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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK : STATE OF NEW YORK
-----X
BOARD OF TRUSTEES
SPECIAL MEETING
-----X

Third Street Firehouse
January 4, 2024
5:00 P.M.

B E F O R E:
KEVIN STUESSI - MAYOR
MARY BESS PHILLIPS - DEPUTY MAYOR/TRUSTEE
PATRICK BRENNAN - TRUSTEE
LILY DOUGHERTY-JOHNSON - TRUSTEE
JULIA ROBINS - TRUSTEE

ALSO PRESENT:
PAUL J. PALLAS, P.E. - VILLAGE ADMINISTRATOR
CANDACE HALL - VILLAGE CLERK

1 MAYOR STUESSI: If we could please stand for
2 the Pledge of Allegiance.

3 (The Pledge of Allegiance is recited).

4 MAYOR STUESSI: Please be seated.

5 Trustee Dougherty-Johnson is running a few minutes
6 late, but should here in any event relatively
7 quickly.

8 We have two items on the agenda this
9 evening. One is a Resolution in regard to the
10 emergency sewer order that I issued just before the
11 holidays, post a very significant break in the main
12 sewage line in the Village in December, and the
13 other one is a very simple perfunctory Resolution as
14 it relates to the extension of legal services for
15 longtime Village labor counsel who has moved over to
16 a new law firm.

17 I'm first going to read the Resolution into
18 the record, and then open it up to Board discussion
19 before we make a motion on the Resolution.

20 Resolution Restricting New And Expanded Sewer
21 Connections:

22 Whereas, the Village of Greenport original
23 sanitary sewer system was constructed in the 1850s,
24 and consists of 17 miles of sewer pipes and eight
25 pumping stations, and;

1 Whereas, on December 5th, 2023, the primary
2 sewage collection system piping sustained damage
3 that resulted in a leak requiring emergency repairs
4 and the suspension of sewage collection service,
5 and;

6 Whereas, the same primary piping sustained
7 additional damage approximately two years ago, and;

8 Whereas, the Village Administrator, in
9 consultation with the Greenport Sewage Treatment
10 Plant (GSTP) manager, has reported that the sewer
11 piping is of varying age and condition and many of
12 the pumping stations require some level of repair,
13 and;

14 Whereas, any expansion of the system without
15 addressing repair issues may render the piping to be
16 increasingly prone to cracks and breaks, and;

17 Whereas, the December 5th infrastructure
18 failure and the previous failure of the same
19 infrastructure evidence additional or expanded
20 connections to the Greenport Sewage Treatment Plant
21 (GSTP) may exacerbate environmental damage caused by
22 potential further failures of piping that serves as
23 an artery for the majority of the sewage collected,
24 and;

25 Whereas, any future failures or damage poses

1 an imminent threat to the health and safety of
2 persons residing in the Village and the area where
3 such damage has occurred and ecological and
4 environmental harm to natural resources in and
5 around the Village, and;

6 Whereas such failure will restrict the
7 ability of the GSTP to process sewage from
8 properties currently connected to the GSTP, and;

9 Whereas, if additional wastewater is conveyed
10 through the piping system, a pipeline failure could
11 cause extensive environmental harm and threaten the
12 health and safety of residents, and;

13 Whereas, additional sewage flow resulting
14 from new or expanded connections poses an imminent
15 threat to the public's health, safety and welfare,
16 and;

17 Whereas, the Village is commencing a review
18 and analysis of the totality of the circumstances
19 relating to the GSTP primary collection piping
20 damage, which analysis will include a conditions
21 assessment report, evaluation of potentially viable
22 solutions for repair and/or replacement, the costs
23 of any such proposed solution, and the inherently
24 sensitive environmental and public health concerns
25 that may result from a further failure, and;

1 Whereas, in accordance with the police power
2 delegated to the Village by New York State and the
3 Village's standing as the stewards of the Village's
4 health, safety and environment, the Village is
5 obligated to take steps necessary to protect the
6 health, safety and welfare of the Village and its
7 residents and of the Village's resources and natural
8 environment, and;

9 Whereas, the Board of Trustees has determined
10 that a temporary restriction on new connections or
11 expansions of sewage flow from existing connections
12 is necessary to preserve the public health, safety
13 and welfare, and to protected against the imminent
14 threat to the health and safety of persons residing
15 in the Village and its immediate surroundings, and
16 the aforesaid recitals taken together constitute the
17 rationale for such necessity and urgency.

18 Now, therefore, be it resolved:

- 19 1. The Board of Trustees finds and determines that the
20 foregoing recitals are incorporated herein as set forth
21 in full.
- 22 2. The Board of Trustees finds that the adoption of this
23 resolution is an Unlisted Action under the New York
24 State Environmental Review Act (SEQRA), that the Board
25 has reviewed a Short Environmental Assessment Form and

1 the text of this Resolution, and finds and concludes
2 that the Board of Trustees as lead agency with respect
3 to the environmental review of the proposed resolution:

4 1. The Board has thoroughly reviewed the Short
5 Environmental Assessment Form (Short EAF);

6 2. The Board also has considered the following
7 factors and made the following conclusions in respect to
8 its review of the environmental impacts of the proposed
9 action:

10 (a) the proposed action would not result in any
11 substantial adverse change in existing air quality,
12 ground or surface water quality or quantity, traffic or
13 noise levels, nor any substantial increase in solid
14 waste production, nor create a substantial increase in
15 the potential for erosion, flooding, leaching or
16 drainage problems;

17 (b) the proposed action would not result in the
18 removal or destruction of large quantities of vegetation
19 or fauna, substantial interference with the movement of
20 any resident or migratory fish or wildlife species,
21 impacts on a significant habitat area, substantial
22 adverse impacts on a threatened or endangered species of
23 animal or plant, or the habitat of such a species, or
24 other significant adverse impacts to natural resources;

25 (c) the proposed action would not impair the

1 environmental characteristics of any Critical
2 Environmental Area;

