 MR. MACKEN: But the point is, that if  
10 the -- if the building is not the stipulated  
11 building with its uses and everything, then it  
12 cannot be built. Legally, under current code and  
13 planning provisions, it cannot be built. It's  
14 illegal to build it, because it's dependent on  
15 that stipulation. If you deviate from that  
16 stipulation and it's in the stipulation, it's in  
17 the wording, and it's the subject of --

18 MAYOR HUBBARD: I completely understand  
19 that. We got that. The Village Attorneys take  
20 care of that stuff legally for the Village.  
21 Everything that's being done is being done  
22 appropriately by law, and it's reviewed by the  
23 Planning Board, Zoning Board and the Village  
24 Attorney every time.

25 MR. MACKEN: Okay. Well, it's the subject

1 of a lawsuit now, and, you know, it's --

2 MAYOR HUBBARD: I mean, if you disagree  
3 with the Attorneys, that's something that you're  
4 going to have to take up at the next week.  
5 Everything we're doing, we're going by the book.  
6 If you don't believe the Attorney's opinion, at  
7 the public hearing you say, "I disagree with the  
8 Village Attorney," and we'll get a clarification  
9 from NYCOM, the New York Conference of Mayors, on  
10 if you disagree with the wording and what the  
11 Village is doing on it. You know, that's very  
12 easy to get a clarification on that for you.

13 MR. MACKEN: Right. But, I mean, the  
14 Village, obviously, is part of the stipulation,  
15 but it is not all of the stipulation.

16 MAYOR HUBBARD: No.

17 MR. MACKEN: So, I mean, that it is -- the  
18 Village can't just make a decision and say it's  
19 going to be like this. And also the premise of  
20 the hearing.

21 TRUSTEE PHILLIPS: He's misunderstanding.  
22 He's misunderstanding.

23 MR. MACKEN: That's what I'm saying, is  
24 that the premise of the hearing is based on  
25 modifying the stipulation.

1           MAYOR HUBBARD: We haven't even had the  
2 public hearing yet, so we don't know that.

3           MR. MACKEN: But what I'm saying, you know,  
4 that's the whole thing.

5           MAYOR HUBBARD: So you're saying we  
6 shouldn't have any hearings on anything and just  
7 let the project sit there. That's denying the  
8 constitutional rights of a person that owns a  
9 piece of property in the Village.

10          MR. MACKEN: No. I'm saying it's premature  
11 to have the meeting so soon on such a sensitive  
12 subject, given the situation that I'm not --  
13 until we figure out a way that everybody can  
14 participate. And as people have pointed out,  
15 when you have something that's so controversial,  
16 you need -- and people need to interact, there's  
17 something that happens in the room and a  
18 discussion happens. You know, so, I mean, just  
19 it looked -- well, this is what it seemed to us,  
20 like this hearing was, "Okay, let's get this  
21 done. You got to listen to this" --

22          MAYOR HUBBARD: That's not at all how it  
23 went last time, you're completely wrong.

24          MR. MACKEN: Okay.

25          MR. PAWLOWSKI: So just if we're going to

1 talk about the transparency, which I think is  
2 very important, I came before the Village over --  
3 almost a year-and-a-half ago. Nothing has been  
4 quick. I wish it was.

5 I came before the Village to start the  
6 process of communication, got one or two Planning  
7 Board work sessions, met with the SBNA close -- I  
8 don't know, six, seven times, to hear comments,  
9 to start the conversation, have the most  
10 transparent application I've ever seen in any  
11 forum. It's been transparent for the last  
12 15 years, since we took ownership with permit.  
13 We didn't get the permit, we bought it with the  
14 permit. This is now going on 16 months.

15 Most of the resubmittal is based off  
16 conversations with the SBNA and they're  
17 modifications. We're not recreating the wheel  
18 here by any means. We're protecting the entire  
19 aspect of that stipulation, and requesting,  
20 proposing modifications. And with those  
21 modifications, we're going to go through every  
22 aspect of the process.

23 The Trustees, the Planning, the Historical  
24 Review Board, the ZBA, it couldn't get more  
25 transparent. And if transparency is what you're

1 asking for, that has been given, and will be  
2 continued to be sought after, because, as the  
3 applicant, we want it as transparent as possible,  
4 because, at the end of the day, it's a lot easier  
5 to do it that way.

6 I even said that at the last meeting. I  
7 would prefer the process before every Board and a  
8 public hearing before every Board. But 16 months  
9 and probably another six or eight months is  
10 definitely not just shooing it in. And we're  
11 modifying based off a stipulation, which the  
12 stipulation allows for, and that's our goal. And  
13 if we don't get the approval, we don't get the  
14 approval, and we understand that. And we're  
15 doing everything we can, from meeting with  
16 everyone we possibly can on both the neighborhood  
17 assoc -- neighborhood, SBNA, the Village  
18 residents, whomever. We couldn't be more  
19 transparent, and that's what we continue to seek  
20 to be.

21 MR. MACKEN: One other request. The  
22 information that people aren't clear of what is  
23 actually going to be discussed, and what the --  
24 so the public, the -- it shouldn't be that  
25 everybody has to go and file -- FOIL the

1 information, it should be -- it should be sent  
2 out there, I mean, like what the plans are, the  
3 proposed changes are, what they -- you know, the  
4 site plan, all of that stuff, so people ask me to  
5 request that.

6 MAYOR HUBBARD: Okay. If you could just  
7 give me an email address for everybody that  
8 you're representing and we'll make sure we  
9 forward that paperwork to you.

10 MR. MACKEN: Okay.

11 MAYOR HUBBARD: You said -- you said, we,  
12 us, and as a group. If there's a group, an  
13 association, anything we have that we're going to  
14 discuss, we'll forward it to you. Just send  
15 their information to the Village Administrator  
16 with their email addresses and then we'll send it  
17 out to you, that's fine.

18 MR. MACKEN: Right. Well, the SBNA has a  
19 much larger -- has a large --

20 MR. PAWLOWSKI: For the record, every  
21 single document, everything proposed along the  
22 way has been sent not only to the Village, but  
23 also to the SBNA.

24 MAYOR HUBBARD: So they already have all of  
25 that, then.

1           MR. PAWLOWSKI: I don't know if you're part  
2 of the SBNA, but the SBNA has been given every  
3 sort of document that I've submitted to the  
4 Village, digitally.

