VILLAGE OF GREENPORT
COUNTY OF SUFFOLK    STATE OF NEW YORK
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BOARD OF TRUSTEES
REGULAR SESSION
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Third Street Firehouse
Greenport, New York

January 23, 2020
7:00 P.M.

BEFORE:
GEORGE HUBBARD, JR. - MAYOR
JACK MARTILOTTA - DEPUTY MAYOR
PETER CLARKE - TRUSTEE
MARY BESS PHILLIPS - TRUSTEE
JULIA ROBINS - TRUSTEE

JOSEPH PROKOP - VILLAGE ATTORNEY
SYLVIA PIRILLO - VILLAGE CLERK
PAUL PALLAS - VILLAGE ADMINISTRATOR
(The meeting was called to order at 7:00 p.m.)

MAYOR HUBBARD: Okay. I'd like to call the meeting to order. First order of business is we're going to have Cub Scouts Pack 51 come on up and lead us with the Pledge of Allegiance. I want to welcome them here. They're here to work on a merit badge, and they're going to do the Pledge of Allegiance for us. So come right up front, and we're all going to stand up and you're going to lead us in the Pledge of Allegiance.

Thank you for coming.

TRUSTEE MARTILOTTA: The Flag is right over there, buddy.

TRUSTEE MARTILOTTA: Yeah, Flag's here.

(All stood for the Pledge of Allegiance)

MAYOR HUBBARD: Okay. Please remain standing for a moment of silence for Marie A. Dinizio, Marguerita "Marge" C. Howkins, and Madeline Robins.

(All remained standing for a moment of silence.)

MAYOR HUBBARD: Thank you. You may be seated. Good job, guys.

TRUSTEE MARTILOTTA: It was awesome.
MAYOR HUBBARD: Okay. I have a couple of announcements.

The 175th Fire Department Washington's Birthday Parade will be held on February 15th, 2020.

The Village Offices will be closed on February 17th, 2020 in honor of Presidents' Day.

Under Liquor License Applications, we have a new application from The Gallery Bar LLC, at 314 Main Street.

And we have a Renewal application for the Triangle Yacht Club, at 300 Atlantic Avenue. Any comments can be sent to the SLA on their website for, against, whatever, any comments can be posted that way, and these are both noticed in the newspaper.

Okay. At this time, we'll have a presentation from William Freitag from SaxBST, who will present the audited annual financial reports. Bill, welcome.

MR. FREITAG: Thank you very much. Good to see everybody. And I hope this merit badge, guys, is for accounting. Right, is that what it is?

AUDIENCE MEMBER: No.
MR. FREITAG: Look at the stares.

(Laughter)

MR. FREITAG: Okay. Okay. Again, my name is Bill Freitag. I'm a partner with BST, and we are the Village's auditors. And just a couple of housekeeping items and required communications to get us started, and I will promise you that this will be a very condensed version, and -- but, absolutely, ask any questions you want as we go along.

We were here in July to do the audit of the Electric Fund in anticipation of the filing of the New York Power Authority report to the New York Power Authority, which had a filing deadline of August 31st. So we'd like to get the Electric Funds audit out of the way first to meet that filing requirement for your regulatory body. And safe to say that the Power Authority report was delivered in advance of the August 31st deadline, on August 20th of this year, which is quite similar for the last couple of years.

I do know that the Power Authority has already reviewed in some respects that particular filing, and I don't know if they've actually
presented their financial condition report to you yet, but my guess is that's probably coming. Okay?

The remaining funds of the Village, we give the Village a little bit of extra time to get the other funds done. We were -- we were here in the third week of September. We issued draft financial statements to the Treasurer's Department on October 15th. The Treasurer's Department reviewed those financial statements, and we delivered final financial statements that you have in front of you on November 22nd. This was a month quicker than last year, and it was probably -- in my understanding, it was the quickest issuance of the Village's financial statements in probably the last 20 years.