3 (d) the proposed action would not conflict with
4 the community's current plans or goals as officially
5 approved or adopted;

6 (e) the proposed action would not impair the
7 character or quality of important historical,
8 archaeological, architectural or aesthetic resources or
9 of existing community or neighborhood character;

10 (f) the proposed action would not result in a
11 major change in the use of either the quantity or type
12 of energy;

13 (g) the proposed action would create a hazard to
14 human health;

15 (h) the proposed action would not create a
16 substantial change in the use, or intensity of use, of
17 land, including agricultural, open space or recreational
18 resources, or in its capacity to support existing uses;

19 (i) the proposed action would not encourage or
20 attract large numbers of persons to any place for more
21 than a few days, compared to the number who would come
22 to such place without such action;

23 (j) the proposed action would not create changes
24 in two or more elements of the environment, no one of
25 which would have a significant impact on the

1 environment, but when taken considered together would
2 result in a substantial adverse impact on the
3 environment;

4 (k) the proposed action would not create
5 substantial adverse impacts when considered cumulatively
6 with any other actions, proposed or in process;

7 (l) the proposed action would not result in a
8 substantial adverse impact with respect to any relevant
9 environmental consideration, including noise,
10 aesthetics, traffic, air quality, water quality or
11 adequacy of water supply, drainage, soil conditions, or
12 quality of life in the community in general and the
13 immediate neighborhood in particular;

14 (m) the proposed action would enhance the
15 protection of the environment in the Village, in that it
16 would preserve and maintain the existing character of
17 the Village;

18 (n) the proposed action would not have a
19 significant adverse effect environmental impact;

20 (o) no further environmental review is required
21 with respect to the proposed action, and;

22 (p) the Mayor, or his designee, is authorized to
23 execute the Short EAF in a manner consistent with the
24 foregoing findings concluding that the proposed action
25 will not result in a significant adverse environmental

1 impact.

2 3. From today, and for a period of six calendar months,
3 there shall be no new connections to the Village of
4 Greenport sanitary sewer system, including but not
5 limited to the Village's sanitary sewer collections
6 system, or modifications to the existing connections
7 where such modifications may result in increased
8 production of waste from a site with an existing
9 connections to the Village's sewer facilities, except as
10 follows:

11 (a) Replacement of existing sewer connections
12 laterals shall be permitted upon approval by the
13 Superintendent of the GSTP or his designee in accordance
14 with Chapter 105 of the Code of the Village of
15 Greenport,

16 (b) All connections for work authorized by a
17 previously issued and currently open permit, and,

18 (c) New sanitary sewer connections may be approved
19 by the Board of Trustees upon recommendation from the
20 Superintendent of Public Works of the Village of
21 Greenport in accordance with Chapter 105 of the Code of
22 the Village of Greenport.

23 4. Any person, entity or applicant for a property
24 development approval whose application has been filed as
25 of today may submit a written application to the Board

1 of Trustees requesting relief from this connection
2 restriction setting forth the reasons why the
3 restriction should not apply to their proposed
4 connection. Such application must identify the quantity
5 of expected or anticipated wastewater and the reason why
6 the restriction should not apply. Upon receipt of such
7 request, the Board will make a determination either
8 approving or denying the request.

9 With that, I'm going to also read a very short
10 memo from the Village addressed to the Board of Trustees
11 from Paul Pallas in regard to the main sewer damage on
12 December 5th of last year.

13 As you are aware, we had a significant sewer break
14 on the main line between the main pump station and the
15 sewer treatment plant at the corner of Kaplan Avenue and
16 North Street on December 5th. This is the second time in
17 two years the line has broken in this location. The
18 recent damage to the Village's primary wastewater
19 collection system piping and the consequent
20 environmental and public health concerns resulting from
21 the new and repeated damage to the system necessitated
22 the emergency order while we study any and all issues.

23 Per the Mayor's emergency order, the conditions
24 threaten or imperil ecological or environmental
25 resources in and around the Village of Greenport and the

1 public safety of citizens of the Village. The Village
2 system has 17 miles of sewer pipes of varying age and
3 condition as well as eight pump stations, many of which
4 require some level of repair or replacement per the 2019
5 asset management study. The collection system assets
6 (sewer pies and manholes) need to be reviewed taking
7 into account current conditions, recent emergencies and
8 prior recommendations. Additionally, the main treatment
9 facility has ongoing work and repairs, which should be
10 evaluated relative to current conditions and prior
11 recommendations.

12 Taking into account the recent issue with the main
13 line it is imperative to do an updated condition
14 analysis in order to prioritize and fund needed repairs
15 and replacements before decisions are made to expand the
16 existing system.

17 As discussed, the Village should endeavor to bring
18 on a consultant to help evaluate the system and make
19 recommendations.

20 With that, the Village Administrator and I have
21 had discussions about meeting Holzmacher, who is a firm
22 who has done significant sewer study work for the
23 Village in past years in which I would like to reengage
24 and request that Paul consult with them to get cost
25 estimates for a study and to approve us to move forward

1 with doing so, out of a manner of some level of urgency.

2 With that, before we make any motions on the
3 Resolution, I would like to open it up for Board
4 discussion.

5 DEPUTY-MAYOR PHILLIPS: We have to second the
6 Resolution to have a Board discussion.

7 MAYOR STUESSI: Okay. May I have a second on
8 the Resolution, please?

9 DEPUTY-MAYOR PHILLIPS: I'll second it.

10 MAYOR STUESSI: So we'll open it up with Board
11 discussion for any questions or thoughts or
12 statements relative to the situation we are in.

13 I know we've talked about in the past two
14 meetings, Patrick, you were not here at our last
15 meeting, but it's been a discussion now for
16 approximately just over 30 days after the incident
17 happened.

18 TRUSTEE BRENNAN: I have a couple of
19 questions. The break was between the lift station,
20 right, at Third Street, and the sewer plant?

