VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

BOARD OF TRUSTEES
REGULAR SESSION

Third Street Firehouse
Greenport, New York
October 24, 2019
7:00 p.m.

BEFORE:
GEORGE HUBBARD, JR. - Mayor
JACK MARTILOTTA - Deputy Mayor
PETER CLARKE - Trustee
MARY BESS PHILLIPS - Trustee
JULIA ROBINS - Trustee

ALSO PRESENT:
JOSEPH PROKOP - Village Attorney
SYLVIA PIRILLO - Village Clerk
PAUL PALLAS - Village Administrator
(The meeting was called to order at 7 p.m.)

MAYOR HUBBARD: I call the meeting to order. Pledge to the flag.

(All stood for the Pledge of Allegiance.)

Please remain standing for a moment of silence for Myron Goldstein, Brian T. Higgins, Merle P. Levine, Marc Santiago and Marilyn Grace Hoffman Scheiner.

(Moment of silence.)

MAYOR HUBBARD: Thank you. You may be seated.

Okay. I've got a few announcements. I want to welcome and say thank you to Valerie Shelby, who has volunteered to serve on the Carousel Committee. The annual Halloween Parade has been scheduled for October 26, 2019, at 10 a.m. The annual Fire Department hydrant test will begin at 9 a.m. on October 27, 2019, and is this Sunday morning. Refrain from doing your
white sheets and other things first thing in the morning, wait till after lunch till the water is flushed out. The water will be a little rusty and discolored 9 till noon, usually by noontime, it's all cleared up and everything is fine. Just so everybody is aware of that, want the public to know about it.

The Village Offices will be closed on November 11, 2019, in honor of Veterans' Day. The Village Offices will be closed on November 11, 2019, and November 29, 2019, in celebration of Thanksgiving. The November regular meeting of the Board of Trustees is scheduled for November 25, 2019. We've changed the date of that. We're having our work session on the 22nd, that's where we are.

MS. PIRILLO: The 21st.

MAYOR HUBBARD: The 21st is the work session, the 25th will be the regular meeting.
The annual Christmas Parade of Lights has been scheduled for December 7, 2019, beginning at 5 p.m. That's a very fun event. It's been growing each year, it's been getting bigger and better, so everybody come on down. We're doing our tree lighting and the holiday lights throughout the Village. Parade starts at 5, and then everything is going on at Mitchell Park afterwards.

Also, the Village has gone out to bid for tree planting. We have 36 new trees coming in. They're being delivered from NYPA, New York Power Authority, on Monday. If anybody needs a new tree, has a request for a tree, we've got half of them already planned in spots that people have requested over the past couple of years, but we have other trees coming in. If somebody has a request for a tree in front of their house or their neighbor's house, send an e-mail to
the Village clerk and we'll add that
to the list. And there's five
varieties of trees that are coming in,
and we'll get something planned near
your house for you.

Also, we're taking down trees.
The Village is taking some down
ourselves. We're going out to bid for
it. The firewood that's coming out of
these trees, the bigger logs and
everything else, are being left up on
Moores Lane behind the water tower.
So if anyone needs firewood, instead
of paying to get rid of the useable
wood, we're trying to recycle that and
let people that need it, it's free of
charge. It will be cut in 18 inch
logs. You pick it up, you can take it
home, you have to split it yourself.
We don't split it for everyone, but if
you have a fireplace or a wood burning
stove and you need some logs, they'll
be firewood available up on Moores
Lane as we move forward through this
project, just to let everybody know,
and have at it.

All right. At this point, we'll
go to the presentation, Historic Grant
Informational Presentation. Stephen
Bull and?

MS. KENNEDY: Karen Kennedy.

MAYOR HUBBARD: Come on up and
give your presentation.

MR. BULL: So I'm Stephen Bull.

I live at 24 Beach Street in
Greenport. I am the Chair of the
Village of Greenport's Historic
Preservation Commission, and I'm here
to introduce to you Karen Kennedy, who
is going to be doing the survey for
Preservation Studios and she's an
Island woman.

MS. KENNEDY: Babylon girl.

MR. BULL: And so she has been
successfully doing this kind of work
on Long Island, for communities in
Long Island, for a long time. And we
are delighted that we have her with us
for her professionalism in doing this
survey, which she's going to tell you
more about. It's a
reconnaissance-level survey, and I'm
in charge of the handouts.

MAYOR HUBBARD: Okay.

MS. KENNEDY: Thank you Steve.

Hi everyone. Steve said, my name is
Karen Kennedy. I'm the Director of
Architectural History for Preservation
Studios. I'm really happy to be here
tonight to talk to you about the
Reconnaissance-Level Historic
Resources Survey that we're going to
be conducting here in the Village.

I want to start off by talking
about the purpose and definition of
this type of survey. A
reconnaissance-level survey is really
the first step in identifying and
gathering information on your
community's historic resources that
may be worthy of preservation. This
type of survey is considered a "once
over lightly" inspection of the community, and it gives us an idea of distribution, building types, architectural styles, and the general character of the buildings. And the Village guidelines for the survey are developed and administered by the New York State Historic Preservation Office, so we work very closely with them during this process. And I put their website here for your information, in case you're interested in finding out more about them.

There are many steps in the process of this survey. The first is planning, and this has already taken place. The Historic Preservation Commission has already decided the type of survey that they would like to do, which is reconnaissance-level. There are several different types of surveys. This is the first type, the first initial look at the historic resources in the Village, and they've
identified the geographic location, which is the incorporated Village of Greenport, so we're going to be looking at the entire Village.

This also involves research. We are investigating the Village's history. So we're looking for patterns of development and growth that are represented in the surviving historic resources in this area. So when I say, "historic resources," I'm talking about buildings, objects, structures, and existing historic districts.

There's a lot of different methods that we use for research. We look at historic maps to chart physical development of the Village, we look at newspapers and periodicals to find out what community events might have happened here that might have shaped the Village. We look at census records to find out who lived here, when they lived here, what they
did, what was the ethnic and racial
background of these individuals, how
many kids they had. And we also look
at phonebooks and directories to find
out what merchants were here over time
to also shape the Village.

And then while we're doing
research, we conduct a windshield
survey, which we're going to be doing
next week. So if you see myself and
my associate, Katie, with me, we're
going to be, literally, driving up and
down every street and road in the
Village. This will give us an
opportunity to make notes on
buildings, structures, landscape
features. Sometimes closer
inspections are made on foot, so if
you see us in front of your house
taking a picture, don't be alarmed.
We won't go on anyone's property.
Everything is done from the street,
but we won't be knocking on doors or
disturbing anybody.
And again, the basic purpose of this is not to get detailed information, but to get a general picture of the distribution of what the historic resources are, where they are, and what type we have here.

Okay. Then comes the evaluation. Once we've concluded our field work and our historic research, we can see what you have here, and we're going to make recommendations for recognition and designation. And the designation could be on a local level, or it could be for the National Register of Historic Places. But there are very specific criteria for the National Register, and I wanted to review them because it's not easy to get on the National Register. So I just wanted you to understand what it does entail.

So the number one thing about getting either an individual building or a historic district on the National
Register is integrity. Integrity of location, integrity of materials. So if a building has been moved, more than likely, it's not going to be considered for eligibility for the National Register. If it has been significantly altered, you know, windows have been moved around, roof lines have been changed, we wont consider that either. That would be considered a noncontributing building.

In addition to integrity, there are four more criteria, and a district or an individual building must meet one or more of those. So it's a very involved process. I don't think I'm going to go through all the different criteria, but you have them, you can see.

And then finally, the outcome is a report. So we put together everything that we've done, summarize the survey results. We discuss areas or topics requiring further
information, and we provide recommendations on either individual district listings, either locally or on the National Register level. And then this is given to the Historic Preservation Commission and they will, based on our recommendations, decide what should be done in the future with these different structures and districts.

We also note any preservation strategies and educational opportunities in this report, and whatever recommendations would be to hold public information sessions, to talk about the results of the survey so that you can see what's going to be done with the information and have input.

Any questions?

