1	VILLAGE OF GREENPORT
2	COUNTY OF SUFFOLK STATE OF NEW YORK
3	BOARD OF TRUSTEES
4	REGULAR SESSION
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7	Thind Church Finchesses
8	Third Street Firehouse Greenport, New York
9	0 1 1 00 0047
10	September 28, 2017 7:00 P.M.
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12	BEFORE:
13	GEORGE HUBBARD, JR MAYOR
14	JACK MARTILOTTA - DEPUTY MAYOR (ABSENT)
15	MARY BESS PHILLIPS - TRUSTEE
16	DOUGLAS W. ROBERTS - TRUSTEE
17	JULIA ROBINS - TRUSTEE
18	
19	JOSEPH PROKOP - VILLAGE ATTORNEY
20	PAUL PALLAS - VILLAGE ADMINISTRATOR
21	SYLVIA PIRILLO - VILLAGE CLERK
22	
23	
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25	

1	(The meeting was called to order at 7:02 p.m.)
2	MAYOR HUBBARD: We'll call the meeting to
3	order. Pledge to the flag.
4	(All stood for the Pledge of Allegiance.)
5	MAYOR HUBBARD: Please remain standing for a
6	moment of silence for Barbara J. Loeb, Gwendolyn A.
7	Martin and Kathy Syron.
8	(All Remained Standing for a Moment of Silence.)
9	MAYOR HUBBARD: Okay. Thank you. You may be
10	seated.
11	TRUSTEE PHILLIPS: Jack gonna be late?
12	MAYOR HUBBARD: He's coaching a football
13	game.
14	TRUSTEE PHILLIPS: He's not going to be here?
15	MAYOR HUBBARD: Well, no. He's going to try
16	to get here when he can.
17	TRUSTEE PHILLIPS: Oh, okay.
18	MAYOR HUBBARD: I was just going to announce
19	that.
20	AUDIENCE MEMBER: It's almost over.
21	MAYOR HUBBARD: Okay. Just under
22	announcements, Trustee Deputy Mayor Jack Martilotta
23	is coaching a football game that was moved to
24	5 o'clock today, so he's at the football game.
25	He'll be here, depending on the game and whatever,

1	so he'll join us in progress. So I just wanted
2	everybody to know that.
3	Other announcements: A certified forester
4	from New York State will conduct an arborist
5	training class on October 4th at the Third Street
6	Firehouse, beginning at 8 a.m. This is going to be
7	for our Village workers, along with some Town
8	workers. Employees are going to be joining us.
9	And anybody from the public who would like to learn
10	something about pruning trees or bushes in their
11	yard, it's open to the general public. So anybody
12	who wants to come here, it's I believe it's
13	going from 8 until 11:30. If anybody wants to come
14	in and just learn something about the trees and
15	what we got going on, come and join us.
16	Village Offices will be closed on October
17	9th, in celebration of Columbus Day.
18	The annual Homecoming Parade will be held on
19	October 13th, beginning at 6 p.m. The parade there
20	starts from behind the Arcade, goes down Front
21	Street up to the high school. So that's open to
22	the public. Everybody come on in and cheer
23	Greenport along, it would be great.
24	Okay. We'll go to public hearings. We have
25	two open public hearings. We'll just take

additional comments. Red line versions have been posted on the Village website of the proposed Local Laws. Before we actually go and put anything together for a vote, we're going to take comments again tonight, if anybody has additional comments. And then we would be discussing it at our work session in October, and possibly a vote, if everybody's comfortable with it, at the October work session, a vote for our October meeting.

So the first, proposed amendment to Section 9 and Section 18 (Multi family Dwelling) of Chapter 150 (Zoning) of the Village of Greenport Code. If anybody would like to address that, you're welcome. Just name and address for the record and we'll take your comments.

MR. SALADINO: John Saladino, Sixth Street.

I make these comments for myself. I had made these comments previously, but I kind of thought I would just remind yous again of my concerns.

My opinion is, is that the Village Board's -that Greenport Village's code works. We're looking
for a solution for a problem that really doesn't
address the problem. We're looking for a solution
that doesn't address the problem. We're looking to
expand the downtown area, perhaps create six,

eight, ten, twelve apartments, and it really doesn't address the problem that Greenport is faced with now.

The demographic that this particular code amendment, from reading social media, is looking to address won't be able to afford -- if you have a private business that would be looking to expand a second floor on Front Street, I think we kind of went -- I think most people knows that Main Street has second floors, is kind of built out. Front Street would be the place we're talking about.

For a private business to expand -- I don't see any builders in the audience, but it -- I mean, it's reasonable to expect \$200 a square foot, \$300 a square foot to expand. To build 2,000 square feet over a place like Colonial, or Agave, or in the Gusmar Building, or to spend 5 or \$600,000 to create two or three affordable apartments -- I read the Trustee's website, he says it's simple math. I personally don't believe that. I don't believe that somebody's going to invest that kind of money for no return.

But aside from all that, aside from the practical side of it, if I could just indulge you for a couple of seconds.

1	In 1997, the code was amended to allow artis
2	loft, which I thought was ridiculous at the time.
3	I thought it was spot zoning, I thought it was the
4	classic example of spot zoning. It was done by
5	someone in Village government that had an interest
6	in one particular building. It was the only
7	building that took advantage of that for artist
8	lofts.
9	In 2002, there was a code amendment to allow
10	residential over commercial. Again, a Village
11	official progressed that amendment. In reality, a
12	that time, all it did was legitimize one particula
13	building on Front Street and Fourth Avenue.
14	(Laughter in Audience)
15	MR. SALADINO: If I say something funny,
16	could you could you tell me, this way I know to
17	laugh, too?
18	MAYOR HUBBARD: Okay, I'll try.
19	(Laughter)
20	MR. SALADINO: Nothing was accomplished by
21	that, except to legitimize that one building.
22	Fifteen years later, the question came up again by
23	perhaps someone else in Village government. I
24	understand, George, you said no particular Trustee
25	progressed this. That's contrary to what I

believe. I've been exchanging emails. At the risk of gas-lighting, I've been exchanging emails with a Trustee about this for a year-and-a-half prior to this coming up.

My belief is, is that the system works, you have scrutiny. Your code amendment, your code amendment allows the development and face of Greenport to be put on the desk of one person, the Building Inspector. Right now there's scrutiny by at least two Village Boards and by the public to get to voice their opinion. We changed the code, and all that happens is one person, who's fallible, who doesn't speak in ex cathedra, who can make a mistake, and I have 10 examples of mistakes that have been made. And I'm not looking to chastise anybody or point anybody's deficiencies out. They were mistakes, and the Village had to live with them because they were made. Sometimes they're caught, sometimes they're not.

Right now, any development, any new projects, there's scrutiny by the Planning Board, there's scrutiny by the Zoning Board, and by the public. This code amendment continues with what I believe is a flawed code amendment, Chapter 150-18-9 -- -9-18. No site plan review. I mean, I don't

1 understand that in this day and age. You want to build a second floor, 2 1/2, or 2 3 you want to put a floor-and-a-half above, a 4 commercial building on Front Street, and as long as 5 it complies with New York State Building Code, 6 takes no consideration into parking, into density, 7 into spacial density, into landscaping, or 8 anything, and as long as it complies with New York 9 State Fire and Building Code, it's allowed. 10 the person that decides that, who may or may not 11 have a personal agenda, or who may or may not have 12 an idea, or who may or may not -- feels that 13 they're entitled to interpret the code. 14 Just for the interest of full disclosure, I'm on the Zoning Board, and -- but I speak for myself. 15 16 I don't think it's right. The Zoning Board 17 sees applications all the time where someone 18 progresses them in error. This Board is reluctant 19 to post building permits on the website, privacy 20 I don't -- I don't guite understand that, 21 but it's your choice to make. 22 For 15 years Chapter 150-9-18 was stagnant. 23 No one took advantage of it, because it wasn't 24 practical. It was progressed for one piece of

property until 2016, when the Meson Ole building

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1	came under reconstruction and the question came up.
2	The Zoning Board made an interpretation, and right
3	after that we're looking to change the code.
4	Buildings in the Waterfront Commercial that were
5	built did so, I believe, with a zoning variance,
6	the 17 Front Street, but
7	TRUSTEE PHILLIPS: The Galleria?
8	MR. SALADINO: Galleria.
9	TRUSTEE PHILLIPS: That had a zoning
10	amendment. That had a zoning amendment.
11	MR. SALADINO: That's my point. It went to
12	Zoning, they looked at the project and it worked.
13	It wasn't as-of-right. The same thing with the
14	building on Main Street and Center Street.
15	The code works. I mean, if you want to
16	change it to make things better, that would be
17	good, but you're not making things better. You're
18	pandering to a particular demographic on social
19	media, that if these apartments were built, they
20	couldn't afford them anyway.
21	I mean, so all I'm asking this Board to do is
22	think about it. Don't buy into what happened in
23	the past. Don't don't buy into that paradigm,
24	is what I'm saying. It's not simple economics,
25	it's not simple math. You're not going to cure the

1	housing crisis in Greenport by creating six, eight,
2	ten apartments in the downtown area. It's not
3	going to revitalize Greenport. It's not going to
4	create a new dynamic. It's not Williamsburg. As
5	much as some people would like it to be
6	Williamsburg or Bushwick, or pick another
7	neighborhood in New York City that's it's not,
8	it's not going to happen, it's a different dynamic.
9	So I would ask you to consider that before
10	you vote. Thank you. Thanks for listening.
11	MAYOR HUBBARD: Thank you.
12	MR. TASKER: Good evening. Arthur Tasker,
13	Beach Street in Greenport.
14	First, I'd like to say that I am very much in
15	tune with what Mr. Saladino was just had to say,
16	but I want to go off on a little bit different
17	direction, and somewhat repetitive perhaps, with
18	some concerns that I've already expressed, but to
19	make that they're clearly understood.
20	First of all, the proposed legislation for
21	amending 150-9-18 is riddled with errors. It was
22	done in haste, it was a knee-jerk. I can't
23	understand why it was allowed to be done without
24	without the review. But the quantities and numbers
25	of apartments, and how many can be built and how

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many can't be built, and so forth is all wrong, notwithstanding the errors in that drafting, and giving consideration for the fact that it was probably done in haste, because somebody said, "Hey, we got to do something real fast, because the Zoning Board is going to do an interpretation and we're going to be out of business," that it was very poorly crafted.

The fact of the -- here are the -- here are the more salient points that I think should be considered. First of all, no one knows how many --I think that Mr. Saladino asked this question several months ago -- how many building -- how many apartments were constructed over retail in the downtown area recently or at any time? And the second and perhaps more important question is, how many could be built? The number is probably very small in terms of talking about more than three, which I think is what everybody's worried about. If we can't have -- if we can't have three or more, well, we're done. And no one knows the answer to either of those questions, how many were created, how many could be created, which is perhaps the more important question, and yet you're going to go ahead and change the statute to just go ahead, and

1	in my opinion will be bowing to special interests,
2	first.
3	First of and more than that, the
4	apartments that will be created on Front Street
5	above retail are not going to be affordable houses.
6	Mr. Saladino suggested that they're going to cost
7	something like 2 or \$300 a square foot to construct
8	a building on top of Colonial or one of those
9	buildings. That's not going to be rented for
10	affordable rates, you can be sure, absolutely sure.
11	More likely, it will be an Airbnb, which brings me
12	around to the other point, and that is the rental,
13	rental law in its entirety, unless there is a
14	comprehensive look and I've said this back in
15	November 19 2015, at least. Unless there is a
16	comprehensive look taken at all of the rental laws,
17	in other words, occupy-for-money laws in the
18	Village of Greenport, it's going to be chaos,

Trustee Roberts has been proposing and suggesting a comprehensive study of those sorts of things. I'm not exactly sure what that entails,

because if you start picking at short-term rentals,

going to remain a chaotic situation. So this needs

long-term rentals, whatever kind of rentals, it's

very, very careful examination.

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1	but it's certainly going to be a step in the
2	correct direction. So I would encourage you to do
3	that. I would strongly encourage you not to
4	undertake these modifications to the existing laws
5	before you know where the train is going. Thank
6	you.
7	MAYOR HUBBARD: Thank you. Mr. Moore.
8	MR. MOORE: Good evening. Doug Moore, 145
9	Sterling Street.
10	Just as a matter of disclosure, I'm a former
11	Chairperson of the Zoning Board of Appeals. I'm
12	just two days away from my first anniversary. So
13	I'm glad that John has stayed in.
14	My mind isn't constantly assaulted by the
15	code currently, so I may be a bit foggy, but this
16	has been kicking around even while I was involved
17	in zoning.
18	It seems this arose out of the fact that the
19	multi-family housing was a section of the code all
20	by itself, with no reference to where it applied.
21	And, on the other hand, the apartments over
22	business part of the code said nothing about how
23	the apartments might be regulated, and made no
24	reference that this was Residential District. It's
25	obviously Business District. The purpose of these

corrections, and my recollection is they seem okay,
I mean, they clarify quite a bit.

I do agree with John and Arthur, that the code needs revision, because to create a multi-housing section of the code that doesn't say where it can be is kind of pointless. And it seems to me that while it might be on the shoulders of the Building Inspector, the current code for apartments over business have restrictions, and they don't require Planning Board review. But, on the other hand, I don't see any benefit of kicking it to another Board for them to make up their minds whether it's okay or not, especially on a case-by-case basis.

I think there can be review of the code to make it much clearer and set limits, if needed, and set necessary review, if needed, for apartments over business, which I think is one of the biggest concerns.

I think the multi-family housing part of the code is a moot point, because the requirements of multi-family housing are so restrictive that I doubt there's a lot in the Village where you could build a new one. So I think the focus is on the commercial apartments, and I'd encourage you to

1	review the code and think about a more
2	comprehensive overhaul of the code in those areas.
3	Thanks.
4	MAYOR HUBBARD: Thank you.
5	MR. SWISKEY: William Swiskey, 184 Fifth
6	Street.
7	If I could ask for a little clarification
8	from the lawyers. Is this revision of the code, is
9	it just targeted towards one certain area,
10	commercial area? I mean
11	MR. PROKOP: No. It's all commercial
12	districts.
13	MR. SWISKEY: So if I got a commercial
14	business on Fourth Street, I can put apartments
15	above it, even though the it's basically a
16	nonconforming use that I have?
17	MR. PROKOP: It's a the intent was to make
18	residential above commercial a conditional use, the
19	same way that it is now in Commercial Retail.
20	MR. SWISKEY: Yeah, I understand that, but
21	there are
22	MR. PROKOP: In the other districts.
23	MR. SWISKEY: There are businesses in on
24	side streets in the Village that are not in the
25	what we refer to as a Commercial District. For

1	instance, all right, just this is I'm sorry
2	for this, Mary Bess, but could Mary Bess just put
3	two apartments above her fish place under this new
4	provision?
5	MAYOR HUBBARD: That's commercially zoned,
6	the property is.
7	MR. SWISKEY: Yeah, so that's what that's
8	what I'm saying. So she could do that.
9	MAYOR HUBBARD: If it's commercial, it's
10	TRUSTEE PHILLIPS: I'm waterfront, I'm
11	waterfront commercial.
12	MAYOR HUBBARD: Right, so it's
13	MR. SWISKEY: Yeah. So she could under
14	this code, she could put her apartments.
15	TRUSTEE PHILLIPS: I could put one on First
16	Street if I wanted to on the building.
17	MR. SWISKEY: You're talking about the old
18	ice company? I thought there were people living
19	off Dussy Air Conditioners (phonetic).
20	TRUSTEE PHILLIPS: That's part of
21	ClearingHouse's business.
22	MR. SWISKEY: Well, I won't go there. All
23	right. But no. What I'm saying is I'm trying to
24	get clarity. In other words, right now, all right,
25	if I have a commercial structure say on Front

1	Street and I want to go up a second floor, I can do
2	it, right?
3	MR. SALADINO: Yes.
4	MR. SWISKEY: And have how many apartments?
5	MR. SALADINO: Two.
6	MR. SWISKEY: Two. And this new provision of
7	the code would do what?
8	MR. SALADINO: Two to three.
9	MR. SWISKEY: Oh, I could do oh, from two
LO	to three.
<b>L1</b>	MR. PROKOP: Two to three.
L2	MR. SWISKEY: Oh, all right. So that's the
L3	main difference in the old code and the new code.
L4	TRUSTEE ROBERTS: And adding the other
L5	commercial districts, right?
L6	MR. PROKOP: Yeah, it adds it to the other
L7	commercial districts, sure.
L8	TRUSTEE ROBERTS: And R-2.
L9	MR. SWISKEY: And R-2. Because, you know,
20	I'm there's one commercial district, what we
21	call, that's from probably you could say it's
22	from Fourth Avenue to Steve Clarke, up to say Park
23	Street, right? Am I right or wrong? That would be
24	considered our commercial, you know, the big so
25	you're saving that again, back to Mary Bess'

1	fish store. That's now becoming part of that
2	district? I'm a little confused. I'm seeking
3	MAYOR HUBBARD: Whatever it's if it's
4	zoned commercial now, you'd be allowed to put
5	apartments above it.
6	MR. SWISKEY: Oh.
7	MAYOR HUBBARD: But exactly where that's
8	zoned or which each building that is, Bill, I
9	don't without a map, I can't answer that.
10	MR. SWISKEY: Yeah.
11	MAYOR HUBBARD: But if you have commercially
12	zoned property and you want to put residential
13	above commercial, this would allow that, up to
14	three units. Four units or more would have to have
15	a site plan review with a sprinkler system and
16	everything else.
17	MR. SWISKEY: All right.
18	MAYOR HUBBARD: So three units would be
19	allowed. That's what State Code says, more than
20	three units. That's why this is worded to include
21	that.
22	MR. SWISKEY: All right. So but we do
23	have some businesses that are not that are
24	basically, you could call them spot zoning.
25	They've been there forever, side stores, you know

1	what I mean. You've been there, George, you know
2	what mean, what Greenport is. Those people, they
3	could put three apartments up there, too, then.
4	Say the little
5	MAYOR HUBBARD: If it's a preexisting
6	commercial use in a residential area, it's not
7	commercially zoned, so they would not be able to do
8	that.
9	MR. SWISKEY: All right. That's
10	MAYOR HUBBARD: That would be my
11	interpretation. It's not commercially zoned, so
12	it's I mean, residential above commercial. If
13	it's preexisting, they're allowed to be there, but
14	they can't go and modify and make a bigger
15	commercial use of what they have.
16	MR. SWISKEY: That was the answer I was
17	looking for.
18	MAYOR HUBBARD: Okay. That's
19	MR. SWISKEY: Is that correct, Mr. Prokop?
20	MR. PROKOP: I think that's correct, yes.
21	MR. SWISKEY: All right, because that's all.
22	And as far as people talking about parking, I
23	mean, we just gave a variance for 20 parking
24	spaces. That argument's irrelevant.
25	MAYOR HUBBARD: Okay.

1	MRS. WINKLER: Maritza Winkler, Fifth Street,
2	175 Fifth Street.
3	I wonder if Paul Pallas or our Village
4	Attorney can help us with where we are with P
5	PSEG I always get that wrong in terms
6	MAYOR HUBBARD: Okay. I don't want to cut
7	you off, but that will be in the public portion of
8	this. Right now we're just working on this one
9	MRS. WINKLER: I'm sorry, I forgot about
10	that.
11	MAYOR HUBBARD: No, that's fine.
12	MRS. WINKLER: Okay.
13	MAYOR HUBBARD: We're just going to go
14	through these two public hearings just to continue
15	information
16	MRS. WINKLER: Got it, sorry.
17	MAYOR HUBBARD: and then you'll be allowed
18	to speak.
19	MRS. WINKLER: That's fine.
20	MAYOR HUBBARD: Okay. Any other comments
21	on go ahead.
22	MS. WADE: I just want to apologize, that it
23	seems that the red line version
24	MAYOR HUBBARD: Okay. Just your name and
25	for the

1	MS. WADE: Thank you, George. Randy Wade, on
2	Sixth Street in Greenport.
3	MAYOR HUBBARD: Okay.
4	MS. WADE: That the red line version just
5	went up. I'm hoping I can use that as an excuse
6	for not having reviewed it thoroughly.
7	I think it's great we have rentals above
8	stores. I'm not worried about parking downtown.
9	We should encourage people to not have cars when
10	they live downtown. But I'm more concerned about
11	some of the review issues that other people have
12	brought up, so I'd really like to look at it.
13	I also think you might benefit I sat in on
14	the Alcohol and Firearms Committee that Southold
15	Town has, and you might benefit by having a Working
16	Group actually, you know, dissect this and have
17	assignments to do some research.
18	I'm a little worried. I think site plan
19	review is really important, and there may even be
20	requirements for sprinklers for smaller than four
21	apartments, especially if they're above a
22	restaurant. Those tend to be really big fire
23	hazards.
24	So just I hope you delay the public hearing
25	another month and have a committee. Thanks.

1	MAYUR HUBBARD: I nank you.
2	MS. ALLEN: Chatty Allen, Third Street.
3	I have to disagree about there not being a
4	parking issue, as someone who lives semi in town
5	that has parking space, but it's not always
6	available to me.
7	When you live in town, especially during the
8	blocks of months when there's a lot of vehicles and
9	you work different hours, you can leave for work,
10	there's plenty of parking. You come home, you want
11	to be able to park and go home, not park blocks
12	away and walk. So there is a parking issue. And
13	to add more is going to make an even deeper parking
14	issue.
15	And I agree with what John was saying.
16	Unfortunately, I didn't have time to read the
17	updated version of this, you know, so it is a
18	little confusing. You know, are you trying to do
19	affordable housing above the stores? Is that what
20	really is behind all of this? That's not going to
21	be the solution for affordable housing in
22	Greenport. You know, you're not going to be able
23	to rent. I mean, rents out here right now already
24	go for at least 1500 and up for a one bedroom
25	apartment in most places. If someone's building

additional, it's not going to be that kind of rent.

So those of us that live here that are looking for places to live, that's not going to be an area, and then you do have to worry about where do I park. You know, I go grocery shopping, I have all these bags. How -- how do I get them, you know, home without walking, you know, how many blocks? So I do agree, parking needs to be taken into.

It also needs to be looked into the individual buildings how many of them can actually handle being built up. Some of these buildings are so old that they're not going to handle people building up. And I'm afraid that if it's passed, they're all going to be like, "Oh, another way to make more money, let's build up."

I think that safety issue needs to be looked into. You know, I know some of them do have, but, you know, like a said, these are old buildings, and a lot of them need upgrades to them. And if you're going spend that kind of money, like the speakers before us said, you're not going to get affordable rents. I mean, unless you're a millionaire that money doesn't matter and you can rent affordably, I don't see that happening. So I really think it

1	should be that should be taken into
2	consideration along with this. Thank you.
3	MAYOR HUBBARD: Okay. Thank you. Any other
4	comments on Chapter Section 9, Section 18 of the
5	Multi-Family Code
6	TRUSTEE ROBERTS: 150-9.
7	MAYOR HUBBARD: Chapter 150?
8	(No Response)
9	MAYOR HUBBARD: Okay. We'll we'll
10	continue that public hearing until next month.
11	We'll take more comments. Everybody please review
12	it, look at the red line version, and come back
13	with more discussion. We'll be talking about it at
14	our work session.
15	All right. We also have proposed amendment
16	to Chapter 103, the Rental Regulations for
17	Residential Properties for the Village of Greenport
18	Code. If anybody has additional comments on that,
19	we will take that at this time.
20	Right now, what we have proposed is really
21	just to get all rental units in the Village
22	inspected, get the rental get a rental permit,
23	get them inspected, make sure they're safe for fire
24	smoke detectors, CO detectors, and the place are
25	livable. That's what we're looking for at this

1	point right now. So if anybody has additional
2	comments on Chapter 103, please come on up and give
3	your name, address for the record and
4	TRUSTEE ROBERTS: While she's walking up, can
5	I ask a question? Do you do you plan to move to
6	close the hearing and vote next month?
7	MAYOR HUBBARD: If the Board is comfortable
8	with doing at that, yes. I mean, I'd like to
9	get
10	TRUSTEE ROBERTS: I just want people to know.
11	MAYOR HUBBARD: Yeah. Go ahead.
12	MS. GORDON. Linda Gordon, 218 Fifth Street.
13	I saw that a lot of a lot of verbiage had
14	been removed in the red line lining of it, and ${\bf I}$
15	was wondering if the presumptive evidence is like
16	completely gone. So if you like amount of cars,
17	or if you which would give say a neighbor the
18	opportunity to say, "Well, it appears that there's
19	too many people in that apartment." But if this in
20	here, the 103-12 regulations, A, no rental shall be
21	occupied by more than the number of persons
22	permitted to occupy the rental property under the
23	these other codes. Now is that something that
24	can be enforced? Does that have anything to do
25	will eliminate the five people who know each other,

1	can live in an apartment? That's one of my
2	questions, if because if you're taking out the
3	presumptive evidence, then, hopefully, that it
4	would eliminate this what the Village allows
5	now.
6	But and also for D, the leasing,
7	subleasing, occupancy or use by a tenant of less
8	than the entire rental property is prohibited.
9	Does that mean rooms can't be for rent in
10	apartments? Because there are ads for rooms.
11	People pay over \$800 for a room in an apartment or
12	a house, and many times don't have kitchen
13	facilities. So is that would that, D, take care
14	of that kind of thing?
15	MAYOR HUBBARD: That's where we're heading
16	to. I mean, you know, some people on Airbnb or the
17	other things, they say you can rent just a room, or
18	whatever. We're trying to make sure, if you have a
19	rental anywhere in Greenport, that it gets
20	inspected and looked at.
21	MS. GORDON: Yeah. But aside from Airbnb,
22	like the traditional rentals, apartments.
23	MAYOR HUBBARD: Apartments, yes.
24	MS. GORDON: Okay. That's
25	MR. PROKOP: And what D is also Mayor

1	Hubbard is correct. Another aspect of D is that
2	it's to it's to try to stop or slow down people
3	basically renting a unit, you know, renting, say, a
4	three bedroom unit and then subleasing to six other
5	people that the that the original landlord
6	doesn't know. So
7	MS. GORDON: Great.
8	MR. PROKOP: It's you know, some places
9	you would call it shares or things like that.
10	MS. GORDON: Right.
11	MR. PROKOP: But the idea is that whatever
12	the whatever the rental unit is that's
13	identified, whether it's a room or an actual
14	apartment, that it stay that it stays integral
15	as the rental unit, it doesn't get then subleased
16	again and again.
17	MS. GORDON: Right. And then okay, that's
18	great. And in the beginning of the it says that
19	the landlord or whomever is responsible for that
20	property has to submit in a permit, you know, who's
21	there, how many people, that kind of thing, that
22	kind of information for the Village; is that
23	correct? So that he's not taking three rooms and
24	renting them all out for \$800 a piece, or is that
25	still something they can do? Because that's a big

1	thing for why there people can't rent
2	apartments.
3	MAYOR HUBBARD: Right.
4	MR. PROKOP: Yeah. It's more or less we're
5	concerned about occupancy, the total occupancy,
6	whether or not the occupancy complies with New York
7	State Law and also is safe.
8	MS. GORDON: Okay.
9	MR. PROKOP: The other thing your question
10	about presumptive
11	MS. GORDON: Yes.
12	MR. PROKOP: evidence is you did notice,
13	that is correct, it was it is proposed to be
14	taken out. But the reason why is we're trying to
15	get you know, continue to streamline the law
16	until it gets to a very simple version of it. And
17	we were at the point where the presumptive evidence
18	of overcrowding was or of occupancy was
19	basically two pages, or, you know, 20% of the law.
20	And it just seemed we're working on overcrowding
21	situations now. I'm working with the Code
22	Enforcement and the Building Inspector on that, and
23	the basically, it's just redundant to what we're
24	already considering. So it didn't seem to be a
25	necessary part of the law.

1	MS. GORDON: I think that's great. If the
2	code then is enforced, like you're saying, then the
3	presumptive evidence is not necessary. But the
4	whole success of this relies on codes being
5	enforced. Thank you.
6	MAYOR HUBBARD: All right. Thank you. Any
7	other comments on Chapter 103 of the rental law?
8	(No Response)
9	MAYOR HUBBARD: Okay. We will discuss this
10	at our work session. If the Board feels
11	comfortable at that point, everybody's got it,
12	we'll review it again. We're missing one member
13	tonight. But if everybody's comfortable at the
14	work session, then we'll just we can put it up
15	for a vote at the October meeting.
16	TRUSTEE ROBERTS: Would you like a motion to
17	close the hearing?
18	TRUSTEE PHILLIPS: I think that
19	MAYOR HUBBARD: Yeah. I mean, we could vote
20	to close the hearing, and then just, you know, go
21	with what we have, our discussion like we normally
22	do, and then we could put it up for a vote, and it
23	is what it is.
24	TRUSTEE ROBERTS: I'm just asking if
25	that's

1	MAYOR HUBBARD: Okay, yeah. No, that's fine.
2	You want to
3	TRUSTEE ROBINS: I'll make a motion to close
4	the public hearing.
5	MAYOR HUBBARD: Okay. Is there a second?
6	TRUSTEE PHILLIPS: I'll second it.
7	MAYOR HUBBARD: Okay. All in favor?
8	TRUSTEE ROBERTS: Well, can I
9	MAYOR HUBBARD: Okay.
10	TRUSTEE ROBERTS: Can we talk about it for a
11	second?
12	MAYOR HUBBARD: Sure.
13	TRUSTEE ROBERTS: So this would mean that we
14	can still make changes.
15	MAYOR HUBBARD: Yeah. So we're closing the
16	public comment period on it. I mean, it's been
17	open for five months, six months.
18	TRUSTEE ROBERTS: Five months, yeah.
19	MAYOR HUBBARD: We've had plenty of comment
20	on it, so yes.
21	TRUSTEE ROBERTS: Yeah, it's been five
22	months. Okay, yup.
23	MAYOR HUBBARD: Okay. All in favor of
24	closing the public hearing?
25	TRUSTEE PHILLIPS: Aye.