5           MR. MACKEN: So this current, what you --  
6 what you proposed at the meeting, at the work  
7 session last week, that has been --

8           MR. PAWLOWSKI: Yes, 100%, several times in  
9 person and by email.

10          MR. MACKEN: Okay.

11          MR. PAWLOWSKI: And I've actually made the  
12 SBNA aware of every meeting.

13          MR. MACKEN: Okay. Well, we hadn't heard  
14 about that, but anyway --

15          MAYOR HUBBARD: Okay, thank you for the  
16 input. Anybody else wish to address the Board on  
17 any topic?

18          CLERK PIRILLO: Mr. Mayor, if I may.

19          MAYOR HUBBARD: Yes.

20          CLERK PIRILLO: We have -- we have a -- we  
21 had said that the Pawlowski 123 Sterling will be  
22 discussed in August. I want to make sure to call  
23 to your attention that we have two resolutions on  
24 this agenda regarding that, Resolutions No. 21  
25 and 22. So I don't know if you intend to table



1 those or if you'd like to take a different  
2 action.

3 TRUSTEE PHILLIPS: Mr. Mayor, given the  
4 fact that Mr. Pawlowski has put forth a totally  
5 different perspective, that I think we need to  
6 see it in writing from him, which would be easier  
7 to understand. I was going to suggest that we  
8 table them, so the resolutions, I was going to  
9 suggest we table them.

10 MAYOR HUBBARD: Table 21 and 22?

11 TRUSTEE PHILLIPS: Yeah, that was going to  
12 be my suggestion when we get to the agenda.

13 MAYOR HUBBARD: Yeah. We just had the  
14 public hearing tonight and we just discussed it,  
15 so we're going to have further discussion on  
16 that, due to the volume of comments this evening  
17 and all. So when we get to that, table -- we're  
18 going to table 21 and 22.

19 CLERK PIRILLO: Thank you, sir. I just  
20 wanted to call that to your attention.

21 MAYOR HUBBARD: Before we get into reading  
22 that, I appreciate that. Thank you.

23 CLERK PIRILLO: You're welcome, sir.

24 TRUSTEE PHILLIPS: And perhaps, Paul, maybe  
25 you could give us a written -- a description to

1 us, to the Board as to your 40% reduction and --

2 MR. PAWLOWSKI: It was in my first letter  
3 two months ago.

4 TRUSTEE PHILLIPS: Was it? Okay.  
5 I don't -- that was --

6 MR. PAWLOWSKI: Nothing I proposed tonight  
7 is different from the letter you got and --

8 TRUSTEE PHILLIPS: Okay, that's fine. I  
9 just want to make sure. Okay, that's all.

10 MR. PAWLOWSKI: So this is now being tabled  
11 again?

12 MAYOR HUBBARD: We just closed the public  
13 hearing tonight. We have to table it -- no, the  
14 public hearing is closed. We will discuss that  
15 at our work session. When we closed the public  
16 hearing, I think I said that right at the  
17 beginning, when we close the public hearing, then  
18 we would discuss that at our August work session.  
19 At both public hearings we said that, so.

20 Okay. All right. I offer *RESOLUTION*  
21 *#07-2020-1, RESOLUTION adopting the July, 2020*  
22 *agenda as printed*. So moved.

23 TRUSTEE MARTILOTTA: Second.

24 MAYOR HUBBARD: All in favor?

25 TRUSTEE MARTILOTTA: Aye.

1 TRUSTEE CLARKE: Aye.

2 TRUSTEE PHILLIPS: Aye.

3 MAYOR HUBBARD: Aye.

4 Opposed?

5 (No Response)

6 MAYOR HUBBARD: Motion carried. Trustee

7 Clarke.

8 TRUSTEE CLARKE: *RESOLUTION #07-2020-2,*  
9 *Accepting the monthly reports of the Greenport*  
10 *Fire Department, Village Administrator, Village*  
11 *Treasurer, Village Clerk, Village Attorney, Mayor*  
12 *and Board of Trustees. So moved.*

13 TRUSTEE MARTILOTTA: Second.

14 MAYOR HUBBARD: All in favor?

15 TRUSTEE MARTILOTTA: Aye.

16 TRUSTEE CLARKE: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 TRUSTEE MARTILOTTA: *(RESOLUTION #07-2020-3),*  
23 *RESOLUTION approving the application for*  
24 *membership of Taylor Reed to the Standard Hose*  
25 *Company of the Greenport Fire Department, as*

1       *approved by the Greenport Fire Department Board*  
2       *of Wardens on July 15, 2020. So moved.*

3               TRUSTEE PHILLIPS: Second.

4               MAYOR HUBBARD: All in favor?

5               TRUSTEE MARTILOTTA: Aye.

6               TRUSTEE CLARKE: Aye.

7               TRUSTEE PHILLIPS: Aye.

8               MAYOR HUBBARD: Aye.

9               Opposed?

10                       (No Response)

11               MAYOR HUBBARD: Motion carried.

12               TRUSTEE PHILLIPS: *RESOLUTION #07-2020-4,*  
13       *RESOLUTION ratifying the hiring of Willa Donovan,*  
14       *Harry Donovan and Jack Muth as part-time,*  
15       *seasonal lifeguards at the (pay) rate of \$15.00*  
16       *per hour, effective July 17th, 2020. So moved.*

17               TRUSTEE CLARKE: Second.

18               MAYOR HUBBARD: All in favor?

19               TRUSTEE MARTILOTTA: Aye.

20               TRUSTEE CLARKE: Aye.

21               TRUSTEE PHILLIPS: Aye.

22               MAYOR HUBBARD: Aye.

23               Opposed?

24                       (No Response)

25               MAYOR HUBBARD: Motion carried.

1 TRUSTEE CLARKE: *RESOLUTION #07-2020-5,*  
2 *Ratifying the hiring of Adam Jason Hubbard, Jr.*  
3 *at the Village of Greenport Mitchell Park Marina*  
4 *as a dockhand, at a pay rate of \$13.00 per hour,*  
5 *effective July 3rd, 2020. So moved.*

6 TRUSTEE MARTILOTTA: Second.

7 MAYOR HUBBARD: All in favor?

8 TRUSTEE MARTILOTTA: Aye.

9 TRUSTEE CLARKE: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 MAYOR HUBBARD: Aye.

12 Opposed?

13 (No Response)

14 MAYOR HUBBARD: Motion carried.

15 TRUSTEE MARTILOTTA: *RESOLUTION #07-2020-6,*  
16 *RESOLUTION approving an increase in the hourly*  
17 *wage rate for Stephen Rutkowski, from \$21.96 per*  
18 *hour to \$26.35 per hour, effective July 29th,*  
19 *2020 owing to the assumption of additional*  
20 *duties, per Article VII (Salaries and*  
21 *Compensation), Section 9 (a) - Merit Clause - of*  
22 *the collective bargaining agreement currently in*  
23 *force between the Village of Greenport and CSEA*  
24 *Local 1000. So moved.*