21 MR. PALLAS: Yes.

22 MAYOR STUESSI: Yes, between the main pump
23 station and the sewer plant.

24 TRUSTEE BRENNAN: Right. Is that forced main
25 or is that gravity feed?

1 MR. PALLAS: Forced.

2 TRUSTEE BRENNAN: It's forced from there.

3 MR. PALLAS: Yes.

4 TRUSTEE BRENNAN: There was a report done in
5 2019?

6 MAYOR STUESSI: There was an asset management
7 report for work that was done on the system in 2019;
8 is that correct, Paul?

9 MR. PALLAS: Yes. Just, if I may. It was
10 really part of an overall asset management program
11 that will be developed by a consultant for the
12 state.

13 It really was not a true detailed, you know,
14 condition assessment. They did take note of the
15 conditions but not really with any firm
16 recommendations for any one component. And what is
17 contemplated here is that we bring in someone to
18 look at the items that we know already, and if there
19 is anything additional that needs to be done through
20 a consulting firm.

21 TRUSTEE BRENNAN: Okay. Both failures at that
22 location were subsequent to that report?

23 DEPUTY-MAYOR PHILLIPS: Yes.

24 MR. PALLAS: Yes.

25 TRUSTEE BRENNAN: Did that report contemplate

1 anything about this section of piping?

2 MR. PALLAS: No. It's one long run, and it's
3 been there for a long time. But I don't believe
4 there was anything, any specific recommendation in
5 there. But I would have to double check.

6 DEPUTY-MAYOR PHILLIPS: If I remember
7 correctly, Paul, because I did sneak back at the
8 Minutes before we came. That was more of a general
9 overview --

10 MR. PALLAS: Correct.

11 DEPUTY-MAYOR PHILLIPS: (Continuing) it was
12 not specific. It was a general overview of the plant
13 as well, was it not?

14 MR. PALLAS: Yes, but it was -- yes, an
15 overview of the system.

16 DEPUTY-MAYOR PHILLIPS: Yes. But it was
17 something that the state actually reached out to us
18 to do it, if I remember correctly. So they had a
19 specific purpose for it.

20 MR. PALLAS: Yes. The purpose was to develop
21 an asset management program. It wasn't to do an
22 assessment of any one plant.

23 We were part of a group of four plants
24 throughout the state that was selected for this
25 pilot program, and it really, like I said, it was

1 not focused on asset review per se. It was a way to
2 develop a true asset management program for sewer
3 treatment plants throughout the state. It was not
4 specifically the Village of Greenport.

5 TRUSTEE DOUGHERTY-JOHNSON: Is there currently
6 like a replacement, a maintenance kind of plan?

7 MR. PALLAS: No. And in fact, that's what
8 prompted this study from the State in the first
9 place is that the sewer treatment plants throughout
10 the State were notorious in not having those kinds
11 of plants.

12 DEPUTY-MAYOR PHILLIPS: Well, I think also
13 when we got through with the EFC upgrade to the
14 plant, there was created some maintenance programs
15 that I believe the staff has been following up
16 there, but that was only dealing with the plant
17 itself, it was not dealing with the piping or the
18 pump stations.

19 MR. PALLAS: Correct.

20 TRUSTEE ROBINS: So, Paul, are we talking
21 about the line that runs basically from the central
22 pump station to the wastewater treatment plant?

23 MR. PALLAS: Yes.

24 TRUSTEE ROBINS: So that's where we would be
25 doing the assessment.

1 MR. PALLAS: Oh, no, we are recommending to
2 do, as I've mentioned, and I'm going to go into much
3 more detail at the work session, there are
4 components within the plant that need attention.

5 TRUSTEE ROBINS: In the plant itself.

6 MR. PALLAS: In the plant itself. So the
7 assessment that I'm looking at is all of those
8 components that I've already reviewed myself, I want
9 confirmation that that we are approaching it right
10 and that we have not missed anything, in addition to
11 some of the satellite pump stations.

12 MAYOR STUESSI: So really an assessment,
13 Julia, of the entire system, and then for us to
14 review that and put a plan together to take care of
15 it in the future.

16 TRUSTEE ROBINS: Okay. Because this is an
17 emergency, we do not have to follow the ordinary
18 bidding process, you are going to use Holzmacher.

19 MR. PALLAS: Well, I mean, they are
20 professional services, so there is no requirement
21 for competitive bidding when you use professional
22 services.

23 TRUSTEE ROBINS: Okay. Okay.

24 DEPUTY-MAYOR PHILLIPS: Well, I think part of
25 that piping that is going from the central pump

1 station up, it goes straight from there up to the
2 plant, correct?

3 MR. PALLAS: Yes.

4 DEPUTY-MAYOR PHILLIPS: Okay. And that central
5 pump station collects everything from the Village
6 except for what, San Simeon?

7 MR. PALLAS: I believe San Simeon, yes. Maybe
8 one other, but I don't know.

9 DEPUTY-MAYOR PHILLIPS: So every pump station
10 that is in the Village pumps into the central pump
11 station and then from there it's going up to the
12 main lines. So I'm sure that that pipe is probably
13 the 1930s, I would imagine, during the, what was
14 that called, WWP, or something?

15 MR. PALLAS: WPA.

16 DEPUTY-MAYOR PHILLIPS: WPA, when they did the
17 plants. So that's probably the original pipe from
18 that. And I think if you think about over the past
19 summer, I believe we've had other areas that have
20 had some major breaks as well, have we not?

21 MR. PALLAS: I have a couple, but not as
22 dramatic as this, and those can be dealt with on a
23 case-by-case, which is what we were doing, in fact,
24 which is somewhat delayed, of course, from the
25 contractor, up on Ludlam and Sterling, the Ludlam

1 pump station, we're having someone come in and do a
2 TB on Peconic and they are prepared to do a relining
3 of that at the same time.

4 This, including this main -- sorry. This main
5 would not be like a relining-type project. This
6 would be a wholesale replacement project. The two
7 reasons, one, you can't really relinings, you can't
8 shutdown. So you have to put a new one in. And its
9 location, it's not ideal, so it would be relocated
10 at the same time.