1	TRUSTEE ROBERTS: Aye.
2	TRUSTEE ROBINS: Aye.
3	MAYOR HUBBARD: Aye.
4	Opposed?
5	(No Response)
6	MAYOR HUBBARD: Motion carried. We're going
7	to close that public hearing, and we'll discuss it
8	and put it up for a vote for our October meeting.
9	Okay. Now we'll move on to public to address
10	the Board. Maritza, you're first up.
11	MRS. WINKLER: All right, then. Once again,
12	Maritza Winkler, 175 Fifth Street.
13	PSEG, can someone help us understand where we
14	are, and what is left in the process before they're
15	onsite? Because the only thing that I've seen, and
16	thank you, Mary Bess, that you sent out a notice of
17	an ENB, Environment Notice
18	TRUSTEE PHILLIPS: They published in the
19	Environmental Bulletin.
20	MRS. WINKLER: Thank you. Okay. All these
21	initials.
22	TRUSTEE PHILLIPS: That they had completed
23	that.
24	MRS. WINKLER: That permit process was being
25	reviewed, or had commenced, or something along

1	those lines.
2	TRUSTEE PHILLIPS: They had completed
3	MRS. WINKLER: Is that right?
4	TRUSTEE PHILLIPS: They had completed their
5	application and it was being considered within the
6	agencies that needed to review it.
7	MRS. WINKLER: Okay. Thank you. What I'm
8	trying to get at is have we completed the
9	Environmental Impact Study? Have we before
10	that, did we go through the process of correcting
11	all of those environmental assessment forms that
12	all of us were initially alarmed at because they
13	were incomplete and inaccurate? And it was my
14	impression that we had secured the services of
15	Cashin or some consulting firm to help us with the
16	SEQRA process in January and go through some of
17	those steps, and help review that document and help
18	with the process.
19	So I'm just really quite confused as to where
20	we are, what we've done, and what's left before
21	they arrive, because I did see some documents on
22	the website surrounding this project today that are
23	new Tuesday, that are new. And I haven't had a
24	chance to to really study them, but the plans
25	appear to be different. They the construct

1	not the construction, the draft plans or proposed
2	plans, as they were referred to. Help me, Paul.
3	You don't know anything about what I'm saying?
4	MR. PALLAS: No, I do. There was like
5	several different questions in there.
6	MRS. WINKLER: Yes.
7	MR. PALLAS: So first, and, Joe, chime in if
8	I'm wrong
9	MR. PROKOP: So maybe I could talk about
10	SEQRA.
11	MR. PALLAS: That's fine.
12	MR. PROKOP: And you could talk about the
13	plans? Is that
14	MR. PALLAS: That will work.
15	MR. PROKOP: Okay. So with regard to SEQRA,
16	we've got Board, through the process, has
17	gotten the Village has gotten questions
18	throughout the process that have to do generally
19	with the different type of SEQRA review than what
20	is happening here. So one of the types of SEQRA
21	review that can be done on different types of
22	projects is an Environmental Impact Statement.
23	In this type of project, there is not an
23 24	In this type of project, there is not an Environmental Impact Statement or an EIS. And some

1	have been asked, you know, because they've been
2	asked of the Board, really have to do with that
3	process, which is not what we're doing.
4	This process has what's called a Long Form, a
5	Long Form Environmental Form with addendums to it,
6	or addenda, and where some of the information is
7	expanded on. We did there was an initial draft
8	of that, and the Village and also Cashin had
9	comments to that, to that initial draft. And there
10	was significant amendments to the initial draft
11	based on those comments, which came out as the last
12	version, which I think was submitted about a month
13	ago, if I'm not mistaken.
14	TRUSTEE PHILLIPS: March. They started
15	in March.
16	MR. PALLAS: The month of June. June, if I
17	remember correctly, we received the updated
18	TRUSTEE PHILLIPS: Right.
19	MR. PALLAS: EAF with a cover letter.
20	MR. PROKOP: In June.
21	MR. PALLAS: In June.
22	TRUSTEE PHILLIPS: In June, yes.
23	MRS. WINKLER: And was that posted or
24	MR. PROKOP: Yes.
25	TRUSTEE PHILLIPS: Yes. That was posted,

1	yeah.
2	MR. PROKOP: As soon as we got it, it was
3	posted, yes.
4	MRS. WINKLER: So okay.
5	MR. PROKOP: So that what that led up to
6	was, you know, another comment period. It seemed
7	like everything was in order, and then a permit
8	process with the DEC. And, as you said, the PSE&G
9	is still in the middle of is still in the permit
10	process with the DEC.
11	But if you're asking whether there's going to
12	be a I think I got a question as to whether or
13	not
14	MRS. WINKLER: Yes.
15	MR. PROKOP: there's going to be a hearing
16	on the final EIS and things
17	MRS. WINKLER: Or a meeting or something.
18	MR. PROKOP: That's a different type of
19	process. That's not
20	MRS. WINKLER: That's not this one.
21	MR. PROKOP: That's not the process that's
22	here, that's before us.
23	MRS. WINKLER: Will there be any meeting to
24	confirm the details of the project, any final plan,
25	discussion, any calendar of activity, what to

1	expect? I did notice a traffic plan on the website
2	today that appeared. So no?
3	MR. PALLAS: The plans that are that are
4	currently posted on the website have been posted
5	for a number of months. They whatever plans
6	have been received, I reviewed them. They're
7	substantially the same construction as before. And
8	the EAF was posted as well at the same time, so I'm
9	not sure. That has all been posted for some time.
10	MRS. WINKLER: Okay. So
11	MR. PALLAS: So in answer to your
12	MRS. WINKLER: There isn't anything else
13	that's formal that will be discussed with the
14	community, correct, is that what you're saying?
15	MR. PALLAS: I don't believe there's any
16	requirement to do that, I don't at this stage.
17	MR. PROKOP: Well, you know, comments could
18	be made at any time.
19	MR. PALLAS: Yes.
20	MR. PROKOP: But there's no there's no
21	formal hearing or one of the things that I was
22	asked is if there's going to be a formal hearing on
23	the environmental study; there's not. It's not
24	provided for by law.
25	MRS. WINKLER: I think part of the confusion

1	comes from one of the some contract language
2	that talked about the final plans being confirmed
3	60 days or so before commencement of the project.
4	And we've asked a number of times are these the
5	final plans, and we've been told that they are the
6	most updated plans, and if they change, they'll
7	change after the bidding process, or something
8	surrounding that. Is that pretty much correct,
9	Paul?
10	MR. PALLAS: The only thing that would change
11	now, since they've put it out to bid, is if the
12	contractor, the successful contractor makes any
13	changes to it, which is not likely.
14	MRS. WINKLER: Okay. So I guess many of the
15	residents were just thinking that, okay, it's not
16	final until it says it's final, so
17	MR. PALLAS: Well, again, all that would
18	change is an internal process with PSEG to change
19	the stamp for construction instead for bidding,
20	that's all that would happen.
21	MRS. WINKLER: Okay. And may I confirm that
22	you are committed to appointing someone to be a
23	contact person, an ombudsman? Because that's been
24	discussed, I guess, or has been pending for a
25	while, and we haven't gotten an update. So I just

1	want to confirm that we are going to go ahead with
2	that.
3	MAYOR HUBBARD: Yes, we are.
4	MRS. WINKLER: Okay.
5	MAYOR HUBBARD: I could tell you that I've
6	had six people in the past week-and-a-half
7	MRS. WINKLER: Okay. Good to know.
8	MAYOR HUBBARD: that I thought would be
9	very capable of doing it, but for one reason or
10	another have declined the invitation.
11	MRS. WINKLER: I see.
12	MAYOR HUBBARD: So as I wish I could have
13	announced that tonight, that I had somebody, I have
14	a couple of more phone calls out, but as right now,
15	nobody has wanted to take on the position.
16	MRS. WINKLER: Okay. That's it. Thank you.
17	MAYOR HUBBARD: Okay. Thank you.
18	MR. WINKLER: John Winkler, 175 Fifth Street.
19	Just to continue the conversation about
20	PSE&G. I guess my first question should be one of
21	the permits that they're filing for, is there a
22	wetlands permit that they're filing for? Is that
23	process, is
24	MAYOR HUBBARD: Okay. I'm sorry, John. Just
25	I was

1	MR. WINKLER: Okay.
2	MAYOR HUBBARD: Can you start over, please?
3	TRUSTEE PHILLIPS: Sorry.
4	MR. WINKLER: I'm sorry.
5	TRUSTEE PHILLIPS: I had to ask a question.
6	MR. WINKLER: That's okay.
7	TRUSTEE PHILLIPS: That's all right. I'm
8	sorry.
9	MR. WINKLER: I just want to follow up on
10	Maritza's questions with PSEG. I guess my first
11	question, has there a wetlands permit been filed
12	by PSE&G for this project
13	TRUSTEE PHILLIPS: There's been three
14	permits.
15	MR. WINKLER: on the Greenport side?
16	TRUSTEE PHILLIPS: There's been three permits
17	filed for the PSEG permits. There's wetlands
18	and it's a little confusing.
19	MAYOR HUBBARD: No, there's no
20	MR. PALLAS: There's no
21	MAYOR HUBBARD: There's no wetlands permit
22	needed for us.
23	MR. PALLAS: Correct.
24	TRUSTEE PHILLIPS: Oh, for us. I'm sorry.
25	MR. PALLAS: If you're talking about for us,

1	John?
2	MR. WINKLER: Yeah. I mean, are they are
3	they
4	TRUSTEE PHILLIPS: Oh, not for us. I'm
5	sorry, I misunderstood you.
6	MR. WINKLER: The DEC, are they requesting a
7	wetlands permit for our side of the project?
8	MAYOR HUBBARD: The DEC is, and we are not
9	requiring one ourselves.
10	MR. WINKLER: Okay. So
11	MAYOR HUBBARD: Is that if that's
12	MR. WINKLER: I'm just I'm just confused,
13	because we have a CAC, and I'm just asking you.
14	They're going to be part of this review. And the
15	problem I'm having with this, the comment period is
16	over, the 21st ended comment period, okay? And I
17	had a conversation with the DEC a couple of days
18	ago about this termination on by the park that
19	was going to be on the west side, on the bathroom
20	side of Fifth Street. And I was concerned that the
21	water level there is going to be constantly filled
22	with saltwater.
23	So, you know, I'm an electrician, 35 years in
24	business, and water and electricity don't mix,
25	especially saltwater. So I was concerned about

T	this, and I did some research, and about
2	submersible switchgear, and they said, "Oh, yeah,
3	you know, it's done all the time." Okay?
4	So I sent a letter to a young lady,
5	Ms. Gallagher, at DEC expressing my concerns, and
6	then I saw the drawing today on the website, and
7	possibly had been there and I haven't looked. The
8	last time I had looked at it, I saw a drawing,
9	there was going to be a manhole where they were
10	drilling. That was going to be a first manhole, I
11	think it was 10 by 20, or whatever, is going to be
12	there, and then it was going to go over to the east
13	side of the street and then up, up Fifth Street.
14	Now I see the drawing and there's two
15	manholes, not on not one on the west side, of
16	one on the east, they're both on the east side,
17	okay? Maybe 100 feet from I don't know if
18	everybody's familiar with the end of Fifth Street.
19	There's a curb before you get to the beach, the
20	sand, and there's like from what I can gather or
21	the plan, I couldn't scale it, but it's going to be
22	like 100 feet from that point, but on the east
23	side, okay?
24	I had got a letter from PSE&G that that
25	termination is going to be a passive termination,

T	whatever that means. But, yet, on the plan, it
2	calls for some kind of gear, okay? It's a little
3	bit farther away from the water, okay, which is a
4	change, okay?
5	And I I don't know how people could have
6	commented on this project without having the
7	information they need to have, okay? If the
8	drawings aren't approved, they're all bid drawings,
9	and that they're all preliminary drawings,
10	they're not the final, and yet we're supposed to
11	make comments.
12	We had a meeting in 2016 at the Schoolhouse.
13	We were assured that that wasn't going to be the
14	final public meeting with PSE&G. We were told that
15	that wouldn't count, and evidently it now counts.
16	And there's just we just have this project
17	could start basically any minute when they get the
18	maybe within the next month, and the residents
19	of Fifth Street have no information of what the
20	final thing is going to be, okay?
21	If the preliminary drawings are it, well, now
22	there's a big change. I'm concerned that the CAC
23	is not involved in this. I would like the
24	residents of Greenport to have the people that
25	we've instilled trust in to look at this, and I

1 think it's something that should be added to this. 2 If they're going to apply for a wetlands permit, 3 then the CAC should look at it also. There might 4 not be any problem whatsoever, but there are -- as 5 a resident in the Village, that's my final thing. 6 I don't -- the DEC doesn't care about me. 7 know, I mean, they're going to just do what they're 8 doing. You know, if it's cool, it's cool, but for 9 not to have the CAC to look at this I don't think 10 is right, okay? Just an added thing, just to make 11 sure everything's cool, but I think they should be 12 involved. 13 Again, I'm still -- the ombudsman situation, 14 in all honesty, and I don't know if Billy's been asked, but to me he seems to be the most qualified 15 16 guy. I know you don't get along with him and he 17 can be course and -- but he knows this Village like 18 crazy. He did run our utilities for years. And I 19 don't know if he'd accept it, but the residents of 20 Fifth Street need somebody that they -- that's 21 going to be looking out for them, and I think he's 22 definitely qualified to do it, and I recommend the

So, please, try to get some more information out to us, I mean, final stuff, because this could

Board try to get him. And that's just my opinion.

23

24

1 happen any minute, and we're going to be in a 2 little bit of turmoil for a while. The drilling 3 part of it, maybe not so much, but the rest of it, it's a little confusing on what's happening. 4 5 Two man -- two -- I mean, these manholes are, 6 picture this, 20 feet long, 10 feet wide, and 6 7 feet deep, okay? There's going to be one on the 8 preliminary plan at Johnson Place, and then 700 9 yards or 700 feet towards the water, there's going 10 to be another one. I'm still confused about that 11 termination. I don't know whether it's just the 12 two cables, the submersible cable and a landline 13 coming in, and they're going to splice it there and 14 then embed it in concrete so there's no chance that 15 the water can get to it. I have to have -- I have 16 to call this guy tomorrow to confirm it. The 17 letter he sent me was very confusing on that point, 18 because the plan says there is some kind of gear in 19 that manhole that they're now proposing. 20 So I just -- I just hope that the Board is 21 crossing the T's and dotting the I's on what

So I just -- I just hope that the Board is crossing the T's and dotting the I's on what they're required to give us, okay? They're required to do certain things in this contract, notifying the residents, emails, all the stuff, the pictures. Maybe the Village committed to that.

22

23

24

1	But this could start happening, and I just hope
2	we're following up on all those little things,
3	okay? Thank you for your time.
4	MAYOR HUBBARD: Thank you.
5	MR. WINKLER: I appreciate it.
6	MR. SWISKEY: William Swiskey, 184 Fifth
7	Street.
8	They brought up something on the PSE&G thing,
9	and there was a few meetings ago, it came on
10	that the last revised drawings, or whatnot, were
11	on the website, so I looked at them. They weren't
12	any different then. Now, suddenly today, I mean,
13	John has a letter from PSE&G. They moved the
14	location of this submersible switch from the
15	waterfront to the intersection, basically, of Clark
16	and Fifth Street, which is where I live. I mean,
17	was the Board of aware of that? Was Paul aware of
18	that?
19	MR. WINKLER: I think it's Johnson, Johnson.
20	MR. PALLAS: Bill, I have to
21	TRUSTEE ROBERTS: Johnson.
22	MR. PALLAS: I mean, Bill, I'd have to look
23	at the plans to know exactly where it is. I don't
24	it's that far up.
25	TRUSTEE ROBERTS: Johnson.

1	MR. SWISKEY: Nine John, has the letter
2	MRS. WINKLER: It is Johnson.
3	MR. WINKLER: I think it's Johnson.
4	MRS. WINKLER: But that's different than
5	MR. SWISKEY: No. It said 700 feet, did it
6	not?
7	MR. WINKLER: Yeah. Again, it's from the
8	water, from the curb.
9	MR. SWISKEY: Seven hundred feet is quite a
10	ways up the street.
11	MR. WINKLER: It's still 200 yards, over 200
12	yards.
13	MR. SWISKEY: Yeah. I mean, you can count
14	telephone poles. It's 100 feet between telephone
15	poles. Seven hundred feet is way up the street. I
16	mean, that's a significant change that, you know,
17	we just become aware of? I mean, I thought the
18	revised plans were supposed to be on the website.
19	I looked, there was no revised plans. I mean, are
20	we being run rings around?
21	MAYOR HUBBARD: No, we just
22	MR. PALLAS: Bill, I'm sorry, the revised
23	plans are on the website and they have been there
24	for quite some time.
25	MR. SWISKEY: Not when I looked at them, and

1	it doesn't show that moving that switch.
2	MR. PALLAS: Again, I don't have the plans in
3	front of me, Bill, so I can't respond.
4	MRS. WINKLER: They are now.
5	MR. SWISKEY: What?
6	MRS. WINKLER: They are now. They were not
7	there Tuesday.
8	MR. SWISKEY: Yeah, they're up today. Yeah,
9	it's like the red lines were up today. I mean,
10	it's been month and months.
11	MR. PALLAS: Bill, I'm sorry, I have to
12	correct you. They've been up for a number of
13	months, it's not they were not put up today.
14	MR. SWISKEY: Yeah, they were put up and they
15	were the old plans. They didn't show the switch
16	being moved, Paul. Yeah, yeah, yeah, yeah.
17	TRUSTEE PHILLIPS: I mean, I'm sorry,
18	could
19	MAYOR HUBBARD: Let me just clarify this. If
20	John got something from PSE&G today that he got
21	that we have not even seen yet, we'll contact them
22	tomorrow. We'll get John's letter and ask them
23	about it tomorrow morning. You know, I mean, he
24	said something when he said that they moved the
25	switch gear and the other box, I didn't know that,

1	we didn't know that. So he contacted them
2	directly. We will contact them tomorrow and get an
3	answer for you.
4	MR. SWISKEY: Yeah. And then
5	MAYOR HUBBARD: That's all. I mean, you
6	know, if they changed the plans, we're going find
7	that out tomorrow morning, and then we will let
8	everybody know about it. I'm glad John contacted
9	them and brought it to our information, but I
10	didn't know that until right now. So, you know, we
11	really can't answer that, Bill. We'll get an
12	answer tomorrow morning from them.
13	MR. SWISKEY: Well, maybe somebody should ask
14	PSE&G with authority, "What are you doing?"
15	Because that's what you usually do when somebody
16	tries to give you the stepover toehold. I mean, I
17	found it almost like oh, and were they staging
18	equipment on the parking lot on Shelter Island the
19	other day?
20	MAYOR HUBBARD: Not that I know of, I didn't
21	see anything there.
22	MR. SWISKEY: I was told by a fairly reliable
23	source that they were drilling bore holes,
24	checking. I mean, is like I understand the
25	contract is now signed with Shelter Island. It

1	will take 20 days to find out exactly what they
2	got, but and there's a barge down there at
3	Claudio's. Does it got anything to do with this
4	project, Paul?
5	MR. PALLAS: I wouldn't know, Bill. I
6	don't keep monitor what's at Claudio's.
7	MR. SWISKEY: Anyway, let's leave that
8	subject, and I'd appreciate somebody looking into
9	it. But 700 feet is a long ways up the street.
LO	It's big, you know what I mean? That switch is
L1	going to wind up someplace close to my house in the
L2	ground. And, basically, if I recall, the plans
L3	call for a manhole every 900 feet, because that's
L4	the length of the cables they're buying, looking at
L5	the old plan; am I right or wrong?
L6	MR. PALLAS: If that's what was on the old
L7	plans, they haven't modified that, to my knowledge.
L8	MR. SWISKEY: So there will be a lot of
L9	splicing done with this cable, I assume.
20	MR. PALLAS: I would assume they would splice
21	in the manholes, that's what they're generally for.
22	MR. SWISKEY: Yeah, all right, just because
23	they're rather large manholes, and they're going to
24	be there forever. And if they're not properly
25	installed, your street will settle around them and

1 you'll have like -- but, anyway let's get on to other things. 2 3 Well, the -- I guess Adams Street is dead, 4 the Adams Street turn? 5 MAYOR HUBBARD: At this moment now, it is, 6 We're going to continue the construction on ves. 7 Main Street, get everything else taken care of, and 8 we'll reevaluate that at a future time. 9 MR. SWISKEY: Because tractor trailers use that street, and for a tractor trailer to make a 10 11 U-turn, you'd have to go -- you'd have to give up 12 all your handicapped parking spaces, and so it's --13 and there's never been an accident that I know of 14 in the last 10 or 15 years at that intersection 15 between -- on Main and Adams, so I don't know what 16 the problem is. Every once in a while somebody 17 sneaks out and stops traffic. But it's going to get worse, not better, as we get more crowded. 18 19 MAYOR HUBBARD: Right. That's why it was a 20 proposed plan. And we did a walk-through down 21 there, myself, Paul and Derryl. We walked the 22 whole area Monday morning and we reviewed 23 everything. And at this time, we decided that it 24 wasn't prudent to do it, and that's what's 25 reflected in the newspaper article and what we're

1	doing with the plans.
2	MR. SWISKEY: All right. The Main Street
3	sidewalk between are we removing those are we
4	widening this street down by the flower shop, Peter
5	Clarke's flower shop? Is that this project
6	going that far, because I see the trees are slated
7	for removal.
8	MAYOR HUBBARD: Are we widening the street
9	down there? No. We're putting in what they call a
10	rain garden and a small spike-out where the drain
11	is there, and improving the crosswalk, so people
12	can walk across there adding a crosswalk, I
13	should say, at the end.
14	MR. SWISKEY: But the trees are coming out?
15	MAYOR HUBBARD: Yeah. There's a tree that's
16	heaving the sidewalk and everything else. There's
17	a tree that is coming out, yes.
18	MR. SWISKEY: All right. And now on the
19	other section between Bay and Central Avenue, how
20	far back how much are we widening this street?
21	MAYOR HUBBARD: Twenty 20 inches?
22	MR. PALLAS: Twenty or 22.
23	MAYOR HUBBARD: Twenty.
24	MR. PALLAS: Twenty-22.
25	MAYOR HUBBARD: Twenty, 21, something like

It will be in line -- if you go from Chase

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that.

Bank to the corner of my father's old gas station, 2 3 it will be in the same curb line as the rest of 4 Main Street. 5 MR. SWISKEY: Because the telephone poles 6 alone are going to have to be six inches further 7 back than that, from the edge of them. MAYOR HUBBARD: Yes, they will. 8 9 MR. SWISKEY: And they're almost going to be 10 in the middle of the sidewalk. They're going to be 11 quite an obstruction there. Plus, I don't -- are 12 we going to remove those ourselves? 13 The poles? Yes, we are. MAYOR HUBBARD: 14 MR. SWISKEY: All right. And the phone company is on board with it? Because, you know, 15 16 until you get the phone company and the cable off

company is on board with it? Because, you know, until you get the phone company and the cable off the pole, you can't really do much, you know. So the pole is going to be sitting where they're going to be pouring cement until all those utilities are off the pole. So it's not going to be a week, or whatever, because the phone company I know works slow. They'll hang you out for months. So you might want to get all of your -- before you start the sidewalk, you might want to get the utilities moved.

T	MAYUR HUBBARD: But they ve got to tear out
2	the sidewalk first, which is what they're going to
3	be starting. The trees are coming down on Monday,
4	and then they're going to tear out the sidewalks,
5	and then our utility guys will start resetting the
6	poles in the proper location for the expansion.
7	MR. SWISKEY: Okey-doke. And no high voltage
8	wires are going to wind up over private property,
9	is it?
10	MAYOR HUBBARD: No, they're going to be over
11	the sidewalk.
12	MR. SWISKEY: All right. That's all I wanted
13	to know. And, you know, there was one something
14	here about a resolution, but oh, I can't find
15	it. Probably not important, anyway.
16	Oh, the agendas have been coming up late on
17	the website lately. I mean, they're either coming
18	up the day before or the same day as the meeting.
19	I thought we were going to make an effort to get
20	the agendas up there at least two days early.
21	MAYOR HUBBARD: Okay. We have been trying to
22	do that. I mean, I just
23	CLERK PIRILLO: It was up. There was a
24	problem with the work session agenda, agreed, for
25	which I apologize. This agenda was up earlier than

1	what you're saying, though, Bill. The work session
2	agenda was problematic, though.
3	MR. SWISKEY: Yeah, the work session agenda
4	was, because it's kind of hard to read an agenda
5	in you know, in a couple of hours that you have
6	when you go to anyway, thank you. Have a good
7	night.
8	MAYOR HUBBARD: All right, you, too. Thank
9	you.
10	MR. TASKER: Arthur Tasker, again, Beach
11	Street.
12	A point of information. The public hearings
13	that were just held, which ones were closed for
14	these amendments to Section 9 and Section 18 or
15	MAYOR HUBBARD: No.
16	MR. TASKER: I'm sorry.
17	MAYOR HUBBARD: No, it was not closed.
18	MR. TASKER: That was not, okay.
19	MAYOR HUBBARD: No, it was not.
20	MR. TASKER: It was the next one for Chapter
21	103; is that correct?
22	MAYOR HUBBARD: Correct.
23	MR. TASKER: All right. I just it wasn't
24	clear to me which one you were closing. And that
25	means that although you may deliberate at your next

1	meeting, it's an up or down on it, on that, as it
2	is presently written; is that correct?
3	MR. PROKOP: No, that's not correct.
4	TRUSTEE PHILLIPS: No, that's not correct.
5	MR. TASKER: So if there are changes, does it
6	not need to be presented to the public again for
7	comment?
8	MR. PROKOP: No. The Board can make changes
9	until the eight days before the meeting. It has
10	to be a public document.
11	MR. TASKER: What meeting?
12	MR. PROKOP: But there doesn't have to be a
13	public hearing on it.
14	MR. TASKER: Can the public
15	TRUSTEE PHILLIPS: But we have the option to
16	do a public hearing
17	MR. PROKOP: You have the option.
18	TRUSTEE PHILLIPS: if we so choose.
19	MR. PROKOP: Yes.
20	MR. TASKER: The option, but not the not
21	the requirement
22	MR. PROKOP: Yes.
23	MR. TASKER: to have a public hearing. So
24	you can change this 103 Rental Law and not not
25	permit the public to comment publicly on it, is

1	that correct, before you vote to adopt it?
2	MR. PROKOP: No, that's not that's not
3	correct.
4	MR. TASKER: Well, maybe somebody could
5	explain to me how it works, then. I'm sorry. How
6	will it work if you make changes at your next work
7	session in the proposed 103? What's next? What's
8	the next move?
9	MR. PROKOP: The public will be can
10	comment on it.
11	MR. TASKER: When?
12	MR. PROKOP: That's up to the Board. And the
13	Board could have another public hearing or reopen
14	the public hearing, but it doesn't have to. That's
15	the option of the Board.
16	MR. TASKER: So how would they comment if it
17	were not at a public meeting?
18	MAYOR HUBBARD: Our work sessions are a
19	public meeting. You'd be allowed to comment that
20	day.
21	TRUSTEE ROBERTS: And at the regular meeting,
22	if we were to vote, right?
23	MR. TASKER: So it's in the
24	MAYOR HUBBARD: Yeah.
25	MR. PROKOP: That's right, at the regular

1	meeting.
2	MR. TASKER: It's in the open to the public
3	portion that they would be permitted to comment,
4	not in a formal public hearing; is that correct?
5	MAYOR HUBBARD: But the public hearing's beer
6	open for six months. We've been listening to
7	everybody for six months, so
8	MR. TASKER: George, I know. George, I
9	understand that, and I know you want to close it,
10	but you can't close it and change the game and not
11	let people comment in a public hearing.
12	MAYOR HUBBARD: We haven't changed it in six
13	months, Arthur, we're trying to just bring it to a
14	head and get it voted on.
15	MR. TASKER: I'm simply asking. You can
16	change it at your next meeting, can you not? You
17	can deliberate and make changes.
18	TRUSTEE ROBERTS: Procedurally, so we can
19	MR. TASKER: Yes.
20	TRUSTEE ROBERTS: answer Mr. Tasker's
21	question. Joe, you said eight days, so
22	MR. TASKER: What's eight days until what?
23	TRUSTEE ROBERTS: I just want to clarify what
24	Joe said. Joe said that up until eight days before
25	the time when we vote we can change it and publish

1	that; is that correct?
2	MR. PROKOP: The final, the final version has
3	to be available to the Trustees seven days, not
4	including Sundays and holidays, before the vote.
5	MR. TASKER: I'm not a Trustee.
6	TRUSTEE ROBERTS: Trustees or public?
7	MR. PROKOP: The Trustees. The final version
8	of the law has to be available to the Trustees
9	seven days, not including business days excuse
10	me not including Sundays and holidays, before
11	the vote.
12	TRUSTEE ROBERTS: So eight days.
13	MR. PROKOP: So normally it's at eight days,
14	right.
15	MR. TASKER: That's the Trustees, not the
16	public?
17	MR. PROKOP: Well, it's a public document.
18	TRUSTEE ROBERTS: And, Mr. Mayor, I think
19	you've always published everything online. So if
20	there's a change up to eight days, you'll certainly
21	direct the Clerk to publish it online?
22	MAYOR HUBBARD: If we make a change between
23	now and then, if we change something at the work
24	session, we could just say we're going to reopen
25	the public hearing

1	TRUSTEE ROBERTS: Right.
2	MAYOR HUBBARD: if somebody has something
3	they're going to change. If it stays as the same
4	document, then we're just going to go ahead and put
5	it to a vote.
6	MR. TASKER: I'm with you, but I think you
7	just said the magic words. If we make a change,
8	we're going to have another public hearing. You
9	I think, if I quoted
10	TRUSTEE PHILLIPS: If it's a major change.
11	TRUSTEE ROBERTS: We would have to by law,
12	according to what Joe just said.
13	MR. TASKER: Well, that's what I was just
14	asking.
15	MR. PROKOP: No, you don't have to have
16	another public hearing. You do not it's the
17	option of the Board as to whether or not to have a
18	public to reopen a public hearing or have
19	another public hearing. However, there will be
20	two as the Mayor said, there will be two
21	opportunities for public comment between the time
22	that the law becomes public in its final version
23	and the vote, if that's if there is a vote.
24	TRUSTEE PHILLIPS: Can I just
25	MR. PROKOP: I don't

1	TRUSTEE PHILLIPS: Wait a minute. Let me ask
2	a clarification here. If we change it drastically
3	at the work session, we, as the Board, have the
4	have the capability, in fairness to the public,
5	have of passing a resolution, to either reopen
6	or conduct another public hearing, correct?
7	MR. PROKOP: Yes.
8	TRUSTEE PHILLIPS: That is if we have some
9	major significant changes to the document. If we
10	change a word here or a word there, we do not have
11	to do that, correct?
12	MR. PROKOP: Yes.
13	TRUSTEE PHILLIPS: Is that clear?
14	MR. TASKER: Well, I can understand that
15	nonsubstantive changes are not going to require
16	another hearing. But if there are substantive
17	changes, it's like you're it's like the proposal
18	of a new law or a new ordinance, and new ordinances
19	require public hearing, not public comment, public
20	hearings. Thank you.
21	MAYOR HUBBARD: Liz was standing, so we'll go
22	to her. Then, Ken, you're next, okay?
23	MS. SMITH: Hey. Liz Smith, 309 South
24	Street.
25	I don't want to take us down a rabbit hole,

1	but I'm still, quite frankly, bent out of shape
2	with what happened at the work session last week.
3	The grandstanding, hate-filled show that went on,
4	or was permitted to go on for over half an hour has
5	me very uncomfortable. And I have a question that
6	I need to ask. Are we allowed to use this podium
7	for political gain and as a sort of pulpit for that
8	sort of activity? And if I'm not being clear, let
9	me say, so I'm running for office, vote November
10	7th. Can I talk about my platform here?
11	MAYOR HUBBARD: That normally is not allowed, no.
12	MS. SMITH: Okay. That's what I thought.
13	MAYOR HUBBARD: Okay.
14	MS. SMITH: Thank you for the clarification.
15	I just need I need it to be said publicly,
16	because I am actually very upset. I think what
17	went on last week was appalling and unacceptable,
18	and I hope we never have to withstand that sort of
19	public attack on someone in this forum again.
20	Thank you.
21	MAYOR HUBBARD: Thank you. Ken is next.
22	MR. LUDACER: Ken Ludacer, 133B Sixth Street.
23	Yeah, I have a petition I want to present to
24	the Board. Let's see. There are 103 signatures on
25	this petition, and it reads as follows:

1	"Petition to regulate the use of gas-powered
2	leaf blowers. We, the undersigned residents of the
3	Village of Greenport, ask, urge, and entreat the
4	Greenport Village Trustees to explore and enact
5	some means to ban, restrict or curb the use of gas
6	powered leaf blowers within the Village."
7	Numerous towns in New York State have already
8	enacted bans or partial bans on gas powered leaf
9	blowers, including Tarrytown, New Rochelle,
10	Larchmont, Bronxville, Hastings on Hudson,
11	Mamaroneck, Rye, White Plains and Yonkers.
12	In voting to restrict gas powered leaf
13	blowers, these towns and others cited not only the
14	maddening decibel level and corresponding loss of
15	quality of life, but also the threat to both the
16	public health and the health of the environment by
17	way of the particles of mold, feces, fertilizer and
18	heavy metals that are blasted into the air,
19	exacerbating asthma and respiratory conditions,
20	particularly in children, and adding to the
21	contamination and nitrogen level in stormwater
22	runoff.
23	Lastly, it should be noted that the New York
24	State Department of Conservation, after referencing
25	a study that found that, quote, human health can be

1	impacted from noise, fuel, and exhaust emissions
2	and dust, recommends to, quote, rake or sweep
3	leaves, or use a battery operated or plug-in leaf
4	blower. Electric blowers are generally quieter
5	than gasoline models, and do not generate ground
6	level exhaust emissions.
7	Attached to this petition, please find this
8	DEC document on leaf blowers, as well as other
9	documents providing some insight into why the
10	above-mentioned Town Boards voted to ban or
11	regulate the use of gas-powered leaf blowers. We
12	ask that the Trustees of the Village of Greenport
13	review this material and considering following
14	their lead in safeguarding the residents of
15	Greenport.
16	And I have a copy for each Board Member of
17	the petition. Here, Mayor, I'll give you the
18	original.
19	MAYOR HUBBARD: Okay, thank you.
20	TRUSTEE PHILLIPS: Thanks. Leave one for
21	leave one for Jack. I'll make sure he gets it.
22	MR. LUDACER: Oh, just one final word. I
23	just want to mention relative to the 103
24	signatures, yeah, you're right, there is a maybe
25	a handful who were like, "Oh, okay, Ken, I like

1	you, I'll sign it." But, by and large, at least
2	with the ones that I gathered, people couldn't sign
3	fast enough, and, likewise, you know, with a story
4	of their own about, you know, sort of the the
5	nuisance that they found these leaf blowers to be.
6	That's it. Thanks.
7	MAYOR HUBBARD: Okay. Thank you.
8	MS. WADE: Hi. Randy Wade, Sixth Street. I
9	also carried a petition. But before I say
10	anything, I wanted to read a statement from Selina
11	Truelove of Second Street, who also carried a
12	petition and felt very strongly about it.
13	"As a year-round Village resident who works
14	from home, I find the sound of gas-powered blowers
15	often an incessant drone in my part of town
16	maddening. When they wake my sleeping baby from
17	naps, I'm madder still. But my greatest concern is
18	the dust the blowers spread. On any given block,
19	at least one and often more houses are being
20	repainted or renovated. Some contractors follow
21	careful abatement for lead and asbestos, but many
22	just demo and sand recklessly. Toxic materials,
23	lead paint specifically, are scattered around the
24	job site, street and surrounding yards. They are

then blown far and wide when the landscapers

arrive. As a mother, these dust clouds terrify me both around my own home, where the dust settles on my porch, yard, and clothesline, and as I take my son on walks all over town.