MR. BULL: A couple statements, if I may. So the Historical Preservation Commission makes some recommendations based on the
recommendations that are given to us in this report, but we don't actually make the final determination. That determination is made by the Trustees, in terms of the final outcome of how the report gets implemented, so I want to be clear on that point.

Also, one of the things that is very important to me with the Preservation Commission is that we get feedback or input on this, not only, perhaps, while we're doing this, but most importantly later once we have a report. We -- the report has been a benefit of two earlier surveys, one 22 years ago and one 42 years ago. So this is going to be the third survey in a series.

Because it's at a reconnaissance level, it's looking at the entire Village of Greenport, and for me, it's looking at Greenport as an important community in time, one that's been around for a long time, that has
maintained most of -- a lot of it's integrity. It's -- and I think we want to acknowledge that, appreciate it, and consider how important that is as we go forward.

So the commercial aspect of Greenport, aside from the growing tourism and foodie industry, is also important. So that's an important consideration for me, is that commercial part of it, so that's also being part of the consideration for this.

So does anyone have any questions now?

(No response.)

MAYOR HUBBARD: No, I don't think so.

MR. BULL: Great.

MAYOR HUBBARD: Thank you for applying for the grant and getting it and moving forward with it. And we're looking forward to you completing the survey and then we'll have another
discussion once you come back with the
information for us, and we look
forward to that.

MS. KENNEDY: Excellent. Thank
you.

AUDIENCE MEMBER: Is this just
questions or comments also? Could we
make a comment here?

MR. BULL: Please.

AUDIENCE MEMBER: Are you
familiar with Cultural Resource Center
in Greenport? Anyone here?

MS. KENNEDY: Isn't that -- did
they do the 1998 survey?

AUDIENCE MEMBER: No, they did
the 42 years ago survey.

MS. KENNEDY: I saw that in
documentation.

AUDIENCE MEMBER: They have a
bundle of information.

AUDIENCE MEMBER: And they have
drones also at the airport.

MS. KENNEDY: I actually looked
at it today. Yeah, they have it in
the library. They have booklets of
every building that was surveyed.

AUDIENCE MEMBER: And they were
also responsible for walking through
Greenport. Personally, I think we're
going the wrong way as far as that's
concerned in Greenport, but you'll
find out.

MS. KENNEDY: We'll see.

MR. BULL: And this was, by the
way, already funded by your tax
dollars, so that's important to know,
that this is a service that comes to
you from New York State. So there may
be other grants after this that we'll
elaborate on what we're doing here in
a more detailed way. Thank you.

MAYOR HUBBARD: Thank you, very
much. Okay.

Next, we have a public hearing
on the Wetlands Permit Application of
applicant Paul Pawlowski, on behalf of
123 Sterling Avenue, LLC. This is for
the work in the marina part of the
project down there, the public
hearing. We're going to take comments
on the wetlands portion of the
application that's pending right now.
So just that everybody knows, that's
what this public hearing is on, not on
anything else. We're just talking
about the wetlands part of the
application. So we'll open it up to
the public.

If anybody wants to speak, your
name and address for the record, and
comment on the wetlands permit
application that's pending.

MR. PICKERING: Hi, my name is
Mitchell Pickering, I live on Sterling
Street. My neighbor, that lives
across from me, Pat Mundus (phonetic)
has written a letter she would like me
to read to the Board.

MAYOR HUBBARD: This is on the
wetlands application, the work in the
marina?

MR. PICKERING: Yes.
MAYOR HUBBARD: Okay.

MR. PICKERING: "Dear Members of the Village of Greenport Trustees, I am writing to present my views, unable to attend tonight's public hearing in person, on the wetlands permit application at 123 Sterling Avenue. Thank you for your consideration and for entertaining this letter into the record.

What does a 45,000 square foot construction project look like? I visualize it as three King Kullen supermarkets stacked one on top of the other. In the case of this project, the scale of such a building is unprecedented in Greenport's modern times, and it is located only 38 feet from the water's edge.

The flooding line of wave action on the last updated FEMA map passes directly through the foundation area now being built. Judging from what you have said in previous meetings,
you feel you are bound by the 2007 Stipulation agreement. This decision allows this plan to be built without any current study or further planning review since it was issued 12 years ago.

For the record, I don't believe this is prudent, since the entire property disappeared under water and we have a new 100 year flood history since Sandy. Just because other homes on the street were built to the same height, some over 100 years ago, this does not mean a new 45,000 square foot building should be built without enhanced review. But this is the decision of our elected officials and we have to accept that.

That said, I'm asking you for your proactive and enlightened supervision of this project. I attached photos I took one hour after the tide started going down in last week's northeast blow, while concrete
was being poured. As you could see, the water could have easily risen into the area with one more high tide. Landscaping cloth is not a wetlands barrier, and as you can see, even the shabbily installed cloth would not have kept construction debris out of the water in a higher tide.

I beg you to rethink the protection and mitigation measures. The code enforcement officers should halt construction until environmental protections are in place. I also wonder, why is construction well under way without first having a Greenport Village wetlands permit in place already? Other waterfront property sites have stop work orders issued because the builder's wetlands permit did not exist or was violated. Why is 123 Sterling any different?

I urge you to do the right thing in advance of potential harm to the environment. Get the code enforcement
officer to the site immediately, and enforce New York State environmental protection standards. Please demand responsibility by the owner. This massive building is being built only 38 feet from the water's edge.

For the record, the New York State Department of Code Enforcement case worker stated that he called our Village Code Enforcement Officer to ask for an explanation of this deficiency, and he has not had the courtesy of a return call.

Thank you and sincerely, Pat Mundus."

MAYOR HUBBARD: Okay. That does not apply to the wetlands permit application we're talking about now. That's talking about the construction of the building, so that will be held later on. You can submit the letter, that's fine --

MR. PICKERING: I think she's talking about the wetlands in here.
MAYOR HUBBARD: No, the wetlands
permit application, that's never been
approved for doing the building. This
is just on the improvements to the
marina part of the project. That's
why I tried to state that at the
beginning, but I didn't want to
interrupt you in the middle of reading
Pat's letter.

We'll accept that letter at a
further portion of the meeting when we
get to that point. This is about --
we're talking about the improvements
of the application for the docks, the
floating docks, the work that's being
done on the marina part of the
project. We're not talking about the
building at all right now.

The building has a permit, it's
already been issued. It was issued
with the building permit, it's already
in effect and it's already there.

We're talking only about the
application for the improvements in
the marina part. So anybody wants to speak to that, that's fine. We're gonna deal with one issue at a time, and we're dealing just with the application on the improvements to the marina portion of the project.

Steve, go right ahead.

MR. WEISS: Steve Weiss, 117 Sterling Street, Greenport. I don't know if I have the current notice. I downloaded this from the Army Corps of Engineer's site, but it's dated 2014.

I don't know if that's the same.

Irma, is that the same thing in 2014?

AUDIENCE MEMBER: It was renewed by the Army Corps in 2019.

MR. WEISS: So is it the same?

AUDIENCE MEMBER: Yeah, probably the same.

MR. WEISS: I have a couple of questions. Is the Village the first people who act on this, and then the Corps of Engineer and the DEC?

MAYOR HUBBARD: No.
MR. WEISS: So this has been approved by the Army Corps of Engineers?

MAYOR HUBBARD: Army Corps and DEC. It goes through Department of State Army Corps and DEC before it comes to us, so we're the last ones to act on it.

MR. WEISS: So we have to decide whether this is appropriate or not, that's all. They've decided that it's possible to do, and we have to decide whether the Village wants to actually do it?

MAYOR HUBBARD: Correct.

MR. WEISS: I looked at this and I see dredging, 15 feet out by the channel, which is probably a good idea because I don't know what the channel is now. But do we want to put a boat in there now, a 20-foot beam boat out into the channel when there's problems with boats coming and going now, because it hasn't been dredged?
MAYOR HUBBARD: We're in the process of getting that dredged. We're waiting for the DEC to give us permission to do it. We've been working on that for over a year. We had the Army Corps permit and everything to dredge the whole channel in the front.