25 TRUSTEE PHILLIPS: Second.

1 MAYOR HUBBARD: All in favor?

2 TRUSTEE MARTILOTTA: Aye.

3 TRUSTEE CLARKE: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response)

8 MAYOR HUBBARD: Motion carried.

9 TRUSTEE PHILLIPS: *RESOLUTION #07-2020-7,*  
10 *RESOLUTION approving an increase in the hourly*  
11 *wage rate for Adam Brautigam, from \$20.49 per*  
12 *hour to \$22.49 per hour, effective July 29th,*  
13 *2020 owing to the assumption of additional*  
14 *duties, per Article VII (Salaries and*  
15 *Compensation), Section 9 (a) - Merit Clause - of*  
16 *the collective bargaining agreement currently in*  
17 *force between the Village of Greenport and CSEA*  
18 *Local 1000. So moved.*

19 TRUSTEE CLARKE: Second.

20 MAYOR HUBBARD: All in favor?

21 TRUSTEE MARTILOTTA: Aye.

22 TRUSTEE CLARKE: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 MAYOR HUBBARD: Aye.

25 Opposed?

1 (No Response)

2 MAYOR HUBBARD: Motion carried.

3 TRUSTEE CLARKE: *RESOLUTION #07-2020-8,*  
4 *Approving an increase in the hourly wage rate for*  
5 *Juan Diaz, from \$17.30 per hour to \$18.50 per*  
6 *hour, effective July 29th, 2020 owing to the*  
7 *acquisition of substantial expertise in his area*  
8 *of work experience, per Article VII (Salaries and*  
9 *Compensation), Section 9 (b) - Merit Clause - of*  
10 *the collective bargaining agreement currently in*  
11 *force between the Village of Greenport and CSEA*  
12 *Local 1000. So moved.*

13 TRUSTEE MARTILOTTA: Second.

14 MAYOR HUBBARD: All in favor?

15 TRUSTEE MARTILOTTA: Aye.

16 TRUSTEE CLARKE: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 TRUSTEE MARTILOTTA: *RESOLUTION #07-2020-9,*  
23 *RESOLUTION approving an increase in the hourly*  
24 *wage rate for Michael Flora, from \$25.75 per hour*  
25 *to \$33.30 per hour, effective July 29th, 2020*

1        *owing to the acquisition of substantial expertise*  
2        *in his area of work experience, per Article VII*  
3        *(Salaries and Compensation), Section 9 (b) -*  
4        *Merit Clause - of the collective bargaining*  
5        *agreement currently in force between the Village*  
6        *of Greenport and CSEA Local 1000. So moved.*

7                TRUSTEE PHILLIPS: Second.

8                MAYOR HUBBARD: All in favor?

9                TRUSTEE MARTILOTTA: Aye.

10               TRUSTEE CLARKE: Aye.

11               TRUSTEE PHILLIPS: Aye.

12               MAYOR HUBBARD: Aye.

13               Opposed?

14                                (No Response)

15               MAYOR HUBBARD: Motion carried.

16               TRUSTEE PHILLIPS: *RESOLUTION #07-2020-10,*  
17        *RESOLUTION approving an increase in the hourly*  
18        *wage rate for Ethan Holland, from \$20.90 per hour*  
19        *to \$22.06 per hour, effective July 29th, 2020*  
20        *owing to the completion of a job-related course*  
21        *of study, per Article VII (Salaries and*  
22        *Compensation), Section 9 (c) - Merit Clause - of*  
23        *the collective bargaining agreement currently in*  
24        *force between the Village of Greenport and CSEA*  
25        *Local 1000. So moved.*



1 TRUSTEE CLARKE: Second.

2 MAYOR HUBBARD: All in favor?

3 TRUSTEE MARTILOTTA: Aye.

4 TRUSTEE CLARKE: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 MAYOR HUBBARD: Aye.

7 Opposed?

8 (No Response)

9 MAYOR HUBBARD: Motion carried.

10 TRUSTEE CLARKE: *RESOLUTION #07-2020-11,*  
11 *Approving an increase in the hourly wage rate for*  
12 *Douglas Rocco, from \$25.52 per hour to \$26.68 per*  
13 *hour, effective July 29th, 2020 owing to the*  
14 *completion of a job-related course of study, per*  
15 *Article VII (Salaries and Compensation),*  
16 *Section 9 (c) - Merit Clause - of the collective*  
17 *bargaining agreement currently in force between*  
18 *the Village of Greenport and CSEA Local 1000.*  
19 So moved.

20 TRUSTEE MARTILOTTA: Second.

21 MAYOR HUBBARD: All in favor?

22 TRUSTEE MARTILOTTA: Aye.

23 TRUSTEE CLARKE: Aye.

24 TRUSTEE PHILLIPS: Aye.

25 MAYOR HUBBARD: Aye.

1 Opposed?

2 (No Response)

3 MAYOR HUBBARD: Motion carried.

4 TRUSTEE MARTILOTTA: *RESOLUTION*

5 *#07-2020-12, RESOLUTION approving an increase in*  
6 *the annual salary of Stephen Gaffga, from \$56,750*  
7 *per year to \$61,750 per year, effective July*  
8 *29th, 2020. So moved.*

9 TRUSTEE PHILLIPS: Second.

10 MAYOR HUBBARD: All in favor?

11 TRUSTEE MARTILOTTA: Aye.

12 TRUSTEE CLARKE: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 MAYOR HUBBARD: Aye.

15 Opposed?

16 (No Response)

17 MAYOR HUBBARD: Motion carried.

18 TRUSTEE PHILLIPS: *RESOLUTION #07-2020-13,*

19 *RESOLUTION authorizing Treasurer Brandt to*  
20 *perform attached Budget Transfer #4386, for*  
21 *year-end adjustments to the Fire Department*  
22 *Budget for Fiscal Year 2019/2020, and directing*  
23 *that Budget Transfer #4386 be included as part of*  
24 *the formal meeting minutes of the July 23rd, 2020*  
25 *Regular Board of -- Regular Meeting of the Board*

1        *of Trustees. So moved.*

2            TRUSTEE CLARKE: Second.

3            MAYOR HUBBARD: All in favor?

4            TRUSTEE MARTILOTTA: Aye.

5            TRUSTEE CLARKE: Aye.

6            TRUSTEE PHILLIPS: Aye.

7            MAYOR HUBBARD: Aye.

8            Opposed?

9                            (No Response)

10            MAYOR HUBBARD: Motion carried.

11            TRUSTEE CLARKE: *RESOLUTION #07-2020-14,*

12            *Authorizing Treasurer Brandt to perform attached*

13            *Budget Transfer #4387, for year-end adjustments*

14            *in the General Fund for Fiscal Year 2019/2020,*

15            *and directing that Budget Transfer #4387 be*

16            *included as part of the formal meeting minutes of*

17            *the July 23rd, 2020 Regular Meeting of the Board*

18            *of Trustees. So moved.*

19            TRUSTEE MARTILOTTA: Second.

20            MAYOR HUBBARD: All in favor?

21            TRUSTEE MARTILOTTA: Aye.

22            TRUSTEE CLARKE: Aye.

23            TRUSTEE PHILLIPS: Aye.

24            MAYOR HUBBARD: Aye.

25            Opposed?

1 (No Response)