Please consider this danger to our youngest residents as you consider the issue."

So I began taking an interest in this because of the noise, because the noise drives people crazy. And I also was astounded by how enthusiastically people signed the petition. I've carried petitions before and never have been so enthusiastically attacked.

Let me just read something from the CDC report -- or, no, from the Mount Sinai School of Medicine's Pediatric Environmental Health Specialty Unit. They say that gas-powered leaf blowers pose multiple health threats. They include spreading airborne particles, which can provoke asthma and other respiratory diseases, and potential pollutants like ozone, carbon monoxide, nitrogen oxide, and hydrocarbons, hearing damage from the engine noise and eye injuries from pebbles and twigs, and also the hearing damage has been reported by the CDC.

Some of the things that surprised me when I

did research was that either a quarter or a third, one said a third, but at least a quarter of the fuel does not combust and is vaporized into the air.

In 2011, Edmunds, the car reviewer, compared the two-stroke engine leaf blower with a Ford F-150 Raptor pickup truck, finding that a half hour of yard work produced the same amount of hydrocarbon emissions as a 3,887 mile drive in the truck. In other words, blow leaves from your lawn or drive from Maplewood to Juno, Alaska.

They did a test. One of the things I read, they had a grandmother challenge -- in several demonstrations go against an electric leaf blower, and she was -- the electric leaf blower was only 80% as effective as the grandmother. They had her up against a gas-powered, and the gas-powered was somewhat more effective.

Personally, I was so upset by -- this is too global, probably silly of me to say, but by the U.S. walking out of the Paris Accord, that I went to an Audubon lecture and they said there are things you can do, you can do them in your own community. You could, for instance, ban gas-powered leaf blowers, because they are so

1	environmentally wrong. And then when I was woken
2	up by one, I thought, well, great. And then I
3	started talking to people, and the very next day,
4	after doing research, it turned out Ken had already
5	of his own initiative was doing the petition. So I
6	hope it's an easy win for everybody to pass this
7	kind of regulation. Thank you.
8	MAYOR HUBBARD: Thank you. Chatty, and
9	you're next, Bill.
10	MS. ALLEN: Chatty Allen, Third Street.
11	My head's spinning right now. To address Liz
12	Smith's comment, it did not start out as a
13	political issue. It started out with a Village
14	Official that texted something that got back to the
15	people, who took it one way, and apparently he says
16	he meant it another way. People said, "Oh, should
17	it go in front of the School Board?" No, this is
18	where it needed to come.
19	When a Village Official does something, you
20	need to be able to have a voice and say, "Hey, you
21	crossed the line." Yes, it did end up, I believe,
22	with one person running on one side, and someone
23	from the opposing side being involved. Towards the
24	end, yes, it did turn political. But the basis for

what was said last week, I feel this was the only

place for it to be, because underhanded things get done and then everybody kind of goes, "Ah, it's okay. We're not -- no, we're not going to bring this up, we're not" -- no.

The members of this community should be able to trust every single elected official, and things should not be done under the table, back door, whatever you want to call it. And people sometimes do need to be called on the carpet.

Okay. Second thing, when I first saw this thing online about banning gas leaf blowers, and I'm listening to the previous two speakers, going, wow, okay. I understand about the environmental issue. I am an asthmatic who's allergic to everything under the sun. We can't always regulate what's around us.

I live on the corner of Front and Third. My living room windows face Front Street. Every other day I have to clean my windowsills if my front windows are open, because of the fumes, the dirt from vehicles that pass through that corner round the clock. But I'm not going to stand up here and say ban this, ban that. I'm not going say get rid of your street sweeper because he wakes me up every morning. It's a part of life, that you do

1	sometimes have to deal with certain things. You
2	know, I mean, the street sweeper is almost like an
3	alarm clock. Yeah, it wakes me up a half hour
4	before I should get up. But now with this, with
5	banning because of health issues, do we now ban our
6	street sweeper?
7	Does the Village employees who use leaf
8	blowers, are they gas-powered? Would they now not
9	be allowed to use those? Is it going to cost you
10	more to have them sweep the downtown area by hand?
11	I just really think more has to go into this.
12	Believe me, I understand about the allergens and
13	stuff being thrown in the air, I've dealt with it
14	my whole life, and I had two options. Figure out a
15	way to deal, or live in a bubble and not go
16	anywhere.
17	So it kind of you know, I'm on the fence.
18	I understand about the noise. I've used electric
19	ones and they're, you know, to me loud as anything.

But on a separate note, thank you for the job on Sixth Street. I said I did have a little snafu with one of my students, because I didn't realize you were digging up and putting in a new sidewalk. And when I got to the house this afternoon, I said,

I used to put things in my ears.

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1	"Uh-oh." But the guys that are working there are
2	very professional. I explained my concerns about
3	the child getting to her house. They said, "No
4	problem," they took care of it.
5	And thank you also for rethinking Adams
6	Street, because, from a delivery and a school bus
7	point of view, I loved the idea, until I said,
8	"Wait, how are we going to swing the bus from Adams
9	Street in between parked cars?" So thank you for
10	rethinking that. Thank you.
11	MAYOR HUBBARD: Thank you.
12	MR. MOORE: Doug Moore again, 145 Sterling
13	Street.
14	I'll try and be brief on this, because time's
15	moving on. But I have another environmental issue
16	and that's the pollution of our local waters,
17	principally, Sterling Harbor.
18	And I've been following the progress of the
19	sewer extension for Sandy Beach, and I'm very glad
20	to see that you're trying to move forward. But I
21	have to admit, I was relieved to see the price tag,
22	which I think set people back on their heels,
23	whether this should go forward. And I think it's
24	good you're going to be talking with the community
25	members, Resolution 26, I support that, but I think

you should be talking on a much wider base. I think you're thinking small. I believe you should be looking at what you're trying to do, and that's protect the harbor.

And there's a lot more insults to the harbor than just Sandy Beach. You have two large marinas, each with a restaurant. The marina with the larger restaurant is actually on Village property. They use septic systems. One marina uses a pumpout boat, instead of putting it into their septic system. But the other marina, which I think is the larger, the Brewer's, disperses their pumpout waste into a septic system and into drain fields, along with their showers and their bathrooms and the restaurant.

So I would suggest that you think again, perhaps talk again with the Town. If you could establish a special sewer district that would encompass the properties that circle the harbor, and there's another perhaps two dozen residential properties that are not Village that could also benefit. Think of a more conventional sewer system approach up Manhasset and into our existing sewer system.

I'm not a sanitary engineer, but I think I

1	might be paraphrasing Bill Swiskey. But the plan
2	that's currently in doesn't smell very good. It's
3	a distributed multi-component system that serves a
4	single area, and likely wouldn't be expandable.
5	So I'd urge you to have broader discussions.
6	I would be glad to join any discussions to try and
7	move things along. But if the Town could buy in on
8	it, you could have a much better benefit for the
9	harbor, and you would solve the Sandy Beach problem
10	as well. Thank you.
11	(Applause)
12	MR. SALADINO: John Saladino, Sixth Street.
13	Is there going to be an Executive Session?
14	MAYOR HUBBARD: No.
15	MR. SALADINO: Are there any walk-on agenda
16	items?
17	MAYOR HUBBARD: Not that I know of, no.
18	MR. SALADINO: I believe you. I have a
19	question about I'm breaking in new glasses, so
20	indulge me. Resolution No. 8, we're going to fund
21	what we paid to the engineers for the Sandy Beach
22	sewer system, but I would
23	MAYOR HUBBARD: The work that's already been
24	done, we have to pay for, yes.
25	MR. SALADINO: But I and, certainly, you

1	should. I was confused at the work session, or
2	maybe I wasn't listening because Billy was talking
3	too much.
4	(Laughter)
5	MR. SALADINO: But we're going to go forward
6	with the project, or we're going to just
7	MAYOR HUBBARD: Actually, I was going to wait
8	and see what comments we had from people down
9	there. We have right now a tentative date. I
10	spoke with Rich McGrath, who's the president, ${\tt I}$
11	believe, of the Sandy Beach Association. He put
12	him in contact with Paul Pallas. Paul had a
13	conversation with him today as I was coming home to
14	get to this meeting.
15	October 12th is a Thursday. We're trying to
16	schedule a meeting between the Sandy Beach
17	homeowners, the Village Board and the public at the
18	Schoolhouse at 6 o'clock. So that's October 12th,
19	6 o'clock, at the Schoolhouse. Rich is trying to
20	get his people all together on that. That's a date
21	that just got confirmed half an hour before our
22	meeting tonight. That's why nobody knew about it
23	yet, because we were trying to get together to see
24	if they could all make it.
25	We're doing a Thursday for them, so the

1	homeowners down there that do come out can stay
2	here for the weekend. They come out a night
3	earlier, and we're going to have the joint meeting
4	with everybody.
5	So all these other questions, Cashin
6	Associates, the engineers, are going to be here to
7	decide you know, to explain their plan, their
8	design, where we're going. So that's going to be
9	the meeting where we decide where we're going with
10	the project, between the homeowners, the public and
11	the Village Board as a joint meeting.
12	MR. SALADINO: Well, that was that was one
13	of the my questions, Resolution 26, would it be
14	opened to the public?
15	MAYOR HUBBARD: Yes
16	MR. SALADINO: The fact okay, good. And
17	17, 17 is oh, the farmers market are going to go
18	to the to the
19	MAYOR HUBBARD: Moore's Lane.
20	MR. SALADINO: Moore's Lane. I fully support
21	that. I would encourage you not to charge them
22	anything.
23	MAYOR HUBBARD: Yes.
24	MR. SALADINO: And if it carries over until
25	next year, I think it's a good idea that they're

1	over there next year, too. And I wouldn't have a
2	problem if you didn't charge them anything over
3	there, either.
4	And 19 is this I do have a problem with.
5	Resolution approving the request of the Greenport
6	Harbor Brewing Company close the street to
7	vehicular traffic for for the annual Oyster
8	Festival. Is there a fee attached to that for this
9	mass public assembly permit? My point is
10	MAYOR HUBBARD: Did they actually fill out a
11	permit, or they just asked for the road closure?
12	CLERK PIRILLO: They just asked for the road
13	closure.
14	TRUSTEE PHILLIPS: Road closure.
15	MAYOR HUBBARD: They just asked for the road
16	closure.
17	MR. SALADINO: So the beer company makes a
18	profit, the oyster guy makes a profit, the road is
19	closed, and the Village gets nothing. That's not
20	fair. If we're looking for an opinion, I don't
21	think that's fair. I think there should be some
22	kind of fee of I mean, you charge the Farmers
23	Market to sell tomatoes. This guy, he's selling
24	beer and oysters and he gets away for free. Not
25	that I'm opposed to that, I just think everybody

should pay. I don't think anything should be for free.

Attorney about the merging Chapter 118, subdivision merger of land. I'm not sure if I'm opposed to it, I just don't know enough about it. I think there's stuff down the line that might be a problem. You merge -- you merge a 700 -- a 7,000 square foot piece of property with a 7500 square foot property, you wind up with a 14,500 square foot property.

We have a portion of our code that dictates lot coverage. I mean, the footprint of a house on that piece of property could be 4500 square feet, and if it goes up 2 1/2 stories, you're talking about an 11,000 square foot house. I mean, it's possible to have an 11,000 square foot house under this proposal on Monsell Place or Bridge Street. I mean, communities are -- I don't know if 11,000 square feet is a McMansion, but it's a big house. It's totally out of character for the Incorporated Village. So by doing this, that becomes a possibility.

The other possibility is by doing this, down the road, with property values the way they are in

1	Greenport now, now the ZBA is and the Planning
2	Board, because subdivisions come under the Planning
3	Board, are going to see a lot more pieces of
4	property asking for subdivisions. I mean, a 15,000
5	square foot piece of property is can subdivide
6	by right and but now you have a 14,700 square
7	foot piece of property, and speaking from recent
8	experience, it winds up in front of the Zoning
9	Board.
10	There's a provision in the code now for
11	undersized properties, that they can be built on.
12	There's a formula. Maybe Doug can refresh my
13	memory. Four-tenths of the but to do I
14	just I just don't I just I apologize for
15	bringing this up now. I understand you're going to
16	schedule a public hearing, but I don't know if I'll
17	be here for that.
18	MAYOR HUBBARD: Okay. Just to clarify part
19	of that, it's not a piece of land that has a
20	structure on it. It's a vacant piece of land next
21	to your property that you could merge that.
22	MR. SALADINO: That has a structure on it.
23	MAYOR HUBBARD: You can have one structure on
24	it. You take the vacant lot and you could add to it.
25	MR. SALADINO: And then a vacant piece of

_	property.
2	MAYOR HUBBARD: But can't buy the house
3	the property next to you with a house and tear it
4	down and merge it together to put a bigger house in
5	MR. SALADINO: No, but you could have a piece
6	of property with a 1200 square foot cottage on it
7	and have a vacant piece of property next to you,
8	and get a demolition permit to knock it down and
9	build an 11,000 square foot house on it.
10	MAYOR HUBBARD: Yeah. There's not many empty
11	lots in the Village and all, that's all I'm saying,
12	just okay. Well, we'll have the public hearing
13	on it. I just
14	MR. SALADINO: Okay. And I wasn't going to
15	bring this up, but somebody had mentioned I
16	think Doug mentioned about the septic systems in
17	Sterling Creek. It's an ongoing thing with me. I
18	mean, we're talking about noise and dust from leaf
19	blowers, which is a legitimate concern, but then we
20	treat the bay and the creek like a red-headed
21	stepchild. Six hundred boats, 700 boats in that
22	creek and you have two major violators.
23	He brought up that Brewer's Greenport pumps
24	boat waste. They have a pumpout. They pump boat
25	waste into a septic system. The letter that we got

1	from Brewer's Sterling Harbor, when we when the
2	CAC requested a pumpout, was that it's illegal to
3	do that. It's illegal to pump boat waste into a
4	septic system, into a am I saying that right? A
5	septic
6	MAYOR HUBBARD: Uh-huh.
7	MR. SALADINO: Cesspool, septic system. It's
8	illegal. New York State Suffolk County
9	Department of Health Services says that's illegal.
10	This is ongoing. This is ongoing with that
11	particular boat yard, 320 boats, 315 boats. To
12	ignore this problem is unconscionable.
13	I understand that it might be it might be
14	uncomfortable for people to discuss, and it might
15	be I don't want to say politically incorrect.
16	But to have an ongoing problem, at Brewer's
17	Sterling Harbor, the septic system and this is
18	empirical data, I mean, you know, I saw this, and
19	if you asked the local cesspool guy, he'll confirm
20	it. The waste from their septic system is leaching
21	through the bulkhead. It's there for you to see.
22	Someone the customers there I'm embarrassed
23	to say, I didn't take it up with the proper
24	authorities and stuff, but some of the customers
25	did. I mean, that's unconscionable to have septic,

1	raw sewage not raw sewage in a parking lot,
2	that people have to walk through that raw sewage.
3	Raw sewage leaching through a retaining wall into
4	the creek, I mean, I don't know how you guys put up
5	with that. How like Chatty said, her head is
6	spinning. My head is spinning with that. How does
7	that even happen? How does that even happen?
8	I apologize. I'm asking questions that yous
9	obviously don't have the answers to. If yous
10	would, perhaps just think about it. And thank you,
11	thanks for listening.
12	MS. BYRNE: I did not come here today to
13	speak to you, I came
14	MAYOR HUBBARD: Just your name and address
15	just for the transcriptionist, so she can
16	MS. BYRNE: My name is Catharine Byrne. I
17	live at 134 Sixth Street in Greenport, and I have
18	lived here since 2001. I came here because the
19	quality of life is what I was looking for and I
20	found it. I want to encourage you to listen to
21	what is not a petty complaint. His complaint was
22	not petty.
23	My complaint, the gas blowers, that's not a
24	small thing. It's one of the things that must be
25	listened to, because the greatest thing you have in

Greenport is you're giving us quality of life.

I'm 80 years old, I'm very healthy. I have a little limp. I want to stay that way. I hear all the noises every day, but I also hear the birds in the morning that wake me, and I hear the little, whoever they are, whatever they are, those little chippery things at night. It's a lovely community, but you must treat it with respect.

These are not petty complaints, it's your -it's an honest community, it's democratic, it's
clean. The air is clean, the food is pure and
good. And the people I meet, the people who live
here for a while or a long time are very good
people.

You're a democracy in action, so please do not consider these complaints as petty. A gas blower is just a tiny, little piece of equipment, but it's part of a major policy program, and it's one that must be adhered to.

And I just say thank you very much. It's been a lovely demonstration of democracy today. We don't always get that, particularly not in the New York Times. I read it every day and I'm hearing a lot of dreadful stories. So this is a grand place to live, but you must continue the program. Thank

1	you.
2	MAYOR HUBBARD: Thank you.
3	(Applause)
4	MR. KREILING: Paul Kreiling, 149 Sixth
5	Street.
6	I have two things that I want to address, one
7	is the leaf blower issue that goes on. I truly
8	feel there is a way, without stepping on all of our
9	gardeners, so to speak, to at least stop the noise
10	for Sunday. Wouldn't that be nice, Sunday, no
11	noise? Wouldn't that be great?
12	The other thing that I'm talking about here
13	is the sewage system going off to Sandy Beach and
14	Brewer's. I happen to work at Brewer's. I'm a
15	member of the CAC. I see what goes on. There are
16	best practices. The company, not to be a company
17	man, but they do their best to pull it all out of
18	the system.
19	Sterling Harbor has a horrible problem,
20	because it's a peninsula with a restaurant on the
21	end, and it's saturated. Even though they even
22	though they pump their septic system out, it's an
23	impure system. It has to be resolved with a sewer,
24	it has to be, it can't take anymore.
25	Brewer's, the other Brewer's, Brewer's

Greenport where I work, has a very large -- I think they have eight or ten septic systems built upland, and, yes, we do pump boats out into it. It was a preexisting situation. At the time it seemed to meet the demand. Again, time has passed, there is no solution to it. Even though the tanks are pumped out, even though they try to do best practice, it's not really solving the problem, because it's just an overused resource.

Sterling Harbor, our jewel, so to speak, is overused. And if we don't do something to stop what's going into it and to remediate what is in it already -- we've got all the roads running off into it, we have all of these things going on. And we are humans, we are limitless in our ability to imagine. Let's do something about it. We could put oyster beds in, we could put filtration systems. We have this huge filtration problem, the thing going on at the end of -- at the end of the -- by the hospital there, \$138,000 to put in a gravel pit. They could do the same thing on every road at a fraction of the cost.

I truly believe that if Greenport is a green port, we better do something about it. Otherwise, we're going to have a septic port. Thank you.

1	MR. SWISKEY: George, can I say one more
2	thing?
3	MAYOR HUBBARD: Go ahead, Bill.
4	MR. SWISKEY: William Swiskey, 184 Fifth
5	Street.
6	If Sterling Harbor, Brewer's Sterling Harbor
7	has a problem, they could pay to have a pipe bored
8	under Sterling Creek to a manhole either on Manor
9	Place or Monsell Place, fairly cheap, and put in a
10	lift station of their own and pay to hook up to the
11	Village sewer at their own expense.
12	I mean, you know, these people that say let's
13	cut these other things, well, they're districting
14	from the people that really deserve it, which are
15	taxpayers of the Village of Greenport, those 26
16	houses on Sterling Avenue.
17	I mean, Sterling Sterling Harbor Marina is
18	a simple solution. They just don't want to spend a
19	couple of hundred thousand dollars. Thank you.
20	MS. DeCRUZ: Margaret DeCruz, 25 Washington
21	Avenue, Greenport.
22	I came to support the restriction on the gas
23	blowers, because the noise bothers me, so that's
24	number one.
25	Number two, I want to thank whoever was

1	responsible for finally putting the lines on Route
2	48 to turn onto Main Street. It took forever, it
3	seems like, but now it's so much better, because
4	that was really scary, you couldn't tell. So I
5	don't know. How did that finally happen?
6	MAYOR HUBBARD: I believe it was done between
7	the County and the Town, but I'm not sure myself.
8	MS. DeCRUZ: It seemed to happen overnight.
9	MAYOR HUBBARD: I believe Al Krupski and the
10	Town worked on that.
11	TRUSTEE PHILLIPS: Al Krupski and the Town
12	worked on that.
13	MAYOR HUBBARD: So I belive
14	TRUSTEE PHILLIPS: Yes.
15	MAYOR HUBBARD: Because the road is owned by
16	Southold Town, Suffolk County and New York State.
17	So I believe the County and the Town got together
18	and got that done.
19	MS. DeCRUZ: And they did it overnight, I
20	think.
21	MAYOR HUBBARD: Yeah.
22	MS. DeCRUZ: I mean, all of a sudden it was
23	there.
24	MAYOR HUBBARD: Yeah.
25	MS. DeCRUZ: So that was great. Thank you.

1	MAYOR HUBBARD: All right. Thank you.
2	Anybody else wish to address the Board on any
3	topic?
4	(No Response)
5	MAYOR HUBBARD: Okay. We'll move on to our
6	regular agenda.
7	I'll offer RESOLUTION #09-2017-1,
8	RESOLUTION adopting the September 2017 agenda as
9	printed. So moved.
10	TRUSTEE ROBERTS: Second.
11	MAYOR HUBBARD: All in favor?
12	TRUSTEE PHILLIPS: Aye.
13	TRUSTEE ROBERTS: Aye.
14	TRUSTEE ROBINS: Aye.
15	MAYOR HUBBARD: Aye.
16	Opposed?
17	(No Response)
18	MAYOR HUBBARD: Motion carried.
19	Trustee Roberts.
20	TRUSTEE ROBERTS: RESOLUTION #09-2017-2,
21	RESOLUTION accepting the monthly reports of the
22	Greenport Fire Department, Village Administrator,
23	Village Treasurer, Village Clerk, Village Attorney,
24	Mayor and Board of Trustees. So moved.
25	TRUSTEE ROBINS: Second.

1	MAYOR HUBBARD: All in favor?
2	TRUSTEE PHILLIPS: Aye.
3	TRUSTEE ROBERTS: Aye.
4	TRUSTEE ROBINS: Aye.
5	MAYOR HUBBARD: Aye.
6	Opposed?
7	(No Response)
8	MAYOR HUBBARD: Motion carried.
9	TRUSTEE ROBINS: RESOLUTION #09-2017-3,
10	RESOLUTION approving the application for membership
11	of Michael Maloney to the Star Hose Company of the
12	Greenport Fire Department, as previously approved
13	by the Board of Wardens on August 15th, 2017. So
14	moved.
15	TRUSTEE PHILLIPS: Second.
16	MAYOR HUBBARD: All in favor?
17	TRUSTEE PHILLIPS: Aye.
18	TRUSTEE ROBERTS: Aye.
19	TRUSTEE ROBINS: Aye.
20	MAYOR HUBBARD: Aye.
21	Opposed?
22	(No Response)
23	MAYOR HUBBARD: Motion carried.
24	TRUSTEE PHILLIPS: RESOLUTION #09-2017-4,
25	RESOLUTION ratifying the hiring of Kyle VanDuzer as

1	a part-time, seasonal Park Attendant at Mitchell
2	Park Marina at a pay rate of \$10.00 per hour,
3	effective September 1st, 2017. So moved.
4	TRUSTEE ROBERTS: Second.
5	MAYOR HUBBARD: All in favor?
6	TRUSTEE PHILLIPS: Aye.
7	TRUSTEE ROBERTS: Aye.
8	TRUSTEE ROBINS: Aye.
9	MAYOR HUBBARD: Aye.
10	Opposed?
11	(No Response)
12	MAYOR HUBBARD: Motion carried.
13	TRUSTEE ROBERTS: RESOLUTION #09-2017-5,
14	RESOLUTION authorizing the attendance of Trustee
15	Julia Robins and Village Administrator Paul Pallas
16	at the NYAPP Annual Fall Meeting from October 3rd,
17	2017 through October 4th, 2017 in Albany, New York,
18	at a conference fee of \$235.00 per person and a
19	room rate of \$249.00 per night per person, plus all
20	applicable travel, meal and mileage costs, to be
21	expensed from Account Number E.0782.000 (Management
22	Services). So moved.
23	TRUSTEE ROBINS: Second.
24	MAYOR HUBBARD: All in favor?
25	TRUSTEE PHILLIPS: Aye.

1	TRUSTEE ROBERTS: Aye.
2	TRUSTEE ROBINS: Aye.
3	MAYOR HUBBARD: Aye.
4	Opposed?
5	(No Response)
6	MAYOR HUBBARD: Motion carried.
7	TRUSTEE ROBINS: RESOLUTION #09-2017-6,
8	RESOLUTION authorizing Treasurer Brandt to perform
9	attached Budget Amendment #3743, for the funding of
10	the replacement pump for Peconic Landing and
11	replacement flow meters, and directing that Budget
12	Transfer #3743 be included as part of the formal
13	meeting minutes of the September 28th, 2017 regular
14	meeting of the Board of Trustees. So moved.
15	TRUSTEE PHILLIPS: Second.
16	MAYOR HUBBARD: All in favor?
17	TRUSTEE PHILLIPS: Aye.
18	TRUSTEE ROBERTS: Aye.
19	TRUSTEE ROBINS: Aye.
20	MAYOR HUBBARD: Aye.
21	Opposed?
22	(No Response)
23	MAYOR HUBBARD: Motion carried.
24	TRUSTEE PHILLIPS: RESOLUTION #09-2017-7,
25	RESOLUTION authorizing Treasurer Brandt to perform

1	attached Budget Amendment #3745, for the funding of
2	two new service distribution transformers for the
3	Light Plant, and directing that Budget Transfer
4	#3745 be included as part of the formal meeting
5	minutes of the September 28, 2017 regular meeting
6	of the Board of Trustees. So moved.
7	TRUSTEE ROBERTS: Second.
8	MAYOR HUBBARD: All in favor?
9	TRUSTEE PHILLIPS: Aye.
10	TRUSTEE ROBERTS: Aye.
11	TRUSTEE ROBINS: Aye.
12	MAYOR HUBBARD: Aye.
13	Opposed?
14	(No Response)
15	MAYOR HUBBARD: Motion carried.
16	TRUSTEE ROBERTS: RESOLUTION #09-2017-8,
17	RESOLUTION authorizing Treasurer Brandt to perform
18	attached Budget Amendment #3748, for the funding
19	to for the funding to date the development of
20	design plans for the sewer main extension on Beach
21	Road, and directing that Budget Transfer #3748 be
22	included as part of the formal meeting minutes of
23	the September 28, 2017 regular meeting of the Board
24	of Trustees. So moved.
25	TRUSTEE ROBINS: Second.

1	MAYOR HUBBARD: All in favor?
2	TRUSTEE PHILLIPS: Aye.
3	TRUSTEE ROBERTS: Aye.
4	TRUSTEE ROBINS: Aye.
5	MAYOR HUBBARD: Aye.
6	Opposed?
7	(No Response)
8	MAYOR HUBBARD: Motion carried.
9	TRUSTEE ROBINS: RESOLUTION #09-2017-9,
10	RESOLUTION authorizing Treasurer Brandt to perform
11	attached Budget Amendment #3749, for the funding of
12	the emergency repair of the eastern pier at
13	Mitchell Park Marina, and directing that Budget
14	Transfer #3749 be included as part of the formal
15	meeting minutes of the September 28th, 2017 regular
16	meeting of the Board of Trustees. So moved.
17	TRUSTEE PHILLIPS: Second.
18	MAYOR HUBBARD: All in favor?
19	TRUSTEE PHILLIPS: Aye.
20	TRUSTEE ROBERTS: Aye.
21	TRUSTEE ROBINS: Aye.
22	MAYOR HUBBARD: Aye.
23	Opposed?
24	(No Response)
25	MAYOR HUBBARD: Motion carried.

1	TRUSTEE PHILLIPS: RESOLUTION #09-2017-10,
2	RESOLUTION authorizing Treasurer Brandt to perform
3	attached Budget Amendment #3751, for the funding of
4	a vehicle for the Water Department, and directing
5	that Budget Transfer #3751 be included as part of
6	the formal meeting minutes of the September 28th,
7	2017 regular meeting of the Board of Trustees. So
8	moved.
9	TRUSTEE ROBERTS: Second.
10	MAYOR HUBBARD: All in favor?
11	TRUSTEE PHILLIPS: Aye.
12	TRUSTEE ROBERTS: Aye.
13	TRUSTEE ROBINS: Aye.
14	MAYOR HUBBARD: Aye.
15	Opposed?
16	(No Response)
17	MAYOR HUBBARD: Motion carried.
18	TRUSTEE ROBERTS: RESOLUTION #09-2017-11,
19	RESOLUTION authorizing Treasurer Brandt to perform
20	attached Budget Amendment #3752, for the funding of
21	the Bioretention basin, and directing that Budget
22	Transfer #3752 be included as part of the formal
23	meeting minutes of the September 28, 2017 regular
24	meeting of the Board of Trustees. So moved.
25	TRUSTEE ROBINS: Second.

1	TRUSTEE ROBERTS: All in favor?
2	TRUSTEE PHILLIPS: Aye.
3	TRUSTEE ROBERTS: Aye.
4	TRUSTEE ROBINS: Aye.
5	MAYOR HUBBARD: Aye.
6	Opposed?
7	(No Response)
8	MAYOR HUBBARD: Motion carried.
9	TRUSTEE ROBINS: RESOLUTION #09-2017-12,
10	RESOLUTION authorizing the Village of Greenport to
11	conduct a lottery for five (5) deer hunting
12	permits, by bow and arrow only, as per New York
13	State hunting regulations, in the western portion
14	of Moore's Woods, beginning October 1st, 2017; with
15	not more than five (5) people at one time hunting
16	in the western portion of Moore's Woods. So moved.
17	TRUSTEE PHILLIPS: Second.
18	MAYOR HUBBARD: All in favor?
19	TRUSTEE PHILLIPS: Aye.
20	TRUSTEE ROBERTS: Aye.
21	TRUSTEE ROBINS: Aye.
22	MAYOR HUBBARD: Aye.
23	Opposed?
24	(No Response)
25	MAYOR HUBBARD: Motion carried.

1	TRUSTEE PHILLIPS: RESOLUTION #09-2017-13,
2	RESOLUTION approving the attached retainer
3	agreement; effective from May 23rd, 2017 through
4	June 30th, 2020; between the Village of Greenport
5	and special counsel Lamb and Barnosky, per the
6	engagement letter from Lamb and Barnosky dated
7	August 18th, 2017; and further authorizing Mayor
8	Hubbard to sign the retainer agreement between the
9	Village of Greenport and Lamb and Barnosky. So
10	moved.
11	TRUSTEE ROBERTS: Second, and discussion. As
12	I said at the work session, I'm not ready to give
13	these guys another three years, so I'll be a no.
14	I'd like to see the contract negotiation finished
15	first.
16	MAYOR HUBBARD: Okay. Any other discussion?
17	(No Response)
18	MAYOR HUBBARD: No? All right.
19	TRUSTEE ROBINS: You want to do a roll?
20	MAYOR HUBBARD: Yeah, let's do a roll call
21	vote, please, Clerk.
22	(Roll Call Vote By Village Clerk)
23	TRUSTEE ROBERTS: No.
24	TRUSTEE ROBINS: Yes.
25	TRUSTEE PHILLIPS: Yes.