MR. WEISS: Is it a good idea to do this before that gets done?

MAYOR HUBBARD: Well, they're doing construction on floating docks and the work that's inside. I don't believe they're going to be bringing a huge boat into the marina at this time of year, but this is the process they need to go through to get permission to do that.

MR. WEISS: I think it's something the Village should think about.

MAYOR HUBBARD: Okay.

MR. WEISS: I also have a question that may have to do with the
building, and I'm sorry if runs over on this, but I think there are 14 boat slips. I think there are 14 boat slips, and we want to dredge to 6 feet, which probably means they'll be bigger boats in there than usual.

But does the owner of this plan to sell these slips with the condos, or are they going to be rented separately? And that's an issue the Village has to concern themselves with because if they're part of the condos, well, there's a traffic situation.

MAYOR HUBBARD: You mean are they transient boat slips?

MR. WEISS: Transient boat slips, the Village has to consider.

MAYOR HUBBARD: We will ask that question and find out before we approve it. That's why we're having a public hearing, to get public comment. So we will ask that question beforehand, Steve.

MR. WEISS: That would be my
major concern. Other than that, I think redoing the bulkheads is a fine idea.

MAYOR HUBBARD: Okay. Thank you.

MR. WEISS: Thank you.

MR. PAWLOWSKI: Paul Pawlowski, owner of 123 Sterling. With this application, I just want to be clear on what tonight is about. The previous owners redid roughly 300 feet of bulkhead. They did not do 132 feet of bulkhead. Our goal is to finally complete the balance of 132 feet to come to the height of the newer bulkhead. So Pat Mundus' photos is of the older bulkhead that we're trying to get replaced and improved to a higher height.

So even with those floods the other day, the new bulkhead will be roughly 18 inches higher than the existing bulkhead, and it will match the two areas that were done in
previous years. So this application is based on just finishing a job that was not done, and improving that canal onto that, for not only our property but also Sterling Cove. And I think it will be a huge environmental improvement, and that's what this application for.

To touch on, just quickly, the erosion control fence is checked every three days. The code enforcer has called me every other day about it, and the only reason why it was a little bit in disarray was because of the winds of last week. But every three days, there's a gentleman that goes there and makes sure that it's exactly to code, not one stockpile is on the waterfront.

Normally, when you have a build-out, there's a stockpile everywhere. We took the time to put every piece of dirt that came out of the foundation, west of the property,
to the furthest point on the property that's possible.

So as far as this application, the bulkhead is to improve the environment and the situation, and not only to help ourselves, but also our neighbors.

Any questions? I'm happy to answer.

TRUSTEE PHILLIPS: I have one question, Paul. Being somebody who suffered through Sandy, my understanding is, is now you're bulkhead is going to meet the new height that's required by the DEC for high tides?

MR. PAWLOWSKI: Yes, correct.

TRUSTEE PHILLIPS: For the rising tides?

MR. PAWLOWSKI: Yes.

TRUSTEE PHILLIPS: I think a lot of people don't realize that, that that's one of the new requirements, correct?
MR. PAWLOWSKI: Yes.

TRUSTEE PHILLIPS: Is that what the 18-inch increase is or is it a little bit more?

MR. PAWLOWSKI: No, it's to the improved new code. It's not going to be any higher than the other bulkheads in that picture, and the area to be improved is roughly 18 inches higher than what it is today, and based off those photos of that high tide a week ago.

TRUSTEE PHILLIPS: I haven't seen the photos, but I'm familiar with the situation since my property is the lowest point in Sterling Harbor.

MR. PAWLOWSKI: Absolutely.

TRUSTEE PHILLIPS: But I do know that the new requirements for rising tides, and the post Sandys, most bulkheads are being required to be built higher, so that's why I wanted to know that yours is being --

MR. PAWLOWSKI: I believe it is,
yes, correct.

TRUSTEE PHILLIPS: Thank you.

MR. HILLEBRANDT: Do you believe that water doesn't find it's own way?

That the bulkheads --

MAYOR HUBBARD: Okay. Just -- I mean, you're going to have to ask from the podium because our transcriptionist can't get your name and everything else. If there's questions from the audience, you can come up and ask your question, but we need your name and address and speak so she can get -- she knows who's speaking.

MR. HILLEBRANDT: No, no, just one question. I'll wait, I'll listen. But water finds its own way, folks, just think about it.

MAYOR HUBBARD: We just can't get a proper transcript without knowing who's speaking, that's all.

Okay.

Anybody else wish to address the
wetlands permit application?

MR. HILLEBRANDT: Then I may as well, very simple question. My name is Jaap Hillebrandt. I live on Sterling Street in Greenport, of course, and along with your property, our property, during -- was all the way up there. I mean way up Sterling Street. We are on the low point.

And again, I'm born and raised in the Netherlands. What is that country famous for, water. We know one thing, water finds its own way. It's stronger than any one of us here, so I don't care whether it's 20 feet beneath the bulkhead, it will find a place to go there. Just think about it, it seems so simple to me.

Finally, New York City is coming to its senses and having a Dutch engineer redo lower Manhattan. What took them so bloody long. Let's not fall for the same crap.

MAYOR HUBBARD: Go ahead.
MS. SCHNEPPEL: Ellen Schneppel,
I also live on Sterling Street, and
I'm Chair of the Sterling Basin
Neighborhood Association. You
mentioned that the issue of whether
the dock space was going to be owned
or rented out and that the question
would be asked. I think if Paul
Pawlowski's here, we can ask him the
question now and find out, right?

MAYOR HUBBARD: That is fine.

MS. SCHNEPPEL: Oh, good.

MAYOR HUBBARD: You'd like to
ask him?

MR. PAWLOWSKI: So as far as --
Paul Pawlowski. As far as the docks
that are there, as I menaced in the
past, our goal is to deed them with
the properties, however, keep a small
percentage for the potential
commercial space on the property. So
the majority, to the residents, and a
small --

MAYOR HUBBARD: And when you say
there's 14 spaces, so 12 for residents, 2 could be transient or whatever. I'm not holding you to the number, but just in general.

MR. PAWLOWSKI: In general, that's very accurate.

MAYOR HUBBARD: Okay. That's fine. Thank you. Anybody else wish to address the Board on the wetlands application? Okay. I offer a motion to close the wetlands permit application, and we will discuss this at our work session next month.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

We'll talk about that at our
work session on the 21st. Okay.

Public to address the Board on any
topic. We'll open it up to the
public, any topic, agenda items,
anything else. Just name and address
for the record, you're welcome to come
up.

MR. HILLEBRANDT: Any topic?

MAYOR HUBBARD: Any topic.

MR. HILLEBRANDT: I also have
visited Village Hall with a request,
and since we're taking about Sterling
Street, the roads, especially if you
ride a bike, and if you're smart, you
ride a bike in the summer in Greenport
because we can't park anywhere. If
you ride a bike, try to come down
Sterling Street, you'll have a flat
tire before you're midway. Why is it
that Sterling Street has been treated,
in front of his house? It is
impossible to drive in front of our
house, a little further -- who lives
next door to us?
AUDIENCE MEMBER: Gus.

MR. HILLEBRANDT: Gus's. Look at the condition of the road, folks, it's broken up. Since we're on any topic, and I've been to Village Hall a few times asking and left messages about the situation, nothing has ever happened. I understand the financial constraints that we're under, but this is a dangerous part. I invite each one of you, just come down Sterling Street, and especially on the right-hand side. It's not a pretty site, it's dangerous.

MAYOR HUBBARD: Okay. We'll add that to the list. Actually, I did the Turkey Trot a couple years ago and went down that road, and you are correct, it needs some repairs. We're working on a list now of roads that will be paved, and that will be added to it.

Anybody else wish to address the Board?
MR. HILLEBRANDT: Yeah, one more thing. In front of Humus (indiscernible), the newly constructed sidewalk and the subsequent puddles that are there now, are a disaster. We have these little -- they're not called bricks, but let's call them pebbles, about this size, and they're all lined up. But somebody forgot the fact that we have leaves, and leaves fill up all the holes between the pebbles. Subsequently, in any amount of rain, it is nothing but a flood.