2 MAYOR HUBBARD: Motion carried.

3 TRUSTEE MARTILOTTA: *RESOLUTION #07-2020-15,*  
4 *RESOLUTION authorizing Treasurer Brandt to*  
5 *perform attached Budget Transfer #4399, for*  
6 *year-end adjustments in the Water Fund for Fiscal*  
7 *Year 2019/2020, and directing that Budget*  
8 *Transfer #4399 be included as part of the formal*  
9 *meeting minutes as of the July 23, 2020 Regular*  
10 *Meeting of the Board of Trustees. So moved.*

11 TRUSTEE PHILLIPS: Second.

12 MAYOR HUBBARD: All in favor?

13 TRUSTEE MARTILOTTA: Aye.

14 TRUSTEE CLARKE: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 MAYOR HUBBARD: Aye.

17 Opposed?

18 (No Response)

19 MAYOR HUBBARD: Motion carried.

20 TRUSTEE PHILLIPS: *RESOLUTION #07-2020-16,*  
21 *RESOLUTION authorizing Treasurer Brandt to*  
22 *perform attached Budget Transfer #4400, for*  
23 *year-end adjustments in the Light Fund for the*  
24 *Fiscal Year 2019/2020, and directing that Budget*  
25 *Transfer #4400 be included as part of the formal*

1       *meeting minutes of the July 23rd, 2020 Regular*  
2       *Meeting of the Board of Trustees. So moved.*

3               TRUSTEE CLARKE: Second.

4               MAYOR HUBBARD: All in favor?

5               TRUSTEE MARTILOTTA: Aye.

6               TRUSTEE CLARKE: Aye.

7               TRUSTEE PHILLIPS: Aye.

8               MAYOR HUBBARD: Aye.

9               Opposed?

10                               (No Response)

11               MAYOR HUBBARD: Motion carried.

12               TRUSTEE CLARKE: *RESOLUTION #07-2020-17,*  
13       *Authorizing Treasurer Brandt to perform attached*  
14       *Budget Transfer #4401, for year-end adjustments*  
15       *in the Sewer Fund for Fiscal Year 2019/2020, and*  
16       *directing that Budget Transfer #4401 be included*  
17       *as part of the formal meeting minutes of the*  
18       *July 23rd, 2020 Regular Meeting of the Board of*  
19       *Trustees. So moved.*

20               TRUSTEE MARTILOTTA: Second.

21               MAYOR HUBBARD: All in favor?

22               TRUSTEE MARTILOTTA: Aye.

23               TRUSTEE CLARKE: Aye.

24               TRUSTEE PHILLIPS: Aye.

25               MAYOR HUBBARD: Aye.

1 Opposed?

2 (No Response)

3 MAYOR HUBBARD: Motion carried.

4 TRUSTEE MARTILOTTA: *RESOLUTION #07-2020-18,*  
5 *RESOLUTION declaring as surplus, and no longer*  
6 *needed for municipal purposes, the Village-owned*  
7 *AWV - 100B reverse osmosis water machine, and*  
8 *directing Clerk Pirillo to notice a bid*  
9 *solicitation accordingly. So moved.*

10 TRUSTEE PHILLIPS: Second.

11 MAYOR HUBBARD: All in favor?

12 TRUSTEE MARTILOTTA: Aye.

13 TRUSTEE CLARKE: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 MAYOR HUBBARD: Aye.

16 Opposed?

17 (No Response)

18 MAYOR HUBBARD: Motion carried.

19 TRUSTEE PHILLIPS: *RESOLUTION #07-2020-19,*  
20 *RESOLUTION declaring as surplus, and no longer*  
21 *needed for municipal purposes, the Village-owned*  
22 *TCM Electric Department forklift, and directing*  
23 *Clerk Pirillo to notice a bid solicitation*  
24 *accordingly. So moved.*

25 TRUSTEE CLARKE: Second.

1 MAYOR HUBBARD: All in favor?

2 TRUSTEE MARTILOTTA: Aye.

3 TRUSTEE CLARKE: Aye.

4 TRUSTEE PHILLIPS: Aye.

5 MAYOR HUBBARD: Aye.

6 Opposed?

7 (No Response)

8 MAYOR HUBBARD: Motion carried.

9 TRUSTEE CLARKE: *RESOLUTION #07-2020-20,*  
10 *Approving the attached retainer agreement;*  
11 *effective from July 1, 2020 through June 30th,*  
12 *2023; between the Village of Greenport and*  
13 *special labor counsel Lamb and Barnosky, per the*  
14 *engagement letter from Lamb and Barnosky dated*  
15 *July 8th, 2020; and further authorizing Mayor*  
16 *Hubbard to sign the retainer agreement between*  
17 *the Village of Greenport and Lamb and Barnosky.*  
18 So moved.

19 TRUSTEE MARTILOTTA: Second.

20 MAYOR HUBBARD: All in favor?

21 TRUSTEE MARTILOTTA: Aye.

22 TRUSTEE CLARKE: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 MAYOR HUBBARD: Aye.

25 Opposed?

1 (No Response)

2 MAYOR HUBBARD: Motion carried.

3 All right. I'm going offer a resolution to  
4 table *RESOLUTION #07-2020-21*. So moved.

5 TRUSTEE PHILLIPS: Second.

6 MAYOR HUBBARD: All in favor?

7 TRUSTEE MARTILOTTA: Aye.

8 TRUSTEE CLARKE: Aye.

9 TRUSTEE PHILLIPS: Aye.

10 MAYOR HUBBARD: Aye.

11 Opposed?

12 (No Response)

13 MAYOR HUBBARD: Motion carried.

14 I'll offer a resolution to table *RESOLUTION*  
15 *#07-2020-22*. So moved.

16 TRUSTEE MARTILOTTA: Second.

17 MAYOR HUBBARD: All in favor?

18 TRUSTEE MARTILOTTA: Aye.

19 TRUSTEE CLARKE: Aye.

20 TRUSTEE PHILLIPS: Aye.

21 MAYOR HUBBARD: Aye.

22 Opposed?

23 (No Response)

24 MAYOR HUBBARD: Motion carried. Trustee  
25 Martilotta.



1 TRUSTEE MARTILOTTA: Sure. *RESOLUTION*  
2 *#07-2020-23, RESOLUTION authorizing the*  
3 *expenditure of an amount not to exceed*  
4 *\$2,000 for the purchase of COVID-19 related*  
5 *signage for the Village of Greenport, to be*  
6 *expensed from Account Number A.7110.401 (Parks*  
7 *Expense Recreation).* So moved.