1	MAYOR HUBBARD: Yes.
2	CLERK PIRILLO: Thank you.
3	MAYOR HUBBARD: Motion carried.
4	TRUSTEE ROBERTS: RESOLUTION sorry.
5	MAYOR HUBBARD: Go ahead.
6	TRUSTEE ROBERTS: RESOLUTION #09-2017-14,
7	RESOLUTION terminating, for non-performance, the
8	contract for liquid sludge hauling between the
9	Village of Greenport and Full Cesspool LLC, and
10	further accepting the attached proposal as
11	submitted by Russell Reid for liquid sludge
12	hauling. So moved.
13	TRUSTEE ROBINS: Second.
14	MAYOR HUBBARD: All in favor?
15	TRUSTEE PHILLIPS: Aye.
16	TRUSTEE ROBERTS: Aye.
17	TRUSTEE ROBINS: Aye.
18	MAYOR HUBBARD: Aye.
19	Opposed?
20	(No Response)
21	MAYOR HUBBARD: Motion carried.
22	TRUSTEE ROBINS: RESOLUTION #09-2017-15,
23	RESOLUTION ratifying the attendance of Clerk
24	Pirillo and Treasurer Brandt at the New York State
25	Retirement System Employer Education Seminar from

1	9:00 a.m. through 3:30 p.m. on September 28th,
2	2017. There is no charge for this seminar, and all
3	reimbursable meal and mileage costs will be
4	expensed from the corresponding account numbers.
5	So moved.
6	TRUSTEE PHILLIPS: Second.
7	MAYOR HUBBARD: All in favor?
8	TRUSTEE PHILLIPS: Aye.
9	TRUSTEE ROBERTS: Aye.
10	TRUSTEE ROBINS: Aye.
11	MAYOR HUBBARD: Aye.
12	Opposed?
13	(No Response)
14	MAYOR HUBBARD: Motion carried.
15	TRUSTEE PHILLIPS: RESOLUTION #09-2017-16,
16	RESOLUTION authorizing the attendance of any
17	interested: Board of Trustee member, management
18	staff personnel, Village Hall employee, Planning
19	Board member, or Zoning Board member at the SCVOA
20	Municipal Training session on October 18th, 2017 at
21	the Hilton Long Island Huntington in Melville, New
22	York. All applicable fees and mileage
23	reimbursements will be expensed from the
24	corresponding account numbers. So moved.
25	TRUSTEE ROBERTS: Second.

1	MAYOR HUBBARD: All in favor?
2	TRUSTEE PHILLIPS: Aye.
3	TRUSTEE ROBERTS: Aye.
4	TRUSTEE ROBINS: Aye.
5	MAYOR HUBBARD: Aye.
6	Opposed?
7	(No Response)
8	MAYOR HUBBARD: Motion carried.
9	TRUSTEE ROBERTS: RESOLUTION #09-2017-17,
10	RESOLUTION approving the Public Assembly Permit
11	Application submitted by the Greenport Farmers'
12	Market to use a portion of the grounds at Moore's
13	Lane, from 10:00 a.m. through 2:00 p.m. from
14	October 7th, 2017 through November 18th, 2017; to
15	provide for an extension of the Farmers' Market
16	regular season. So moved.
17	TRUSTEE ROBINS: Second.
18	MAYOR HUBBARD: All in favor?
19	TRUSTEE PHILLIPS: Aye.
20	TRUSTEE ROBERTS: Aye.
21	TRUSTEE ROBINS: Aye.
22	MAYOR HUBBARD: Aye.
23	Opposed?
24	(No Response)
25	MAYOR HUBBARD: Motion carried.

1	TRUSTEE ROBINS: RESOLUTION #09-2017-18,
2	RESOLUTION approving the Public Assembly Permit
3	Application submitted by the Greenport High School
4	to close to vehicular traffic, and utilize the
5	Village-owned streets from the IGA Supermarket to
6	the High School, for the annual Homecoming Parade,
7	from 5:30 p.m. through 6:30 p.m. on October 13th,
8	2017. So moved.
9	TRUSTEE PHILLIPS: Second.
10	MAYOR HUBBARD: All in favor?
11	TRUSTEE PHILLIPS: Aye.
12	TRUSTEE ROBERTS: Aye.
13	TRUSTEE ROBINS: Aye.
14	MAYOR HUBBARD: Aye.
15	Opposed?
16	(No Response)
17	MAYOR HUBBARD: Motion carried.
18	TRUSTEE PHILLIPS: RESOLUTION #09-2017-19,
19	RESOLUTION approving the request of the Greenport
20	Harbor Brewing Company to close to vehicular
21	traffic, and utilize Carpenter Street from Bay
22	Avenue to East Front Street, for the annual Oyster
23	Festival, from noon through 5:00 p.m. on October
24	8th, 2017. So moved.
25	TRUSTEE ROBERTS: Second.

1	MAYOR HUBBARD: All in favor?
2	TRUSTEE PHILLIPS: Aye.
3	TRUSTEE ROBERTS: Aye.
4	TRUSTEE ROBINS: Aye.
5	MAYOR HUBBARD: Aye.
6	Opposed?
7	(No Response)
8	MAYOR HUBBARD: Motion carried.
9	TRUSTEE ROBERTS: RESOLUTION #09-2017-20,
10	RESOLUTION accepting the resignation of Joseph
11	O'Byrne as an Account Clerk Typist, effective
12	September 29th, 2017. So moved.
13	TRUSTEE ROBINS: Second.
14	MAYOR HUBBARD: All in favor?
15	TRUSTEE PHILLIPS: Aye.
16	TRUSTEE ROBERTS: Aye.
17	TRUSTEE ROBINS: Aye.
18	MAYOR HUBBARD: Aye.
19	Opposed?
20	(No Response)
21	MAYOR HUBBARD: Motion carried.
22	TRUSTEE ROBINS: RESOLUTION #09-2017-21,
23	RESOLUTION accepting the price quotation submitted
24	by Riverhead Ford Lincoln per the bid opening on
25	September 12th, 2017 for the purchase of one (1)

1	2017 Ford F-250 (4x4) for the Road Department, at a
2	price of \$30,540.86; to be expensed from account
3	H.5110.201 (Road Department Vehicle). So moved.
4	TRUSTEE PHILLIPS: Second.
5	MAYOR HUBBARD: All in favor?
6	TRUSTEE PHILLIPS: Aye.
7	TRUSTEE ROBERTS: Aye.
8	TRUSTEE ROBINS: Aye.
9	MAYOR HUBBARD: Aye.
10	Opposed?
11	(No Response)
12	MAYOR HUBBARD: Motion carried.
13	TRUSTEE PHILLIPS: RESOLUTION #09-2017-22,
14	RESOLUTION accepting the price quotation submitted
15	by Riverhead Ford Lincoln per the bid opening on
16	September 21st, 2017 for the purchase of one (1)
17	2017 Ford F-250 (4x2) for the Road Department, at a
18	price of \$28,252.86; to be expensed from account
19	H.5110.201 (Road Department Vehicles). So moved.
20	TRUSTEE ROBERTS: Second.
21	MAYOR HUBBARD: All in favor?
22	TRUSTEE PHILLIPS: Aye.
23	TRUSTEE ROBERTS: Aye.
24	TRUSTEE ROBINS: Aye.
25	MAYOR HUBBARD: Aye.

1	Opposed?
2	(No Response)
3	MAYOR HUBBARD: Motion carried.
4	TRUSTEE ROBERTS: RESOLUTION #09-2017-23,
5	RESOLUTION accepting the price quotation submitted
6	by Lucas Ford per the bid opening on September
7	12th, 2017 for the purchase of one (1) 2016 Ford
8	F-250 (4x4) for the Water Department, at a price of
9	\$31,990.00; to be expensed from account F.8310.416
10	(Transportation Expense). So moved.
11	TRUSTEE ROBINS: Second.
12	MAYOR HUBBARD: All in favor?
13	TRUSTEE PHILLIPS: Aye.
14	TRUSTEE ROBERTS: Aye.
15	TRUSTEE ROBINS: Aye.
16	MAYOR HUBBARD: Aye.
17	Opposed?
18	(No Response)
19	MAYOR HUBBARD: Motion carried.
20	TRUSTEE ROBINS: RESOLUTION #09-2017-24,
21	RESOLUTION scheduling a public hearing for October
22	26th, 2017 at 7:00 p.m. at the Third Street Fire
23	Station, Third and South Streets, Greenport, New
24	York, 11944 regarding a proposed amendment to
25	Chapter 118 (Sub-Division and Merger of Land) of

1	the Village of Greenport Code, and directing Clerk
2	Pirillo to notice the public hearing accordingly.
3	So moved.
4	TRUSTEE PHILLIPS: Second.
5	MAYOR HUBBARD: All in favor?
6	TRUSTEE PHILLIPS: Aye.
7	TRUSTEE ROBERTS: Aye.
8	TRUSTEE ROBINS: Aye.
9	MAYOR HUBBARD: Aye.
10	Opposed?
11	(No Response)
12	MAYOR HUBBARD: Motion carried.
13	TRUSTEE PHILLIPS: RESOLUTION #09-2017-25,
14	RESOLUTION approving the closing of North Street to
15	Main Street, Main Street to the terminus of
16	Claudio's circle, and Front Street from Main Street
17	to the Carousel, from 11:00 a.m. through 12:30 p.m.
18	on October 28th, 2017 for the Village-sponsored
19	Halloween Parade, in collaboration with the
20	Business Improvement District. So moved.
21	TRUSTEE ROBERTS: Second.
22	MAYOR HUBBARD: All in favor?
23	TRUSTEE PHILLIPS: Wait, wait, wait,
24	wait. I have a question. I thought we were doing
25	the parade at 10:30.

1	CLERK PIRILLO: The print materials that I
2	saw today said 10:30 and our notes say 11. So if
3	we go by the print materials, it can be 10:30.
4	TRUSTEE PHILLIPS: Okay. Because I
5	believe
6	CLERK PIRILLO: The print materials say
7	10:30.
8	TRUSTEE PHILLIPS: I think that's what we
9	discussed, was 10:30. So do we need to amend this
10	resolution?
11	CLERK PIRILLO: Yes.
12	TRUSTEE PHILLIPS: All right. So I propose a
13	motion to amend the resolution to read 10
14	starting at 10:30 on October 28th.
15	TRUSTEE ROBERTS: Second.
16	MAYOR HUBBARD: Okay. All in favor of the
17	amended resolution?
18	TRUSTEE PHILLIPS: Aye.
19	TRUSTEE ROBERTS: Aye.
20	TRUSTEE ROBINS: Aye.
21	MAYOR HUBBARD: Aye.
22	Opposed?
23	(No Response)
24	MAYOR HUBBARD: Carried.
25	All in favor of the resolution as a whole?

1	TRUSTEE PHILLIPS: Aye.
2	TRUSTEE ROBERTS: Aye.
3	TRUSTEE ROBINS: Aye.
4	MAYOR HUBBARD: Aye.
5	Opposed?
6	(No Response)
7	MAYOR HUBBARD: Motion carried.
8	TRUSTEE PHILLIPS: Thank you very much.
9	TRUSTEE ROBERTS: Thank you.
10	RESOLUTION #09-2017-26, RESOLUTION directing
11	Village Administrator Pallas to schedule a meeting
12	between the Village of Greenport Board of Trustees,
13	the Sandy Beach Homeowners' Association and Cashin
14	Associates, to discuss the proposed sewer expansion
15	project. So moved
16	TRUSTEE ROBINS: Second.
17	MAYOR HUBBARD: All right. And just I did
18	announce the date and time that we're having the
19	meeting, just so everybody has a couple of weeks to
20	plan on that. Hopefully, it will be well attended
21	by everybody, so
22	TRUSTEE ROBINS: October 12th.
23	TRUSTEE PHILLIPS: It's October 12th.
24	MAYOR HUBBARD: October 12th
25	TRUSTEE ROBINS: Six p.m.

1	MAYOR HUBBARD: 6 o'clock, at the 01d
2	Schoolhouse.
3	Okay. All in favor?
4	TRUSTEE PHILLIPS: Aye.
5	TRUSTEE ROBERTS: Aye.
6	TRUSTEE ROBINS: Aye.
7	MAYOR HUBBARD: Aye.
8	Opposed?
9	(No Response)
10	MAYOR HUBBARD: Motion carried.
11	TRUSTEE ROBINS: RESOLUTION #09-2017-27,
12	RESOLUTION authorizing the Village of Greenport to
13	hold a fund-raising, family event at the Ice
14	Skating Rink during Winter 2017, with Trustee
15	Roberts spear-heading the event planning, and
16	coordination services to be provided by Village
17	management staff. So moved.
18	TRUSTEE PHILLIPS: Second.
19	MAYOR HUBBARD: All in favor?
20	TRUSTEE PHILLIPS: Aye.
21	TRUSTEE ROBERTS: Aye.
22	TRUSTEE ROBINS: Aye.
23	MAYOR HUBBARD: Aye.
24	Opposed?
25	(No Response)

1	MAYOR HUBBARD: Motion carried.
2	TRUSTEE PHILLIPS: RESOLUTION #09-2017-28,
3	RESOLUTION approving all checks per the Voucher
4	Summary Report dated September 22nd, 2017, in the
5	total amount of \$726,681.93, consisting of:
6	All regular checks in the amount of
7	\$597,321.78, and
8	All prepaid checks (including wire transfers)
9	in the amount of \$129,360.15. So moved.
10	TRUSTEE ROBERTS: Second.
11	MAYOR HUBBARD: All in favor?
12	TRUSTEE PHILLIPS: Aye.
13	TRUSTEE ROBERTS: Aye.
14	TRUSTEE ROBINS: Aye.
15	MAYOR HUBBARD: Aye.
16	Opposed?
17	(No Response)
18	MAYOR HUBBARD: Motion carried.
19	Okay. I'll offer a motion to adjourn our
20	meeting at 8:53. So moved.
21	TRUSTEE PHILLIPS: Second.
22	MAYOR HUBBARD: All in favor?
23	TRUSTEE PHILLIPS: Aye.
24	TRUSTEE ROBERTS: Aye.
25	TRUSTEE ROBINS: Aye.

1	MAYOR HUBBARD: Aye.
2	Opposed?
3	(No Response)
4	MAYOR HUBBARD: Motion carried.
5	I want to thank the public who's left for
6	coming and have a good evening.
7	(The meeting was adjourned at 8:53 p.m.)
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1	CERTIFICATION
2	
3	STATE OF NEW YORK )
4	) SS:
5	COUNTY OF SUFFOLK )
6	
7	I, LUCIA BRAATEN, a Court Reporter and Notary
8	Public for and within the State of New York, do
9	hereby certify:
10	THAT, the above and foregoing contains a true
11	and correct transcription of the proceedings taken
12	on September 28, 2017.
13	I further certify that I am not related to
14	any of the parties to this action by blood or
15	marriage, and that I am in no way interested in the
16	outcome of this matter.
17	IN WITNESS WHEREOF, I have hereunto set my
18	hand this 10th day of October, 2017.
19	
20	Lucia Braaten  Lucia Braaten
21	Lucia bi daten
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#	100:18 <b>\$30,540.86</b> [1] - 100:2	104:24 <b>133B</b> [1] - 61:22	101:7, 101:22, 102:18, 105:14,	6
<b>#09-2017-10</b> [1] - 92:1	\$30,540.66[1] - 100.2 \$300[2] - 5:14, 12:7	<b>1336</b> [1] - 01.22 <b>134</b> [1] - 80:17	106:4, 108:12,	<b>6</b> [5] - 3:19, 44:6,
#09-2017-10[1] - 32.1 #09-2017-11[1] -	\$31,990.00 [1] - 101:9	<b>13th</b> [2] - 3:19, 98:7	108:18	73:18, 73:19, 105:1
92:18	\$597,321.78 <sub>[1]</sub> -	<b>14,500</b> [1] <b>-</b> 76:10	<b>2020</b> [1] <b>-</b> 94:4	<b>60</b> [1] <b>-</b> 37:3
<b>#09-2017-12</b> [1] - 93:9	106:7	<b>14,700</b> [1] - 77:6	<b>21</b> [1] - 51:25	<b>6:30</b> [1] - 98:7
<b>#09-2017-13</b> [1] - 94:1	\$600,000 [1] - 5:17	<b>145</b> [2] - 13:8, 70:12	<b>218</b> [1] - 25:12	<b>0.00</b> [1] = 50.7
# <b>09-2017-14</b> [1] - 95:6	\$726,681.93 [1] -	<b>149</b> [1] - 82:4	<b>21st</b> [2] - 40:16,	7
#09-2017-15 <sub>[1]</sub> -	106:5	<b>15</b> [2] - 8:22, 50:14	100:16	1
95:22	<b>\$800</b> [2] - 26:11, 27:24	<b>15,000</b> [1] - 77:4	<b>22</b> [1] - 51:22	<b>7,000</b> [1] - 76:8
#09-2017-16 [1] -	Ţ000[E] = 0, =	<b>150</b> [2] - 4:12, 24:7	<b>22nd</b> [1] - 106:4	<b>700</b> [6] - 44:8, 44:9,
96:15	0	<b>150-18-9</b> [1] - 7:24	<b>23rd</b> [1] - 94:3	46:5, 49:9, 76:8,
<b>#09-2017-17</b> [1] - 97:9		<b>150-9</b> [1] - 24:6	<b>24</b> [1] - 76:3	78:21
<b>#09-2017-18</b> [1] - 98:1	<b>09-2017-1</b> [1] - 86:7	<b>150-9-18</b> [2] - 8:22,	<b>25</b> [1] - 84:20	<b>7500</b> [1] - 76:9
#09-2017-19 [1] -	<b>09-2017-2</b> [1] - 86:20	10:21	<b>26</b> [3] - 70:25, 74:13,	<b>7:00</b> [2] - 1:10, 101:22
98:18	<b>09-2017-3</b> [1] - 87:9	<b>1500</b> [1] - 22:24	84:15	<b>7:02</b> [1] - 2:1
<b>#09-2017-20</b> [1] - 99:9	<b>09-2017-4</b> [1] - 87:24	<b>15th</b> [1] - 87:13	26th [1] - 101:22	7th [2] - 61:10, 97:14
<b>#09-2017-21</b> [1] -	<b>09-2017-5</b> [1] - 88:13	<b>17</b> [3] - 9:6, 74:17	<b>28</b> [5] - 1:9, 90:5,	
99:22	<b>09-2017-6</b> [1] - 89:7	<b>175</b> [3] - 20:2, 31:12,	90:23, 92:23, 108:12	8
<b>#09-2017-22</b> [1] -	<b>09-2017-7</b> [1] - 89:24	38:18	28th [6] - 89:13, 91:15,	
100:13	<b>09-2017-8</b> [1] - 90:16	<b>18</b> [3] - 4:11, 24:4,	92:6, 96:1, 102:18,	<b>8</b> [3] <b>-</b> 3:6, 3:13, 72:20
<b>#09-2017-23</b> [1] -	<b>09-2017-9</b> [1] - 91:9	54:14	103:14	<b>80</b> [1] - 81:2
101:4		<b>184</b> [3] - 15:5, 45:6,	29th [1] - 99:12	<b>80%</b> [1] <b>-</b> 66:16
<b>#09-2017-24</b> [1] -	1	84:4	<b>2:00</b> [1] - 97:13	<b>8:53</b> [2] - 106:20,
101:20		<b>18th</b> [3] - 94:7, 96:20,		107:7
<b>#09-2017-25</b> [1] -	<b>1</b> [3] <b>-</b> 99:25, 100:16,	97:14	3	<b>8th</b> [1] - 98:24
102:13	101:7	<b>19</b> [2] - 12:15, 75:4		
#09-2017-26 [1] -	<b>1/2</b> [2] <b>-</b> 8:2, 76:15	<b>1997</b> [1] - 6:1	<b>3,887</b> [1] - 66:9	9
104:10	<b>10</b> [5] - 7:14, 41:11,	1st [2] - 88:3, 93:14	<b>309</b> [1] - 60:23	<b>9</b> [3] - 4:10, 24:4,
<b>#09-2017-27</b> [1] -	44:6, 50:14, 103:13		30th [1] - 94:4	54:14
105:11	<b>100</b> [3] - 41:17, 41:22,	2	<b>315</b> <sub>[1]</sub> - 79:11	<b>9-18</b> [1] - 7:25
#09-2017-28 [1] -	46:14 <b>103</b> <sub>[8]</sub> - 24:16, 25:2,		<b>320</b> [1] - 79:11	<b>900</b> [1] - 49:13
106:2	29:7, 54:21, 55:24,	<b>2</b> [3] - 8:2, 12:7, 76:15	<b>35</b> [1] - 40:23	<b>9:00</b> [1] <b>-</b> 96:1
<b>#3743</b> [2] - 89:9, 89:12	56:7, 61:24, 63:23	<b>2,000</b> [1] - 5:15	<b>3:30</b> [1] - 96:1	9th [1] - 3:17
<b>#3745</b> [2] - 90:1, 90:4	<b>103-12</b> [1] - 25:20	<b>20</b> [5] - 19:23, 41:11,	<b>3rd</b> [1] - 88:16	oth [i] o.ii
<b>#3748</b> [2] - 90:18,	<b>10:00</b> [1] - 97:13	44:6, 49:1, 51:21	A	Α
90:21	<b>10:30</b> [6] - 102:25,	<b>20%</b> [1] - 28:19	4	^
<b>#3749</b> [2] - 91:11, 91:14	103:2, 103:3, 103:7,	<b>200</b> [2] - 46:11	<b>4500</b> [1] - 76:14	<b>a.m</b> [4] - 3:6, 96:1,
#3751 <sub>[2]</sub> - 92:3, 92:5	103:9, 103:14	<b>2001</b> [1] - 80:18 <b>2002</b> [1] - 6:9	<b>48</b> [1] - 85:2	97:13, 102:17
#3751 [2] - 92.3, 92.3 #3752 [2] - 92:20,	<b>10th</b> [1] - 108:18	<b>2002</b> [1] - 6.9 <b>2011</b> [1] - 66:5	4th [2] - 3:5, 88:17	abatement [1] - 64:21
# <b>3752</b> [2] <b>-</b> 92.20, 92:22	<b>11</b> [1] - 103:2	<b>2017</b> [1] - 00.5 <b>2015</b> [1] - 12:15	<b>4x2</b> [1] - 100:17	ability [1] - 83:15
JL.ZL	<b>11,000</b> [4] - 76:16,	<b>2016</b> [3] - 8:25, 42:12,	<b>4x4</b> [2] - 100:1, 101:8	<b>able</b> [6] - 5:6, 19:7,
\$	76:17, 76:19, 78:9	101:7	, ,	22:11, 22:22, 67:20,
	<b>118</b> [2] - 76:4, 101:25	<b>2017</b> [33] - 1:9, 86:8,	5	68:5
<b>\$10.00</b> [1] - 88:2	<b>11944</b> [1] - 101:24	87:13, 88:3, 88:17,		above-mentioned [1]
<b>\$129,360.15</b> [1] -	<b>11:00</b> [1] - 102:17	89:13, 90:5, 90:23,	<b>5</b> [4] - 2:24, 5:17,	- 63:10
106:9	<b>11:30</b> [1] - 3:13	91:15, 92:7, 92:23,	93:11, 93:15	ABSENT[1] - 1:14
<b>\$138,000</b> [1] - 83:20	<b>1200</b> [1] - 78:6	93:14, 94:3, 94:7,	<b>5:00</b> [1] - 98:23	absolutely [1] - 12:10
<b>\$200</b> [1] - 5:14	<b>12:30</b> [1] - 102:17	96:2, 96:20, 97:14,	<b>5:30</b> [1] <b>-</b> 98:7	accept [1] - 43:19
<b>\$235.00</b> [1] - 88:18	<b>12th</b> [7] - 73:15, 73:18,	98:8, 98:24, 99:12,		accepting [6] - 86:21,
<b>\$249.00</b> [1] - 88:19	99:25, 101:7,	99:25, 100:1,		95:10, 99:10, 99:23, 100:14, 101:5
<b>\$28,252.86</b> [1] -	104:22, 104:23,	100:16, 100:17,		100:14, 101:5

accident [1] - 50:13 accomplished [1] -6:20 Accord [1] - 66:21 according [1] - 59:12 accordingly [1] -102:2 account [5] - 96:4, 96:24, 100:2, 100:18, 101:9 Account [2] - 88:21, action [2] - 81:15, 108:14 activity [2] - 35:25, 61:8 actual [1] - 27:13 Adams [5] - 50:3, 50:4, 50:15, 70:5, 70:8 add [2] - 22:13, 77:24 added [2] - 43:1, 43:10 addenda [1] - 34:6 addendums [1] - 34:5 adding [3] - 17:14, 51:12, 62:20 additional [5] - 4:1, 4:5, 23:1, 24:18, 25.1 address [12] - 4:13, 4:14, 4:23, 4:24, 5:2, 5:6, 25:3, 31:9, 67:11, 80:14, 82:6, 86:2 adds [1] - 17:16 adhered [1] - 81:19 adjourn [1] - 106:19 adjourned [1] - 107:7 ADMINISTRATOR[1] - 1:20 Administrator [3] -86:22, 88:15, 104:11 admit [1] - 70:21 adopt [1] - 56:1 adopting [1] - 86:8 ads [1] - 26:10 advantage [2] - 6:7, 8:23 afford [2] - 5:6, 9:20 affordable [6] - 5:18, 12:5, 12:10, 22:19, 22:21, 23:22

affordably [1] - 23:24 afraid [1] - 23:14 afternoon [1] - 69:25 Agave [1] - 5:16 age [1] - 8:1 agencies [1] - 32:6 agenda [9] - 8:11, 53:24, 53:25, 54:2, 54:3, 54:4, 72:15, 86:6, 86:8 agendas [2] - 53:16, 53:20 ago [4] - 11:13, 34:13, 40:18. 45:9 agree [3] - 14:3, 22:15, 23:8 agreed [1] - 53:24 agreement [2] - 94:3, 94:8 ahead [8] - 11:25, 20:21, 25:11, 38:1, 59:4, 84:3, 95:5 Air [1] - 16:19 air [4] - 62:18, 66:4, 69:13, 81:11 Airbnb [3] - 12:11, 26:16, 26:21 airborne [1] - 65:18 **AI** [2] - 85:9, 85:11 alarm [1] - 69:3 alarmed [1] - 32:12 Alaska [1] - 66:11 Albany [1] - 88:17 Alcohol [1] - 21:14 Allegiance [1] - 2:4 **ALLEN** [2] - 22:2, 67:10 Allen [2] - 22:2, 67:10 allergens [1] - 69:12 allergic [1] - 68:14 allow [3] - 6:1, 6:9, 18:13 allowed [10] - 8:9, 10:23, 18:4, 18:19, 19:13, 20:17, 56:19, 61:6, 61:11, 69:9 allows [2] - 7:7, 26:4 almost [4] - 2:20, 48:17, 52:9, 69:2 alone [1] - 52:6 amend [2] - 103:9, 103:13

amended [2] - 6:1,

103:17 amending [1] - 10:21 amendment [12] -4:10. 5:5. 6:9. 6:11. 7:6, 7:7, 7:23, 7:24, 9:10, 24:15, 101:24 Amendment [6] -89:9, 90:1, 90:18, 91:11, 92:3, 92:20 amendments [2] -34:10, 54:14 amount [5] - 25:16, 66:8, 106:5, 106:6, 106:9 anniversary [1] -13:12 announce [2] - 2:18, 104:18 announced [1] - 38:13 announcements [2] -2:22, 3:3 **Annual** [1] - 88:16 annual [4] - 3:18, 75:7, 98:6, 98:22 answer [8] - 11:21, 18:9, 19:16, 36:11, 48:3, 48:11, 48:12, 57:20 answers [1] - 80:9 anyway [5] - 9:20, 49:7, 50:1, 53:15, 54:6 apartment [5] - 22:25. 25:19, 26:1, 26:11, 27:14 apartments [23] - 5:1, 5:18, 9:19, 10:2, 10:25, 11:14, 12:4, 13:21, 13:23, 14:9, 14:17, 14:25, 15:14, 16:3, 16:14, 17:4, 18:5, 19:3, 21:21, 26:10, 26:22, 26:23, 28.2 apologize [4] - 20:22, 53:25, 77:14, 80:8 appalling [1] - 61:17 Appeals [1] - 13:11 appear [1] - 32:25 appeared [1] - 36:2 Applause [2] - 72:11, 82:3 applicable [2] - 88:20,

96:22 Application [2] -97:11, 98:3 application [2] - 32:5, 87:10 applications [1] - 8:17 applied [1] - 13:20 apply [1] - 43:2 appointing [1] - 37:22 appreciate [2] - 45:5, 49:8 approach [1] - 71:23 approved [2] - 42:8, 87:12 approving [8] - 75:5, 87:10, 94:2, 97:10, 98:2, 98:19, 102:14, 106:3 arborist [1] - 3:4 Arcade [1] - 3:20 area [10] - 4:25, 10:2, 11:15, 15:9, 15:10, 19:6, 23:4, 50:22, 69:10, 72:4 areas [1] - 15:2 argument's [1] - 19:24 arose [1] - 13:18 arrive [2] - 32:21, 65:1 arrow [1] - 93:12 Arthur [4] - 10:12, 14:3, 54:10, 57:13 article [1] - 50:25 artist [2] - 6:1, 6:7 as-of-right [1] - 9:13 asbestos [1] - 64:21 aside [3] - 5:23, 26:21 aspect [1] - 27:1 assaulted [1] - 13:14 assembly [1] - 75:9 Assembly [2] - 97:10, 98:2 assessment[1] -32:11 assignments [1] -21:17 Associates [2] - 74:6, 104:14 Association [2] -73:11, 104:13 assume [2] - 49:19, 49:20 assured [1] - 42:13 asthma [2] - 62:19,

65:18 asthmatic [1] - 68:14 astounded [1] - 65:9 attached [10] - 63:7, 75:8, 89:9, 90:1, 90:18, 91:11, 92:3, 92:20, 94:2, 95:10 attack [1] - 61:19 attacked [1] - 65:12 attendance [3] -88:14, 95:23, 96:16 Attendant [1] - 88:1 attended [1] - 104:20 Attorney [3] - 20:4, 76:4, 86:23 **ATTORNEY**[1] - 1:19 audience [1] - 5:13 **AUDIENCE**[1] - 2:20 **Audience** [1] - 6:14 **Audubon** [1] - 66:22 August [2] - 87:13, 94:7 authorities [1] - 79:24 authority [1] - 48:14 authorizing [11] -88:14, 89:8, 89:25, 90:17, 91:10, 92:2, 92:19, 93:10, 94:7, 96:16, 105:12 available [3] - 22:6, 58:3, 58:8 Avenue [6] - 6:13, 17:22, 51:19, 84:16, 84:21, 98:22 aware [3] - 45:17, 46:17 Aye [120] - 30:25, 31:1, 31:2, 31:3, 86:12, 86:13, 86:14, 86:15, 87:2, 87:3, 87:4, 87:5, 87:17, 87:18, 87:19, 87:20, 88:6, 88:7, 88:8, 88:9, 88:25, 89:1, 89:2, 89:3, 89:17, 89:18, 89:19, 89:20, 90:9, 90:10, 90:11, 90:12, 91:2, 91:3, 91:4, 91:5. 91:19. 91:20. 91:21, 91:22, 92:11, 92:12, 92:13, 92:14, 93:2, 93:3, 93:4, 93:5, 93:19, 93:20,