11 MAYOR STUESSI: And as I shared in the prior
12 meeting, when this incident occurred, which we were
13 made aware of at some point right around 9:00, 9:30
14 in the morning from a neighbor there, it was not
15 completely shut down and the system fixed right
16 there for nearly 12 hours. I think it was about
17 10:30 at night that they were finally able to get it
18 completely sealed up and capped.

19 It was a hole that was north of 20 some-odd
20 feet deep, filling with sewage, even though they
21 turned off the pump station, and multiple trucks
22 coming to remove the raw sewage from the hole that
23 Skrezec and his team were doing the work.

24 And as everybody is also aware, this is
25 immediately abutting a very sensitive environmental

1 area with Silver Lake that eventually drains into
2 Moores Drain and Moores Woods and out in Peconic
3 Bay.

4 Fortunately the team of Skrezec & Company,
5 the Village road crew and our electrical crew were
6 all working together for these 12-plus hours, did an
7 amazing job of containing it within this hole. There
8 was no damage to the environment or anywhere else
9 outside of that.

10 As part of the incident, we were required to
11 notify the DEC as well. And they did a tremendous
12 job, as I had also noted before, we were really
13 fortunate that this occurred in the coldest part of
14 the quiet winter and not summertime. It might be
15 have a been very different situation.

16 This line, as Paul touched on briefly, goes
17 from that corner of Kaplan over to the sewage
18 plants, and it basically runs down Monsell Path,
19 which is through the middle of the wetlands area, so
20 hence the need to look at finding a solution to
21 immediately replace that pipe together with looking
22 at some of the other issues that we are aware of.

23 DEPUTY-MAYOR PHILLIPS: Paul, going back to
24 the pump station, I believe that part of the
25 analysis will also be creating a standardization of

1 the equipment within the pump station?

2 MR. PALLAS: No, at other, at the satellite
3 pump stations. It's a standardized --

4 DEPUTY-MAYOR PHILLIPS: That's it. I'm sorry,
5 I'm talking about the satellite pump stations.

6 MR. PALLAS: Yes, I'm sorry. It's really the
7 pumps themselves is the main component. It's
8 relatively straightforward work to replace them.

9 And if I may, a little further, going back to
10 the asset management program, some of the work we
11 want to do at the pump stations really is not, would
12 not come up on an asset management program requiring
13 replacement. But where our goal is to standardize.
14 So if there was a problem with any one pump it would
15 be straightforward to replace. No piping, no
16 anything to change.

17 Right now we have failure and can't get some
18 of those pumps, which, when we can, it would involve
19 redoing piping on an emergency basis rather than
20 doing this in a more controlled manner.

21 TRUSTEE BRENNAN: Well, I appreciate that the
22 Mayor and the Administrator are trying to get on top
23 of this quickly, and I'm all for having an
24 engineer's assessment.

25 I am concerned that our actions in the

1 proposed resolution are not necessarily linked to
2 the problem that we are seeing. So I think
3 casually, it strikes me that excess load in the
4 system could be related to the failure, but my sense
5 is the piping is obsolete.

6 So I'm not clear how temporarily prohibited
7 hookups is connected to the kind of failure we are
8 looking at. So does that make any sense? I don't
9 see the connection between the two.

10 MAYOR STUESSI: So the issue is that if we
11 have another break, any increased usage of the
12 system could mean further sewage coming out into the
13 environment, and so the goal is to not have any
14 increased usage in the system until such time as
15 it's been completely studied and that we have
16 answers and a plan for what we are going to do to
17 get it fixed.

18 TRUSTEE BRENNAN: Right.

19 DEPUTY-MAYOR PHILLIPS: Well, I think the
20 other thing, as the Mayor said, is the main line --
21 I'll wait.

22 (The meeting is paused momentarily because of
23 a fire alarm sounding).

24 (Continuing). But we have piping, again,
25 throughout the Village, 17 miles, which I thought it

1 was more than that, but that's okay, it makes me
2 feel better, that is down, since that could be
3 breaking, especially down near Fifth Street Beach,
4 you know, that we could have a break there that
5 could overflow. I believe we had issues down on the
6 Fifth Beach, not near the beach, but on Fifth Street
7 there is a pump station there someplace, isn't
8 there?

9 MR. PALLAS: Yes. The piping that we have had
10 some issues with are not part the forced main
11 system. They are in the gravity main system. So
12 those are much simpler to fix and the flow rates are
13 much reduced because it's usually a small area.

14 DEPUTY-MAYOR PHILLIPS: But that's also going
15 to be in this evaluation, correct?

16 MR. PALLAS: Well, I mean, that would require
17 a lot more work that would be contemplated. I mean,
18 we can discuss it certainly, but I would not
19 recommend doing that. As I said, it's not, we can
20 handle those on a case-by-case as they occur.

21 DEPUTY-MAYOR PHILLIPS: Okay.

22 TRUSTEE BRENNAN: Paul, do you think the
23 failures that we are seeing in this pipe are related
24 to obsolescence or load?

25 MR. PALLAS: Primarily age. I would say

1 primarily age. The goal, as I stated, is really to
2 mitigate the environmental aspect of this, of the
3 potential break. Minimize. I shouldn't say
4 mitigate. We are not going to do that. But we are
5 going to minimize the impact as much as we can, is
6 the goal.

7 DEPUTY-MAYOR PHILLIPS: Central pump station
8 is pushing out more pressure through the pipes than
9 it was before?

10 MR. PALLAS: No. Pipes really never, you
11 know, fill up. I mean, be it -- the answer is no.

12 DEPUTY-MAYOR PHILLIPS: Okay. Just asking.

13 TRUSTEE ROBINS: Paul, quick question, I
14 wanted to know if I'm seeing a typo here, on the
15 second page here, on the environmental assessment,
16 under Letter (g), "the proposed action would create
17 a hazard to human health"?