So, with that said, I applaud the Treasurer's Department of the Village, not only for the work that they did and the skills that they have, but for being incredibly prepared, which allowed us to not only do our work at the Village, but we were able to do quite a bit of audit work in advance of the audit in our office. So very efficient. Allowed us to get the reports done a month earlier than last year. So I
thank -- I thank the Treasurer's Department.

At the end of the day, what you're trying
to get from the CPA firm is an opinion on your
financial statements. The opinion that was given
this year on the May 31st, 2019 financial
statements is what's called an unqualified
opinion. It's a clean opinion, and it represents
the highest level of assurance that you can get
from a CPA firm on the presentation of your
financial statements, basically saying that
they're prepared -- presented fairly in all
material respects and related to -- in connection
with generally accepted accounting purposes.
Okay?

One thing that I want to point out is the
financial statements as presented can be a little
bit misleading, and the reason why I want to
bring this out, up front here is because during
2019, the Village had to adopt a significant
accounting policy, which changed your financial
statements quite a bit from previous years'
presentations. And the pronouncement that you
had to adopt in fiscal year '19 was related to
something that's called the OPEB liability. It's
Other Post Employment Benefits.
So, for example, you have -- you give health -- health insurance to your retirees, current retirees, and the people who work for the Village that will eventually retire from the Village, and who have earned that right to get health insurance in their retirement years. The Village has to go out and have an actuary prepare the calculations of what that liability is, and it's usually a very large liability.

But the reason why I bring this up into some detail here is that you have to realize that the liability that the actuary calculated, which is significant in terms of millions of dollars, is not something that you're going to write a check today for or any time soon. It's going to be on a pay-as-you-go basis down the road, as people retire and earn that right to get a monthly premium paid by the Village.

But the accounting pronouncements, I'm not a big fan of this, but they make you put the liability on the books today as if it is due today. Okay? So by bringing this liability onto the balance sheet of the Village, it's somewhat distorted, the 12 months operations of all of your funds, all your utilities, plus your General
Fund. And what I'm going do is as I go through the financial presentation, I'm going to say, okay, this is what your financial statement presents, however, if you stripped out that liability, this is what the true operations were for the year. Okay? So I wanted to point that out, because on the face of the financial statements, it didn't look like the Village had all that good of a year, but, in fact, the Village actually had a very nice year from a financial perspective. Okay?

As far as audit adjustments, usually in any audit, the auditors come in, review the work of the Treasurer's Department and they propose adjustments. In this year's case, we did make adjustments and we had -- it had -- our total aggregated adjustments totaled about $100,000, which represented an increase in Village-wide fund balances. Now some would say that's a big number, but when you compare $100,000 to the total fund balances of the entire Village, it represents less than a half of 1%. So it was -- it was insignificant in our world as auditors. But we did -- our audit adjustments were to the good of the Village, increased your fund
balances.

Okay. So if we go to the financial statements, if you care, I will address you to page -- I'm going to just stay on one or two pages of this beautifully 56-page report. But we're going to talk about the utilities' financial position. So we're going to go Electric, Water and Sewer. It's going to be a very condensed version.

On page 18, page 18 is the -- I'm going to call it the income statement. It's your statement of revenues versus your expenses for the Electric, Water and Sewer utilities. The first fund we're going to talk about is Electric.

Although the Electric Fund in the financial statement reports a net loss of $194,000, if the effect of the OPEB liability that I just spoke about was stripped out of the presentation, and that liability on the Electric Fund totaled $427,000, the actual net income of the Electric Fund for the year was $233,000. So even though your financial statements present a loss, it takes into consideration this long-term liability that's going to be paid many, many years from now. So if you stripped that out for purposes of
how did the Electric Fund do for the 12 months, you really operated at a profit of $233,000. All good there.

But one thing that I do want to bring out in terms of your electric utility, you've had a trend of declining net incomes over the last four or five years. Okay? And the reason for that is the last time you had a rate increase with the Power Authority was 2007, so we are now 12 to 13 years into that rate. Every year that you move away from that 2007 rate increase year, the profit that's built into the rates starts to erode, because you have greater cost, increases in cost, and other costs. So it's inherent that the further you move away from the 2007 rate increase, that your net incomes of the electric utility are going to decline. Okay?