93:21, 93:22, 95:15, 95:16, 95:17, 95:18, 96:8, 96:9, 96:10, 96:11, 97:2, 97:3, 97:4, 97:5, 97:19, 97:20, 97:21, 97:22, 98:11, 98:12, 98:13, 98:14, 99:2, 99:3, 99:4, 99:5, 99:15, 99:16, 99:17, 99:18, 100:6, 100:7, 100:8, 100:9, 100:22, 100:23, 100:24, 100:25, 101:13, 101:14, 101:15, 101:16, 102:6, 102:7, 102:8, 102:9, 103:18, 103:19, 103:20, 103:21, 104:1, 104:2, 104:3, 104:4, 105:4, 105:5, 105:6, 105:7, 105:20, 105:21, 105:22, 105:23, 106:12, 106:13, 106:14, 106:15, 106:23, 106:24, 106:25, 107:1

### В

baby [1] - 64:16 bags [1] - 23:6 ban [6] - 62:5, 63:10, 66:24, 68:23, 69:5 **Bank** [1] - 52:2 **banning** [2] - 68:11, 69:5 bans [2] - 62:8 Barbara [1] - 2:6 barge [1] - 49:2 Barnosky [3] - 94:5, 94:6, 94:9 base [1] - 71:1 based [1] - 34:11 **basin** [1] - 92:21 basis [2] - 14:14, 67:24 bathroom [1] - 40:19 bathrooms [1] - 71:14 battery [1] - 63:3 **bay** [1] - 78:20 Bay [2] - 51:19, 98:21

beach [1] - 41:19 Beach [11] - 10:13, 54:10, 70:19, 71:6, 72:9, 72:21, 73:11, 73:16, 82:13, 90:20, 104:13 become [1] - 46:17 becomes [2] - 59:22, 76:22 becoming [1] - 18:1 bedroom [2] - 22:24, 27:4 beds [1] - 83:17 beer [2] - 75:17, 75:24 began [1] - 65:7 beginning [4] - 3:6, 3:19, 27:18, 93:14 behind [2] - 3:20, 22:20 belief [1] - 7:5 belive [1] - 85:13 benefit [5] - 14:11, 21:13, 21:15, 71:22, 72:8 bent [1] - 61:1 **BESS** [1] - 1:15 Bess [3] - 16:2, 31:16 Bess' [1] - 17:25 best [3] - 82:16, 82:17, 83:7 better [6] - 9:16, 9:17, 50:18, 72:8, 83:24, 85:3 between [14] - 46:14, 50:15, 51:3, 51:19, 58:22, 59:21, 70:9, 73:16, 74:10, 85:6, 94:4, 94:8, 95:8, 104:12 bid [5] - 37:11, 42:8, 99:24, 100:15, 101:6 bidding [2] - 37:7, 37:19 big [6] - 17:24, 21:22, 27:25, 42:22, 49:10, 76:20

bigger [2] - 19:14,

biggest [1] - 14:18

bill [2] - 46:22, 47:11

Bill [10] - 18:8, 45:20,

45:22, 47:3, 48:11,

49:5, 54:1, 67:9,

78:4

72:1, 84:3 **Billy** [1] - 73:2 Billy's [1] - 43:14 Bioretention [1] -92:21 birds [1] - 81:4 bit [5] - 10:16, 13:15, 14:2, 42:3, 44:2 blasted [1] - 62:18 block [1] - 64:18 blocks [3] - 22:8, 22:11, 23:8 blood [1] - 108:14 blow [1] - 66:10 blower [6] - 63:4, 66:6, 66:14, 66:15, 81:17, 82:7 blowers [17] - 62:2, 62:6, 62:9, 62:13, 63:4, 63:8, 63:11, 64:5, 64:14, 64:18, 65:16, 66:25, 68:11, 69:8, 78:19, 80:23, 84:23 **blown** [1] - 64:25 Board [46] - 7:21, 7:22, 8:15, 8:16, 8:18, 9:2, 9:21, 11:6, 13:11, 14:10, 14:12, 25:7, 29:10, 31:10, 33:16, 34:2, 43:23, 44:20, 45:17, 55:8, 56:12, 56:13, 56:15, 59:17, 60:3, 61:24, 63:16, 67:17, 73:17, 74:11, 77:2, 77:3, 77:9, 86:2, 86:24, 87:13, 89:14, 90:6, 90:23, 91:16, 92:7, 92:24, 96:17, 96:19, 104:12 board [1] - 52:15 **BOARD**[1] - 1:3 Board's [1] - 4:20 Boards [2] - 7:10, 63:10 **boat** [5] - 71:10, 78:24, 79:3, 79:11 boats [5] - 78:21, 79:11, 83:3 bore [1] - 48:23 bored [1] - 84:7 bothers [1] - 84:23

**bow** [1] - 93:12 bowing [1] - 12:1 box [1] - 47:25 BRAATEN[1] - 108:7 Braaten [1] - 108:20 Brandt [7] - 89:8, 89:25, 90:17, 91:10, 92:2, 92:19, 95:24 breaking [1] - 72:19 Brewer's [10] - 71:12, 78:23, 79:1, 79:16, 82:14, 82:25, 84:6 Brewing [2] - 75:6, 98:20 Bridge [1] - 76:18 brief [1] - 70:14 **bring** [3] - 57:13, 68:3, 78:15 **bringing** [1] - 77:15 brings [1] - 12:11 broader [1] - 72:5 Bronxville [1] - 62:10 brought [4] - 21:12, 45:8, 48:9, 78:23 **bubble** [1] - 69:15 Budget [12] - 89:9, 89:11, 90:1, 90:3, 90:18, 90:21, 91:11, 91:13, 92:3, 92:5, 92:20, 92:21 build [5] - 5:15, 8:2, 14:24, 23:16, 78:9 builders [1] - 5:13 building [14] - 6:6, 6:7, 6:13, 6:21, 8:4, 8:19, 8:25, 9:14, 11:13, 12:8, 16:16, 18:8, 22:25, 23:14 Building (6) - 5:17. 7:9, 8:5, 8:9, 14:8, 28:22 buildings [5] - 9:4, 12:9, 23:11, 23:12, 23:19 **built** [9] - 5:10, 9:5, 9:19, 10:25, 11:1, 11:17, 23:12, 77:11, 83:2 bulkhead [1] - 79:21 Bulletin [1] - 31:19 bus [2] - 70:6, 70:8 bushes [1] - 3:10 Bushwick [1] - 10:6

Business [2] - 13:25, 102:20 business [10] - 5:7, 5:12, 11:7, 13:22, 14:9, 14:18, 15:14, 16:21, 40:24, 58:9 businesses [2] -15:23, 18:23 buy [4] - 9:22, 9:23, 72:7, 78:2 buying [1] - 49:14 BYRNE [2] - 80:12, 80:16 Byrne [1] - 80:16

### C

cable [3] - 44:12, 49:19, 52:16 cables [2] - 44:12, 49:14 CAC [6] - 40:13, 42:22, 43:3, 43:9, 79:2, 82:15 calendar [1] - 35:25 capability [1] - 60:4 capable [1] - 38:9 car [1] - 66:5 carbon [1] - 65:20 care [4] - 26:13, 43:6, 50:7, 70:4 careful [2] - 12:22, 64:21 Carousel [1] - 102:17 Carpenter [1] - 98:21 carpet [1] - 68:9 carried [34] - 31:6, 64:9, 64:11, 65:11, 86:18, 87:8, 87:23, 88:12, 89:6, 89:23, 90:15, 91:8, 91:25, 92:17, 93:8, 93:25, 95:3, 95:21, 96:14, 97:8, 97:25, 98:17, 99:8, 99:21, 100:12, 101:3, 101:19, 102:12, 103:24, 104:7, 105:10, 106:1, 106:18, 107:4 carries [1] - 74:24 cars [3] - 21:9, 25:16, 70:9

case [2] - 14:14

case-by-case [1] -14:14 Cashin [4] - 32:15, 34:8. 74:5. 104:13 Catharine [1] - 80:16 cathedra [1] - 7:13 caught [1] - 7:19 CDC [2] - 65:13, 65:24 celebration [1] - 3:17 cement [1] - 52:19 Center [1] - 9:14 Central [1] - 51:19 certain [3] - 15:9, 44:23, 69:1 certainly [3] - 13:1, 58:20, 72:25 **certified** [1] - 3:3 certify [2] - 108:9, 108:13 cesspool [2] - 79:7, 79:19 Cesspool [1] - 95:9 Chairperson [1] -13:11 challenge [1] - 66:13 chance [2] - 32:24, 44:14 change [23] - 9:3, 9:16, 11:25, 37:6, 37:7, 37:10, 37:18, 42:4, 42:22, 46:16, 55:24, 57:10, 57:16, 57:25, 58:20, 58:22, 58:23, 59:3, 59:7, 59:10, 60:2, 60:10 changed [3] - 7:11, 48:6, 57:12 changes [9] - 30:14, 37:13, 55:5, 55:8, 56:6, 57:17, 60:9, 60:15, 60:17 chaos [1] - 12:18 chaotic [1] - 12:21 Chapter [11] - 4:11, 7:24, 8:22, 24:4, 24:7, 24:16, 25:2, 29:7, 54:20, 76:4, 101:25 character[1] - 76:21 charge [4] - 74:21, 75:2, 75:22, 96:2 Chase [1] - 52:1 chastise [1] - 7:15

Chatty [4] - 22:2, 67:8, 67:10, 80:5 cheap [1] - 84:9 checking [1] - 48:24 checks [3] - 106:3, 106:6, 106:8 cheer [1] - 3:22 child [1] - 70:3 children [1] - 62:20 chime [1] - 33:7 chippery [1] - 81:7 choice [1] - 8:21 choose [1] - 55:18 **circle** [2] - 71:19, 102:16 cited [1] - 62:13 City [1] - 10:7 clarification [3] - 15:7, 60:2, 61:14 clarify [4] - 14:2, 47:19, 57:23, 77:18 clarity [1] - 16:24 Clark [1] - 45:15 Clarke [1] - 17:22 Clarke's [1] - 51:5 class [1] - 3:5 classic [1] - 6:4 Claudio's [3] - 49:3, 49:6, 102:16 clean [3] - 68:19, 81:11 clear [3] - 54:24, 60:13, 61:8 clearer [1] - 14:16 ClearingHouse's [1] -16:21 clearly [1] - 10:19 CLERK [7] - 1:21, 53:23, 75:12, 95:2, 103:1, 103:6, 103:11 Clerk [7] - 58:21, 86:23, 94:21, 94:22, 95:23, 99:11, 102:1 clock [2] - 68:22, 69:3 close [11] - 25:6, 29:17, 29:20, 30:3, 31:7, 49:11, 57:9, 57:10, 75:6, 98:4, 98:20 closed [4] - 3:16, 54:13, 54:17, 75:19

closing [4] - 30:15,

30:24, 54:24, 102:14

closure [4] - 75:11, 75:13, 75:14, 75:16 clothesline [1] - 65:3 clouds [1] - 65:1 CO[1] - 24:24 coaching [2] - 2:12, code [30] - 4:21, 5:4, 6:1, 6:9, 7:6, 7:11, 7:23, 7:24, 8:13, 9:3, 9:15, 13:15, 13:19, 13:22, 14:4, 14:5, 14:8, 14:15, 14:21, 15:1, 15:2, 15:8, 16:14, 17:7, 17:13, 29:2, 76:12, 77:10 Code [8] - 4:12, 8:5, 8:9, 18:19, 24:5, 24:18, 28:21, 102:1 codes [2] - 25:23, 29:4 collaboration [1] -102:19 Colonial [2] - 5:16, 12:8 Columbus [1] - 3:17 combust [1] - 66:3 comfortable [4] - 4:8, 25:7, 29:11, 29:13 coming [9] - 7:4, 44:13, 51:14, 51:17, 53:3, 53:16, 53:17, 73:13, 107:6 commenced [1] -31:25 commencement [1] -37:3 comment [15] - 30:16, 30:19, 35:6, 40:15, 40:16, 55:7, 55:25, 56:10, 56:16, 56:19, 57:3, 57:11, 59:21, 60:19, 67:12 commented [1] - 42:6 comments [17] - 4:1, 4:4, 4:5, 4:15, 4:17, 4:18, 20:20, 24:4, 24:11, 24:18, 25:2, 29:7, 34:9, 34:11, 36:17, 42:11, 73:8 commercial [19] -6:10, 8:4, 14:25, 15:10, 15:11, 15:13, 15:18, 16:9, 16:11,

16:25, 17:15, 17:17, 17:20, 17:24, 18:4, 18:13, 19:6, 19:12, 19:15 Commercial [3] - 9:4, 15:19, 15:25 commercially [4] -16:5, 18:11, 19:7, 19:11 committed [2] - 37:22, 44:25 committee [1] - 21:25 Committee [1] - 21:14 communities [1] -76:19 community [6] -36:14, 66:24, 68:5, 70:24, 81:7, 81:10 company [7] - 16:18, 52:15, 52:16, 52:21, 75:17, 82:16 Company [3] - 75:6, 87:11, 98:20 **compared** [1] - 66:5 complaint [3] - 80:21, 80:23 complaints [2] - 81:9, 81:16 completed [4] - 31:22, 32:2, 32:4, 32:8 **completely** [1] - 25:16 complies [3] - 8:5, 8:8. 28:6 component [1] - 72:3 comprehensive [4] -12:14, 12:16, 12:24, 15.2 concern [2] - 64:17, 78:19 concerned [5] - 21:10, 28:5, 40:20, 40:25, 42:22 concerns [5] - 4:19, 10:18, 14:19, 41:5, concrete [1] - 44:14 conditional [1] - 15:18 Conditioners [1] -16:19 conditions [1] - 62:19 conduct [3] - 3:4, 60:6, 93:11 **conference** [1] - 88:18

confirm [5] - 35:24, 37:21, 38:1, 44:16, 79:19 confirmed [2] - 37:2, 73:21 confused [5] - 18:2, 32:19, 40:12, 44:10, 73:1 confusing [4] - 22:18, 39:18, 44:4, 44:17 **confusion** [1] - 36:25 Conservation [1] -62:24 consider [4] - 10:9, 65:5, 65:6, 81:16 consideration [3] -8:6, 11:3, 24:2 considered [3] -11:11, 17:24, 32:5 considering [2] -28:24, 63:13 **consisting** [1] - 106:5 constantly [2] - 13:14, 40:21 construct [2] - 12:7, 32:25 constructed [1] -11:14 construction [4] -33:1, 36:7, 37:19, 50:6 consulting [1] - 32:15 contact [4] - 37:23, 47:21, 48:2, 73:12 contacted [2] - 48:1, 48:8 contains [1] - 108:10 contamination [1] -62:21 continue [6] - 20:14, 24:10, 28:15, 38:19, 50:6, 81:25 continues [1] - 7:23 contract [5] - 37:1, 44:23, 48:25, 94:14, 95:8 contractor [2] - 37:12 contractors [1] -64:20 contrary [1] - 6:25 conventional [1] -71:22 conversation [3] -

38:19, 40:17, 73:13 cool [3] - 43:8, 43:11 coordination [1] -105:16 copy [1] - 63:16 corner [3] - 52:2, 68:17, 68:21 correct [22] - 13:2, 19:19, 19:20, 27:1, 27:23, 28:13, 36:14, 37:8, 39:23, 47:12, 54:21, 54:22, 55:2, 55:3, 55:4, 56:1, 56:3, 57:4, 58:1, 60:6, 60:11, 108:11 correcting [1] - 32:10 corrections [1] - 14:1 correctly [1] - 34:17 corresponding [3] -62:14, 96:4, 96:24 cost [3] - 12:6, 69:9, 83:22 costs [2] - 88:20, 96:3 cottage [1] - 78:6 counsel [1] - 94:5 count [2] - 42:15, 46:13 counts [1] - 42:15 County [4] - 79:8, 85:7, 85:16, 85:17 **COUNTY** [2] - 1:1, 108:5 couple [6] - 5:25, 38:14, 40:17, 54:5, 84:19, 104:19 course [1] - 43:17 Court [1] - 108:7 cover[1] - 34:19 coverage [1] - 76:13 crafted [1] - 11:8 crazy [2] - 43:18, 65:9 create [4] - 4:25, 5:18, 10:4, 14:4 created [3] - 11:22, 11:23, 12:4 creating [1] - 10:1 Creek [2] - 78:17, 84:8 creek [3] - 78:20, 78:22, 80:4 crisis [1] - 10:1 crossed [1] - 67:21 crossing [1] - 44:21 crosswalk [2] - 51:11,

51:12
crowded [1] - 50:18
curb [4] - 41:19, 46:8,
52:3, 62:5
cure [1] - 9:25
current [1] - 14:8
customers [2] - 79:22,
79:24
cut [2] - 20:6, 84:13

### D

damage [2] - 65:21, 65:23 danger [1] - 65:5 data [1] - 79:18 date [4] - 73:9, 73:20, 90:19, 104:18 dated [2] - 94:6, 106:4 days [15] - 13:12, 37:3, 40:17, 49:1, 53:20, 55:9, 57:21, 57:22, 57:24, 58:3, 58:9, 58:12, 58:13, 58:20 dead [1] - 50:3 deal [2] - 69:1, 69:15 dealt [1] - 69:13 **DEC** [8] - 35:8, 35:10, 40:6, 40:8, 40:17, 41:5, 43:6, 63:8 decibel [1] - 62:14 decide [2] - 74:7, 74:9 decided [1] - 50:23 decides [1] - 8:10 declined [1] - 38:10 deCRUZ[2] - 84:20, 85:22 DeCruz [4] - 84:20, 85:8, 85:19, 85:25 deep [1] - 44:7 deeper [1] - 22:13 deer [1] - 93:11 deficiencies [1] - 7:16 definitely [1] - 43:22 delay [1] - 21:24 deliberate [2] - 54:25, 57:17 delivery [1] - 70:6 demand [1] - 83:5 demo [1] - 64:22 democracy [2] -

81:15, 81:21

democratic [1] - 81:10 demographic [2] -5:4, 9:18 **demolition** [1] - 78:8 demonstration [1] -81.21 demonstrations [1] -66:14 density [2] - 8:6, 8:7 Department [10] -62:24, 79:9, 86:22, 87:12, 92:4, 100:1, 100:3, 100:17, 100:19, 101:8 **DEPUTY** [1] - 1:14 Deputy [1] - 2:22 Derryl [1] - 50:21 deserve[1] - 84:14 design [2] - 74:8, 90:20 desk [1] - 7:8 details [1] - 35:24 detectors [2] - 24:24 development [3] - 7:7, 7:20, 90:19 dictates [1] - 76:12 difference [1] - 17:13 different [10] - 10:8, 10:16, 22:9, 32:25, 33:5, 33:19, 33:21, 35:18, 45:12, 46:4 digging [1] - 69:24 direct [1] - 58:21 directing [8] - 89:11, 90:3, 90:21, 91:13, 92:4, 92:21, 102:1, 104:10 direction [2] - 10:17, 13:2 directly [1] - 48:2 dirt [1] - 68:20 disagree [1] - 22:3 disclosure [2] - 8:14, 13:10 discuss [4] - 29:9, 31:7, 79:14, 104:14 discussed [3] - 36:13, 37:24, 103:9 discussing [1] - 4:6 discussion [5] -24:13, 29:21, 35:25,

diseases [1] - 65:19 disperses [1] - 71:12 dissect [1] - 21:16 distributed [1] - 72:3 distribution [1] - 90:2 District [4] - 13:24, 13:25, 15:25, 102:20 district [3] - 17:20, 18:2, 71:18 districting [1] - 84:13 districts [4] - 15:12, 15:22. 17:15. 17:17 **Division** [1] - 101:25 document [6] - 32:17, 55:10, 58:17, 59:4, 60:9, 63:8 documents [2] -32:21, 63:9 doke [1] - 53:7 dollars [1] - 84:19 done [14] - 6:4, 10:22, 10:23, 11:4, 11:21, 32:20, 33:21, 41:3, 49:19, 68:2, 68:7, 72:24, 85:6, 85:18 door[1] - 68:7 dotting [1] - 44:21 doubt [1] - 14:23 **Doug** [4] - 13:8, 70:12, 77:12, 78:16 **DOUGLAS** [1] - 1:16 down [15] - 3:20, 27:2, 49:2, 50:20, 51:4, 51:9, 53:3, 55:1, 60:25, 73:8, 74:1, 76:7, 76:24, 78:4, 78:8 downtown [6] - 4:25, 10:2, 11:15, 21:8, 21:10, 69:10 dozen [1] - 71:20 draft [4] - 33:1, 34:7, 34:9, 34:10 drafting [1] - 11:2 drain [2] - 51:10, 71:13 drastically [1] - 60:2 drawing [3] - 41:6, 41:8, 41:14 drawings [5] - 42:8, 42:9, 42:21, 45:10

dreadful [1] - 81:24

72:5, 72:6

drilling [3] - 41:10, 44:2, 48:23 drive [2] - 66:9, 66:10 drives [1] - 65:8 drone [1] - 64:15 during [2] - 22:7, 105:14 Dussy [1] - 16:19 dust [5] - 63:2, 64:18, 65:1, 65:2, 78:18 Dwelling [1] - 4:11 dynamic [2] - 10:4, 10:8

### Ε

E.0782.000 [1] - 88:21 **EAF** [2] - 34:19, 36:8 early [1] - 53:20 ears [1] - 69:20 East [1] - 98:22 east [4] - 41:12, 41:16, 41:22 eastern [1] - 91:12 easy [1] - 67:6 economics [1] - 9:24 edge [1] - 52:7 **Edmunds** [1] - 66:5 Education [1] - 95:25 effective [5] - 66:16, 66:18, 88:3, 94:3, 99:11 effort [1] - 53:19 eight [10] - 5:1, 10:1, 55:9, 57:21, 57:22, 57:24, 58:12, 58:13, 58:20, 83:2 **EIS** [2] - 33:24, 35:16 either [6] - 11:22, 53:17, 60:5, 66:1, 75:3, 84:8 elected [1] - 68:6 electric [4] - 63:4, 66:14, 66:15, 69:18 electrician [1] - 40:23 **electricity** [1] - 40:24 eliminate [2] - 25:25, 26:4 emails [3] - 7:1, 7:2, 44:24 embarrassed [1] -79:22

embed [1] - 44:14

94:11, 94:16

discussions [2] -

emergency [1] - 91:12 emissions [3] - 63:1, 63:6, 66:9 empirical [1] - 79:18 employee [1] - 96:18 employees [2] - 3:8, 69:7 Employer [1] - 95:25 empty [1] - 78:10 enact [1] - 62:4 enacted [1] - 62:8 ENB [1] - 31:17 encompass [1] -71.19 encourage [6] - 13:2, 13:3, 14:25, 21:9, 74:21, 80:20 end [7] - 41:18, 51:13, 67:21, 67:24, 82:21, 83:19 ended [1] - 40:16 enforced [3] - 25:24, 29:2, 29:5 Enforcement [1] -28:22 engagement [1] - 94:6 engine [2] - 65:22, 66:6 engineer [1] - 71:25 engineers [2] - 72:21, 74:6 entails [1] - 12:25 enthusiastically [2] -65:10, 65:12 entire [1] - 26:8 entirety [1] - 12:13 entitled [1] - 8:13 entreat [1] - 62:3 Environment [1] -31:17 environment [1] -62:16 environmental [4] -32:11, 36:23, 68:13, 70:15 Environmental [6] -31:19, 32:9, 33:22, 33:24, 34:5, 65:15 environmentally [1] -67:1 equipment [2] - 48:18, 81:17 error[1] - 8:18

errors [2] - 10:21, 11:2 especially [4] - 14:13, 21:21, 22:7, 40:25 establish [1] - 71:18 evening [3] - 10:12, 13:8, 107:6 event [2] - 105:13, 105:15 evidence [5] - 25:15, 26:3, 28:12, 28:17, 29:3 evidently [1] - 42:15 ex [1] - 7:13 exacerbating [1] -62:19 exactly [4] - 12:25, 18:7, 45:23, 49:1 examination [1] -12:22 **example** [1] - 6:4 examples [1] - 7:14 except [1] - 6:21 exchanging [2] - 7:1, excuse [2] - 21:5, 58:9 Executive [1] - 72:13 exhaust [2] - 63:1, 63:6 existing [2] - 13:4, 71:23 expand [4] - 4:25, 5:7, 5:12, 5:15 expandable [1] - 72:4 expanded [1] - 34:7 expansion [2] - 53:6, 104:14 expect [2] - 5:14, 36:1 expense [1] - 84:11 Expense) [1] - 101:10 expensed [6] - 88:21, 96:4, 96:23, 100:2, 100:18, 101:9 experience [1] - 77:8 explain [2] - 56:5, 74:7 explained [1] - 70:2 explore [1] - 62:4 expressed [1] - 10:18 **expressing** [1] - 41:5 extension [3] - 70:19, 90:20, 97:15 eye [1] - 65:22

F F-150 [1] - 66:6 F-250 [3] - 100:1, 100:17, 101:8 F.8310.416 [1] - 101:9 face [2] - 7:7, 68:18 faced [1] - 5:2 facilities [1] - 26:13 fact [4] - 11:3, 11:9, 13:18. 74:16 fair [2] - 75:20, 75:21 fairly [2] - 48:22, 84:9 fairness [1] - 60:4 **Fall** [1] - 88:16 **fallible** [1] - 7:12 familiar [1] - 41:18 family [5] - 4:11, 13:19, 14:20, 14:22, 105:13 Family [1] - 24:5 far [5] - 19:22, 45:24, 51:6, 51:20, 64:25 farmers [1] - 74:17 Farmers [1] - 75:22 Farmers' [2] - 97:11, 97:15 fast [2] - 11:5, 64:3 father's [1] - 52:2 favor [32] - 30:7, 30:23, 86:11, 87:1, 87:16, 88:5, 88:24, 89:16, 90:8, 91:1, 91:18, 92:10, 93:1, 93:18, 95:14, 96:7, 97:1, 97:18, 98:10, 99:1, 99:14, 100:5, 100:21, 101:12, 102:5, 102:22, 103:16, 103:25, 105:3, 105:19, 106:11, 106:22 feces [1] - 62:17 fee [3] - 75:8, 75:22, 88:18 fees [1] - 96:22 feet [15] - 5:16, 41:17, 41:22, 44:6, 44:7, 44:9, 46:5, 46:9, 46:14, 46:15, 49:9, 49:13, 76:14, 76:20 felt [1] - 64:12 fence [1] - 69:17

fertilizer [1] - 62:17 Festival [2] - 75:8, 98:23 few [1] - 45:9 fields [1] - 71:13 fifteen [1] - 6:22 Fifth [14] - 15:5, 20:1, 20:2, 25:12, 31:12, 38:18, 40:20, 41:13, 41:18, 42:19, 43:20, 45:6, 45:16, 84:4 figure [1] - 69:14 filed [2] - 39:11, 39:17 filing [2] - 38:21, 38:22 fill [1] - 75:10 filled [2] - 40:21, 61:3 filtration [2] - 83:17, 83:18 final [16] - 35:16, 35:24, 37:2, 37:5, 37:16, 42:10, 42:14, 42:20, 43:5, 43:25, 58:2, 58:7, 59:22, 63:22 finally [2] - 85:1, 85:5 fine [4] - 20:11, 20:19, 30:1, 33:11 finished [1] - 94:14 fire [2] - 21:22, 24:23 Fire [4] - 8:9, 86:22, 87:12, 101:22 Firearms [1] - 21:14 Firehouse [2] - 1:7, 3:6 firm [1] - 32:15 first [15] - 4:10, 10:14, 10:20, 11:11, 12:2, 12:3, 13:12, 31:10, 33:7, 38:20, 39:10, 41:10, 53:2, 68:10, 94:15 First [1] - 16:15 fish [2] - 16:3, 18:1 five [6] - 25:25, 30:17, 30:18, 30:21, 93:11, 93:15 flag [1] - 2:3 flawed [1] - 7:24 floor [4] - 5:8, 8:2, 8:3, 17:1 floor-and-a-half [1] -8:3

floors [1] - 5:10 flow [1] - 89:11 flower [2] - 51:4, 51:5 focus [1] - 14:24 foggy [1] - 13:15 follow [2] - 39:9, 64:20 following [3] - 45:2, 63:13, 70:18 follows [1] - 61:25 food [1] - 81:11 foot [12] - 5:14, 5:15, 12:7, 76:8, 76:9, 76:10, 76:16, 76:17, 77:5, 77:7, 78:6, 78:9 football [3] - 2:12, 2:23, 2:24 footprint [1] - 76:13 Ford [7] - 66:6, 99:24, 100:1, 100:15, 100:17, 101:6, 101:7 foregoing [1] - 108:10 forester [1] - 3:3 forever[3] - 18:25, 49:24, 85:2 forgot [1] - 20:9 Form [3] - 34:4, 34:5 formal [10] - 36:13, 36:21, 36:22, 57:4, 89:12, 90:4, 90:22, 91:14, 92:6, 92:22 former [1] - 13:10 forms [1] - 32:11 formula [1] - 77:12 forth [1] - 11:1 forum [1] - 61:19 forward [3] - 70:20, 70:23, 73:5 four [3] - 18:14, 21:20, 77:13 four-tenths [1] - 77:13 Fourth [3] - 6:13, 15:14, 17:22 fraction [1] - 83:22 frankly [1] - 61:1 free [2] - 75:24, 76:2 front [4] - 47:3, 67:17, 68:19, 77:8 Front [12] - 3:20, 5:8, 5:10, 6:13, 8:4, 9:6, 12:4, 16:25, 68:17, 68:18, 98:22, 102:16 fuel [2] - 63:1, 66:3

full [1] - 8:14
Full [1] - 95:9
fully [1] - 74:20
fumes [1] - 68:20
fund [2] - 72:20,
105:13
fund-raising [1] 105:13
funding [7] - 89:9,
90:1, 90:18, 90:19,
91:11, 92:3, 92:20
funny [1] - 6:15
future [1] - 50:8

### G

gain [1] - 61:7 Gallagher [1] - 41:5 Galleria [2] - 9:7, 9:8 game [5] - 2:13, 2:23, 2:24, 2:25, 57:10 garden [1] - 51:10 gardeners [1] - 82:9 gas [17] - 7:2, 52:2, 62:1, 62:5, 62:8, 62:12, 63:11, 64:14, 65:16, 66:17, 66:25, 68:11, 69:8, 80:23, 81:16, 84:22 gas-lighting [1] - 7:2 gas-powered [8] -62:1, 63:11, 64:14, 65:16. 66:17. 66:25. 69:8 gasoline [1] - 63:5 gather [1] - 41:20 gathered [1] - 64:2 gear [3] - 42:2, 44:18, 47:25 general [1] - 3:11 generally [3] - 33:18, 49:21, 63:4 generate [1] - 63:5 GEORGE [1] - 1:13 George [6] - 6:24, 19:1, 21:1, 57:8, 84.1 given [1] - 64:18 glad [4] - 13:13, 48:8, 70:19, 72:6 glasses [1] - 72:19 global [1] - 66:20 gonna [1] - 2:11

GORDON [9] - 25:12, 26:21, 26:24, 27:7, 27:10, 27:17, 28:8, 28:11, 29:1 Gordon [1] - 25:12 government [2] - 6:5, 6.23 grand [1] - 81:24 grandmother [2] -66:13, 66:16 grandstanding [1] -61:3 gravel [1] - 83:21 great [8] - 3:23, 21:7, 27:7, 27:18, 29:1, 67:2, 82:11, 85:25 greatest [2] - 64:17, 80:25 green [1] - 83:23 GREENPORT [1] - 1:1 Greenport [43] - 1:8, 3:23, 4:12, 4:21, 5:2, 7:8, 10:1, 10:3, 10:13, 12:18, 19:2, 21:2, 22:22, 24:17, 26:19, 39:15, 42:24, 62:3, 62:4, 63:12, 63:15, 75:5, 77:1, 78:23, 80:17, 81:1, 83:1, 83:23, 84:15, 84:21, 86:22, 87:12, 93:10, 94:4, 94:9, 95:9, 97:11, 98:3, 98:19, 101:23, 102:1, 104:12, 105:12 grocery [1] - 23:5 ground [2] - 49:12, 63:5

grounds [1] - 97:12

Group [1] - 21:16

guess [5] - 37:14,

Gusmar [1] - 5:17

50:3

37:24, 38:20, 39:10,

guy [5] - 43:16, 44:16,

75:18, 75:23, 79:19

guys [4] - 53:5, 70:1,

Gwendolyn [1] - 2:6

80:4, 94:13

### Н

H.5110.201 [2] - 100:3, 100:19 half [7] - 7:3, 8:3, 38:6, 61:4, 66:7, 69:3, 73:21 Hall [1] - 96:18 Halloween [1] -102:19 hand [4] - 13:21, 14:11, 69:10, 108:18 handful [1] - 63:25 handicapped [1] -50:12 handle [2] - 23:12, 23:13 hang [1] - 52:22 Harbor [10] - 70:17, 75:6, 79:1, 79:17, 82:19, 83:10, 84:6, 84:17, 98:20 harbor [4] - 71:4, 71:5, 71:19, 72:9 hard [1] - 54:4 haste [2] - 10:22, 11:4 Hastings [1] - 62:10 hate [1] - 61:3 hate-filled [1] - 61:3 hauling [2] - 95:8, 95:12 hazards [1] - 21:23 head [3] - 57:14, 80:5, head's [1] - 67:11 headed [1] - 78:20 heading [2] - 26:15, 105:15 Health [2] - 65:15, 79:9 health [5] - 62:16, 62:25, 65:17, 69:5 healthy [1] - 81:2 hear [3] - 81:3, 81:4, 81:5 hearing [33] - 21:24, 24:10, 25:6, 29:17, 29:20, 30:4, 30:24, 31:7, 35:15, 36:21, 36:22, 55:13, 55:16, 55:23, 56:13, 56:14, 57:4, 57:11, 58:25,