8 TRUSTEE PHILLIPS: Second.

9 MAYOR HUBBARD: All in favor?

10 TRUSTEE MARTILOTTA: Aye.

11 TRUSTEE CLARKE: Aye.

12 TRUSTEE PHILLIPS: Aye.

13 MAYOR HUBBARD: Aye.

14 Opposed?

15 (No Response)

16 MAYOR HUBBARD: Motion carried.

17 TRUSTEE PHILLIPS: *RESOLUTION #07-2020-24,*  
18 *RESOLUTION scheduling a public hearing for 7 p.m.*  
19 *on August 27, 2020 at the Third Street Fire*  
20 *Station, Third and South Streets, Greenport,*  
21 *New York, 11944 regarding a proposed amendment to*  
22 *the Stipulation dated March 12th, 2007 between*  
23 *123 Sterling, LLC; Sterling Basin Neighborhood*  
24 *Association; George Limperis, The Village of*  
25 *Greenport; the Zoning Board of Appeals of the*

1 *Village of Greenport, and the Planning Board of*  
2 *the Village of Greenport. So moved.*

3 TRUSTEE CLARKE: Second.

4 MAYOR HUBBARD: All in favor?

5 TRUSTEE MARTILOTTA: Aye.

6 TRUSTEE CLARKE: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 MAYOR HUBBARD: Aye.

9 Opposed?

10 (No Response)

11 MAYOR HUBBARD: Motion carried.

12 TRUSTEE CLARKE: *RESOLUTION #07-2020-25,*  
13 *RESOLUTION approving all checks per the Voucher*  
14 *Summary Report dated July 20th, 2020, in the*  
15 *total amount of \$35,163.58 consisting of:*

16 *o All regular checks in the amount of*  
17 *\$35,163.58.*

18 So moved.

19 TRUSTEE MARTILOTTA: Second.

20 MAYOR HUBBARD: All in favor?

21 TRUSTEE MARTILOTTA: Aye.

22 TRUSTEE CLARKE: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 MAYOR HUBBARD: Aye.

25 Opposed?

1 (No Response)

2 MAYOR HUBBARD: Motion carried.

3 TRUSTEE MARTILOTTA: *RESOLUTION #07-2020-26,*  
4 *RESOLUTION approving all checks per the Voucher*  
5 *Summary Report dated July 20th, 2020 -- whoa.*  
6 *No, only once. July 20th, 2020 for the amount of*  
7 *\$708,445.86 consisting of:*

8 *o All regular checks in the amount of*  
9 *\$466,617.00 (sic) (\$466,671.00), and*

10 *o All prepaid checks (including wire*  
11 *transfers) in the amount of \$241,774.86.*

12 So moved.

13 TRUSTEE PHILLIPS: Second.

14 MAYOR HUBBARD: All in favor?

15 TRUSTEE MARTILOTTA: Aye.

16 TRUSTEE CLARKE: Aye.

17 TRUSTEE PHILLIPS: Aye.

18 MAYOR HUBBARD: Aye.

19 Opposed?

20 (No Response)

21 MAYOR HUBBARD: Motion carried.

22 Okay. That ends our regular agenda. I  
23 just want to thank everybody for coming. Please,  
24 everybody stay safe, and I'll motion to adjourn  
25 the meeting at 8:41.

1 TRUSTEE MARTILOTTA: Second.

2 MAYOR HUBBARD: All in favor?

3 TRUSTEE MARTILOTTA: Aye.

4 TRUSTEE CLARKE: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 MAYOR HUBBARD: Aye.

7 Opposed?

8 (No Response)

9 MAYOR HUBBARD: Motion carried.

10 Thank you all for coming.

11 (The meeting was adjourned at 8:41 p.m.)

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## C E R T I F I C A T I O N

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF SUFFOLK )

I, LUCIA BRAATEN, a Court Reporter and  
Notary Public for and within the State of New  
York, do hereby certify:

THAT, the above and foregoing contains a  
true and correct transcription of the proceedings  
taken on July 23, 2020.

I further certify that I am not related to  
any of the parties to this action by blood or  
marriage, and that I am in no way interested in  
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my  
hand this 4th day of August, 2020.

*Lucia Braaten*  
\_\_\_\_\_  
Lucia Braaten

<b>#</b>	<b>\$25.52</b> [1] - 89:12 <b>\$25.75</b> [1] - 87:24 <b>\$26.35</b> [1] - 85:18 <b>\$26.68</b> [1] - 89:12 <b>\$33.30</b> [1] - 87:25 <b>\$35,163.58</b> [2] - 98:15, 98:17 <b>\$400</b> [2] - 37:10, 37:11 <b>\$466,617.00</b> [1] - 99:9 <b>\$466,671.00</b> [1] - 99:9 <b>\$50,000</b> [3] - 12:21, 40:15, 40:19 <b>\$56,750</b> [1] - 90:6 <b>\$61,750</b> [1] - 90:7 <b>\$65</b> [1] - 40:6 <b>\$708,445.86</b> [1] - 99:7	88:25, 89:18 <b>100B</b> [1] - 94:7 <b>11</b> [2] - 4:24, 10:3 <b>113</b> [1] - 47:15 <b>117</b> [1] - 47:15 <b>11944</b> [1] - 97:21 <b>12</b> [6] - 9:23, 16:21, 22:6, 68:4, 69:14, 69:21 <b>120</b> [6] - 13:4, 18:22, 27:1, 27:9, 27:10, 28:23 <b>120-foot</b> [2] - 21:22, 29:1 <b>123</b> [10] - 7:18, 7:19, 7:23, 11:9, 17:3, 54:23, 55:5, 65:15, 80:21, 97:23 <b>12th</b> [1] - 97:22 <b>13</b> [1] - 22:6 <b>130</b> [1] - 14:16 <b>132</b> [1] - 20:8 <b>132-foot</b> [1] - 12:15 <b>133</b> [1] - 44:25 <b>138</b> [2] - 24:16, 65:13 <b>14</b> [4] - 9:23, 11:13, 16:1, 68:4 <b>15</b> [6] - 12:6, 31:10, 54:22, 55:1, 77:12, 84:2 <b>157</b> [1] - 64:25 <b>16</b> [3] - 55:1, 77:14, 78:8 <b>165</b> [1] - 49:16 <b>17</b> [4] - 16:7, 16:8, 16:12, 16:13 <b>17th</b> [1] - 84:16 <b>18</b> [1] - 9:23 <b>182</b> [2] - 20:25, 54:21 <b>184</b> [2] - 31:25, 35:17 <b>1948</b> [1] - 25:8 <b>1990s</b> [1] - 43:21	91:14, 92:7, 92:24, 93:15 <b>2020</b> [27] - 1:7, 2:20, 30:11, 82:21, 84:2, 84:16, 85:5, 85:19, 86:13, 87:6, 87:25, 88:19, 89:13, 90:8, 90:24, 91:17, 92:9, 93:1, 93:18, 95:11, 95:15, 97:19, 98:14, 99:5, 99:6, 101:12, 101:18 <b>2023</b> [1] - 95:12 <b>20th</b> [3] - 98:14, 99:5, 99:6 <b>21</b> [3] - 80:24, 81:10, 81:18 <b>22</b> [4] - 33:7, 80:25, 81:10, 81:18 <b>23</b> [3] - 1:7, 92:9, 101:12 <b>232</b> [1] - 5:12 <b>23rd</b> [4] - 90:24, 91:17, 93:1, 93:18 <b>24</b> [1] - 49:12 <b>25</b> [2] - 22:8, 54:2 <b>250</b> [2] - 24:16, 24:17 <b>250-foot</b> [1] - 29:12 <b>27</b> [2] - 4:15, 97:19 <b>29th</b> [7] - 85:18, 86:12, 87:6, 87:25, 88:19, 89:13, 90:8	<b>40</b> [4] - 14:19, 14:22, 15:1, 17:22 <b>40%</b> [7] - 18:2, 19:1, 24:12, 24:23, 25:4, 29:13, 82:1 <b>400</b> [1] - 12:17 <b>45</b> [4] - 14:7, 14:8, 21:24, 66:21 <b>4th</b> [1] - 101:18
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Date Prepared: 07/08/2020 12:47 PM