Secondly, you should really go back to the person who put this in. I have yet to see a car not hitting the sidewalk as they make a right turn from Bay Avenue on to Main Street. Every car hits the curb. You look at me like really, go try it.

Those two items, so in other words, all these pebbles in between the leaves and the water remains. It's really an engineering mistake
that they made.

MAYOR HUBBARD: Okay. Thank you. Did you want to speak?

MR. MACKEN: Yes. So my name is Frank Macken, I'm 138 Sterling Avenue, and I'm here to speak about the 123 Sterling project. I see Mr. Pawlowski is here. Just to follow up on that, we had an extended discussion in the September meeting and we went over a lot of parts. Basically, we're concerned with the -- so we're concerned with the fact, just to reiterate that a permit is under the initiative of this year, whereas the Stipulation is from 2007, and the Stipulation refers to various reviews that the Planning Board, the Zoning Board and all this stuff did that, all those Boards did at that time, but I've gone through the records and I haven't seen any evidence of that. A traffic study, for example, there was a negative -- there was a
joint meeting on March 12, 2007, with the Trustees, the Planning Board, and the Zoning Board, where they said that it was declared that it would have no negative impact. So we're just curious how that could possibly -- 45,000 square feet, huge -- you know, 50,000 square feet of commercial, 17 more units, and that's just what was proposed in the Stipulation. How could that not impact our neighborhood?

Our block has 18 houses on it so it's twice the number of units. Then you got the traffic. And since that -- so I don't believe -- we don't believe that any traffic study was ever done or considered or a proper impact study was done on the neighborhood as any point. And if so, we'd like to see it. You said -- I believe you said that you would be willing to facilitate a meeting to go over concerns that we have, so we'd
actually like to have a meeting with Mr. Pawlowski and our various neighbors and yourself, and go over the documentation that's on this, on these previous decisions that were made.

And in -- just in the meantime, obviously Sandy has happened, the site flooded, and we've been doing some due diligence ourselves.

Just on the traffic study, for example, the road in front of Mr. Kelly's house was moved and narrowed. So in the old days, a truck would come down there and make it's way around a wide loop. Now it's impossible to do that. So the truck that came down with the rebar, for Mr. Pawlowski, actually had to back all the way up to Main Street, and then find some other way in, and I really wonder how they found a way in because (indiscernible) Street is just as narrow as Sterling Street.
Anyway, just going back to that whole issue about impact statements, how is it possible that these -- just the size of this project, this is the largest thing ever to be built in Greenport without any up-to-date planning review. We suspect that there were no proper planning reviews done at that time.

So we'd like to request a meeting to go over all this before anything else is built. You said, at the last meeting, that the developer had told you that he was only going to be building the foundation at this point. He was only going to be doing the footprint of the building. So if that's the case, we think that's a perfect, perfect pause point to go over what the building is actually going to look like.

Since our -- we wrote a letter to the Suffolk Times subsequent to that meeting, and Mr. Pawlowski then
appeared before I met with several members of the Neighborhood Association, and proposed several changes to the plan. So he wants to -- he said he wants to build the shell of the Stipulation and then change it. So we're arguing that that is contrary to the Stipulation. In fact, you're either building the Stipulation with everything that's in it or you're not. Now, if you want to build it, we're not opposed to any development, but if something is going to be built, we'd like it to be something that suits everybody. We'd like Mr. Pawlowski to come up in a meeting with what he would like to build. The Village can say what they'll allow, and then we go to the Planning Board for review.

We would say -- we would suggest, because at this point, there are 12 market rate units, five affordable units. Mr. Pawlowski wants to move them to a different building
on site, like a three-story building, which I don't think is permitted. Either that or he wants to move them off site, which I don't think the Village is in favor of. I'm talking about the affordable units.

So there's all of that. There's also the fact that Mr. Pawlowski then says he's not going to use the -- according to what he's saying, and it's hearsay to a certain extent, but I think she said it to these people here, that he wants to take that commercial space, which is 50,000 square feet over 12 -- 12 foot ceilings over 12,000 square feet, 20 foot ceilings over 3,000 square feet, so 50,000 is a real high building.

So given the fact -- so it's a total change. So we're saying, how can he and the Village adhere to this Stipulation as such, as a given, iron clad, boiler plate, and yet have all these changes proposed? If he wants
to do the changes for parking and residential, first floor, then he doesn't need 12 foot ceilings.

And when we did some of our own due diligence on the planning, the plans we have, the first plans that were submitted, we didn't get the copy of the approved plans from the March permit, but we did get plans that were submitted with the current application in December. And these plans showed that, you know, they show all of these things, and we're just wondering why, you know, if you look at, like the Village, for example, when we're looking at it and the site is flooded, we have a question about the type of foundation you're using.

Now, honestly, it's a direct hit -- these architects have a solid reputation, so they signed off on this thing, but there's a question as to whether those foundations, even the height of the water table, and that
site, whether those foundations are adequate for a building of this size or whether the pilings -- that's one question.

The other question is, the Village has -- this is a proposed three-story building. The Village code is 35 feet. What's shown on the plans is 34 feet plus another foot for carpet, plus railing, plus several projections, which go another 3 feet above that, so that's already 38 feet. It does not show the elevated bulk. There's going to be an elevated bulkhead, there's going to be several stair bulkheads, and there's going to be a whole mess of mechanical equipment out there, none of which is shown on the elevations. So all of that stuff needs to come under the 35 feet.

MAYOR HUBBARD: If I can just answer a few of your questions. An application has been submitted to the
Village Building Department for a modification to the Stipulation agreement. It came in last week. It's on the agenda to go before the Planning Board at the November meeting with the changes to the Stipulation agreement with plans that Mr. Pawlowski had submitted, and then they'll have a public hearing at the Planning Board to go through that whole process with the change, from the original Stipulation, and then it will move forward from there.

Last month, he had permission to use the building permit that was issued in March, to do what was in the Stipulation. He has chosen to modify that and change it, asked permission, and now it goes through full Village Board Process, through Planning Board, see what they say. If the Planning Board says it needs a variance, then it'll go to the Zoning Board, it will go through the whole process.
That was all started, plans were submitted this week. They came to the Village Administrator. I saw part of it today, but it was too late for me to review the whole thing, but they're going through the whole process. So they will have public hearings at every step of that, from the Planning Board, to Zoning Board, to wherever, on any changes to the Stipulation agreement.

Last month they said they were going by the stipulated agreement, and that's what he was doing, and that's where they are at this point.

MR. MACKEN: Great. Good to know. Thank you very much.

MAYOR HUBBARD: You're welcome.

No problem.

MS. SCHNEPPPEL: I haven't changed my name since the last time I was up here, but I think what Frank is mentioning is something in our oral presentations here, about things that
we're concerned about. But there is also a written track record to some of the issues that we've been mentioning, and I'd like to present two letters to you as Exhibit 1 and Exhibit 2, which I wrote.

The first one on September 24th, and that was sent to Mayor Hubbard, Martilotta, Deputy Mayor, Water Foot, the Chairman of the Planning Board, and John Saladina, the Chairman of the Zoning Board of Appeals, and Paul Pallas, the Village Administrator. And it was a long letter in which I discussed the history of this project. I discussed our resistance to it on certain levels, and I also discussed the Stipulation agreement, which demands that if there are any changes to the original plan that was approved in 2007, that it needed to go through the whole Board process.

I'm happy to hear that you're saying that it is going to go through
that process, because we've been hearing many different things about this and we're never sure, because it's been told to us in, kind of, oral statements and nothing has been written down in stone.

My letter that was addressed to all five of you was never responded to. Two days later was the Board of Trustees general session, and in that session, Mayor Hubbard mentioned that if our Neighborhood Association and our neighborhood was unified in our ideas toward the 123 property, and if there was a single voice, that you would set up a meeting between the Village, Paul Pawlowski, the developer, and our Neighborhood Association. That has never happened.

And I wrote to you after that meeting and I said, if -- and I explained that we are unified, so therefore, where is that meeting.