59:19, 60:6, 60:16, 60:19, 65:21, 65:23, 77:16, 78:12, 81:23, 101:21, 102:2 hearing's [1] - 57:5 hearings [5] - 3:24, 3:25, 20:14, 54:12, 60:20 heaving [1] - 51:16 heavy [1] - 62:18 heels [1] - 70:22 held [2] - 3:18, 54:13 help [6] - 20:4, 31:13, 32:15, 32:17, 33:2 hereby [1] - 108:9 hereunto [1] - 108:17 **hi** [1] - 64:8 High [2] - 98:3, 98:6 high [2] - 3:21, 53:7 Hilton [1] - 96:21 hiring [1] - 87:25 hold [1] - 105:13 hole [1] - 60:25 holes [1] - 48:23 holidays [2] - 58:4, 58:10 home [6] - 22:10, 22:11, 23:7, 64:14, 65:2, 73:13 Homecoming [2] -3:18, 98:6 homeowners [3] -73:17, 74:1, 74:10 Homeowners' [1] -104.13 honest [1] - 81:10 honesty [1] - 43:14 hook [1] - 84:10 hope [5] - 21:24, 44:20, 45:1, 61:18, 67:6 hopefully [2] - 26:3, 104:20 hoping [1] - 21:5 horrible [1] - 82:19 Hose [1] - 87:11 hospital [1] - 83:20 hour [5] - 61:4, 66:7, 69:3, 73:21, 88:2 hours [2] - 22:9, 54:5 house [12] - 26:12, 49:11, 69:25, 70:3, 76:13, 76:16, 76:17,

76:20, 78:2, 78:3, 78:4, 78:9 houses [3] - 12:5, 64:19, 84:16 housing [7] - 10:1, 13:19, 14:5, 14:20, 14:22, 22:19, 22:21 HUBBARD [218] -1:13, 2:2, 2:5, 2:9, 2:12, 2:15, 2:18, 2:21, 6:18, 10:11, 13:7, 15:4, 16:5, 16:9, 16:12, 18:3, 18:7, 18:11, 18:18, 19:5, 19:10, 19:18, 19:25, 20:6, 20:11, 20:13, 20:17, 20:20, 20:24, 21:3, 22:1, 24:3, 24:7, 24:9, 25:7, 25:11, 26:15, 26:23, 28:3, 29:6, 29:9, 29:19, 30:1, 30:5, 30:7, 30:9, 30:12, 30:15, 30:19, 30:23, 31:3, 31:6, 38:3, 38:5, 38:8, 38:12, 38:17, 38:24, 39:2, 39:19, 39:21, 40:8, 40:11, 45:4, 46:21, 47:19, 48:5, 48:20, 50:5, 50:19, 51:8, 51:15, 51:21, 51:23, 51:25, 52:8, 52:13, 53:1, 53:10, 53:21, 54:8, 54:15, 54:17, 54:19, 54:22, 56:18, 56:24, 57:5, 57:12, 58:22, 59:2, 60:21, 61:11, 61:13, 61:21, 63:19, 64:7, 67:8, 70:11, 72:14, 72:17, 72:23, 73:7, 74:15, 74:19, 74:23, 75:10, 75:15, 77:18, 77:23, 78:2, 78:10, 79:6, 80:14, 82:2, 84:3, 85:6, 85:9, 85:13, 85:15, 85:21, 85:24, 86:1, 86:5, 86:11, 86:15, 86:18, 87:1, 87:5, 87:8, 87:16, 87:20, 87:23, 88:5, 88:9, 88:12, 88:24, 89:3, 89:6,

59:8, 59:16, 59:18,

90:8, 90:12, 90:15, 91:1, 91:5, 91:8, 91:18, 91:22, 91:25, 92:10, 92:14, 92:17, 93:5, 93:8, 93:18, 93:22, 93:25, 94:16, 94:18, 94:20, 95:1, 95:3, 95:5, 95:14, 95:18, 95:21, 96:7, 96:11, 96:14, 97:1, 97:5, 97:8, 97:18, 97:22, 97:25, 98:10, 98:14, 98:17, 99:1, 99:5, 99:8, 99:14, 99:18, 99:21, 100:5, 100:9, 100:12, 100:21. 100:25. 101:3, 101:12, 101:16, 101:19, 102:5, 102:9, 102:12, 102:22, 103:16, 103:21, 103:24, 104:4, 104:7, 104:17, 104:24, 105:1, 105:7, 105:10, 105:19, 105:23, 106:1, 106:11, 106:15, 106:18, 106:22, 107:1, 107:4 Hubbard [2] - 27:1, 94.8 Hudson [1] - 62:10 huge [1] - 83:18 human [1] - 62:25 **humans** [1] - 83:15 hundred [4] - 46:9, 46:15, 78:21, 84:19 hunting [3] - 93:11, 93:13. 93:15 Huntington [1] - 96:21 hydrocarbon[1] -66:8 hydrocarbons [1] -65:21 ı I's [1] - 44:21 Ice [1] - 105:13 ice [1] - 16:18 idea [4] - 8:12, 27:11,

89:16, 89:20, 89:23,

70:7, 74:25

identified [1] - 27:13 IGA [1] - 98:5 ignore [1] - 79:12 illegal [4] - 79:2, 79:3, 79:8, 79:9 imagine [1] - 83:16 Impact [3] - 32:9, 33:22, 33:24 impacted [1] - 63:1 important [4] - 11:16, 11:24, 21:19, 53:15 impression [1] - 32:14 Improvement [1] -102:20 improving [1] - 51:11 impure [1] - 82:23 **IN** [1] - 108:17 inaccurate [1] - 32:13 incessant [1] - 64:15 inches [2] - 51:21, 52:6 include [2] - 18:20, 65:17 included [6] - 89:12, 90:4, 90:22, 91:14, 92:5, 92:22 including [5] - 58:4, 58:9, 58:10, 62:9, 106.8 incomplete [1] - 32:13 Incorporated [1] -76:21 incorrect [1] - 79:15 individual [1] - 23:11 indulge [2] - 5:24, 72:20 information [8] -20:15, 27:22, 34:6, 42:7, 42:19, 43:24, 48:9. 54:12 initial [3] - 34:7, 34:9, 34:10 initials [1] - 31:21 **initiative** [1] - 67:5 injuries [1] - 65:22 insight [1] - 63:9 inspected [3] - 24:22, 24:23, 26:20 Inspector [3] - 7:9, 14:8, 28:22 installed [1] - 49:25 instance [2] - 16:1, 66:24

instead [2] - 37:19, 71:10 instilled [1] - 42:25 insults [1] - 71:5 integral [1] - 27:14 intent [1] - 15:17 interest [3] - 6:5, 8:14, 65.7 interested [2] - 96:17, 108:15 interests [1] - 12:1 internal [1] - 37:18 interpret [1] - 8:13 interpretation [3] -9:2, 11:6, 19:11 intersection [2] -45:15, 50:14 invest [1] - 5:21 invitation [1] - 38:10 involved [4] - 13:16, 42:23, 43:12, 67:23 irrelevant [1] - 19:24 Island [3] - 48:18, 48:25, 96:21 issue [9] - 22:4, 22:12, 22:14, 23:17, 65:6. 67:13, 68:14, 70:15, 82.7 issues [3] - 8:20, 21:11, 69:5 items [1] - 72:16 itself [1] - 13:20

J

Jack [3] - 2:11, 2:22,

JACK [1] - 1:14

63:21

January [1] - 32:16 jerk [1] - 10:22 jewel [1] - 83:10 job [2] - 64:24, 69:21 Joe [5] - 33:7, 57:21, 57:24, 59:12 John [12] - 4:16, 13:13, 14:3, 22:15, 38:18, 38:24, 40:1, 45:13, 46:1, 47:20, 48:8, 72:12 John's [1] - 47:22 Johnson [7] - 44:8, 45:19, 45:21, 45:25, 46:2, 46:3

join [3] - 3:1, 3:15, 72:6 joining [1] - 3:8 joint [2] - 74:3, 74:11 Joseph [1] - 99:10 JOSEPH [1] - 1:19 JR [1] - 1:13 Julia [1] - 88:15 JULIA [1] - 1:17 June [6] - 34:16, 34:20, 34:21, 34:22, 94:4 Juno [1] - 66:11

K

Kathy [1] - 2:7 keep[1] - 49:6 **Ken** [5] - 60:22, 61:21, 61:22, 63:25, 67:4 kicking [2] - 13:16, 14:11 kind [18] - 4:18, 5:8, 5:10, 5:21, 12:20, 14:6, 23:1, 23:21, 26:14, 27:21, 27:22, 42:2, 44:18, 54:4, 67:7, 68:2, 69:17, 75:22 kitchen [1] - 26:12 knee [1] - 10:22 knee-jerk [1] - 10:22 knock [1] - 78:8 knowledge [1] - 49:17 knows [4] - 5:9, 11:11, 11:21, 43:17 KREILING [1] - 82:4 Kreiling [1] - 82:4 Krupski [2] - 85:9, 85:11 Kyle [1] - 87:25

L lady [1] - 41:4 Lamb [3] - 94:5, 94:6,

Land [1] - 101:25 land [3] - 76:5, 77:19, 77:20 Landing [1] - 89:10 landline [1] - 44:12 landlord [2] - 27:5,

94:9

27:19 landscapers [1] -64:25 landscaping [1] - 8:7 Lane [3] - 74:19, 74:20, 97:13 language [1] - 37:1 Larchmont [1] - 62:10 large [4] - 49:23, 64:1, 71:6, 83:1 larger [2] - 71:7, 71:12 last [7] - 34:11, 41:8, 45:10, 50:14, 61:2, 61:17, 67:25 lastly [1] - 62:23 late [2] - 2:11, 53:16 lately [1] - 53:17 laugh [1] - 6:17 laughter [1] - 73:4 Laughter [2] - 6:14, 6:19 Law [2] - 28:7, 55:24 law [10] - 12:13, 28:15, 28:19, 28:25, 29:7, 36:24, 58:8, 59:11, 59:22, 60:18 lawn [1] - 66:10 Laws [1] - 4:3 laws [3] - 12:16, 12:17, 13:4 lawyers [1] - 15:8 leaching [2] - 79:20, 80:3 lead [3] - 63:14, 64:21, 64:23 leaf [17] - 62:2, 62:6, 62:8, 62:12, 63:3, 63:8. 63:11. 64:5. 65:16. 66:6. 66:14. 66:15, 66:25, 68:11, 69:7, 78:18, 82:7 learn [2] - 3:9, 3:14 leasing [1] - 26:6 least [8] - 7:10, 12:15, 22:24, 53:20, 64:1, 64:19, 66:2, 82:9 leave [4] - 22:9, 49:7, 63:20, 63:21 leaves [2] - 63:3, 66:10 lecture [1] - 66:22 led [1] - 35:5 left [3] - 31:14, 32:20,

Manhasset [1] - 71:23

96:17, 105:17

107:5 legislation [1] - 10:20 legitimate [1] - 78:19 legitimize [2] - 6:12, 6.21 length [1] - 49:14 less [2] - 26:7, 28:4 letter [9] - 34:19, 41:4, 41:24, 44:17, 45:13, 46:1, 47:22, 78:25, level [4] - 40:21, 62:14, 62:21, 63:6 life [5] - 62:15, 68:25, 69:14, 80:19, 81:1 lift [1] - 84:10 Light [1] - 90:3 lighting [1] - 7:2 likely [3] - 12:11, 37:13, 72:4 likewise [1] - 64:3 limitless [1] - 83:15 limits [1] - 14:16 limp [1] - 81:3 Lincoln [2] - 99:24, 100.15 Linda [1] - 25:12 line [9] - 4:1, 20:23, 21:4, 24:12, 25:14, 52:1, 52:3, 67:21, 76.7 lines [3] - 32:1, 47:9, 85:1 lining [1] - 25:14 liquid [2] - 95:8, 95:11 listen [1] - 80:20 listened [1] - 80:25 listening [5] - 10:10, 57:6, 68:12, 73:2, 80:11 livable [1] - 24:25 live [12] - 7:17, 21:10, 22:7, 23:2, 23:3, 26:1, 45:16, 68:17, 69:15, 80:17, 81:12, 81:25 lived [1] - 80:18 lives [1] - 22:4 living [2] - 16:18, 68:18 Liz [3] - 60:21, 60:23, 67:11

LLC<sub>[1]</sub> - 95:9

local [2] - 70:16, 79:19 Local [1] - 4:2 location [2] - 45:14, 53.6 Loeb [1] - 2:6 loft [1] - 6:2 lofts [1] - 6:8 long-term [1] - 12:20 look [8] - 12:14, 12:16, 21:12, 24:12, 42:25, 43:3, 43:9, 45:22 looked [9] - 9:12, 23:10, 23:17, 26:20, 41:7, 41:8, 45:11, 46:19, 46:25 looking [16] - 4:21, 4:23, 4:24, 5:5, 5:7, 7:15, 9:3, 19:17, 23:3, 24:25, 43:21, 49:8, 49:14, 71:3, 75:20, 80:19 loss [1] - 62:14 lottery [1] - 93:11 loud [1] - 69:19 loved [1] - 70:7 lovely [2] - 81:7, 81:21 Lucas [1] - 101:6 **LUCIA**[1] - 108:7 Lucia [1] - 108:20 LUDACER [2] - 61:22, 63:22 Ludacer [1] - 61:22

### М

maddening [2] -62:14, 64:16 madder [1] - 64:17 magic [1] - 59:7 main [2] - 17:13, 90:20 Main [10] - 5:9, 9:14, 50:7, 50:15, 51:2, 52:4, 85:2, 102:15, 102:16 major [4] - 59:10, 60:9, 78:22, 81:18 Maloney [1] - 87:11 Mamaroneck [1] -62.11 man [2] - 44:5, 82:17 Management [1] -88:21

management [2] -

manhole [5] - 41:9, 41:10, 44:19, 49:13, 84:8 manholes [4] - 41:15, 44:5, 49:21, 49:23 **Manor** [1] - 84:8 map [1] - 18:9 Maplewood [1] -66:11 March [2] - 34:14, 34:15 Margaret [1] - 84:20 marina 131 - 71:7. 71:9, 71:11 Marina [3] - 84:17, 88:2, 91:13 marinas [1] - 71:6 Maritza [3] - 20:1, 31:10, 31:12 Maritza's [1] - 39:10 market [1] - 74:17 Market [3] - 75:23, 97:12, 97:15 marriage [1] - 108:15 **Martilotta** [1] - 2:22 MARTILOTTA[1] -1:14 Martin [1] - 2:7 Mary [4] - 16:2, 17:25, 31:16 MARY [1] - 1:15 mass [1] - 75:9 material [1] - 63:13 materials [4] - 64:22, 103:1, 103:3, 103:6 math [2] - 5:19, 9:25 matter [3] - 13:10, 23:24, 108:16 MAYOR [219] - 1:13, 1:14, 2:2, 2:5, 2:9, 2:12, 2:15, 2:18, 2:21, 6:18, 10:11, 13:7, 15:4, 16:5, 16:9, 16:12, 18:3, 18:7, 18:11, 18:18, 19:5, 19:10, 19:18, 19:25, 20:6, 20:11, 20:13, 20:17, 20:20, 20:24, 21:3, 22:1,

26:23, 28:3, 29:6, 29:9, 29:19, 30:1, 30:5, 30:7, 30:9, 30:12, 30:15, 30:19, 30:23, 31:3, 31:6, 38:3, 38:5, 38:8, 38:12, 38:17, 38:24, 39:2, 39:19, 39:21, 40:8, 40:11, 45:4, 46:21, 47:19, 48:5, 48:20, 50:5, 50:19, 51:8, 51:15, 51:21, 51:23, 51:25, 52:8, 52:13, 53:1, 53:10, 53:21, 54:8, 54:15, 54:17, 54:19, 54:22, 56:18, 56:24, 57:5, 57:12, 58:22, 59:2, 60:21, 61:11, 61:13, 61:21, 63:19, 64:7, 67:8, 70:11, 72:14, 72:17, 72:23, 73:7, 74:15, 74:19, 74:23, 75:10, 75:15, 77:18, 77:23, 78:2, 78:10, 79:6, 80:14, 82:2, 84:3, 85:6, 85:9, 85:13, 85:15, 85:21, 85:24, 86:1, 86:5, 86:11, 86:15, 86:18, 87:1, 87:5, 87:8, 87:16, 87:20, 87:23, 88:5, 88:9, 88:12, 88:24, 89:3, 89:6, 89:16, 89:20, 89:23, 90:8, 90:12, 90:15, 91:1, 91:5, 91:8, 91:18, 91:22, 91:25, 92:10, 92:14, 92:17, 93:5, 93:8, 93:18, 93:22, 93:25, 94:16, 94:18, 94:20, 95:1, 95:3, 95:5, 95:14, 95:18, 95:21, 96:7, 96:11, 96:14, 97:1, 97:5, 97:8, 97:18, 97:22, 97:25, 98:10, 98:14, 98:17, 99:1, 99:5, 99:8, 99:14, 99:18, 99:21, 100:5, 100:9, 100:12, 100:21, 100:25, 101:3, 101:12, 101:16, 101:19,

102:5, 102:9, 102:12, 102:22, 103:16, 103:21, 103:24, 104:4, 104:7, 104:17, 104:24, 105:1, 105:7, 105:10, 105:19, 105:23, 106:1, 106:11, 106:15, 106:18, 106:22, 107:1, 107:4 Mayor[7] - 2:22, 26:25, 58:18, 59:20, 63:17, 86:24, 94:7 McGrath [1] - 73:10 McMansion [1] - 76:20 meal [2] - 88:20, 96:3 mean [51] - 5:13, 7:25, 9:15, 9:21, 14:2, 15:10, 19:1, 19:2, 19:12, 19:23, 22:23, 23:23, 25:8, 26:9, 26:16, 29:19, 30:13, 30:16, 40:2, 43:7, 43:25, 44:5, 45:12, 45:16, 45:22, 46:13, 46:16, 46:17, 46:19, 47:9, 47:17, 47:23, 48:5, 48:16, 48:24, 49:10, 53:17, 53:22, 69:2, 75:22, 76:13, 76:16, 76:19, 77:4, 78:18, 79:18, 79:25, 80:4, 84:12, 84:17, 85:22 means [3] - 42:1, 54:25, 62:5 meant [1] - 67:16 media [2] - 5:5, 9:19 Medicine's [1] - 65:15 meet [2] - 81:12, 83:5 meeting [40] - 2:1, 2:2, 4:9, 29:15, 31:8, 35:17, 35:23, 42:12, 42:14, 53:18, 55:1, 55:9, 55:11, 56:17, 56:19, 56:21, 57:1, 57:16, 73:14, 73:16, 73:22, 74:3, 74:9, 74:11, 89:13, 89:14, 90:4, 90:5, 90:22, 90:23, 91:15, 91:16, 92:6, 92:7, 92:23,

92:24, 104:11,

24:3, 24:7, 24:9,

25:7, 25:11, 26:15,

104:19, 106:20, 107:7 Meeting [1] - 88:16 meetings [1] - 45:9 Melville [1] - 96:21 **MEMBER**[1] - 2:20 Member [1] - 63:16 member [5] - 29:12, 82:15, 96:17, 96:19 members [2] - 68:5, 70:25 membership [1] -87:10 memory [1] - 77:13 mention [1] - 63:23 mentioned [3] - 63:10, 78:15, 78:16 merge [4] - 76:8, 77:21, 78:4 Merger [1] - 101:25 merger[1] - 76:5 merging [1] - 76:4 Meson [1] - 8:25 metals [1] - 62:18 meters [1] - 89:11 Michael [1] - 87:11 middle [2] - 35:9, 52:10 might [12] - 13:23, 14:7, 21:13, 21:15, 43:3, 52:23, 52:24, 72:1, 76:7, 79:13, 79:14 mile [1] - 66:9 mileage [3] - 88:20, 96:3, 96:22 millionaire [1] - 23:23 **mind** [1] - 13:14 minds [1] - 14:12 minute [3] - 42:17, 44:1, 60:1 minutes [6] - 89:13, 90:5, 90:22, 91:15, 92:6, 92:23 missing [1] - 29:12 mistake [1] - 7:14 mistaken [1] - 34:13 mistakes [2] - 7:14, 7.17 misunderstood [1] -40:5 Mitchell [2] - 88:1, 91:13

mix [1] - 40:24 models [1] - 63:5 modifications [1] -13.4 modified [1] - 49:17 modify [1] - 19:14 mold [1] - 62:17 Moment [1] - 2:8 moment [2] - 2:6, 50:5 Monday [2] - 50:22, 53:3 money [5] - 5:21, 12:17, 23:16, 23:21, 23:24 monitor [1] - 49:6 monoxide [1] - 65:20 Monsell [2] - 76:18, 84:9 month [7] - 21:25, 24:10, 25:6, 34:12, 34:16, 42:18, 47:10 monthly [1] - 86:21 months [13] - 11:13, 22:8, 30:17, 30:18, 30:22, 36:5, 47:10, 47:13, 52:22, 57:6, 57:7, 57:13 Moore [3] - 13:7, 13:8, 70.12 **MOORE** [2] - 13:8, 70:12 Moore's [5] - 74:19, 74:20, 93:14, 93:16, 97:12 moot [1] - 14:21 morning [6] - 47:23, 48:7, 48:12, 50:22, 68:25, 81:5 most [4] - 5:9, 22:25, 37:6, 43:15 mother [1] - 65:1 Motion [23] - 87:8, 87:23, 89:6, 90:15, 91:8, 91:25, 92:17, 93:8, 93:25, 95:21, 96:14, 97:8, 97:25, 98:17, 99:8, 99:21, 100:12, 101:3, 101:19, 102:12, 105:10, 106:1,

106:18

motion [11] - 29:16,

30:3, 31:6, 86:18,

88:12, 89:23, 95:3, 103:13, 104:7, 106:19, 107:4 Mount [1] - 65:14 move [6] - 25:5, 31:9, 56:8, 70:20, 72:7, 86:5 moved [34] - 2:23, 45:13, 47:16, 47:24, 52:25, 86:9, 86:24, 87:14, 88:3, 88:22, 89:14, 90:6, 90:24, 91:16, 92:8, 92:24, 93:16, 94:10, 95:12, 96:5, 96:24, 97:16, 98:8, 98:24, 99:12, 100:3, 100:19, 101:10, 102:3, 102:20, 104:15, 105:17, 106:9, 106:20 moving [2] - 47:1, 70:15 MR [184] - 4:16, 6:15, 6:20, 9:8, 9:11, 10:12, 13:8, 15:5, 15:11, 15:13, 15:17, 15:20, 15:22, 15:23, 16:7, 16:13, 16:17, 16:22, 17:3, 17:4, 17:5, 17:6, 17:8, 17:9, 17:11, 17:12, 17:16, 17:19, 18:6, 18:10, 18:17, 18:22, 19:9, 19:16, 19:19, 19:20, 19:21, 26:25, 27:8, 27:11, 28:4, 28:9, 28:12, 33:4, 33:7, 33:9, 33:11, 33:12, 33:14, 33:15, 34:16, 34:19, 34:20, 34:21, 34:24, 35:2, 35:5, 35:15, 35:18, 35:21, 36:3, 36:11, 36:15, 36:17, 36:19, 36:20, 37:10, 37:17, 38:18, 39:1, 39:4, 39:6, 39:9, 39:15, 39:20, 39:23, 39:25, 40:2, 40:6, 40:10, 40:12, 45:5, 45:6, 45:19, 45:20, 45:22, 46:1, 46:3, 46:5, 46:7, 46:9, 46:11,

47:2, 47:5, 47:8, 47:11, 47:14, 48:4, 48:13, 48:22, 49:5, 49:7, 49:16, 49:18, 49:20, 49:22, 50:9, 51:2, 51:14, 51:18, 51:22, 51:24, 52:5, 52:9, 52:14, 53:7, 53:12, 54:3, 54:10, 54:16, 54:18, 54:20, 54:23, 55:3, 55:5, 55:8, 55:11, 55:12, 55:14, 55:17, 55:19, 55:20, 55:22, 55:23, 56:2, 56:4, 56:9, 56:11, 56:12, 56:16, 56:23, 56:25, 57:2, 57:8, 57:15, 57:19, 57:22, 58:2, 58:5, 58:7, 58:13, 58:15, 58:17, 59:6, 59:13, 59:15, 59:25, 60:7, 60:12, 60:14, 61:22, 63:22, 70:12, 72:12, 72:15, 72:18, 72:25, 73:5, 74:12, 74:16, 74:20, 74:24, 75:17, 77:22, 77:25, 78:5, 78:14, 79:7, 82:4, 84:1, 84:4 MRS [30] - 20:1, 20:9, 20:12, 20:16, 20:19, 31:11, 31:20, 31:24, 32:3, 32:7, 33:6, 34:23, 35:4, 35:14, 35:17, 35:20, 35:23, 36:10, 36:12, 36:25, 37:14, 37:21, 38:4, 38:7, 38:11, 38:16, 46:2, 46:4, 47:4, 47:6 MS [25] - 20:22, 21:1, 21:4, 22:2, 25:12, 26:21, 26:24, 27:7, 27:10, 27:17, 28:8, 28:11, 29:1, 60:23, 61:12, 61:14, 64:8, 67:10, 80:12, 80:16, 84:20, 85:8, 85:19, 85:22, 85:25

Multi [1] - 24:5

multi [5] - 13:19, 14:5,

14:20, 14:22, 72:3

46:13, 46:22, 46:25,

multi-component [1] - 72:3

Multi-Family [1] - 24:5

multi-family [3] - 13:19, 14:20, 14:22

multi-housing [1] - 14:5

multiple [1] - 65:17

Multi [1] - 4:11

Municipal [1] - 96:20

must [4] - 80:24, 81:8, 81:19, 81:25

### Ν

name [5] - 4:14, 20:24, 25:3, 80:14, 80:16 naps [1] - 64:17 necessary [3] - 14:17, 28:25, 29:3 need [10] - 23:20, 42:7, 43:20, 55:6, 61:6, 61:15, 67:20, 68:9, 103:9 needed [5] - 14:16, 14:17, 32:6, 39:22, 67:18 needs [5] - 12:21, 14:4, 23:8, 23:10, 23:17 negotiation [1] - 94:14 neighbor [1] - 25:17 neighborhood [1] -10:7 never [3] - 50:13, 61:18, 65:11 new [14] - 7:20, 10:4, 14:24, 16:3, 17:6, 17:13, 32:23, 60:18, 69:24, 72:19, 90:2 **NEW** [2] - 1:1, 108:3 New [18] - 1:8, 3:4, 8:5, 8:8, 10:7, 28:6, 62:7, 62:9, 62:23, 79:8, 81:22, 85:16, 88:17, 93:12, 95:24, 96:21, 101:23, 108:8 newspaper [1] - 50:25 next [18] - 24:10, 25:6, 42:18, 54:20, 54:25, 56:6, 56:7, 56:8, 57:16, 60:22, 61:21,

67:3, 67:9, 74:25,

75:1, 77:20, 78:3, 78:7 nice [1] - 82:10 night [4] - 54:7, 74:2, 81:7, 88:19 nine [1] - 46:1 nitrogen [2] - 62:21, 65:20 nobody [2] - 38:15, 73.22 noise [9] - 63:1, 65:8, 65:22, 69:18, 78:18, 82:9, 82:11, 84:23 noises [1] - 81:4 non [1] - 95:7 non-performance [1] - 95:7 nonconforming [1] -15:16 nonsubstantive [1] -60:15 noon [1] - 98:23 **normally** [3] - 29:21, 58:13, 61:11 North [1] - 102:14 Notary [1] - 108:7 note [1] - 69:21 noted [1] - 62:23 notes [1] - 103:2 nothing [3] - 6:20, 13:22, 75:19 notice [4] - 28:12, 31:16, 36:1, 102:2 Notice [1] - 31:17 notifying [1] - 44:24 notwithstanding [1] -11:2 November [3] - 12:15, 61:9. 97:14 nuisance [1] - 64:5 Number [1] - 88:21 number [7] - 11:17, 25:21, 36:5, 37:4, 47:12, 84:24, 84:25 numbers [3] - 10:24, 96:4, 96:24 numerous [1] - 62:7 NYAPP [1] - 88:16 0

O'Byrne [1] - 99:11 o'clock [4] - 2:24,

73:18, 73:19, 105:1 obstruction [1] -52:11 obviously [2] - 13:25, 80:9 occupancy [5] - 26:7, 28:5, 28:6, 28:18 occupied [1] - 25:21 occupy [2] - 12:17, 25:22 occupy-for-money [1] - 12:17 October [24] - 3:5, 3:16, 3:19, 4:7, 4:8, 4:9, 29:15, 31:8, 73:15, 73:18, 88:16, 88:17, 93:14, 96:20, 97:14, 98:7, 98:23, 101:21, 102:18, 103:14, 104:22, 104:23, 104:24, 108:18 **OF** [6] - 1:1, 1:1, 1:3, 108:3, 108:5 offer [2] - 86:7, 106:19 office [1] - 61:9 Offices [1] - 3:16 official [2] - 6:11, 68:6 Official [2] - 67:14, 67:19 often [2] - 64:15, 64:19 okey [1] - 53:7 okey-doke [1] - 53:7 Old [1] - 105:1 old [9] - 16:17, 17:13, 23:13, 23:19, 47:15, 49:15, 49:16, 52:2, 81:2 Ole [1] - 8:25 ombudsman [2] -37:23, 43:13 once [2] - 31:11, 50:16 one [56] - 6:6, 6:12, 6:21, 7:8, 7:12, 8:23, 8:24, 11:11, 11:21, 12:8, 14:18, 14:24, 15:9, 16:15, 17:20,

20:8. 22:24. 26:1.

36:21, 37:1, 38:9,

38:20, 40:9, 41:15,

41:16, 44:7, 44:10,

29:12. 33:20. 35:20.