# VILLAGE OF GREENPORT

## Budget Adjustment Form

GLR4150 1.0

Page 1 of 1

Year: 2020 Period: 5 Trans Type: B1 - Transfer Status: Balch  
Trans No: 4386 Trans Date: 05/31/2020 User Ref: ROBERT  
Requested: R BRANDT Approved: Created by: ROBERT 06/18/2020  
Description: FISCAL YEAR END 2019-2020 BUDGET TRANSFER FOR THE FIRE  
DEPARTMENT Account # Order: No  
Print Parent Account: No

Account No.	Account Description	Amount
A.3410.412	FIRE.REPAIR & MAINT - BUILD.	-22,691.00
A.3410.432	FIRE.PERMA INS - WORKERS COMP.	18,985.00
A.3410.433	FIRE.LEGAL EXPENSE.	2,179.00
A.3410.456	FIRE.MEDICAL EQUIPMENT & SUPPLIES.	1,527.00
Total Amount:		0.00

# VILLAGE OF GREENPORT

## Budget Adjustment Form

Year: 2020 Period: 5 Trans Type: B1 - Transfer Status: Batch  
 Trans No: 4387 Trans Date: 05/31/2020 User Ref: ROBERT  
 Requested: R BRANDT Approved: Created by: ROBERT 06/18/2020  
 Description: FISCAL YEAR END 2019-2020 BUDGET TRANSFER FOR THE GENERAL FUND  
 Account # Order: No  
 Print Parent Account: No

Account No.	Account Description	Amount
A.1113.100	PARKING ENFORCEMENT.PERSONNEL SERVICES	-11,733.00
A.1410.100	CLERK.PERSONNEL SERVICES	-9,549.00
A.3620.100	SAFETY INSPECTION.PERSONNEL SERVICES	-87,872.00
A.5110.100	STREET MAINT.PERSONNEL SERVICES	-23,677.00
A.7110.101	PARKS..RECREATION PERSONNEL	-8,165.00
A.7311.101	ICE RINK LABOR	-20,819.00
A.0781.400	EXECUTIVE DEPT.OFF SUPPLIES & EXP..	1.00
A.1010.400	BOARD OF TRUSTEES.CONTR EXP..	1,125.00
A.1113.400	PARKING ENFORCEMENT..	2,660.00
A.1210.400	MAYOR.CONTR EXP..	598.00
A.1410.200	CLERK.EQUIPMENT	12.00
A.1410.400	CLERK.CONTR EXP..	4,954.00
A.1420.400	LAW.CONTR EXP..	13,019.00
A.1420.401	LABOR COUNSEL..	12,649.00
A.1651.400	COMPUTER REPAIR/MAINTENANCE..	1,843.00
A.5110.407	TREES/GROUNDS, SUBCONTRACTS..	175.00
A.5110.413	TRASH/RECYCLE..	2,817.00
A.5110.414	GAS/FUEL..	1,450.00
A.5110.420	ELECTRICITY..	1,307.00
A.5110.432	PERMA INSC. WORKERS COMP..	11,554.00
A.5110.450	MISC EXPENSE..	2,771.00
A.7020.400	ELECTRIC SERVICE RECREATION	324.00
A.7020.404	OFFICE SUPPLIES AND EXPENSE REC	650.00
A.7110.400	PARKS..	6,925.00
A.7120.100	RECREATION CENTER.PERSONNEL SERVICES	2,400.00
A.7120.401	RECREATION CENTER EXPENSE	1,463.00
A.7180.400	MCCANN TRAILER PARK.EXP	959.00
A.7230.101	MITCHELL MARINA PERSONNEL	24,930.00
A.7230.401	MITCHELL MARINA CONTRACTUAL EXP	5,152.00
A.7230.413	MITCHELL PARK REFUSE AND GROUNDS	9,327.00
A.7230.422	MITCHELL PARK AND MARINA UTILITIES	3,883.00
A.7231.422	DOCKS UTILITIES	705.00
A.7311.400	ICE RINK EXPENSE	25,006.00

# VILLAGE OF GREENPORT

## Budget Adjustment Form

Account No.	Account Description	Amount
A.7312.401	CAROUSEL EXPENSE	39.00
A.7520.400	HISTORICAL PROP - LARRY TUTHILL PARK..	384.00
A.8010.400	ZONING CONTRACTUAL EXP..	1,960.00
A.8020.400	PLANNING CONTRACTUAL EXPENSE..	6,201.00
A.8160.402	PUBLIC RESTROOM EXPENSE	5,138.00
A.8510.200	HISTORIC PRESERVATION COMM.	744.00
A.9030.800	SOCIAL SECURITY.EMPLOYEE BENEFITS	9,503.00
A.9040.800	WORKERS COMPENSATION.EMPLOYEE BENEFITS	3,351.00
A.9050.800	UNEMPLOYMENT INSURANCE.EMPLOYEE BENEFITS	3,063.00
A.1620.400	BUILDING CONTR EXP..	2,273.00
A.9060.800	HOSP & MEDICAL INS.EMPLOYEE BENEFITS	-9,500.00
Total Amount:		0.00



Date Prepared: 07/08/2020 12:46 PM

# VILLAGE OF GREENPORT

## Budget Adjustment Form

GLR4150 1.0

Page 1 of 1

Year: 2020 Period: 5 Trans Type: B1 - Transfer Status: Batch  
Trans No: 4399 Trans Date: 05/31/2020 User Ref: ROBERT  
Requested: R BRANDT Approved: Created by: ROBERT 07/08/2020  
Description: FISCAL YEAR END 2019-2020 BUDGET TRANSFER FOR THE WATER FUND  
Account # Order: No  
Print Parent Account: No