18 MAYOR STUESSI: Would not.

19 MR. PALLAS: It should be would not.

20 TRUSTEE ROBINS: It should be "not".

21 TRUSTEE BRENNAN: So do we think that -- this
22 is for six months, right, as proposed?

23 MAYOR STUESSI: Yes.

24 TRUSTEE BRENNAN: What are we anticipating in
25 terms of the engineer's assessment? Are we using

1 all of that time for the assessment?

2 MAYOR STUESSI: Well, the goal is to get an
3 assessment done as quickly as possible. One of the
4 values in utilizing Holzmacher is that they have
5 already done a larger site survey of the Village,
6 and they have a good amount of data as part of it.
7 So it's really about a deeper dive into some of that
8 to make some determinations on how we prioritize
9 what we need to do work on and full replacements on,
10 and then to utilize that assessment in order to help
11 us with funding to get it done, too.

12 TRUSTEE BRENNAN: Right. So conceivably, if
13 the engineer's assessment recommends installing a
14 new line alongside the other one, or in a new
15 location, that could take quite a while, by the time
16 that is bid out and installed.

17 MR. PALLAS: Yes. The replacement, yes.
18 Definitely.

19 TRUSTEE BRENNAN: So I guess what I'm getting
20 at is are we going to continue to extend this
21 moratorium on hookups until that is done,
22 conceivably?

23 MAYOR STUESSI: Undetermined. I mean I'm
24 looking to make certain that we as a Board can
25 represent the best interest of our community and the

1 natural environment to make some smart decisions.
2 And I feel at this point we don't have nearly enough
3 information to make those determinations, and so the
4 smartest and safest thing to do in the moment is to
5 say, hey, let's pause for a brief moment,
6 re-evaluate where things stand, look at the system,
7 and then make some determinations on what needs to
8 be done. And, you know, with Paul's guidance and the
9 work that Holzmacher has already done, they
10 certainly seem the most appropriate to get involved
11 quickly on it. And then we as a Board can
12 re-evaluate when we have that information and make
13 some determinations on next steps, as well as work
14 on funding to get these things corrected.

15 TRUSTEE DOUGHERTY-JOHNSON: It's also
16 something we could end earlier, if we get in there.

17 MAYOR STUESSI: Of course, yes.

18 TRUSTEE DOUGHERTY-JOHNSON: I mean, if we get
19 it sooner and -- yes.

20 TRUSTEE ROBINS: It could go longer, too. I
21 mean, you know, we really don't know until we have
22 the estimate, right, and Holzmacher --

23 MR. PALLAS: I can't -- yes, we wouldn't know
24 exactly. But it certainly can be done in a
25 relatively short time.

1 I would not be looking, and I don't believe
2 we should be looking for, you know, a real deep
3 super detail on every little element.

4 TRUSTEE ROBINS: Right.

5 MR. PALLAS: It's really more of, as I
6 mentioned, the few major items, which are quite
7 expensive, that we're already identified to get
8 confirmation that, yes, this is the right approach.

9 And then beyond that, look at that, at the
10 main, the forced main in particular, based on its
11 age, based on breaks, based on location, which is
12 really, as the Mayor said, kind of an important
13 component of this, not just the age and the
14 condition but where it is. So that's --

15 TRUSTEE ROBINS: Right. But that can be done a
16 section at a time, correct?

17 Even though you have to run it basically
18 parallel and leave the existing line in place, they
19 can dig up a certain section and replace it or do
20 they have to do the whole excavation and replace the
21 whole thing.

22 MR. PALLAS: Yes, there's a couple of ways.
23 The plant manager and I were speaking about this
24 today a little bit. There's a couple of ways to do
25 it. But the only thing that makes sense is to do the

1 entire line at once.

2 TRUSTEE ROBINS: At once.

3 DEPUTY-MAYOR PHILLIPS: So if I'm hearing this
4 discussion, it's not just the main pipe that we have
5 to look at as far as financing the forced main from
6 the central pump station. There are things within
7 the plant that are connected to that force, that
8 piping, within the plant, that needs to be updated
9 because there was one item that was not updated
10 during the EFC Funding which was the -- Paul, help
11 me out.

12 MR. PALLAS: The screw pump.

13 DEPUTY-MAYOR PHILLIPS: The screw pump. Okay.

14 MR. PALLAS: Right. That was from 1991 vintage
15 as well. It's long past its useful life. And I
16 talked about this at Board meetings in the past. We
17 just have not had the money to do. So there are a
18 few things like that that are obvious that need to
19 be done.

20 And, again, I'll provide a lot more detail at
21 the work session, or in advance of the work session.
22 But I'm likely going to recommend that we at least
23 move forward on those items that we know now, and
24 then move forward with the study, find out what else
25 needs to be done, and then do a secondary bond issue

1 if necessary.

2 DEPUTY-MAYOR PHILLIPS: So as far as time the
3 year, right now would be the time to do the study
4 since it's not as active as it is in the summertime.
5 We don't really have that many applications or
6 anything, correct?

7 MR. PALLAS: No. And the study is not -- in
8 terms of timing, yes, from that perspective, yes, it
9 makes sense. Yes.

10 TRUSTEE BRENNAN: Can we talk through the
11 exceptions in Paragraph 3; the paragraph that is
12 number 3. It's on page five.

13 So there's (a), (b) and (c). And Paragraph 4
14 is also an exception, I believe, right?

15 So I think "(a)" is self-explanatory. We are
16 talking about laterals, so that's well, where is the
17 lateral in this case, Paul?

18 MR. PALLAS: That's the service pipe from the
19 building to the main.

20 TRUSTEE BRENNAN: Yes. So it would be in a
21 case where there is existing, right? Existing
22 laterals?

23 MR. PALLAS: Yes.

24 TRUSTEE BRENNAN: And then the next one it
25 says: "All connections for work authorized by a

1 previously issued and currently open permit."

2 That's a building permit?

3 MR. PALLAS: No, it's approvals that were
4 given by, usually our billing office, ultimately
5 sends them out. "Permit" is probably not the right
6 word, but it's approval of the sewer service.
7 There's only -- there's less than six. Certainly
8 less than six. Probably only two or three, and they
9 are all residential. They are not any major, there's
10 been no major connections approved.