53:13, 54:20, 54:24, 63:20, 63:21, 63:22, 64:19, 66:2, 66:12, 67:2, 67:15, 67:22, 69:23, 71:9, 74:12, 77:23, 80:24, 81:19, 82:6, 84:1, 84:24, 93:15, 99:25, 100:16, 101:7 ones [3] - 54:13, 64:2, 69:19 ongoing [4] - 78:17, 79:10, 79:16 online [3] - 58:19, 58:21, 68:11 onsite [1] - 31:15 open [7] - 3:11, 3:21, 3:25, 30:17, 57:2, 57:6, 68:20 opened [1] - 74:14 opening [3] - 99:24, 100:15, 101:6 operated [1] - 63:3 opinion [5] - 4:20, 7:11, 12:1, 43:23, 75:20 opportunities [1] -59:21 opportunity [1] -25:18 opposed [2] - 75:25, 76:5 Opposed [30] - 31:4,

86:16, 87:6, 87:21, 88:10, 89:4, 89:21, 90:13, 91:6, 91:23, 92:15, 93:6, 93:23, 95:19, 96:12, 97:6, 97:23, 98:15, 99:6, opposing [1] - 67:23 55:17, 55:20, 56:15, ordinance [1] - 60:18

ordinances [1] - 60:18 original [2] - 27:5, 63:18 otherwise [1] - 83:24 ourselves [2] - 40:9, 52.12 outcome [1] - 108:16 overcrowding [2] -28:18, 28:20 overhaul [1] - 15:2 overnight [2] - 85:8, 85:19 overused [2] - 83:9, 83:11 own [6] - 64:4, 65:2, 66:23, 67:5, 84:10, 84:11 owned [2] - 85:15, 98:5 oxide [1] - 65:21 Oyster [2] - 75:7, 98:22 oyster [2] - 75:18, 83:17 oysters [1] - 75:24 ozone [1] - 65:20

## P

P.M [1] - 1:10 **p.m** [11] - 2:1, 3:19, 96:1, 97:13, 98:7, 98:23. 101:22. 102:17, 104:25, 107:7 pages [1] - 28:19 paid [1] - 72:21 paint [1] - 64:23 PALLAS [27] - 1:20, 33:4, 33:7, 33:11, 33:14, 34:16, 34:19, 34:21, 36:3, 36:11, 36:15, 36:19, 37:10, 37:17, 39:20, 39:23, 39:25, 45:20, 45:22, 46:22, 47:2, 47:11, 49:5, 49:16, 49:20, 51:22, 51:24 Pallas [4] - 20:3, 73:12, 88:15, 104:11 pandering [1] - 9:18 Parade [3] - 3:18, 98:6, 102:19

parade [2] - 3:19, 102:25 paradigm [1] - 9:23 paraphrasing [1] -72:1 Paris [1] - 66:21 park [4] - 22:11, 23:5, 40:18 Park [4] - 17:22, 88:1, 88:2, 91:13 parked [1] - 70:9 parking [13] - 8:6, 19:22, 19:23, 21:8, 22:4, 22:5, 22:10, 22:12, 22:13, 23:8, 48:18, 50:12, 80:1 part [19] - 13:22, 14:20, 16:20, 18:1, 28:25, 36:25, 40:14, 44:3, 64:15, 68:25, 77:18, 81:18, 88:1, 89:12, 90:4, 90:22, 91:14, 92:5, 92:22 part-time [1] - 88:1 partial [1] - 62:8 particles [2] - 62:17, 65:18 particular [6] - 5:4, 6:6, 6:12, 6:24, 9:18, 79:11 particularly [2] -62:20, 81:22 parties [1] - 108:14 pass [2] - 67:6, 68:21 passed [2] - 23:14, 83:5 passing [1] - 60:5 passive [1] - 41:25 past [2] - 9:23, 38:6 PAUL [1] - 1:20 Paul [11] - 20:3, 33:2, 37:9, 45:17, 47:16, 49:4, 50:21, 73:12, 82:4, 88:15 pay [6] - 26:11, 72:24, 76:1, 84:7, 84:10, 88:2 pebbles [1] - 65:22 Peconic [1] - 89:10 Pediatric [1] - 65:15 pending [1] - 37:24 peninsula [1] - 82:20 people [40] - 5:9, 10:5,

99:19, 100:10,

101:1, 101:17,

102:10, 103:22,

105:24, 106:16,

option [5] - 55:15,

options [1] - 69:14

order [3] - 2:1, 2:3,

104:5, 105:8,

107:2

59.17

35:7

16:18, 19:2, 19:22, 21:9, 21:11, 23:13, 25:10, 25:19, 25:25, 26:11, 26:16, 27:2, 27:5, 27:21, 28:1, 38:6, 42:5, 42:24, 51:11, 57:11, 64:2, 65:8, 65:10, 67:3, 67:15, 67:16, 68:8, 70:22, 73:8, 73:20, 79:14, 80:2, 81:12, 81:14, 84:12, 84:14, 93.15 per [10] - 88:2, 88:18, 88:19, 93:12, 94:5, 99:24, 100:15, 101:6, 106:3  $\textbf{perform} \ [6] \textbf{ - } 89:8,$ 89:25, 90:17, 91:10, 92:2, 92:19 performance [1] -95:7 perhaps [8] - 4:25, 6:23, 10:17, 11:16, 11:23, 71:17, 71:20, 80:10 period [4] - 30:16, 35:6, 40:15, 40:16 Permit [2] - 97:10, permit [14] - 24:22, 27:20, 31:24, 35:7, 35:9, 38:22, 39:11, 39:21, 40:7, 43:2, 55:25, 75:9, 75:11, 78.8 permits [6] - 8:19, 38:21, 39:14, 39:16, 39:17, 93:12 permitted [3] - 25:22, 57:3, 61:4 person [7] - 7:8, 7:12, 8:10, 37:23, 67:22, 88:18, 88:19 personal [1] - 8:11 personally [2] - 5:20, 66:19 personnel [1] - 96:18 persons [1] - 25:21 Peter [1] - 51:4 petition [9] - 61:23, 61:25, 62:1, 63:7, 63:17, 64:9, 64:12,

65:10, 67:5 petitions [1] - 65:11 petty [4] - 80:21, 80:22, 81:9, 81:16 PHILLIPS [95] - 1:15, 2:11, 2:14, 2:17, 9:7, 9:9, 16:10, 16:15, 16:20, 29:18, 30:6, 30:25, 31:18, 31:22, 32:2, 32:4, 34:14, 34:18, 34:22, 34:25, 39:3, 39:5, 39:7, 39:13, 39:16, 39:24, 40:4, 47:17, 55:4, 55:15, 55:18, 59:10, 59:24, 60:1, 60:8, 60:13, 63:20, 75:14, 85:11, 85:14, 86:12, 87:2, 87:15, 87:17, 87:24, 88:6, 88:25, 89:15, 89:17, 89:24, 90:9, 91:2, 91:17, 91:19, 92:1, 92:11, 93:2, 93:17, 93:19, 94:1, 94:25, 95:15, 96:6, 96:8, 96:15, 97:2, 97:19, 98:9, 98:11, 98:18, 99:2, 99:15, 100:4, 100:6, 100:13, 100:22, 101:13, 102:4, 102:6, 102:13, 102:23, 103:4, 103:8, 103:12, 103:18, 104:1, 104:8, 104:23, 105:4, 105:18, 105:20, 106:2, 106:12, 106:21, 106:23 phone [4] - 38:14, 52:14, 52:16, 52:21 phonetic) [1] - 16:19 pick [1] - 10:6 picking [1] - 12:19 pickup [1] - 66:7 picture [1] - 44:6 pictures [1] - 44:25 piece [13] - 8:24, 27:24, 76:9, 76:14, 77:5, 77:7, 77:19,

77:20, 77:25, 78:5,

78:7, 81:17

pieces [1] - 77:3 pier[1] - 91:12 pipe [1] - 84:7 Pirillo [2] - 95:24, 102:2 **PIRILLO** [7] - 1:21, 53:23, 75:12, 95:2, 103:1, 103:6, 103:11 pit [1] - 83:21 place [6] - 5:11, 5:16, 16:3, 24:24, 68:1, 81:24 Place [4] - 44:8, 76:18, 84:9 places 131 - 22:25. 23:3, 27:8 Plains [1] - 62:11 plan [15] - 7:25, 18:15, 21:18, 25:5, 35:24, 36:1, 41:21, 42:1, 44:8, 44:18, 49:15, 50:20, 72:1, 74:7, 104:20 planning [1] - 105:15 Planning [5] - 7:21, 14:10, 77:1, 77:2, 96:18 plans [20] - 32:24, 33:1, 33:2, 33:13, 36:3, 36:5, 37:2, 37:5, 37:6, 45:23, 46:18, 46:19, 46:23, 47:2, 47:15, 48:6, 49:12, 49:17, 51:1, 90:20 **Plant** [1] - 90:3 platform [1] - 61:10 pledge [1] - 2:3 Pledge [1] - 2:4 plenty [2] - 22:10, 30:19 plug [1] - 63:3 plug-in [1] - 63:3 **plus** [2] - 52:11, 88:19 podium [1] - 61:6 point [12] - 7:16, 9:11, 12:12, 14:21, 25:1, 28:17, 29:11, 41:22, 44:17, 54:12, 70:7, 75.9 pointless [1] - 14:6 points [1] - 11:10 pole [3] - 52:17, 52:18,

52:20 poles [5] - 46:14, 46:15, 52:5, 52:13, 53:6 policy [1] - 81:18 political [3] - 61:7, 67:13, 67:24 politically [1] - 79:15 pollutants [1] - 65:20 **pollution** [1] - 70:16 poorly [1] - 11:8 porch [1] - 65:3 port [2] - 83:24, 83:25 portion [6] - 20:7, 57:3, 76:12, 93:13, 93:16, 97:12 pose [1] - 65:16 position [1] - 38:15 possibility [2] - 76:23, 76:24 possible [1] - 76:17 possibly [2] - 4:7, 41:7 post [1] - 8:19 posted [8] - 4:2, 34:23, 34:25, 35:3, 36:4, 36:8, 36:9 potential [1] - 65:19 pouring [1] - 52:19 powered [11] - 62:1, 62:6, 62:8, 62:12, 63:11, 64:14, 65:16, 66:17, 66:25, 69:8 practical [2] - 5:24, 8:24 practice [1] - 83:8 practices [1] - 82:16 preexisting [3] - 19:5, 19:13. 83:4 preliminary [3] - 42:9, 42:21, 44:8 prepaid [1] - 106:8 present [1] - 61:23 presented [1] - 55:6 presently [1] - 55:2 president [1] - 73:10 presumptive [5] -25:15, 26:3, 28:10, 28:17, 29:3 pretty [1] - 37:8 previous [1] - 68:12

previously [2] - 4:18,

87:12

price [7] - 70:21, 99:23, 100:2, 100:14, 100:18, 101:5, 101:8 principally [1] - 70:17 print [3] - 103:1, 103:3, 103:6 printed [1] - 86:9 privacy [1] - 8:19 private [3] - 5:7, 5:12, 53:8 problem [19] - 4:22, 4:23, 4:24, 5:2, 40:15, 43:4, 50:16, 53:24, 70:4, 72:9, 75:2, 75:4, 76:7, 79:12, 79:16, 82:19, 83:8, 83:18, 84:7 problematic [1] - 54:2 procedurally [1] -57:18 proceedings [1] -108:11 process [16] - 31:14, 31:24, 32:10, 32:16, 32:18, 33:16, 33:18, 34:3, 34:4, 35:8, 35:10, 35:19, 35:21, 37:7, 37:18, 38:23 **produced** [1] - 66:8 professional [1] - 70:2 profit [2] - 75:18 program [2] - 81:18, 81:25 progress [2] - 3:1, 70:18 progressed [3] - 6:11, 6:25, 8:24 progresses [1] - 8:18 prohibited [1] - 26:8 project [14] - 9:12, 32:22, 33:23, 35:24, 37:3, 39:12, 40:7, 42:6, 42:16, 49:4, 51:5, 73:6, 74:10, 104:15 projects [2] - 7:20, 33:22 Prokop [1] - 19:19 PROKOP [43] - 1:19, 15:11, 15:17, 15:22, 17:11, 17:16, 19:20, 26:25, 27:8, 27:11,

38:9

33:9, 33:12, 33:15, 34:20, 34:24, 35:2, 35:5, 35:15, 35:18, 35:21, 36:17, 36:20, 55:3, 55:8, 55:12, 55:17, 55:19, 55:22, 56:2, 56:9, 56:12, 56:25, 58:2, 58:7, 58:13, 58:17, 59:15, 59:25, 60:7, 60:12 proper [2] - 53:6, 79:23 properly [1] - 49:24 **Properties** [1] - 24:17 properties [3] - 71:19, 71:21, 77:11 property [21] - 8:25, 16:6, 18:12, 25:22, 26:8, 27:20, 53:8, 71:8, 76:9, 76:10, 76:11, 76:14, 76:25, 77:4, 77:5, 77:7, 77:21, 78:1, 78:3, 78:6, 78:7 proposal [3] - 60:17, 76:18, 95:10 propose [1] - 103:12 proposed [11] - 4:2, 4:10, 10:20, 24:15, 24:20, 28:13, 33:1, 50:20, 56:7, 101:24, 104:14 proposing [2] - 12:23, 44:19 protect [1] - 71:4 provide [1] - 97:15 provided [2] - 36:24, 105:16 providing [1] - 63:9 provision [3] - 16:4, 17:6, 77:10 provoke [1] - 65:18 prudent [1] - 50:24 **pruning** [1] - 3:10 PSE&G [9] - 35:8, 38:20, 39:12, 41:24, 42:14, 45:8, 45:13, 47:20, 48:14 PSEG [5] - 20:5, 31:13, 37:18, 39:10, 39:17 Public [3] - 97:10,

28:4, 28:9, 28:12,

3:22, 3:24, 3:25, 7:10, 7:22, 20:7, 20:14, 21:24, 24:10, 30:4, 30:16, 30:24, 31:7. 31:9. 42:14. 54:12. 55:6. 55:10. 55:13, 55:14, 55:16, 55:23, 55:25, 56:9, 56:13, 56:14, 56:17, 56:19, 57:2, 57:4, 57:5, 57:11, 58:6, 58:16, 58:17, 58:25, 59:8, 59:16, 59:18, 59:19, 59:21, 59:22, 60:4, 60:6, 60:19, 61:19, 62:16, 73:17, 74:10, 74:14, 75:9, 77:16, 78:12, 101:21, 102:2, 107:5 **publicly** [2] - 55:25, 61:15 publish [2] - 57:25, 58:21 published [2] - 31:18, 58:19 pull [1] - 82:17 pulpit [1] - 61:7 pump [5] - 78:24, 79:3, 82:22, 83:3, 89:10 pumped [1] - 83:7 pumpout [4] - 71:9, 71:12, 78:24, 79:2 **pumps** [1] - 78:23 purchase [3] - 99:25, 100:16, 101:7 pure [1] - 81:11 purpose [1] - 13:25 put [25] - 4:3, 7:8, 8:3, 15:14, 16:2, 16:14, 16:15, 18:4, 18:12, 19:3. 29:14. 29:22. 31:8. 37:11. 47:13. 47:14, 59:4, 69:20, 73:11, 78:4, 80:4, 83:17, 83:20, 84:9 putting [4] - 51:9, 69:24, 71:10, 85:1

98:2, 108:8 O public [61] - 3:9, 3:11, qualified [2] - 43:15, 43.22 quality [3] - 62:15, 80:19, 81:1 quantities [1] - 10:24 quarter [2] - 66:1, 66:2 questions [10] - 11:22, 26:2, 33:5, 33:17, 33:25, 39:10, 74:5, 74:13, 76:3, 80:8 quieter [1] - 63:4 quite [7] - 8:20, 14:2, 32:19, 46:9, 46:24, 52:11, 61:1 quotation [3] - 99:23, 100:14, 101:5 quote [2] - 62:25, 63:2 quoted [1] - 59:9 R R-2 [2] - 17:18, 17:19 rabbit [1] - 60:25 rain [1] - 51:10

raising [1] - 105:13 rake [1] - 63:2 Randy [2] - 21:1, 64:8 Raptor [1] - 66:7 rate [2] - 88:2, 88:19 rates [1] - 12:10 rather [1] - 49:23 ratifying [2] - 87:25, 95:23 raw [4] - 80:1, 80:2, 80:3 read [8] - 5:18, 22:16, 54:4, 64:10, 65:13, 66:12, 81:23, 103:13 reading [1] - 5:5 reads [1] - 61:25 ready [1] - 94:12 real [1] - 11:5 reality [1] - 6:11 realize [1] - 69:23 really [17] - 4:22, 5:1, 21:12, 21:19, 21:22, 22:20, 23:25, 24:20, 32:19, 32:24, 34:2, 48:11, 52:17, 69:11, 83:8, 84:14, 85:4 reason [2] - 28:14,

reasonable [1] - 5:14 received [2] - 34:17, 36:6 recent [1] - 77:7 recently [1] - 11:15 recklessly [1] - 64:22 recollection [1] - 14:1 recommend [1] -43:22 recommends [1] -63:2 reconstruction [1] -9:1 record [2] - 4:14, 25:3 red [7] - 4:1, 20:23, 21:4, 24:12, 25:14, 47:9, 78:20 red-headed [1] - 78:20 redundant [1] - 28:23 reevaluate [1] - 50:8 refer [1] - 15:25 reference [2] - 13:20, 13:24 referencing [1] - 62:24 referred [1] - 33:2 reflected [1] - 50:25 refresh [1] - 77:12 regard [1] - 33:15 regarding [1] - 101:24 **REGULAR** [1] - 1:4 regular [11] - 56:21, 56:25, 86:6, 89:13, 90:5, 90:23, 91:15, 92:7, 92:23, 97:16, 106:6 regulate [3] - 62:1, 63:11, 68:15 regulated [1] - 13:23 regulation [1] - 67:7 Regulations [1] -24:16 regulations [2] -25:20, 93:13 Reid [1] - 95:11 reimbursable [1] -96:3 reimbursements [1] -96:23 related [1] - 108:13 relative [1] - 63:23 reliable [1] - 48:22 relies [1] - 29:4

relieved [1] - 70:21 reluctant [1] - 8:18 remain [2] - 2:5, 12:21 Remained [1] - 2:8 remediate [1] - 83:12 remember [1] - 34:17 remind [1] - 4:19 removal [1] - 51:7 remove [1] - 52:12 removed [1] - 25:14 removing [1] - 51:3 renovated [1] - 64:20 rent [6] - 22:23, 23:1, 23:24, 26:9, 26:17, 28:1 rental [13] - 12:12, 12:13, 12:16, 24:21, 24:22, 25:20, 25:22, 26:8, 26:19, 27:12, 27:15, 29:7 Rental [2] - 24:16, 55:24 rentals [5] - 12:19, 12:20, 21:7, 26:22 rented [1] - 12:9 renting [3] - 27:3, 27:24 rents [2] - 22:23, 23:23 reopen [4] - 56:13, 58:24, 59:18, 60:5 repainted [1] - 64:20 repair [1] - 91:12 repetitive [1] - 10:17 replacement [2] -89:10. 89:11 report [1] - 65:14 Report [1] - 106:4 reported [1] - 65:24 Reporter [1] - 108:7 reports [1] - 86:21 request [2] - 75:5, 98:19 requested [1] - 79:2 requesting [1] - 40:6 require [3] - 14:10, 60:15, 60:19 required [2] - 44:22, 44:23 requirement [2] -36:16, 55:21 requirements [2] -14:21, 21:20

requiring [1] - 40:9 research [4] - 21:17, 41:1, 66:1, 67:4 resetting [1] - 53:5 resident [2] - 43:5, 64.13 residential [6] - 6:10, 15:18, 18:12, 19:6, 19:12, 71:20 Residential [2] -13:24, 24:17 residents [8] - 37:15, 42:18, 42:24, 43:19, 44:24, 62:2, 63:14, resignation [1] - 99:10 Resolution [2] -70:25, 74:13 RESOLUTION [57] -86:7, 86:8, 86:20, 86:21, 87:9, 87:10, 87:24, 87:25, 88:13, 88:14, 89:7, 89:8, 89:24, 89:25, 90:16, 90:17, 91:9, 91:10, 92:1, 92:2, 92:18, 92:19, 93:9, 93:10, 94:1, 94:2, 95:4, 95:6, 95:7, 95:22, 95:23, 96:15, 96:16, 97:9, 97:10, 98:1, 98:2, 98:18, 98:19, 99:9, 99:10, 99:22, 99:23, 100:13, 100:14, 101:4, 101:5, 101:20, 101:21, 102:13, 102:14, 104:10, 105:11, 105:12, 106:2, 106:3 resolution [8] - 53:14, 60:5, 72:20, 75:5, 103:10, 103:13, 103:17, 103:25 resolved [1] - 82:23 resource [1] - 83:9 respect [1] - 81:8 respiratory [2] -62:19, 65:19 respond [1] - 47:3 **Response** [34] - 24:8, 29:8, 31:5, 86:4, 86:17, 87:7, 87:22,

88:11, 89:5, 89:22, 90:14, 91:7, 91:24, 92:16, 93:7, 93:24, 94:17, 95:20, 96:13, 97:7, 97:24, 98:16, 99:7, 99:20, 100:11, 101:2, 101:18, 102:11, 103:23, 104:6, 105:9, 105:25, 106:17, 107:3 responsible [2] -27:19, 85:1 rest [2] - 44:3, 52:3 restaurant [5] - 21:22, 71:7, 71:8, 71:15, 82:20 restrict [2] - 62:5, 62:12 restriction [1] - 84:22 restrictions [1] - 14:9 restrictive [1] - 14:22 retail [2] - 11:14, 12:5 Retail [1] - 15:19 retainer [2] - 94:2, 94.8 retaining [1] - 80:3 rethinking [2] - 70:5, 70:10 Retirement [1] - 95:25 return [1] - 5:22 review [17] - 7:25, 10:24. 14:10. 14:15. 14:17, 15:1, 18:15, 21:11, 21:19, 24:11, 29:12, 32:6, 32:17, 33:19, 33:21, 40:14, 63:13 reviewed [4] - 21:6, 31:25, 36:6, 50:22 reviewer [1] - 66:5 revised [4] - 45:10,

46:18, 46:19, 46:22

revision [2] - 14:4,

revitalize [1] - 10:3

Rich [1] - 73:10

rich [1] - 73:19

riddled [1] - 10:21

ridiculous [1] - 6:2

rings [1] - 46:20

Rink [1] - 105:14

rid [1] - 68:23

15:8

risk [1] - 7:1 Riverhead [2] - 99:24, 100:15 road [8] - 75:11, 75:12, 75:14, 75:15, 75:18, 76:25, 83:22, 85:15 **Road** [5] - 90:21, 100:1, 100:3, 100:17, 100:19 roads [1] - 83:13 Roberts [3] - 12:23, 86:19, 105:15 ROBERTS [77] - 1:16, 17:14, 17:18, 24:6, 25:4, 25:10, 29:16, 29:24, 30:8, 30:10, 30:13, 30:18, 30:21, 31:1, 45:21, 45:25, 56:21, 57:18, 57:20, 57:23, 58:6, 58:12, 58:18, 59:1, 59:11, 86:10, 86:13, 86:20, 87:3, 87:18, 88:4, 88:7, 88:13, 89:1, 89:18, 90:7, 90:10, 90:16, 91:3, 91:20, 92:9, 92:12, 92:18, 93:1, 93:3, 93:20, 94:11, 94:23, 95:4, 95:6, 95:16, 96:9, 96:25, 97:3, 97:9, 97:20, 98:12, 98:25, 99:3, 99:9, 99:16, 100:7, 100:20, 100:23, 101:4, 101:14, 102:7, 102:21, 103:15, 103:19, 104:2, 104:9, 105:5, 105:21, 106:10, 106:13, 106:24 Robins [1] - 88:15 ROBINS [54] - 1:17, 30:3, 31:2, 86:14, 86:25, 87:4, 87:9, 87:19, 88:8, 88:23, 89:2, 89:7, 89:19, 90:11, 90:25, 91:4, 91:9, 91:21, 92:13, 92:25, 93:4, 93:9, 93:21, 94:19, 94:24, 95:13, 95:17, 95:22, 96:10, 97:4, 97:17,

97:21, 98:1, 98:13, 99:4, 99:13, 99:17, 99:22, 100:8, 100:24, 101:11, 101:15, 101:20, 102:8, 103:20, 104:3, 104:16, 104:22, 104:25, 105:6, 105:11, 105:22, 106:14, 106:25 Rochelle [1] - 62:9 roll [2] - 94:19, 94:20 Roll [1] - 94:22 room [5] - 26:11, 26:17, 27:13, 68:18, 88:19 rooms [3] - 26:9, 26:10, 27:23 round [2] - 64:13, 68:21 Route [1] - 85:1 run [2] - 43:18, 46:20 running [3] - 61:9, 67:22, 83:13 runoff [1] - 62:22 Russell [1] - 95:11 Rye [1] - 62:11 S

safe [2] - 24:23, 28:7 safeguarding [1] -63:14 safety [1] - 23:17 **SALADINO** [23] - 4:16, 6:15, 6:20, 9:8, 9:11, 17:3, 17:5, 17:8, 72:12, 72:15, 72:18, 72:25, 73:5, 74:12, 74:16, 74:20, 74:24, 75:17, 77:22, 77:25, 78:5, 78:14, 79:7 Saladino [5] - 4:16, 10:15. 11:12. 12:6. 72:12 salient [1] - 11:10 saltwater [2] - 40:22, 40:25 sand [2] - 41:20, 64:22 Sandy [8] - 70:19, 71:6, 72:9, 72:21, 73:11, 73:16, 82:13,

104:13 sanitary [1] - 71:25 sat [1] - 21:13 saturated [1] - 82:21 saw [6] - 25:13, 41:6, 41:8, 68:10, 79:18, 103.2 scale [1] - 41:21 scary [1] - 85:4 scattered [1] - 64:23 schedule [3] - 73:16, 77:16, 104:11 scheduling [1] -101:21 school [2] - 3:21, 70:6 School [4] - 65:14, 67:17, 98:3, 98:6 Schoolhouse [4] -42:12, 73:18, 73:19, 105:2 scrutiny [4] - 7:6, 7:9, 7:21, 7:22 SCVOA[1] - 96:19 season [1] - 97:16 seasonal [1] - 88:1 seated [1] - 2:10 second [39] - 5:8, 5:10, 8:2, 11:16, 17:1, 30:5, 30:6, 30:11, 68:10, 86:10, 86:25, 87:15, 88:4, 88:23, 89:15, 90:7, 90:25, 91:17, 92:9, 92:25, 93:17, 94:11, 95:13, 96:6, 96:25, 97:17, 98:9, 98:25, 99:13, 100:4, 100:20, 101:11, 102:4, 102:21, 103:15, 104:16, 105:18, 106:10, 106:21 Second [1] - 64:11 seconds [1] - 5:25 section [3] - 13:19, 14:5, 51:19 Section [6] - 4:10, 4:11, 24:4, 54:14 secured [1] - 32:14 see [17] - 5:13, 14:11, 23:25, 32:21, 38:11, 41:14, 48:21, 51:6,

61:24, 70:20, 70:21,

73:8, 73:23, 77:3, 79:21, 82:15, 94:14 seeking [1] - 18:2 seem [2] - 14:1, 28:24 sees [1] - 8:17 Selina [1] - 64:10 sell [1] - 75:23 selling [1] - 75:23 semi [1] - 22:4 Seminar [1] - 95:25 seminar [1] - 96:2 sent [3] - 31:16, 41:4, 44:17 separate [1] - 69:21 September [16] - 1:9, 86:8, 88:3, 89:13, 90:5, 90:23, 91:15, 92:6, 92:23, 96:1, 99:12, 99:25, 100:16, 101:6, 106:4, 108:12 septic [14] - 71:9, 71:10, 71:13, 78:16, 78:25, 79:4, 79:5, 79:7, 79:17, 79:20, 79:25, 82:22, 83:2, 83:25 **SEQRA** [5] - 32:16, 33:10, 33:15, 33:19, 33:20 serves [1] - 72:3 service [1] - 90:2 **Services** [1] - 79:9 services [2] - 32:14, 105:16 **Services)** [1] - 88:22 session [15] - 4:7, 4:9, 24:14, 29:10, 29:14, 53:24, 54:1, 54:3, 56:7, 58:24, 60:3, 61:2, 73:1, 94:12, 96:20 Session [1] - 72:13 **SESSION** [1] - 1:4 sessions [1] - 56:18 set [4] - 14:16, 14:17, 70:22, 108:17 settle [1] - 49:25 settles [1] - 65:2 seven [4] - 46:9, 46:15, 58:3, 58:9 several [3] - 11:13, 33:5, 66:13

sewage [5] - 80:1, 80:2, 80:3, 82:13 sewer [9] - 70:19, 71:18, 71:22, 71:23, 72:22, 82:23, 84:11, 90:20, 104:14 shall [1] - 25:20 **shape** [1] - 61:1 shares [1] - 27:9 **Shelter** [2] - 48:18, 48:25 shop [2] - 51:4, 51:5 **shopping** [1] - 23:5 short [1] - 12:19 short-term [1] - 12:19 shoulders [1] - 14:7 **show** [3] - 47:1, 47:15, 61:3 **showers** [1] - 71:14 side [13] - 5:24, 15:24, 18:25, 39:15, 40:7, 40:19, 40:20, 41:13, 41:15, 41:16, 41:23, 67:22, 67:23 sidewalk [7] - 51:3, 51:16, 52:10, 52:24, 53:2, 53:11, 69:24 sidewalks [1] - 53:4 sign [3] - 64:1, 64:2, 94.8 signatures [2] - 61:24, 63:24 signed [2] - 48:25, 65:10 significant [3] - 34:10, 46:16, 60:9 silence [1] - 2:6 Silence [1] - 2:8 silly [1] - 66:20 simple [5] - 5:19, 9:24, 9:25, 28:16, 84:18 simply [1] - 57:15 Sinai [1] - 65:14 single [2] - 68:6, 72:4 site [4] - 7:25, 18:15, 21:18, 64:24 sitting [1] - 52:18 situation [3] - 12:21, 43:13, 83:4 situations [1] - 28:21 **six** [11] - 4:25, 10:1, 27:4, 30:17, 38:6,

52:6, 57:6, 57:7,

57:12, 78:21, 104:25 Sixth [8] - 4:16, 21:2, 61:22, 64:8, 69:22, 72:12, 80:17, 82:4 **Skating** [1] - 105:14 slated [1] - 51:6 sleeping [1] - 64:16 **slow** [2] - 27:2, 52:22 sludge [2] - 95:8, 95:11 small [4] - 11:18, 51:10, 71:2, 80:24 smaller [1] - 21:20 smell [1] - 72:2 **SMITH** [3] - 60:23, 61:12, 61:14 **Smith** [1] - 60:23 Smith's [1] - 67:12 smoke [1] - 24:24 **snafu** [1] - 69:22 sneaks [1] - 50:17 social [2] - 5:5, 9:18 solution [5] - 4:22, 4:23, 22:21, 83:6, 84:18 solve [1] - 72:9 **solving** [1] - 83:8 **someone** [9] - 6:5, 6:23, 8:17, 22:4, 31:13, 37:22, 61:19, 67:22, 79:22 **someplace** [1] - 49:11 sometimes [4] - 7:18, 7:19, 68:8, 69:1 somewhat [2] - 10:17, 66:18 son [1] - 65:4 soon [1] - 35:2 **sorry** [15] - 16:1, 20:9, 20:16, 38:24, 39:3, 39:4, 39:8, 39:24, 40:5, 46:22, 47:11, 47:17, 54:16, 56:5, 95:4 sort [4] - 61:7, 61:8, 61:18, 64:4 sorts [1] - 12:24 sound [1] - 64:14 source [1] - 48:23 South [2] - 60:23, 101:23 Southold [2] - 21:14, 85:16

**space** [1] - 22:5 spaces [2] - 19:24, 50:12 spacial [1] - 8:7 speakers [2] - 23:21, 68.12 speaking [1] - 77:7 spear [1] - 105:15 spear-heading [1] -105:15 special [3] - 12:1, 71:18, 94:5 Specialty [1] - 65:15 specifically [1] - 64:23 spend [3] - 5:17, 23:21, 84:18 spike [1] - 51:10 **spike-out** [1] - 51:10 spinning [3] - 67:11, 80:6 splice [2] - 44:13, 49:20 splicing [1] - 49:19 sponsored [1] -102:18 **spot** [3] - 6:3, 6:4, 18:24 **spread** [1] - 64:18 **spreading** [1] - 65:17 **sprinkler** [1] - 18:15 sprinklers [1] - 21:20 square [15] - 5:14, 5:15, 12:7, 76:8, 76:9, 76:10, 76:14, 76:16, 76:17, 76:20, 77:5, 77:6, 78:6, 78:9 **SS**[1] - 108:4 staff [2] - 96:18, 105:17 stage [1] - 36:16 staging [1] - 48:17 stagnant [1] - 8:22 stamp [1] - 37:19 stand [1] - 68:22 standing [2] - 2:5, 60:21 Standing [1] - 2:8 Star [1] - 87:11 start [7] - 12:19, 39:2, 42:17, 45:1, 52:23, 53:5, 67:12 started [3] - 34:14,