Account No.	Account Description	Amount
F.8310.100	ADMINISTRATIVE LABOR	-3,000.00
F.8310.101	SUPERVISORY LABOR..	-15,038.00
F.0900.111	DENTAL/ OPTICAL	89.00
F.8310.102	LABOR OUTSIDE..	3,550.00
F.8310.201	OFFICE FURNITURE & EQUIPMENT..	182.00
F.8310.407	BILLING & ACCOUNTING..	359.00
F.8310.411	OFFICE SUPPLIES..	300.00
F.8310.413	SPECIAL SERVICES..	3,102.00
F.8310.414	MISC GENERAL EXPENSE..	45.00
F.8320.400	ELECTRICITY PURCHASED..	539.00
F.8320.401	SCWA - WATER PURCHASE..	9,872.00
Total Amount:		0.00

# VILLAGE OF GREENPORT

## Budget Adjustment Form

Year: 2020 Period: 5 Trans Type: B1 - Transfer Status: Batch  
Trans No: 4400 Trans Date: 05/31/2020 User Ref: ROBERT  
Requested: R BRANDT Approved: Created by: ROBERT 07/08/2020  
Description: FISCAL YEAR END 2019-2020 BUDGET TRANSFER FOR THE LIGHT FUND  
Account # Order: No  
Print Parent Account: No

Account No.	Account Description	Amount
E.0800.110	HOSPITALIZATION..	-8,846.00
E.0998	SUPERVISORY LABOR	-12,332.00
E.9010.800	EMPLOYEES STATE RETIREMENT.EMPLOYEE BENEFITS	-28,171.00
E.0999	LABOR OUTSIDE	-38,345.00
E.0345	MISC POWER PLANT EQUIPMENT	13,896.00
E.0358	POLES & FIXTURES	957.00
E.0365	TRANSFORMERS	58.00
E.0381	OFFICE EQUIPMENT	1,640.00
E.0714.100	ENGINE FUEL..	2,871.00
E.0721	POWER PURCHASED	60,551.00
E.0724.100	GAS SERVICE..	1,684.00
E.0781.500	OFF SUPPLIES & EXP.	650.00
E.0997	ADMINISTRATION LABOR	5,387.00
Total Amount:		0.00

Date Prepared: 07/08/2020 04:41 PM

# VILLAGE OF GREENPORT

## Budget Adjustment Form

GLR4150 1.0

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Year: 2020 Period: 5 Trans Type: B1 - Transfer Status: Batch  
Trans No: 4401 Trans Date: 05/31/2020 User Ref: ROBERT  
Requested: R BRANDT Approved: Created by: ROBERT 07/08/2020  
Description: FISCAL YEAR END 2019-2020 BUDGET TRANSFER FOR THE SEWER FUND  
Account # Order: No  
Print Parent Account: No

Account No.	Account Description	Amount
G.8110.101	SUPERVISORY LABOR..	-13,310.00
G.8110.102	LABOR OUTSIDE..	-15,451.00
G.8110.700	INTEREST ON LTD..	-5,229.00
G.9060.800	HOSPITALIZATION.EMPLOYEE BENEFITS	-1,950.00
G.8110.100	ADMINISTRATION LABOR..	7,920.00
G.8110.200	OFFICE FURNITURE & FIXTURES..	442.00
G.8110.400	ELECTRIC SERVICE..	11,493.00
G.8110.401	GAS SERVICE..	255.00
G.8110.402	WATER SERVICE..	1,488.00
G.8110.404	BILLING & ACCOUNTING..	7.00
G.8110.406	PHONE & CABLE EXPENSE..	218.00
G.8110.408	SPECIAL SERVICES..	5,792.00
G.8110.409	REGULATORY COMMISSION EXPENSE..	2,885.00
G.8110.411	MISCELLANEOUS EXPENSE..	2,720.00
G.8110.416	SAMPLES..	2,677.00
G.8110.418	FUEL OIL - DIESEL..	43.00
Total Amount:		0.00

## **DRAFT PROPOSAL FOR CLIENT REVIEW**

July 8, 2020

Mayor George Hubbard  
Village of Greenport  
Village Hall  
236 Third Street  
Greenport, N.Y. 11944

Dear Mayor Hubbard:

Thank you for your interest in continuing our retention as the Village's special labor counsel. This letter will confirm the scope and terms of our continuing representation and will ensure that we continue to have a clear understanding of these matters as we proceed into our new agreement.

### **1. Scope of Engagement**

The scope of this representation will continue to include serving as the Village's labor counsel effective July 1, 2020 through June 30, 2023. Our services will include one round of collective bargaining negotiations with the CSEA bargaining unit, including mediation, fact-finding and legislative determination hearings on behalf of the Village with representatives of the CSEA and drafting of the collective bargaining agreement with that Unit. Services covered by the retainer also include attendance at Board meetings on a scheduled basis to discuss the contract, when necessary, and consultation on the administration of the collective bargaining agreement during its term. Excluded from the retainer will be administrative hearings, arbitrations and other litigation, personnel matters involving individual employees, personnel investigations and collective bargaining with any newly established units not listed above.

The scope of our engagement may change if the Village asks the Firm to provide different services and the Firm agrees in writing to provide them or the Firm proceeds to provide them and bills the Village for them. If the Firm's engagement changes, the terms set out in this letter will apply to the changed engagement, unless the Firm sends the Village a further letter modifying or superseding this one.



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### **2. The Client's Duty to Cooperate**

The Village understands and agrees that, in order for the Firm to effectively represent it, it is necessary for it to assist and cooperate with the Firm. The Village agrees to: (1) make itself available to discuss issues as they arise in this matter, and to make decisions regarding the matter when necessary; (2) attend and participate in meetings, conferences, preparation sessions, court and administrative proceedings and other activities in connection with the representation; (3) provide complete and accurate information and documents to the Firm on a timely basis; and (4) pay the Firm's invoices on a timely basis as provided herein.

### **3. Responsibility and Team Members**

We will continue to represent you by using lawyers who are best suited to handle issues as they arise. We will continue to do everything we can to staff your work efficiently so that the charges you incur are reasonable and consistent with your requirements. Alyson Mathews and I will continue to be the attorneys primarily responsible for handling the Village's matters.

### **4. Keeping You Informed**

The Firm continues to be committed to keeping the Village informed about our work on any matters assigned to us. This includes continuing to let the Village know who is working on matters assigned to us, updating the Village on the progress of those matters, advising the Village of any potential problems or delays, and keeping the Village notified of costs. To this end, the Firm will continue to provide the Village with a report on the status of matters assigned to us as regularly as the Village requires. In the event that the Village needs to reach one of our attorneys and the person sought is unavailable, please leave a message describing the nature and urgency of the inquiry. It continues to be the Firm's policy to promptly respond to all inquiries.