11 TRUSTEE ROBINS: Would those be for new
12 constructions?

13 MR. PALLAS: I'm sorry?

14 TRUSTEE ROBINS: Would those be for new
15 constructions?

16 MR. PALLAS: One is and two are -- no, two are
17 and one isn't.

18 TRUSTEE ROBINS: If they are not hooked up to
19 the sewer right now, what are they doing with the
20 waste water?

21 MR. PALLAS: The one that is not new has
22 cesspools. They are not in the Village. They are
23 outside the Village.

24 TRUSTEE ROBINS: Really? Oh, Okay. I'm sorry.
25 I thought it was just in the village.

1 TRUSTEE BRENNAN: So I think we should clarify
2 "(b)" to make sure there is no confusion, that it's
3 not referring to village permits. It's sewer
4 hookups.

5 And then paragraph (c), refers to new
6 sanitary sewer connections that may be approved by
7 the Board of Trustees upon recommendation from the
8 Superintendent of Public Works.

9 What would be an instance where the
10 Superintendent would be recommending to us that we
11 hook something up?

12 MR. PALLAS: I believe that language was used
13 because that's the way the code is written. I don't
14 think there was any contemplation that that would be
15 the normal path. But it's, that language is pulled
16 directly from the code.

17 MAYOR STUESSI: Again, it requires our
18 approval as a Board, so.

19 MR. PALLAS: Right. So it really, number four
20 is actually the detail as to how that letter "(c)"
21 would be accomplished. So those two go together.

22 TRUSTEE DOUGHERTY-JOHNSON: Just for
23 clarification, are you the Superintendent of Public
24 Works?

25 MR. PALLAS: There is no one titled with that.

1 But, yes.

2 TRUSTEE DOUGHERTY-JOHNSON: But I mean in --

3 MR. PALLAS: Yes. Yes.

4 TRUSTEE BRENNAN: So you don't foresee a
5 situation where you would be recommending us to make
6 a --

7 MR. PALLAS: I do not. Maybe a house. There
8 may be one house that we may have to come back to
9 you for, the applicant may have to come back to you
10 for. That's the only one that I know of at all.

11 There is nothing major that I'm aware of that
12 is coming down. Because we don't know about it yet,
13 the likelihood that they would need it within the
14 next six months is almost zero.

15 TRUSTEE BRENNAN: Can you think of any other
16 projects that might be coming down the pike that we
17 would be looking to hook up, like any --

18 MR. PALLAS: Well, we have a couple of
19 projects in front of the Planning Board right now,
20 so, yes.

21 DEPUTY-MAYOR PHILLIPS: This also captures
22 intensification of use, does it not?

23 MR. PALLAS: Yes, that would be, one of the
24 applicants by the, in front of the Planning Board
25 would be that. One would be new.

1 MAYOR STUESSI: Fair to say, though, it's
2 unlikely anything is coming in front of us in the
3 next six months for us as part of the process.

4 MR. PALLAS: No.

5 DEPUTY-MAYOR PHILLIPS: And the other thing,
6 if I remember correctly, is those two applications
7 are still in pre-submission and they have not closed
8 out pre-submission yet, correct?

9 MR. PALLAS: Correct.

10 DEPUTY-MAYOR PHILLIPS: So that timing wise
11 that may be another two or three months before that
12 ever gets to that point. Or it could be even longer
13 than that. It all depends on what the Planning Board
14 decides to do.

15 MR. PALLAS: Correct.

16 MAYOR STUESSI: Lily, do you have any
17 questions?

18 TRUSTEE DOUGHERTY-JOHNSON: No. No.
19 Questions. I think it makes sense. It's an
20 unfortunate position to have to be in. But it makes
21 sense to not have a worse situation.

22 MAYOR STUESSI: Julia?

23 TRUSTEE ROBINS: No. I will make a comment
24 that this is not just the Village. This is a problem
25 that is happening all over the country. A lot of

1 places, a lot of cities, have old infrastructure
2 under their streets and, you know, and everybody,
3 you know, all of them eventually have to deal with
4 it. You know, and so I think this is a very good
5 approach for us, really to bite the bullet and go
6 after it and use the engineers to tell us what we
7 need to do, and get a proper assessment of it and
8 then make it right. So I think it's the right way to
9 go. I really do.

10 MAYOR STUESSI: Patrick?

11 TRUSTEE BRENNAN: Yes. So I think I do agree
12 that we need good information to make our decisions
13 going forward. I still don't see the connection
14 between hookups and the types of failure that we may
15 be experiencing. But out of an abundance of
16 caution, because of the risks of environmental
17 damage that could result.

18 See, I don't see the hookups as contributing
19 to the likelihood of failure. I think the issue
20 here is if there is a failure, as you said
21 earlier --

22 MAYOR STUESSI: Such as more sewage.

23 TRUSTEE BRENNAN: Yes. So we need to mitigate
24 that.

25 So, and because we have mechanisms to make

1 some exceptions, I feel comfortable with it.

2 MAYOR STUESSI: Yes, I agree exceptions are
3 important. Mary Beth?

4 DEPUTY-MAYOR PHILLIPS: Yes. First of all,
5 exceptions are important if they are well written,
6 and very clear to anyone that wants to understand
7 it.

8 As someone who has been involved with the
9 upgrade of the sewer plant back in 2010, 2009, part
10 of the hope at that point when we finished with the
11 upgrade to the sewer plant that we would eventually
12 start the work to reach out to take care of the
13 infrastructure system, which we knew at the time was
14 old and had some cracking of the pipes, considering
15 that the pipes are of old material that is no longer
16 used any longer.

17 So I am very comfortable with this, as long
18 as the information is moved along and also in
19 combination that we hopefully can incorporate this
20 with the completion of the rate study that we've
21 approved for the electric, sewer and water.