67:3, 67:13 starting [2] - 53:3, 103:14 starts [1] - 3:20 **STATE**[2] - 1:1, 108:3 State [12] - 3:4, 8:5, 8:9, 18:19, 28:7, 62:7, 62:24, 79:8, 85:16, 93:13, 95:24, 108:8 **statement** [1] - 64:10 Statement [2] - 33:22, 33:24 Station [1] - 101:23 station [2] - 52:2, 84:10 statute [1] - 11:25 stay [3] - 27:14, 74:1, 81.3 stayed [1] - 13:13 **stays** [2] - 27:14, 59:3 step [1] - 13:1 stepchild [1] - 78:21 stepover[1] - 48:16 stepping [1] - 82:8 steps [1] - 32:17 Sterling [14] - 13:9, 70:12, 70:17, 78:17, 79:1, 79:17, 82:19, 83:10, 84:6, 84:8, 84:16, 84:17 Steve [1] - 17:22 still [9] - 27:25, 30:14, 35:9, 43:13, 44:10, 46:11, 61:1, 64:17 stood [1] - 2:4 stop [3] - 27:2, 82:9, 83:11 stops [1] - 50:17 store [1] - 18:1 stores [3] - 18:25, 21:8, 22:19 stories [2] - 76:15, 81:24 stormwater [1] - 62:21 story [1] - 64:3 streamline [1] - 28:15 Street [64] - 1:7, 3:5, 3:21, 4:16, 5:8, 5:9, 5:11, 6:13, 8:4, 9:6, 9:14, 10:13, 12:4, 13:9, 15:6, 15:14, 16:16, 17:1, 17:23,

20:1, 20:2, 21:2, 22:2, 25:12, 31:12, 38:18, 40:20, 41:13, 41:18, 42:19, 43:20, 45:7, 45:16, 50:3, 50:4, 50:7, 51:2, 52:4, 54:11, 60:24, 61:22, 64:8, 64:11, 67:10, 68:18, 69:22, 70:6, 70:9, 70:13, 72:12, 76:18, 80:17, 82:5, 84:5, 85:2, 98:21, 98:22, 101:22, 102:14, 102:15, 102:16 street [14] - 41:13, 46:10, 46:15, 49:9, 49:25, 50:10, 51:4, 51:8, 51:20, 64:24, 68:24, 69:2, 69:6, 75:6 streets [2] - 15:24, 98:5 Streets [1] - 101:23 stroke [1] - 66:6 strongly [2] - 13:3, 64:12 structure [4] - 16:25, 77:20, 77:22, 77:23 students [1] - 69:23 Study [1] - 32:9 study [4] - 12:24,  $32{:}24,\,36{:}23,\,62{:}25$ stuff [5] - 43:25, 44:24, 69:13, 76:7, 79:24 **Sub** [1] - 101:25 Sub-Division [1] -101:25 **subdivide** [1] - 77:5 subdivision [1] - 76:4 subdivisions [2] -77:2. 77:4 subject [1] - 49:8 **subleased** [1] - 27:15 subleasing [2] - 26:7, 27.4 submersible [3] -41:2, 44:12, 45:14 submit [1] - 27:20 submitted [7] - 34:12, 95:11, 97:11, 98:3,

99:23, 100:14, 101:5

substantially [1] -36.7 substantive [1] -60:16 success [1] - 29:4 successful [1] - 37:12 sudden [1] - 85:22 suddenly [1] - 45:12 SUFFOLK [2] - 1:1, Suffolk [2] - 79:8, 85:16 suggest [1] - 71:16 suggested [1] - 12:6 suggesting [1] - 12:24 Summary [1] - 106:4 sun [1] - 68:15 **Sunday** [2] - 82:10 Sundays [2] - 58:4, 58:10 Supermarket [1] -98:5 support [3] - 70:25, 74:20, 84:22 supposed [2] - 42:10, 46.18 surprised [1] - 65:25 surrounding [3] -32:22, 37:8, 64:24 sweep [2] - 63:2, 69:10 sweeper[3] - 68:24, 69:2, 69:6 swing [1] - 70:8 SWISKEY [48] - 15:5, 15:13, 15:20, 15:23, 16:7, 16:13, 16:17, 16:22, 17:4, 17:6, 17:9, 17:12, 17:19, 18:6, 18:10, 18:17, 18:22, 19:9, 19:16, 19:19, 19:21, 45:6, 46:1, 46:5, 46:9, 46:13, 46:25, 47:5, 47:8, 47:14, 48:4, 48:13, 48:22, 49:7, 49:18, 49:22, 50:9, 51:2, 51:14, 51:18, 52:5, 52:9, 52:14, 53:7, 53:12, 54:3, 84:1, 84:4

Swiskey [4] - 15:5,

45:6, 72:1, 84:4

switch [5] - 45:14, 47:1, 47:15, 47:25, 49 10 switchgear [1] - 41:2 **SYLVIA**[1] - 1:21 Syron [1] - 2:7 system [17] - 7:5, 18:15, 71:11, 71:13, 71:22, 71:24, 72:3, 72:22, 78:25, 79:4, 79:7, 79:17, 79:20, 82:13, 82:18, 82:22, 82:23 System [1] - 95:25 systems [4] - 71:9, 78:16, 83:2, 83:18

### Т

T's [1] - 44:21 table [1] - 68:7 tag [1] - 70:21 tanks [1] - 83:6 targeted [1] - 15:9 Tarrytown [1] - 62:9 TASKER [25] - 10:12, 54:10, 54:16, 54:18, 54:20, 54:23, 55:5, 55:11, 55:14, 55:20, 55:23, 56:4, 56:11, 56:16, 56:23, 57:2, 57:8, 57:15, 57:19, 57:22, 58:5, 58:15, 59:6, 59:13, 60:14 Tasker [2] - 10:12, 54:10 Tasker's [1] - 57:20 taxpayers [1] - 84:15 tear [3] - 53:1, 53:4, 78:3 telephone [3] - 46:14, 52:5 ten [3] - 5:1, 10:2, 83:2 tenant [1] - 26:7 tend [1] - 21:22 tentative [1] - 73:9 tenths [1] - 77:13 term [2] - 12:19, 12:20 terminating [1] - 95:7 termination [4] -40:18, 41:25, 44:11 terminus [1] - 102:15

terrify [1] - 65:1 test [1] - 66:12 texted [1] - 67:14 **THAT**[1] - 108:10 they've [5] - 18:25, 34:1, 37:11, 47:12, 53:1 thinking [2] - 37:15, 71:2 **Third** [7] - 1:7, 3:5, 22:2, 67:10, 68:17, 101:22, 101:23 third [2] - 66:1, 66:2 thoroughly [1] - 21:6 thousand [1] - 84:19 threat [1] - 62:15 threats [1] - 65:17 three [15] - 5:18, 11:18, 11:20, 17:8, 17:10, 17:11, 18:14, 18:18, 18:20, 19:3, 27:4, 27:23, 39:13, 39:16, 94:13 throughout [1] - 33:18 thrown [1] - 69:13 Thursday [2] - 73:15, 73:25 time's [1] - 70:14 tiny [1] - 81:17 today [13] - 2:24, 32:22, 36:2, 41:6, 45:12, 47:8, 47:9, 47:13, 47:20, 73:13, 80:12, 81:21, 103:2 toehold [1] - 48:16 together [5] - 4:4, 73:20, 73:23, 78:4, 85:17 tomatoes [1] - 75:23 tomorrow [6] - 44:16, 47:22, 47:23, 48:2, 48:7, 48:12 tonight [4] - 4:5, 29:13, 38:13, 73:22 took [5] - 6:7, 8:23, 67:15, 70:4, 85:2 top [1] - 12:8 topic [1] - 86:3 total [2] - 28:5, 106:5 totally [1] - 76:21 towards [3] - 15:9, 44:9, 67:23

town [4] - 22:4, 22:7,

64:15, 65:4 Town [10] - 3:7, 21:15, 63:10, 71:17, 72:7, 85:7, 85:10, 85:11, 85:16, 85:17 towns [2] - 62:7, 62:13 toxic [1] - 64:22 tractor [2] - 50:9, 50:10 traditional [1] - 26:22 traffic [5] - 36:1, 50:17, 75:7, 98:4, 98:21 trailer [1] - 50:10 trailers [1] - 50:9 train [1] - 13:5 **Training** [1] - 96:20 training [1] - 3:5 transcription [1] -108:11 transcriptionist [1] -80:15 Transfer [6] - 89:12, 90:3, 90:21, 91:14, 92:5, 92:22 transfers [1] - 106:8 transformers [1] -90:2 Transportation [1] -101:10 travel [1] - 88:20 Treasurer[8] - 86:23, 89:8, 89:25, 90:17, 91:10, 92:2, 92:19, 95:24 treat [2] - 78:20, 81:8 tree [2] - 51:15, 51:17 trees [5] - 3:10, 3:14, 51:6, 51:14, 53:3 tries [1] - 48:16 truck [2] - 66:7, 66:9 true [1] - 108:10 Truelove [1] - 64:11 truly [2] - 82:7, 83:23 trust [2] - 42:25, 68:6 TRUSTEE [226] - 1:15, 1:16, 1:17, 2:11, 2:14, 2:17, 9:7, 9:9, 16:10, 16:15, 16:20, 17:14, 17:18, 24:6, 25:4, 25:10, 29:16, 29:18, 29:24, 30:3, 30:6, 30:8, 30:10,

terms [2] - 11:18, 20:5

30:13, 30:18, 30:21, 30:25, 31:1, 31:2, 31:18, 31:22, 32:2, 32:4, 34:14, 34:18, 34:22, 34:25, 39:3, 39:5, 39:7, 39:13, 39:16, 39:24, 40:4, 45:21, 45:25, 47:17, 55:4, 55:15, 55:18, 56:21, 57:18, 57:20, 57:23, 58:6, 58:12, 58:18, 59:1, 59:10, 59:11, 59:24, 60:1, 60:8, 60:13, 63:20, 75:14, 85:11, 85:14, 86:10, 86:12, 86:13, 86:14, 86:20, 86:25, 87:2, 87:3, 87:4, 87:9, 87:15, 87:17, 87:18, 87:19, 87:24, 88:4, 88:6, 88:7, 88:8, 88:13, 88:23, 88:25, 89:1, 89:2, 89:7, 89:15, 89:17, 89:18, 89:19, 89:24, 90:7, 90:9, 90:10, 90:11, 90:16, 90:25, 91:2, 91:3, 91:4, 91:9, 91:17, 91:19, 91:20, 91:21, 92:1, 92:9, 92:11, 92:12, 92:13, 92:18, 92:25, 93:1, 93:2, 93:3, 93:4, 93:9, 93:17, 93:19, 93:20, 93:21, 94:1, 94:11, 94:19, 94:23, 94:24, 94:25, 95:4, 95:6, 95:13, 95:15, 95:16, 95:17, 95:22, 96:6, 96:8, 96:9, 96:10, 96:15, 96:25, 97:2, 97:3, 97:4, 97:9, 97:17, 97:19, 97:20, 97:21, 98:1, 98:9, 98:11, 98:12, 98:13, 98:18, 98:25, 99:2, 99:3, 99:4, 99:9, 99:13, 99:15, 99:16, 99:17, 99:22, 100:4, 100:6, 100:7, 100:8, 100:13, 100:20, 100:22, 100:23, 100:24, 101:4,

101:11, 101:13, 101:14, 101:15, 101:20, 102:4, 102:6, 102:7, 102:8, 102:13, 102:21, 102:23, 103:4, 103:8, 103:12, 103:15, 103:18, 103:19, 103:20, 104:1, 104:2, 104:3, 104:8, 104:9, 104:16, 104:22, 104:23, 104:25, 105:4, 105:5, 105:6, 105:11, 105:18, 105:20, 105:21, 105:22, 106:2, 106:10, 106:12, 106:13, 106:14, 106:21, 106:23, 106:24, 106:25 Trustee [9] - 2:22, 6:24, 7:3, 12:23, 58:5, 86:19, 88:14, 96:17, 105:14 Trustee's [1] - 5:19 **TRUSTEES**[1] - 1:3 Trustees [15] - 58:3, 58:6, 58:7, 58:8, 58:15, 62:4, 63:12, 86:24, 89:14, 90:6, 90:24, 91:16, 92:7, 92:24, 104:12 try [8] - 2:15, 6:18, 27:2, 43:23, 43:24, 70:14, 72:6, 83:7 trying [12] - 16:23, 22:18, 26:18, 28:14, 32:8, 53:21, 57:13, 70:20, 71:3, 73:15, 73:19, 73:23 Tuesday [2] - 32:23, 47:7 tune [1] - 10:15 turmoil [1] - 44:2 turn [4] - 50:4, 50:11, 67:24, 85:2 turned [1] - 67:4 twelve [1] - 5:1 twenty [4] - 51:21, 51:22, 51:23, 51:25

twenty-22 [1] - 51:24

twigs [1] - 65:23

two [27] - 3:25, 5:18, 7:10, 13:12, 16:3, 17:5, 17:6, 17:8, 17:9, 20:14, 28:19, 41:14, 44:5, 44:12, 53:20, 59:20, 66:6, 68:12, 69:14, 71:6, 71:20. 78:22. 82:6. 84:25, 90:2 Two [1] - 17:11 two-stroke [1] - 66:6 **type** [3] - 33:19, 33:23, 35:18 types [2] - 33:20, 33:21 Typist [1] - 99:11

### U

**U-turn** [1] - 50:11

U.S [1] - 66:21

61:17

**Uh-oh** [1] - 70:1

unacceptable [1] -

uncomfortable [2] -61:5. 79:14 unconscionable [2] -79:12, 79:25 under [10] - 2:21, 9:1, 16:3, 16:13, 25:22, 68:7, 68:15, 76:17, 77:2, 84:8 underhanded [1] -68:1 undersigned [1] -62:2 undersized [1] - 77:11 understood [1] -10:19 undertake [1] - 13:4 unfortunately [1] -22:16 Unit [1] - 65:16 unit [4] - 27:3, 27:4, 27:12, 27:15 units [5] - 18:14, 18:18, 18:20, 24:21 unless [3] - 12:13, 12:15, 23:23 up [67] - 3:21, 6:22, 7:4, 9:1, 14:12, 17:1, 17:22, 18:13, 19:3, 21:5, 21:12, 22:24,

23:12, 23:14, 23:16, 25:2, 25:4, 29:14, 29:22, 31:8, 31:10, 35:5, 39:9, 41:13, 45:2, 45:8, 45:24, 46:10, 46:15, 47:8, 47:9, 47:12, 47:13, 47:14, 49:9, 49:11, 50:11, 53:8, 53:16, 53:18, 53:20, 53:23, 53:25, 55:1, 56:12, 57:24, 58:20, 66:17, 67:2, 67:21, 68:4, 68:22, 68:24, 69:3, 69:4, 69:24, 71:23, 76:10, 76:15, 77:8, 77:15, 78:15, 78:23, 79:23, 80:4, 84:10 update [1] - 37:25 updated [3] - 22:17, 34:17, 37:6 upgrades [1] - 23:20 upland [1] - 83:2 upset [2] - 61:16, 66:19 urge [2] - 62:3, 72:5 uses [1] - 71:9 utilities [3] - 43:18, 52:19, 52:24 utility [1] - 53:5 utilize [2] - 98:4, 98:21

### V

vacant [4] - 77:20, 77:24, 77:25, 78:7 values [1] - 76:25 VanDuzer [1] - 87:25 vaporized [1] - 66:3 variance [2] - 9:5, 19:23 vehicle [1] - 92:4 **Vehicle)** [1] - 100:3 vehicles [2] - 22:8, 68:21 Vehicles) [1] - 100:19 vehicular [3] - 75:7, 98:4, 98:20 verbiage [1] - 25:13 version [9] - 20:23, 21:4, 22:17, 24:12, 28:16, 34:12, 58:2, 58:7, 59:22

versions [1] - 4:1 view [1] - 70:7 VILLAGE [4] - 1:1, 1:19, 1:20, 1:21 Village [58] - 3:7, 3:16, 4:2, 4:12, 4:20, 6:5, 6:10, 6:23, 7:10, 7:17, 12:18, 14:23, 15:24, 20:3, 24:17, 24:21, 26:4, 27:22, 33:17, 34:8, 43:5, 43:17, 44:25, 62:3, 62:4, 62:6, 63:12, 64:13, 67:13, 67:19, 69:7, 71:8, 71:21, 73:17, 74:11, 75:19, 76:22, 78:11, 84:11, 84:15, 86:22, 86:23, 88:15, 93:10, 94:4, 94:9, 94:22, 95:9, 96:18, 98:5, 102:1, 102:18, 104:11, 104:12, 105:12, 105:16 Village's [1] - 4:21 Village-owned [1] -98:5

98.5 Village-sponsored [1] - 102:18 violators [1] - 78:22 voice [2] - 7:11, 67:20 voltage [1] - 53:7 Vote [1] - 94:22 vote [19] - 4:4, 4:7, 4:9, 10:10, 25:6, 29:15, 29:19, 29:22, 31:8, 56:1, 56:22, 57:25, 58:4, 58:11, 59:5, 59:23, 61:9, 94:21 voted [2] - 57:14, 63:10

### W

voting [1] - 62:12

Voucher [1] - 106:3

WADE [4] - 20:22, 21:1, 21:4, 64:8 Wade [2] - 21:1, 64:8 wait [7] - 60:1, 73:7, 102:23, 102:24 Wait [1] - 70:8

wake [2] - 64:16, 81:5 wakes [2] - 68:24, 69:3 walk [5] - 22:12, 50:20, 51:12, 72:15, 80.2 walk-on [1] - 72:15 walk-through [1] -50:20 walked [1] - 50:21 walking [3] - 23:7, 25:4, 66:21 walks [1] - 65:4 wall [1] - 80:3 wants [2] - 3:12, 3:13 Wardens [1] - 87:13 Washington [1] -84:20 waste [5] - 71:12, 78:24, 78:25, 79:3, 79:20 Water [2] - 92:4, 101:8 water [6] - 40:21, 40:24, 42:3, 44:9, 44:15, 46:8 waterfront [3] - 16:10, 16:11, 45:15 Waterfront [1] - 9:4 waters [1] - 70:16 ways [2] - 46:10, 49:9 website [11] - 4:2, 5:19, 8:19, 32:22, 36:1, 36:4, 41:6, 45:11, 46:18, 46:23, 53:17 week [5] - 38:6, 52:20, 61:2, 61:17, 67:25 week-and-a-half [1] weekend [1] - 74:2 weeks [1] - 104:19 welcome [1] - 4:13 west [2] - 40:19, 41:15 western [2] - 93:13, 93:16 wetlands [6] - 38:22, 39:11, 39:17, 39:21, 40:7, 43:2 whatnot [1] - 45:10 whatsoever [1] - 43:4 WHEREOF [1] -108:17

White [1] - 62:11

whole [4] - 29:4, 50:22, 69:14, 103:25 wide [2] - 44:6, 64:25 widening [3] - 51:4, 51:8, 51:20 wider [1] - 71:1 William [3] - 15:5, 45:6, 84:4 Williamsburg [2] -10:4, 10:6 win [1] - 67:6 wind [3] - 49:11, 53:8, 76:10 windows [2] - 68:18, 68:20 windowsills [1] -68:19 winds [1] - 77:8 WINKLER [45] - 20:1, 20:9, 20:12, 20:16, 20:19, 31:11, 31:20, 31:24, 32:3, 32:7, 33:6, 34:23, 35:4, 35:14, 35:17, 35:20, 35:23, 36:10, 36:12, 36:25, 37:14, 37:21, 38:4, 38:7, 38:11, 38:16, 38:18, 39:1, 39:4, 39:6, 39:9, 39:15, 40:2, 40:6, 40:10, 40:12, 45:5, 45:19, 46:2, 46:3, 46:4, 46:7, 46:11, 47:4, 47:6 Winkler [3] - 20:1, 31:12, 38:18 Winter [1] - 105:14 wire [1] - 106:8 wires [1] - 53:8 wish [2] - 38:12, 86:2 withstand [1] - 61:18 WITNESS [1] - 108:17 woken [1] - 67:1 wonder [1] - 20:3 wondering [1] - 25:15 Woods [2] - 93:14, 93:16 word [3] - 60:10, 63:22 worded [1] - 18:20 words [4] - 12:17, 16:24, 59:7, 66:10 workers [2] - 3:7, 3:8

works [6] - 4:21, 7:5, 9:15, 52:21, 56:5, 64:13 worried [3] - 11:19, 21:8, 21:18 worry [1] - 23:4 worse [1] - 50:18 wow [1] - 68:13 written [1] - 55:2

### Υ

yard [4] - 3:11, 65:3, 66:8, 79:11 yards [4] - 44:9, 46:11, 46:12, 64:24 year[4] - 7:3, 64:13, 74:25, 75:1 year-and-a-half [1] -7:3 year-round [1] - 64:13 years [7] - 6:22, 8:22, 40:23, 43:18, 50:14, 81:2. 94:13 Yonkers [1] - 62:11 YORK [2] - 1:1, 108:3 York [17] - 1:8, 3:4, 8:5, 8:8, 10:7, 28:6, 62:7, 62:23, 79:8, 81:23, 85:16, 88:17, 93:12, 95:24, 96:22, 101:24, 108:8 young [1] - 41:4 youngest [1] - 65:5 yous [3] - 4:19, 80:8, 80:9 **yup** [1] - 30:22

### Ζ

**ZBA** [1] - 77:1 **zoned** [6] - 16:5, 18:4, 18:8, 18:12, 19:7, 19:11 **zoning** [7] - 6:3, 6:4, 9:5, 9:9, 9:10, 13:17, 18:24 **Zoning** [10] - 4:12, 7:22, 8:15, 8:16, 9:2, 9:12, 11:6, 13:11, 77:8, 96:19 Date Prepared: 09/13/2017 01:49 PM

## VILLAGE OF GREENPORT

GLR4150 1.0 Page 1 of 1

## **Budget Adjustment Form**

Year:

2018

Period: 9

Trans Type:

B2 - Amend

Status: Batch

Trans No:

3743

Trans Date: 09/11/2017

User Ref:

ROBERT

Requested: A. HUBBARD

Approved:

Created by:

ROBERT

09/11/2017

Description: APPROPRIATE SURPLUS TO FUND THE REPAIR AND REPLACEMENT OF THE PECONIC LANDING PUMP, AND THE PURCHASE OF REPLACEMENT FLOW

Account # Order: No

Print Parent Account: No

Account No.

Account Description

Amount

G.5990

APPROPRIATED FUND BALANCE

17,200.00

G.8130.203

MAJOR PUMP STATION REPAIR..

17,200.00

Total Amount:

34,400.00

Date Prepared: 09/13/2017 09:02 AM

## VILLAGE OF GREENPORT

GLR4150 1.0 Page 1 of 1

## **Budget Adjustment Form**

Year:

2018

Period: 9

Trans Type:

B2 - Amend

Status: Batch

Trans No:

3745

Trans Date: 09/11/2017

User Ref:

ROBERT

Requested: D. JACOBS

Approved:

Created by:

ROBERT

09/11/2017

Description: TO APPROPRIATE SURPLUS TO FUND THE PURCHASE OF TWO TRANSFORMERS FOR THE LIGHT PLANT

Account # Order: No Print Parent Account: No

Account No.

**Account Description** 

Amount

E.5990

APPROPRIATED FUND BALANCE

20,000.00

E.0365

TRANSFORMERS

20,000.00

**Total Amount:** 

40,000.00

Date Prepared: 09/22/2017 02:15 PM

## **VILLAGE OF GREENPORT**

GLR4150 1.0 Page 1 of 1

## **Budget Adjustment Form**

Year:

2018

Period: 9

Trans Type:

B2 - Amend

Status: Batch

Trans No:

3748

Trans Date: 09/12/2017

User Ref:

ROBERT

09/12/2017

Requested: P. PALLAS

Approved:

Created by:

ROBERT

Account # Order: No

Description: TO APPROPRIATE SURPLUS FOR FUNDING TO DATE THE DEVELOPMENT OF DESIGN PLANS FOR THE CONSTRUCTION OF THE SEWER MAIN EXTENSION

ON BEACH ROAD

Print Parent Account: No

Account No.	Account Description		Amount
G.5990	APPROPRIATED FUND BALANCE		34,500.00
G.8130.201	EQUIPMENT / SECONDARY TREATMENT		34,500.00
	Total	mount:	69,000.00

Date Prepared: 09/13/2017 09:00 AM

## VILLAGE OF GREENPORT

GLR4150 1.0

Page 1 of 1

## **Budget Adjustment Form**

Year:

2018

Period: 9

Trans Type:

B2 - Amend

Status: Batch

Trans No:

3749

Trans Date: 09/12/2017

Approved:

User Ref:

ROBERT

09/12/2017

Requested: P. PALLAS

Created by:

ROBERT

Account # Order: No

MITCHELL PARK

Description: TO APPROPRIATE SURPLUS FOR THE REPAIR OF THE EASTERN PIER AT

Print Parent Account: No

Account No.

Account Description

Amount

A.5990

APPROPRIATED FUND BALANCE

19,000.00

A.7230.408

MITCHELL MARINA R & M

19,000.00

Total Amount:

38,000.00

Date Prepared: 09/13/2017 11:37 AM

## VILLAGE OF GREENPORT

GLR4150 1.0 Page 1 of 1

## **Budget Adjustment Form**

Year:

2018

Period: 9

Trans Type:

B2 - Amend

Status: Batch

Trans No: 37

3751

Trans Date: 09/13/2017

User Ref:

ROBERT

Requested: P. PALLAS

Approved:

Created by:

ROBERT

Account # Order: No

Description: TO APPROPRIATE SURPLUS TO FUND THE PURCHASE OF ONE VEHICLE FOR THE WATER DEPARTMENT

Print Parent Account: No

Account No.

**Account Description** 

0.000 to 1.000 to 1.0

F.5990

APPROPRIATED FUND BALANCE

Amount 34,000.00

09/13/2017

F.8310.416

TRANS EXP (CLEARING).

34,000.00

Total Amount:

68,000.00

Date Prepared: 09/13/2017 01:21 PM

## VILLAGE OF GREENPORT

GLR4150 1.0

Page 1 of 1

## **Budget Adjustment Form**

Year:

2018

Period: 9

Trans Type:

B2 - Amend

Status: Batch

Trans No:

3752

Trans Date: 09/13/2017

User Ref:

ROBERT

09/13/2017

Requested: P. PALLAS

Approved:

Created by:

ROBERT

Account # Order: No

Description: TO APPROPRIATE SURPLUS FOR THE FUNDING OF THE BIORETENTION BASIN ANDRELATED IMPROVEMENTS

Print Parent Account: No

Account No.	Account Description	Amount
A.5990	APPROPRIATED FUND BALANCE	139,700.00
A.8843.900	TRANSFER TO CAPITAL	139,700.00
H.2816.500	TRANSFER FROM GENERAL	139,700.00
H.8140.200	WATER QUALITY IMPROVEMENT PROJECTS	139,700.00
	Total Amount:	558,800,00

# LAMB & BARNOSKY, LLP

EUGENE R. BARNOSKY
SHARON N BERLIN'
ROBERT H. COHEN
LINDSAY TOWNSEND CROCKER
MICHELLE S. FELDMAN
MARCIA L. FINKELSTEIN
STEVEN GODSBERG
MICHAEL J. HELLER''
SCOTT M. KARSON
P.L. LAMB
JOEL M MARKOWITZ
ALYSON MATHEWS

JEFFREY A. ZANKEL RICHARD K. ZUCKERMAN \* ALSO ADMITTED IN CT

MICHAEL D. RANIERE

\*\* ALSO ADMITTED IN CT

534 BROADHOLLOW ROAD, SUITE 210 PO BOX 9034

MELVILLE, NY 11747-9034 631.694.2300 • FAX: 631.694.2309

INTERNET: WWW.LAMBBARNOSKY.COM

EMAIL: ATTORNEY'S INITIALS @ LAMBBARNOSKY.COM

SERVICE BY E-MAIL, FAX OR OTHER FORMS OF ELECTRONIC COMMUNICATION NOT ACCEPTED

COUNSEL
PATRICIA C. DELANEY
MARA N. HARVEY
DOUGLAS E. LIBBY
DIANE J. MOFFET
HON. MICHAEL F. MULLEN
RICHARD A. SHANE
RITA FISHMAN SHEENA

OF COUNSEL GARY HOLMAN THOMAS A, O'ROURKE

ASSOCIATES
GREGORY A. GILLEN\*\*
MATTHEW J. MEHNERT
LAUREN SCHNITZER\*\*
ALYSSA L. ZUCKERMAN

August 18, 2017

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 special labor counsel effective May 23, 2017 through June 30, 2020. Our services will include the continuation of the current and one additional 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.

## 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 readjusted periodically.

Notwithstanding this fee schedule, we have agreed to a retainer arrangement as follows: \$25,000 covering the period May 23, 2017 through June 30, 2018, \$25,000 covering the period July 1, 2018 through June 30, 2019; and \$26,500 covering the period July 1, 2019 through June 30, 2020, 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 \$295 per hour for a partner's or counsel's time effective May 23, 2017; \$298 per hour effective September 1, 2017; \$301 per hour effective July 1, 2018, and \$304 per hour effective July 1, 2019. The rate for an associate attorney's time will be \$240 per hour effective May 23, 2017; \$243 per hour effective September 1, 2017; \$246 per hour effective July 1, 2018 and \$249 per hour effective July 1, 2019. 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) <u>Disbursements and Charges</u>

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 percent 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 agree on the kinds of communication technology which 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 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 your expectations. We will continue to strive to promptly address any problem and in a professional manner.

You may end this relationship at any time by giving the Firm written notice, subject to your obligation to pay us according to the terms of this Agreement. The Firm, in turn, may withdraw from the representation upon written notice in the event that you fail to cooperate with us in any way that we may reasonably request, the Village 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 Code of Professional Conduct or impractical to continue our relationship.

## 9. Resolution of Disputes -Arbitration

Although we do not expect that differences regarding the payment of fees for professional services, costs and disbursements will arise between us, we recognize that disagreements can happen. It is, therefore, wise to agree upon a procedure for fairly and expeditiously resolving them. If collection efforts made by the Firm are unsuccessful, then the dispute, controversy or claim will be finally resolved by private, confidential binding arbitration as follows: (a) to the extent that the New York Fee Dispute Resolution Program (Part 137 of 22 NYCRR), which provides for the informal and expeditious resolution of fee disputes between attorneys and clients, applies to the dispute, controversy or claim, then resolution will be in accordance with

the rules and procedures of the Fee Dispute Resolution Program (a copy is available upon request); or (b) if the Fee Dispute Resolution Program does not apply to the dispute, controversy or claim, then the arbitration will be conducted in Suffolk County in accordance with the Commercial Arbitration Rules of the American Arbitration Association. Any decision or award issued in arbitration will be final, binding and non-reviewable.

## 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.

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

Very truly yours,

Plan
Richard K. Zuckerman

RKZ/z

READ AND AGREED TO:

VILLAGE BOARD, VILLAGE OF GREENPORT

D	
By:	

### Sylvia Pirillo

From:

Adam Hubbard

Sent:

Thursday, September 14, 2017 2:38 PM

To:

Sylvia Pirillo

Subject:

FW: sludge hauling Greenport to Bergen Point

From: David Dam [mailto:DDam@russellreid.com]

Sent: Tuesday, August 1, 2017 3:02 PM

To: Adam Hubbard <ahubbard@greenportvillage.org>

Cc: Rob Suessmann <rsuessmann@russellreid.com>; Peter Barrese Jr. <PBarrese@russellreid.com>

Subject: sludge hauling Greenport to Bergen Point

Mr. Hubbard:

Russell Reid will load transport and dispose of sewage sludge for the following rate:

\$196.00 per 1,000 gallons

We will remove (2) 7,000 gallon loads next week on Monday, Wednesday and Friday.

Please confirm with a purchase order for these services.

Sincerely,



David J. Dam
Executive Vice President
P.O. Box 130
Keasbey, NJ 08832
800-356-4468, ext. 5429
Direct: 732-692-2429
Cell: 732-673-1641
ddam@russellreid.com
www.russellreid.com
www.mrjohn.com