Now, Pat Mundus, has, you know,
contacted code enforcement, calls the Village and tells them get a response from the code enforcer. We want you to respond to us and not dismiss us at ever meeting or in any capacity when we write you of our concerns. I think that's part of your responsibility as a political leader of this Village.

Am I wrong?

MAYOR HUBBARD: No, you are not wrong, but if I don't have an answer that I can give you because somebody owns a piece of property, he's going through the process, he has a court order that says what he's allowed to do and that's what he was doing, I can not answer that for you because there's nothing.

He's got to go through his due diligence for what he wants to do with the property that he owns. He's entitled to that, under state law, to do what he wants with his property, with a court order from State Supreme
Court says he's allowed to do this, and that's all he was doing.

MS. SCHNEPPPEL: No, I agree with you, but what I'm saying is that you don't respond to letters, you don't respond to our concerns when we bring them up here. Whether we write or whether we speak, there are no responses to the neighborhood. We are dismissed, and that's what we're having trouble with now, is that we're not taken seriously.

And this is our neighborhood, and what's going to happen to this neighborhood is gonna be long-term and really major impact, and I feel sometimes, that we're being shoved aside and not listened to, because already, something is in motion. I don't know whether it's been accepted or not, but no one is looking at changes in Greenport after 12 years, and I think that issue was discussed in the article in today's paper, by
Mary Bess Phillips.

You know, if there's a long time between when the site plan was accepted and then an issuance of a permit, why is that not looked at in terms of the changes in the Village?

MAYOR HUBBARD: Okay. Because that pertains to stuff that we do within ourselves. This is a State Judge that issued the Stipulation agreement. It was signed on by the people that owned the property, by the Village, and by the Neighborhood Association. So the Neighborhood Association has been asking me, let's have a meeting, let's have the Planning Board review it, let's have the Zoning Board review it.

As I said in our work session last month, there's no mechanism for me to say it has to go to the Planning Board because he's working on what was agreed upon in 2007. I cannot change that. I cannot say you need to go to
the Planning Board now, because then
I'd be violating his civil rights for
what he says he has a court order to
do.

So I'm not dismissing you. I
was waiting to get more information to
see where the project went. I could
send back a letter to you saying, at
this point, we don't know what's
happening, we're waiting for the
person that owns the property to
decide his plans for his piece of
property. He's had meetings with
them. I've had people that came up
here last month that said, "I'm not
part of that agreement, but I live
down there and I have my own
concerns," and I said, if everybody
got together and came with a unified
voice, we could sit and try to discuss
that.

But until the developer decided
what he wants to do with that piece of
property, which he did this past week,
submitted plans to the Village, now we can take action on that and it will go through the whole process. I can't just answer something and can't get back to you with something I don't have an answer for.

MS. SCHNEPPEL: Well, you can write a letter saying that to me.

(Simultaneous speaking.)

MR. HILLEBRANDT: That's right.

MS. SCHNEPPEL: And the other thing too is, we had two letters to the editor of the Suffolk Times in the past two issues of the newspaper. The first one was called "We Stand United," and it was signed by a number of people on Sterling Avenue. Then you had one this week called "We Want the Rules Followed," which was signed by me, and this shows that we are unified.

There are certain points that we're not behind, all of us, probably the same way that when Paul Pawlowski
discussed this project with us, before the main public meeting, it was a different project from what he presented in May, and now what he's presenting. So how can we, you know, argue over every little thing, and same paper, same page, if there's no consistency within the site plan either.

We are unified. We are unified in what we would like to see on our streets that are going to be appropriate to the community, fit in with the community, and not be an eyesore. That's what we are arguing over. That's what we're trying to get through to the community.

MAYOR HUBBARD: Okay. And I could say, from my point, rumors, hearsay, he's doing this, what's he trying to sell on his website or whatever is being talked about, is not something that's submitted to the Village. We can only take action on
something that was submitted to the Village. Letters to the editor of the Suffolk Times, that's great, everybody else hears about it, but it's not something that we can address.

He submitted paperwork to the Building Department, we got it, we're addressing it right now, and that'll go through the process. Rumors and hearsay, he's saying he's doing this, he's saying he's doing that, I don't have any proof of that. It's just somebody sitting at the podium and telling us that.

Something that is submitted, officially to the Village, it's state stamped, we accept it, that's what we have to rule on, and that's what we're doing.

I mean, I'll respond to your letter tomorrow, all right. But I can only give you -- I don't know what he plans on doing. Just because somebody heard he might do this, he might do
that, until he submits it to us,
there's no proof that he's doing
anything besides his original
agreement.

When I met with him, first thing
in the morning, two months ago, he
says, "I'm going to put in the
foundation of the footprint of what
I'm allowed to do," and that's all he
told me, and that's what he was doing,
and that's what he was allowed to do.
All the other rumors and everything
else, I have no proof of that until we
got paperwork this past week.

MS. SCHNEPPET: Okay. But we do
not want to see the skeleton of the
building going up before the Zoning
Board and the Planning Board have a
chance to look at the site plans. You
know, you said he should --

MAYOR HUBBARD: The site plan is
not gonna change, the site plan is
approved. The foundation, the
footprint, that's part of the site
plan; the roads, the drainage, the
parking, that's all part of the site
plan. He's looking to modify that
now. Now we have a plan that we can
look at. We'll look at what he plans
on changing from the original
Stipulation from 2007, that's
available to all. You can look at
what he submitted to the Building
Department, you can go look at that
tomorrow. You can see what he's
planning, and then the Planning Board
will take that up and review the whole
process and go through that, and we
can discuss that.

MS. SCHNEPPEL: Thanks very
much, because I think we want to be
assured that those processes go
through. We have not been assured in
the past. That's why everyone is
here, to come to this meeting and
listen and find out.

MAYOR HUBBARD: As I said, I did
say last month that right now, what
he's doing is in the Stipulation and nothing else. That's all he's allowed to do. If he wants to modify it, he has to come in with a set of plans and reopen the overall process, which is what he did this past week. And that's where we are right now, and that's why we're discussing it.

Before that, I had no new information that I could tell you. That's what it was, he was putting in the foundation, that's all he was doing.

MS. SCHNEPPEL: Right.

TRUSTEE PHILLIPS: Mayor, can I make a clarification because I think I just heard something. He's modifying the current legal agreement site plan; is that my understanding?

MAYOR HUBBARD: Yes, he is, and that has to go back to the Planning Board.

TRUSTEE PHILLIPS: Right, but he's not starting from scratch.
MS. SCHNEPPEL: I didn't say that.

TRUSTEE PHILLIPS: Okay. I just want to make sure you didn't say that because that agreement was a result of Article 78 lawsuits that your Association all agreed to after many meetings before ZBA and Planning, because there were meetings, you and I were very much present at those.

So it's just a modification to the site plan, it's not going back to scratch.

MS. SCHNEPPEL: But I think what I hear, and you're mentioning don't come to these assumptions, there are a lot of assumptions because we're being told different things. We've also been told, and this is the Steering Committee of our Neighborhood Association, that the fittings or fillings would go in and then the foundation would go in, and then the skeleton would be put up before we
actually knew what, in fact, was going
to go in it, because Mr. Pawlowski
might not want to keep to the
Stipulation agreement and have the 12
market and the affordable.

We've been told he would like 20
market and five affordable. That's an
increase of eight, and the commercial,
he may want to do away with and put in
residential. We do not have -- and I
don't know, maybe your plans show
this, we don't know what is the final
plan, what is the final design, and
therefore, we do not want the skeleton
to go up, much like some of these
other things in the wetlands.

People are saying they don't
want the building to go up without the
wetlands permit coming first. What
we're saying is, we don't want the
skeleton to go up before we know what
is in that building and have a
community or Village Administration
review that. We want to go from A to
B, we don't want to go from B back to A when things are too late. I think that's what we're all concerned about.

MAYOR HUBBARD: Okay. That's fine. Until we've got plans submitted to the Village, this past week, we had no idea. It was the original Stipulation, that's all that was allowed, that's all that was approved. Now that we have modification plans and he submitted something else, that will go through the process and everybody will have the chance to speak at the Planning Board meeting, however long it takes, to go through whatever he is planning to do.