### **5. Fees, Expenses and Billings**

#### **(a) Legal Fees**

Our fees for services will continue to be based upon a variety of facts, including the time and labor involved; the difficulty of the questions and the skill required to perform those services properly; time limitations imposed either by the Village or by the circumstances; the nature and length of the professional relationship between us; and the experience of the lawyers assigned to do the work. The hourly billing rates for attorneys and paralegals in our Firm vary and are re-adjusted periodically.

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Notwithstanding this fee schedule, we have agreed to a retainer arrangement as follows: \$26,500 covering the period July 1, 2020 through June 30, 2021, \$26,500 covering the period July 1, 2021 through June 30, 2022; and \$26,500 covering the period July 1, 2022 through June 30, 2023, payable in equal advance monthly installments.

If requested to represent the Village in matters outside of the scope of this retainer, we have agreed to cap our hourly rates at a special discounted rate of \$310 per hour for a partner's or counsel's time effective July 1, 2020; \$315 per hour effective July 1, 2021; and \$320 per hour effective July 1, 2022. The rate for an associate attorney's time will be \$255 per hour effective July 1, 2020; \$260 per hour effective July 1, 2021; and \$265 per hour effective July 1, 2022. The rate will continue to be \$150 per hour for recent law graduates, legal interns, summer associates and paralegal assistants. It is understood that our Firm regularly reviews and adjusts its rates each year, and that any change in our rates will be made only upon prior notice to the Village. We will continue to bill our time in quarter-hour (four to an hour) increments. These rates do not include any amounts that may be added to a particular invoice for disbursements and charges.

### **(b) Disbursements and Charges**

The Village will also continue to be responsible for reasonable costs and expenses incurred. These costs and expenses may include travel and mileage expenses, computerized legal research, process and subpoena service fees, filing fees, overnight mail fees and similar items. These costs and expenses will be billed in the same manner as our fees or we may ask the Village to make direct payment to the party making the charge. We will continue to not charge for photocopying, domestic telephone calls, postage costing less than \$1 or facsimiles.

### **(c) Billing Arrangements**

Statements of fees, disbursements and charges will continue to be sent to the Village by the Firm on a monthly basis, with payment to be made within 30 days of receipt of the invoice. Please note that the Firm reserves the right to impose a late charge at the rate of 12% per annum on past due accounts. If the Village anticipates that payment will be delayed, please discuss this delay with me at the earliest possible opportunity. If the Village has any questions regarding an invoice, please contact me so that I can try to promptly answer them.

## **6. Communication Technology**

We continue to be mindful of our obligation to safeguard our clients' proprietary, sensitive, or otherwise confidential information. To this end, it is important that we continue to



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agree on the kinds of communication technology that will be employed in the course of this engagement. If there are particular forms of communication technology that the Village does not wish us to use, or if there are other specific safeguards that the Village would like us to put in place, please promptly advise us. If the Village does not so advise us, we will continue to assume that the Village has given consent to, and accepted any risks attendant upon, the use of any means of communication that we deem to be appropriate (including cell phones, electronic mail, and facsimiles).

### **7. Files**

The Firm generally retains clients' files in paper or electronic form for at least seven years after conclusion of the matter for which representation was provided. However, once the matter has been concluded, the Village may take possession of the files at any time by delivering a written and signed request to the Firm. If, upon the expiration of seven years after conclusion of the matter, no request has been received, the Firm reserves the right to destroy the files without further notice to the Village.

### **8. Questions and Termination**

The Firm continues to have procedures to address any issue that the Village would like to raise, and we encourage the Village to inform us if at any time our services do not meet the Village's expectations. We will strive to promptly address any problem and in a professional manner.

The Village may end this relationship at any time by giving the Firm written notice, subject to the Village's obligation to pay us according to the terms of this Agreement. The Firm, in turn, may withdraw from the representation upon written notice if the Village fails to cooperate with us in any way that we may reasonably request, or fails to pay our invoices in full as submitted, or we determine in our reasonable discretion that it would be improper pursuant to the New York Rules of Professional Conduct or impractical to continue our relationship.

### **9. Resolution of Disputes –Arbitration**

#### **(a) Arbitration Pursuant to the New York Fee Dispute Resolution Program**

In the event that a dispute arises regarding the Firm's billed fees, disbursements or charges, then the Village and the Firm ("the Parties") will resolve the fee dispute by arbitration conducted pursuant to Part 137 of the Rules of the Chief Administrator of the Courts (22 NYCRR), except

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that the Parties will be bound by the decision of the arbitrator(s) and agree to waive the right to reject the arbitrator(s) award by commencing an action on the merits (trial *de novo*) in a court of law within 30 days after the arbitrator(s) decision has been mailed. By signing this agreement, the Parties acknowledge that each of us have received and read the official written instructions and procedures for Part 137 and the written instructions and procedures for the Suffolk County Bar Association Dispute Resolution Program (copies attached). The Parties understand that each of us is not otherwise required to agree to waive the right to seek a trial *de novo* pursuant to Part 137.

(b) **Arbitration Pursuant to the Commercial Arbitration Rules of the American Arbitration Association**

If the Fee Dispute Resolution Program does not apply to the dispute, then the arbitration will be conducted in Suffolk County in accordance with the Commercial Arbitration Rules of the American Arbitration Association, and any decision or award issued in that arbitration will be final and binding and non-appealable.

10. **Entire Agreement**

This letter represents the entire agreement between us concerning the terms and conditions of this engagement. By signing below, the Village acknowledges that this letter has been reviewed and understood and that it agrees to be bound by its terms and conditions. By signing below, the Village consents to continuing to be listed as one of the Firm's clients in any of our promotion-related materials or activities. The Village's permission to be listed can be revoked by it at any time. No change or waiver of any of the provisions of this letter will be binding on either the Village or the Firm unless the change is in writing and signed by both the Village and us.

If this agreement is acceptable, please sign and return the original of this letter and retain the signed copy for the Village's files. Kindly also attach for our records a copy of the Village Board minutes containing the Resolution authorizing this retainer.



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I look forward to continuing our longstanding professional and personal relationship with you and the Village!

Very truly yours,

Richard K. Zuckerman

RKZ/z

**READ AND AGREED TO:**

VILLAGE BOARD, VILLAGE OF GREENPORT

By: \_\_\_\_\_

BOARD OF TRUSTEES  
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING THE WETLANDS PERMIT APPLICATION  
OF APPLICANT PAUL PAWLOWSKI ON BEHALF OF 123 STERLING AVENUE CORP.

WHEREAS an application for a wetlands permit approval was filed by applicant Paul Pawlowski on behalf of 123 Sterling Avenue Corp. 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 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: July 9, 2020