22 But I think that's going to be an, even a
23 piece of information that we would need when we find
24 out how this situation sits. We have to figure out
25 how we are going to pay for it.

1 So I think those two things, if they keep
2 moving together and we move toward completion, I
3 think that will give us a total picture of our sewer
4 system, not just for now but in planning for the
5 future. So that's how I feel.

6 MAYOR STUESSI: Thank you. So with that, I'm
7 going to call for a vote and then I'll, after the
8 vote, ask everybody to acknowledge that they've read
9 over the Short Environmental Assessment Form as
10 well.

11 DEPUTY-MAYOR PHILLIPS: Second.

12 MAYOR STUESSI: So I have a second from Mary
13 Bess, and I would like do a roll call vote please on
14 the Resolution. Lily?

15 TRUSTEE DOUGHERTY-JOHNSON: Aye.

16 MAYOR STUESSI: Mary Bess?

17 DEPUTY-MAYOR PHILLIPS: Aye.

18 MAYOR STUESSI: Patrick?

19 TRUSTEE BRENNAN: Aye.

20 MAYOR STUESSI: Julia?

21 MEMBER ROBINS: Aye.

22 MAYOR STUESSI: Thank you. Motion passes.

23 And a short roll call vote on everybody
24 having reviewed the Short Environmental Assessment
25 Form.

1 Lily?

2 TRUSTEE DOUGHERTY-JOHNSON: Aye.

3 MAYOR STUESSI: Mary Bess?

4 DEPUTY-MAYOR PHILLIPS: Aye.

5 MAYOR STUESSI: Patrick?

6 TRUSTEE BRENNAN: Aye.

7 MAYOR STUESSI: Julia?

8 TRUSTEE ROBINS: Aye.

9 MAYOR STUESSI: And I have as well.

10 With that, we'll move on to the last item on
11 the agenda, which is a Resolution:

12 Be it resolved, effective January 1st, 2024,
13 that the rights and obligations of Lamb & Barnosky,
14 LLP, pursuant to the retainer agreement presently in
15 effect, will be assigned to and assumed by the law
16 firm of Keane & Beanne, PC; and,

17 Resolution, be it resolved, effective January
18 1st, 2024, that the Board terminates the retainer
19 agreement with Lamb & Barnosky, LLP.

20 Do I have a second, please?

21 TRUSTEE ROBINS: Second.

22 MAYOR STUESSI: Are there any questions or
23 comments on this from anybody?

24 DEPUTY-MAYOR PHILLIPS: The only thing I want
25 to just double check, and I did pull out the

1 retainer agreement back in 2020, where we are
2 talking about the retaining fees that were stated in
3 that as of June 2023?

4 MR. PALLAS: As far as I know, yes. I didn't
5 find any other retainers and I don't think they
6 referenced any.

7 DEPUTY-MAYOR PHILLIPS: No, and that was all I
8 could find. Okay.

9 MR. PALLAS: Yes.

10 MAYOR STUESSI: Yes. So it is the second
11 one.

12 TRUSTEE BRENNAN: I have a question. Is our
13 current counsel, Lamb & Barnosky, we reached out to
14 them about this change?

15 MAYOR STUESSI: They are the ones that
16 requested it. Richard Zuckerman and his team, which
17 is two different individuals, left that law firm and
18 moved over to the new one, which is Keane & Beanne
19 PC.

20 TRUSTEE BRENNAN: Okay. So I understand we
21 are sticking with the team, but there is no
22 consequence as far as the --

23 MAYOR STUESSI: None whatsoever. It's
24 essentially the team that handles all of our labor
25 will move all of their product over with them to the

1 new firm.

2 DEPUTY-MAYOR PHILLIPS: I read the letter
3 correctly, that Lamb & Barnosky may not have that
4 type of service any longer because the whole team is
5 moving to a different firm. That's what I kind of
6 concluded from the letter.

7 TRUSTEE BRENNAN: Did I understand that this
8 is just until the organizational meeting in April?

9 MAYOR STUESSI: Correct. Yup. And my intent is
10 that we will re-solicit them as well as two other
11 law firms to consider who we want to appoint by
12 moving on from the organizational meeting.

13 I will state that the existing team has been
14 representing the Village for what is it, well over
15 two decades, I believe?

16 MR. PALLAS: Yes.

17 DEPUTY-MAYOR PHILLIPS: That's what I believe,
18 as long as I have been here. So that's 2009.

19 MAYOR STUESSI: Okay. Did I get a second on
20 that?

21 TRUSTEE DOUGHERTY-JOHNSON: Second. Yes.

22 MAYOR STUESSI: So the vote, all in favor?

23 DEPUTY-MAYOR PHILLIPS: Aye.

24 TRUSTEE BRENNAN: Aye.

25 TRUSTEE DOUGHERTY-JOHNSON: Aye.

1 TRUSTEE ROBINS: Aye.

2 MAYOR STUESSI: Aye. The motion passes.

3 With that, I'll open it up to any comments
4 from the public on either the sewer issue or the
5 legal representation or anything else.

6 Yes, please, if you come up to the podium and
7 state your name and address for the record.

8 MR. RISHE: Marc Rishe, 315 Sutton Place.
9 Apologies, I'm trying to comprehend this as all of
10 you are.

11 So just for background, I own two properties
12 on Madison Avenue, so the forced main I think runs
13 behind my two properties, and we actually had a leak
14 there earlier in the year. It was actually
15 discussed at a prior meeting, so I certainly
16 appreciate the challenges there.

17 So one of the properties that I own is a
18 vacant property and we will be submitting permits
19 to, it's actually not in the Village, it's in
20 Southold Town, so we'll be submitting permits to,
21 permit applications to Southold, with requested
22 connection to the Village sewer.

23 So I just, my first question, is I wanted a
24 clarification from Mr. Pallas. I got a letter from
25 a gentleman named Adam Hubbard that was written to

1 the Suffolk County Department of Health saying that
2 the possibility was found to be satisfactory -- I'm
3 paraphrasing that letter.