All the talk of you're going from this to that, it was all just talk. We can only act on what is submitted to us. When it was submitted to us, we took appropriate action. The Building Department reviewed the plans, looked at it, the Village Attorney reviewed it, it was
sent to me, it was sent to the whole
Board. Now we're all going to review
it, and it's on the schedule to be on
the Planning Board meeting on November
7th.

MS. SCHNEPPEL: I'll be there.

MAYOR HUBBARD: I'm sure you
will. Look at the plans and come and
talk about it.

AUDIENCE MEMBER: Good.

(Simultaneous speaking.)

MAYOR HUBBARD: Plans have been
submitted now, so now we're gonna
review the plans and the whole public
will have a chance to speak on that.

MS. SCHNEPPEL: Thank you. And
that's on the record now.

TRUSTEE ROBINS: You said that
you heard here, from the Mayor, that
Mr. Pawlowski was going to put in the
foundation as drawn on the plans.
Then you said, "I'm hearing other
things." What is your source?

MS. SCHNEPPEL: Well, my source
is the developer, Mr. Pawlowski. The Steering Committee has had a couple of meetings with him, and the last meeting which was, I don't know, two weeks ago, these things were brought up.

TRUSTEE ROBINS: Right, but he can't act on his own. He still has to act and apply to the Village, so that's not really a reliable source of information.

MR. PAWLOWSKI: He's not a reliable source of information? Thank you very much for mentioning it.

TRUSTEE ROBINS: What I'm saying is that what he says he would like to do is not anything to do with -- he's not run that through the Village, and he has no authority to build that right now, since he only just submitted his plans this week, I think. I haven't had an opportunity to see them yet.

MAYOR HUBBARD: They came in
Friday or last week, I'm not sure of the date, but they're date stamped. When you go back and look at the plans, you'll see when it's stamped.

TRUSTEE ROBINS: So I'm just saying, nobody is trying to hide anything from you. They're simply -- the Mayor is saying the process has to be worked. That's all I'm saying. Mr. Pawlowski can't do anything without the Village knowing about it, and there will be a public hearing process, and you will all know about it too, so that's what I'm hearing.

MS. SCHNEPPEL: No, thank you, very much, Julia, for explaining that to me, I appreciate that. But what I don't appreciate is hearing different things from people who are involved with the project, and I think our neighborhood is concerned that things will go farther along before this planning review. And we see trucks going down, on the minute, every ten
minutes, with concrete, coming back
and forth with new deliveries. I see
that daily and it's probably affecting
(indiscernible) Road, so that's
probably why you want the road paved.

So everybody gets nervous when
they see something happening. It's
only human nature, but what we don't
want to see is the structure, the
skeleton structure goes up, before we
all have a chance to review what may
be inside without having an inside
look.

That's all I'm saying, is that I
think there are two different
timetables taking place here, and we
want them to be in sync.

TRUSTEE ROBINS: I'm hoping that
you will be assured tonight that the
Village is on top of it.

AUDIENCE MEMBER: And the
foundation is on wheels.

MAYOR HUBBARD: All right.

Thank you.
MS. CITERA: My name's Laurie Citera, I'm at 173 Sterling Street. Little awkward for me because I'm neighbors with everybody in the Association. I see what's going on with this new development, I see a lot of different opinions going on. My thing is, I live here year round, in and out every day, a lot of my neighbors aren't here every day, they're not going to see -- they're protesting some of the impact. My big thing right now is the traffic. Paul proposed a Plan B, so to speak, that would cut everything in half; the number of cars, the amount of traffic. For some reason that seemed like it was just pushed away, and not it's back to the original plan. If everyone in the neighborhood listened to him and worked together and cut it back, I think there would be a lot less things going on. I don't know, I just see that
there's a lot of talk from a lot of people who aren't here all the time. Some people are selling their houses, they're not going to be here in the long run. I'm here for the long run. I would love to see a little commercial, something there to help the economy in Greenport, to have more so the locals could live there.

Here there's going to be a pump out station there. That's fantastic, the town needs that. This is something that I think we should just try and work together with it. Yes, I don't like the original 2000 look of the whole architecture thing. Paul came up with a really nice plan B, that looked in sync with the rest of the neighborhood. For some reason, seems like it's -- I don't know. (Simultaneous speaking.)

Well, whatever I saw, it looked
great to me.

(Simultaneous speaking.)

MAYOR HUBBARD: Let her speak.

MS. CITERA: I saw the plans when we were at the meeting here and it was wonderful. We could work with that, we could live with that. You know, when you're not here, you're not gonna see it. You have your other problems, we see it every day. My biggest thing is the traffic. The less traffic, the better. I mean, remember when Sharkie's was there, when the fish captains were there, would you guys have loved the fish smell that was there? No, you wouldn't of, but it was there, it was part of this neighborhood before any of us were there.

AUDIENCE MEMBER: I was there.

AUDIENCE MEMBER: Yeah, it's the smell of money.

(Simultaneous speaking.)

MAYOR HUBBARD: Okay. She's
addressing the Board, we can't go back
and forth.

MS. CITERA: My thing is, I
think we should just try to work
together, and try to maybe tone down
on the traffic because there's too
many kids in the neighborhood. The
roads are really small. Granted, most
of the people that are going to live
there are not going to be there year
round, except the people who are going
to get the affordable housing, and
that's what they deserve.

And I think there should be some
commercial, that people can work
there. I would love to be able to
work right down there if I could. So
it's just like, give the guy a chance.
I may be upsetting some of my
neighbors, but we're here 24/7, 365,
and that's what I'm going for, just
try and figure out a plan and just
stop the bickering. Anyhow, that's
what I got to say.
MR. HILLEBRANDT: Laurie, by the way, we all know it's going to be good, we'd just like it to be somewhat decent looking. This is just to throw in a comical, theatrics, some of you agree.

Are these apartments going to be apartments or townhouses? Townhouses?

MR. PAWLOWSKI: I'll get up and --

MR. HILLEBRANDT: Okay. Because I just walked away from the Nightly Business Report on PBS, and apparently townhouses have increased by 41 percent over apartment buildings. But anyone who wants to have a good look at this in our town, especially in Southold, we all pass the beach, Southold Beach, what does anybody think of those three monstrosities that have come out of the earth? Do we all know what I'm talking about at Southold Beach? Those three buildings? Can they be any uglier?
And this is what we're trying to avoid here. Do you know the buildings I'm talking about, the three --

MAYOR HUBBARD: On the south side of the road.

MR. PAWLOWSKI: Yeah, yeah.

MAYOR HUBBARD: Yes. Okay.

MR. HILLEBRANDT: Let it be a lesson.

MR. WEISS: Steve Weiss, 117 Sterling, and it's Stephen with a P-H actually. And it's rarely I get to be a voice of reason, but I, sort of, agree with what everybody is saying and I have a solution to it. I think we need to stop work on the site until we figure out what we're going to do with it. And I think the reason we can stop the work on the site is, in looking through the application to the Building Department, the building permit that allows all the concrete to be poured, and I find all sorts of discrepancies in this thing.
I'm not sure how the Village issued a building permit. I see things here where it says, "will the proposed action result in a substantial increase in traffic above present levels," it says "no." It says "no."

MAYOR HUBBARD: That's because -- it says no because it was a commercial place with tractor trailers beforehand, and that's for residential units, so it's going to be less commercial traffic.

MR. WEISS: No, this is the original building permit for what he's building now, not what he's proposing to build later.

MAYOR HUBBARD: Okay. From what the property was, in the Stipulation from 2007, it was a restaurant and a fish packing plant, an oyster factory.

MR. WEISS: "Will this proposed action result in an increase in traffic above present levels," "no."
That's not so, George. When this thing was issued, there was nothing on that site, it was empty.

MAYOR HUBBARD: Okay. That's your representation, that's fine.

MR. WEISS: I also looked at this and it says "part two, impact assessment," and there's nothing there.