4 Is that what you were referring to as being a
5 permit or is that, or is there something else?

6 MR. PALLAS: That is what is known as an S-9
7 letter. It just states that there is sewer
8 available. It does not solidify a contract.

9 MR. RISHE: Got it. So in my instance, I
10 would fall under a request for an exception.

11 MR. PALLAS: Yes.

12 MAYOR STUESSI: Correct.

13 MR. RISHE: Gotcha. Understood.

14 MAYOR STUESSI: The other property that is
15 immediately abutting it is already connected to the
16 sewer, correct?

17 MR. RISHE: Correct. And the permit has been
18 approved, it's under construction. So I don't think
19 that's applicable.

20 MAYOR STUESSI: Correct.

21 MR. RISHE: I have a third property on North
22 Street, which is a renovation that is existing, it's
23 presently connected to the sewer. We won't be
24 changing that connection whatsoever. Will that type
25 of property or that type of renovation project be

1 affected by this?

2 MAYOR STUESSI: It should be no issue with
3 that.

4 DEPUTY-MAYOR PHILLIPS: No.

5 MR. RISHE: Great. Thank you, for clarifying.

6 DEPUTY-MAYOR PHILLIPS: Unless you go to
7 intensify it. Unless you're going to intensify it --

8 MR. RISHE: I'm not planning to.

9 And then, sorry, I have written down my
10 questions.

11 Can I just, can I also request, again, that
12 we ask that the Board ask that this assessment
13 include a recommendation on whether or not that the
14 moratorium needs to be held in place until work is
15 done or can be lifted in the meantime? Again, just
16 something to take into consideration.

17 TRUSTEE BRENNAN: I think that's a good
18 suggestion.

19 MR. RISHE: And then the last piece, I just
20 have as a clarification on this. So if I could ask
21 you to look at paragraph 3(b), which is an
22 exception.

23 So Paragraph 3 states that: For a period of
24 six calendar months, there will be no new
25 connections.

1 (b) states: With the exception of all
2 connections for work authorized by previously issued
3 and currently open permit.

4 And then, so then look at section, Paragraph
5 4, this is saying that another exception is, again
6 paraphrasing, any person whose application has been
7 filed as of today may submit a written application
8 to the Board.

9 Should that read "has not been filed" as of
10 today? Those seem to be --

11 TRUSTEE DOUGHERTY-JOHNSON: I think it may
12 mean like a Planning Board application, or a
13 building permit, even, application.

14 MR. RISHE: Okay. It sounds, maybe thinking
15 about clarifying that, it sounds in conflict. Not
16 necessarily pertaining to my case. I'm just stating.
17 If that makes sense.

18 MAYOR STUESSI: Do you have a particular
19 property beyond the three that you've mentioned?

20 MR. RISHE: No, I'm just stating it just
21 sounds conflicting to me.

22 MAYOR STUESSI: Okay.

23 (Board members perusing the document).

24 TRUSTEE BRENNAN: I'm not sure it is. So
25 there's an "and" between (b) and (c), there's an

1 "and."

2 MR. RISHE: No. I'm sorry. So "(b)" is just
3 saying that all connections for work. So "(b)" is
4 essentially stating if there is a permit already in
5 process or already approved, that that is an
6 exception.

7 But then Paragraph number 4 seems to be
8 stating that someone who has an application who has
9 already been filed, would also have to request an
10 exception.

11 DEPUTY-MAYOR PHILLIPS: I think we are talking
12 about the Planning Board. Because it says here that
13 any property developmental, development approval.
14 So that means that it has to go through the Planning
15 Board or it has to go through the Building
16 Inspector, and then that's who would make the
17 decision as to whether it's a current hookup, or if
18 it's the current hookup, it would go through,
19 correct, Paul?

20 If they are currently hooked to the sewer
21 system.

22 MR. PALLAS: I think this is, a little further
23 it says really that the property development
24 approval is a term that is used in Chapter 150 for
25 Planning Board purposes. So I think it's a very

1 specific --

2 MAYOR STUESSI: Yes, so "(b)" being something
3 you already have approval for through a building
4 permit from the Village. And then Number 4 being
5 something you may have filed with the Planning
6 Department but has not been approved yet.

7 MR. RISHE: Understood. Okay. Yes. Thank you.

8 DEPUTY-MAYOR PHILLIPS: The word "development
9 approval" is --

10 MR. RISHE: Thank you, for that clarification.
11 That's all my questions.

12 TRUSTEE BRENNAN: Do you think your vacant
13 property would likely fall, is likely to fall into
14 the six-month timeframe?

15 MR. RISHE: So we have received all of our
16 approvals, including DEC, including Southold
17 Trustees, so we are planning to submit within the
18 next, you know, hopefully 30 days, and then start
19 construction immediately thereafter.

20 I would think that I would ordinarily be
21 requesting connection prior to that six months, yes.

22 TRUSTEE BRENNAN: Okay, thank you.

23 MR. RISHE: Thank you.

24 MAYOR STUESSI: Thank you. Anybody else from
25 the public like to speak?

1 (No response).

2 With that, I will thank the Board, the Clerk and
3 Village Administrator and Jay and transcriptionist for
4 all making time to be here on relatively short notice,
5 with 72 hours in advance, and we'll make a motion to
6 close the meeting.

7 May I have a second, please.

8 TRUSTEE DOUGHERTY-JOHNSON: Second.

9 MAYOR STUESSI: All in favor?

10 (ALL AYES).

11 MAYOR STUESSI: Motion carries. Thank you,
12 everybody.

13 (The time noted is 5:49 p.m.)

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

STATE OF NEW YORK)

) SS:

COUNTY OF SUFFOLK)

I, WAYNE GALANTE, a Notary Public in and for
the State of New York, do hereby certify:

THAT the within transcript is a true record
of the proceedings taken on January 4th, 2024.

I further certify that I am not related
either by blood or marriage, to any of the parties
in this action; and

THAT I am in no way interested in the
outcome of this matter.

Wayne Galante
WAYNE GALANTE