TRUSTEE PHILLIPS: Steve, can I ask you a question? Are you looking at -- Steve, over here, Mary Bess. Are you looking at the SEQUA forms that was in part of those files?

MR. WEISS: I don't have them. They were FOILed and I don't have them, so if I don't have them, I have to assume they don't exist.

TRUSTEE PHILLIPS: If I remember correctly, and the Village attorney would have to answer this, but with the Article 78, when the agreement, the Stipulation was signed by all the parties, that put the SEQUA out.
What document are you looking at?

MR. WEISS: This is the separate application for the building permit given to 123 Sterling, Richard Raskin.

TRUSTEE PHILLIPS: Date on it?

MR. WEISS: Date on it is recent. He signed it 12/5/18.

TRUSTEE ROBINS: Rich Raskin, the previous owner.

MR. WEISS: Yeah, I think it was signed sometime -- I have to find the exact date, I think it was in March.

AUDIENCE MEMBER: December 2018.

MR. WEISS: George, doesn't that solve the problem? You have a reason to rescind the building permit.

MAYOR HUBBARD: The building permit was issued per the State law, a State order from a court that says this is what's allowed to be built, and they issued the building permit per what was part of the Stipulation agreement.
MR. WEISS: You have a building permit, you can't put things on the building permit that aren't true. I don't care about the Stipulation, that isn't true. 83 parking spaces, that's not going to do something to the traffic? You've been on Sterling Street, it's this wide.

MAYOR HUBBARD: I've lived there all my life, I was raised right there.

MR. WEISS: Actually, I live there 24/7 also. I live there 365 days a year, and I live 300 feet from the building site.

MAYOR HUBBARD: Right. What I'm saying is, when the applicant came in for the building permit, he brought in the State order from the judge that says this is what's allowed to be built there. We had no reason to deny the building permit because we were ordered by a judge that says this is what's allowed to be there, and that was signed off by the Village, the
property owner and the Association. And it was signed off on, so we could not deny that by law.

MR. WEISS: I think you're hiding behind it.

MAYOR HUBBARD: Hiding behind what?

MR. WEISS: Yeah, I think you're hiding because of a Stipulation from 2007.

MAYOR HUBBARD: Okay.

MR. WEISS: I do.

MAYOR HUBBARD: That's fine, accuse me of whatever you want to. Steve, I am not hiding from anything.

MR. WEISS: I think this should be done civilly and quietly and a plan, obviously, has been proposed for a change, so why don't we just stop.

MAYOR HUBBARD: If we issue a stop work order right now, we would be sued for issuing a stop work order for violating somebody's property rights, because they have a building permit
that was issued. I mean, I'm just trying to do this not to create big, long lawsuits that cost everybody a lot of money. I'm trying to do what's proper by Village Attorney, by counsel, and by the Building Department.

MR. WEISS: Last thing anybody wants to see is litigation, George.

MAYOR HUBBARD: Exactly, so we're just trying follow with legal counsel, talking to NYCOM, New York Conference of Mayors, how do we go about doing this the proper way to follow it 12 years later from what was issued. And they're the experts on Village Law, and that's who we get recommendations from.

And we're trying to follow what they say is legal so we don't get sued by the Homeowner's Association or by the person who owns the property or by anybody else.

MR. WEISS: Apparently it's
going to have to happen and it's really too bad.

MAYOR HUBBARD: If the Association wants that so much, then they're going to have to sue us and we'll have another Article 78 all over again. We're just trying to follow the law. That's all we're doing. I'm not hiding behind anything.

MR. WEISS: Can I ask another question?

MAYOR HUBBARD: Sure.

MR. WEISS: I'm going to go back to something I asked you last week because I've done something. Why don't we have the building inspectors?

MAYOR HUBBARD: Because the building inspector title no longer exists under subsection of the law.

(Simultaneous speaking.)

MR. WEISS: I recall --

MAYOR HUBBARD: Okay. Well then you know more than the lawyers do, Steve, I'm sorry.
MR. WEISS: I do. All you have to do is pick up and call code enforcement in New York State and talk to Mr. Smith.

MAYOR HUBBARD: He called us this past week.

(Simultaneous speaking.)

THE COURT REPORTER: I can't get both of you at the same time, sorry.

MR. WEISS: I said I would be the voice of reason and I'm not. They just took tests for building inspectors in the spring. There are 60 people on the list of building inspectors, there are building inspectors. But our budget for the Village of Greenport has a line item for a building inspector, $75,000 a year. Building inspectors make between 48 and 65. Why don't we have a building inspector?

MAYOR HUBBARD: Because we tried to hire one off the civil service list, and there's nobody available
that would take the job in Greenport

Village. We've talked about this for
two years with every meeting that's
going on. We tried to hire one that
was on there. Now it's considered --
it's called code enforcement officer
by civil service in Suffolk County.

MR. WEISS: And it's the minimum
part of building inspector. You're
putting up a maybe 20 to 30 million
dollar project, and we don't have a
qualified building inspector.

MAYOR HUBBARD: We have a
qualified code enforcement officer.

MR. WEISS: Yes, you do, and
he's a super guy, but he's not a
building inspector.

MAYOR HUBBARD: Okay.

That's --

TRUSTEE PHILLIPS: That's your
opinion.

MR. WEISS: My opinion?

MAYOR HUBBARD: Yes, your
opinion, that's fine.
MR. WEISS: I'm sorry, he passed the test to be a -- what was the terminology?

TRUSTEE PHILLIPS: There are two terminologies on the Department of State's website --

MR. WEISS: Compliance officer.

TRUSTEE PHILLIPS: That's not what it is.

(Simultaneous speaking.)

Excuse me. On the Department of State's website, if you go under buildings and under the codes or the descriptions of inspectors, you will find two. One is called code compliance, and the other one is called code enforcement officer, which is now what a building inspector is.

MR. WEISS: Basic code enforcement officer training 2017, that's what we have in the Village, basic code enforcement officer.

TRUSTEE PHILLIPS: But he's taking other courses.
MR. WEISS: And he's going to be the guy responsible for this building?
Thank you, very much.

MR. PAWLOWSKI: Paul Pawlowski, 123 Sterling. It's a late night.
I'll keep this short and simple and get out of everyone's hair, but I would definitely like to answer some of those questions.

As far as keeping this, you know, open communication, I think the day after I closed on the property, I e-mailed the Neighborhood Association to set up a meeting. I met with representatives from that Neighborhood Association four times, once in the first two days of owning it, and every time that -- I send out an e-mail, we're able to get together. I've been pretty good in that regard as far as transparency and reliability.

When it comes to use of this property and the potential modifications, that hasn't changed
since the first day we met, not once.

So what I proposed to modify hasn't changed once, not once. The building might have changed, but the uses and the modifications have not once changed. Not one thing is being done on this property that's not permitted, nor will it ever be done. The only time anything will be changed, if it's approved by the Neighborhood Association and the Village, period.

There's not one advertisement, there's not one website to the public or any of that of any sorts. The only reason the sign on the property says residential is because that's the only thing that's a given right now, that there will be residential and there will be commercial to some degree. But I don't know that number.

But I could guarantee you that there's going to be residential. And I can guarantee you that this will never go A to C to B. This is going
to go A, B, and C, the right way,
guaranteed.

So when we propose minor modifications to this, what's being built is what's approved by the Stipulation and in the building permit. Footprint, height, skeleton, you name it, whatever work is being done there, and one piece of material is approved.

If there's a change, it will be a permitted change, and there will be ample opportunity to everyone involved to have a say. And what I've proposed has been consistent from day one when it comes to usages, percentages, parking, and everything.

I have no desire to waste money to go backwards. So we are never going to go backwards, it's too big of a project. We are going to do it the right way. The foundation that is in will be the foundation, whether the modifications are approved or not.
As I said to everyone in the Neighborhood Association and the Village, we will build what's approved if we have to. If we all can come to an agreement, that will be great and we'll make those modifications in the perfect sequence of order. Without that, what we're proposing, and that's another day, that's not tonight, this was a bulkhead thing, but I want to set the record straight. There's no advertisement, there's no change, there's nothing being done to that site that's not allowed and that will be there when the building is done.

And as far as reliability, you have my number, you have my e-mail, I'm transparent to a fault. I will answer any question, and it will be the honest answer and it will be the right answer based on this project, always.

And like I said, nothing has changed as far as that. Everyone in
the neighborhood, even everyone outside the neighborhood, that has every right to be a part of this process, will have their time in the work sessions and the public hearings, for that modification.

But let's be very, very clear. The only thing I'm changing is what goes on inside of those walls. It has nothing to do with the skeleton, it has nothing to do with the footprint, it has nothing to do with the height. If I change the siding, I'm legally allowed to that. I challenge anyone to challenge me on that. I'm modifying the use, potentially, only if I get approved.

I'm trying to reduce parking along Sterling, which I'm hoping every neighbor along Sterling is in favor of. If they're not, I'll do what the Stipulation is.

I'm here 24 hours a day, 7 days a week, to answer anyone's question at
any time, and I've proved that.

That's very reliable. I don't think there's many applicants like that.

As far as this code enforcer and this administration, I've never done a project in Greenport. I've done tons of projects throughout Long Island. I've never had an administration or a code enforcer so involved in my project. This is a first and it's impressive.

So you have my number on the sign. I put it there for the neighbors, not to advertise. Even though when I get calls, and you can ask anyone that's called that number, I don't even tell them, I say, we might have this modification, but I'm going to build what's approved if I have to, and if we can all work together, which I think we've done a very good job in communicating, let's keep that up, and I think it will save us all a lot of time and aggravation.
Have a good night.

MAYOR HUBBARD: Anybody else wish to address the Board on any topic?

(No response.)

Okay. At this point we move onto our regular agenda.

Offer Resolution Number 10-2019-1, resolution adopting the October, 2019 agenda as printed. So moved.

DEPUTY MAYOR MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

TRUSTEE CLARKE: Resolution 10-2019-2, resolution accepting the
monthly reports of the Greenport Fire Department, Village Administrator, Village Treasurer, Village Clerk, Village Attorney, Mayor and Board of Trustees.

So moved.

TRUSTEE ROBINS: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

TRUSTEE ROBINS: Resolution 10-2019-3, resolution awarding a Village of Greenport Fire Department Length of Service Award Program participant a pre-entitlement age total and permanent disability benefit, and authorizing Mayor Hubbard to sign the corresponding Verification
Letter.

So moved.

DEPUTY MAYOR MARTILOTTA:

Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

DEPUTY MAYOR MARTILOTTA:

Resolution 10-2019-4, resolution accepting the resignation of Susano Jiminez as 1st Assistant Chief Engineer of the Greenport Fire Department, effective August 22, 2019.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR HUBBARD: Aye.
Opposed?
(No response.)
Motion carried.

TRUSTEE PHILLIPS: Resolution 10-2019-5, resolution accepting the appointment of Wayde Manwaring as 1st Assistant Chief Engineer of the Greenport Fire Department, per the Greenport fire Department Board of Wardens, effective October 16, 2019.
So moved.

TRUSTEE CLARKE: Second.
MAYOR HUBBARD: All in favor?
DEPUTY MAYOR MARTILOTTA: Aye.
TRUSTEE CLARKE: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR HUBBARD: Aye.
Opposed?
(No response.)
Motion carried.
TRUSTEE CLARKE: Resolution 10-2019-6, resolution authorizing the solicitation of bids for the construction of the Village-wide electric distribution system for storm hardening resiliency, and the installation of solar/battery stations at the Wastewater Treatment Plant and the Station One Firehouse, and directing Clerk Pirillo to notice the solicitation of bids accordingly.

So moved.

TRUSTEE ROBINS: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

TRUSTEE ROBINS: Resolution 10-2019-7, resolution approving an
increase in the hourly wage rate for Craig Johnson, from $17.23 to $18.73 per hour, effective November 6, 2019, owing to the assumption of additional duties, per Article VII (Salaries and Compensation), Section 9(a), Merit Clause, of the collective bargaining agreement currently in force between the Village of Greenport and CSEA Local 1000.

So moved.

DEPUTY MAYOR MARTILOTTA:

Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

DEPUTY MAYOR MARTILOTTA:

Resolution 10-2019-8, resolution
approving an increase in the hourly wage rate for Juan Diaz, from $15.30 to $16.80 per hour, effective November 6, 2019, owing to the acquisition of substantial expertise in his area of work experience, per Article VII (Salaries and Compensation), Section 9(b), Merit Clause, of the collective bargaining agreement currently in force between the Village of Greenport and CSEA Local 1000.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

TRUSTEE PHILLIPS: Resolution 10-2019-9, resolution authorizing
Treasurer Brandt to perform attached Budget Transfer number 4225, to fund Fire Department legal fees, and directing that Budget Transfer number 4225 be included as part of the formal meeting minutes of the October 24, 2019, regular meeting of the Board of Trustees.

So moved.

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: Resolution 10-2019-10, resolution adopting the attached SEQRA resolution regarding the proposed local law of 2019,

amending Chapter 142 (Wetlands,
Floodplains and Drainage) of the Village of Greenport Code, adopting lead agency status, determining the adoption of the local law amending Chapter 142 (Wetlands, Floodplains and Drainage) to be an Unlisted Action for purposes of SEQRA, and adopting a Negative Declaration, determining that the approval of the Local Law will not have a significant negative impact on the environment.

So moved.

TRUSTEE ROBINS: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

TRUSTEE ROBINS: Resolution 10-2019-11, resolution adopting Local
Law of 2019, amending Village of Greenport Code Chapter 142 (Wetlands, Floodplains and Drainage), regarding the updating of regulations contained in Chapter 142 concerning Wetlands Permit Applications in the Village of Greenport.

So moved.

DEPUTY MAYOR MARTILOTTA:

Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

DEPUTY MAYOR MARTILOTTA:

Resolution 10-2019-12, resolution approving the closing of North Street from Main Street to Front Street, and Front Street from Main Street to the
Carousel, from 9:30 a.m. through 11:30 a.m. on October 26, 2019, for the Village-sponsored Halloween Parade, in collaboration with the Business Improvement District.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

TRUSTEE PHILLIPS: Resolution 10-2019-13, resolution approving the attached 2019 to 2020 Service Fee Agreement Between the Village of Greenport and Penflex, Inc., regarding the 2019 to 2020 fees applicable to the administration by Penflex, Inc., of the Village of Greenport Volunteer
Firefighter Length of Service Awards Program.

So moved.

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

TRUSTEE CLARKE: Resolution 10-2019, resolution scheduling a public hearing for 7:00 p.m. on Monday, November 25, 2019, at the Third Street Fire Station, Third and South Streets, Greenport, New York 11944, regarding a proposed amendment to Chapter 132 (Vehicle and Traffic), Section 54A, Schedule XVI (Limited Time Parking) of the Village of Greenport Code, and directing Clerk
Pirillo to notice the public hearing accordingly.

So moved.

TRUSTEE ROBINS: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

TRUSTEE ROBINS: Resolution 10-2019-15, resolution approving all checks per the Voucher Summary Report dated October 18, 2019, in the total amount of $1,425,934.56 consisting of all regular checks in the amount of $704,827.40, and all prepaid checks, including wire transfers, in the amount of $721,107.17.

So moved.

DEPUTY MAYOR MARTILOTTA:
Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILLOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No response.)

Motion carried.

Okay. Thank you to everybody for coming, it was a very informative night. I'll move for a motion to enter Executive Session on a pending legal matter.

So moved.

TRUSTEE ROBINS: Second.

MAYOR HUBBARD: All in favor?

DEPUTY MAYOR MARTILLOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?
(No response.)

Motion carried.

Thanks for coming, we're adjourned for Executive Session.

(Time Noted: 8:27 p.m.)
CERTIFICATE

STATE OF NEW YORK )
) ss.
COUNTY OF SUFFOLK )

I, Carissa Ahearn, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify:

That the foregoing transcript is a true record of the proceedings.

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

______________________
Carissa Ahearn
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