There is no need to get concerned about a potential rate increase in the near future as it relates to your operations, mainly because the financial position of the electric utility in regards to its cash balances and its reserves are going to allow you to defer any rate case for quite some time. But I do want to point out that your electric utility has shown declining net
incomes over the last several years, and it's
only because you're moving further and further
away from that rate increase. Okay?

From a financial perspective on the
electric utility, on Page 17, I'm going to come
back one page, and this is your assets, your
liabilities and the net book value. Cash
balances of the electric utility total
$3.3 million, of which 567,000 is unrestricted to
be used for current expenses, and $2.8 million is
set aside in reserves for the future replacement
of equipment, the future payment of transmission
congestion charges, and three, customer deposits
that you hold.

Current cash balances, including its
reserves, in our opinion, is more than adequate
to meet the Electric Fund's operational needs,
and it also, as I said before, it should help you
defer the need for a future rate increase for
some time.

During Fiscal 2019, the Electric Fund made
many different types of improvements to its
electric distribution system and related
equipment. 2019 showed that $200,000 was
reinvested into the plan in 2019, including the
engineering fees related to the microgrid project.

At the end of May 31st, 2019, the Electric Fund has two long-term outstanding bonds related to system improvements that were made in 2012 and '14. These bonds total $2.7 million, and they'll mature -- one will mature in 2020, and the second one will mature 20 years from now in 2042. Fund balance of the electric utility at May 31st, 2019 totals $4.6 million.

So, from a financial position perspective, the Electric Fund had a very good year operationally, and a financial position in terms of your assets versus your liabilities, in a strong, very strong position financially.

The Water Fund, second column back on Page 18, the Water Fund as it's presented in the financial statements showed a net loss of $62,000. Again, if you stripped out the OPEB liability, which totaled $79,000 for the Water Fund, the actual net income of the Water Fund was approximately $17,000. You had a positive, a positive year from a profitability standpoint.

Very quickly, coming back to Page 17, the financial position of the Water Fund remains
quite strong at May 31st, 2019. Cash balances, which are all unrestricted, so nothing is in reserves there, total $911,000, and that represents, as if you did a calculation on how many months of cash do you have on hand to meet current operations, you have 22 months of cash on hand to meet operations based upon the actual expenses that you had to run the utility in 2019.

As with the electric utility, you did make improvements to the plant. Those improvements totaled $60,000 to the water plant in Fiscal Year 2019. And safe to say the Water Fund does not have any long-term liabilities at the end of May 31st, 2019, so there's no bonds, there's no loans or Bond Anticipation Notes. So, basically, the only liabilities of the Water Fund are your normal day-to-day accounts payable for unpaid vendors and things of that nature.

Fund balance at the end of May 31st, 2019 in the Water Fund totaled $1.3 million. Again, as with the electric utility, the Water Fund sits in a very nice financial position, and from a liquidity standpoint, is very strong.

TRUSTEE PHILLIPS: Bill, I have -- do you want to wait for questions afterwards, or can I
1 ask
2 a question about the Water Fund?
3 MR. FREITAG: You can ask whatever you want.
4 TRUSTEE PHILLIPS: Okay.
5 MR. FREITAG: Just don't ask hard ones.
6 TRUSTEE PHILLIPS: It's not a hard one.
7 Suffolk County Water Authority, who is our -- is our -- we're their customer, okay --
8 MR. FREITAG: Yes.
9 TRUSTEE PHILLIPS: -- is increasing or implementing a fee that we're having a public hearing for tonight. That fee, I mean, that additional fee could actually start to eat away from -- if we don't do something, it could actually start to eat away from our cash flow, correct?
10 MR. FREITAG: Yes, it would.
11 TRUSTEE PHILLIPS: Okay.
12 MR. FREITAG: Currently, you are in a good position from a cash flow statement, so you have time to figure out what it is you want to do. The beauty of a water utility or a sewer utility in New York State, as a local government, is that unlike your electric utility, you're not
regulated. Okay? So it is up to the Village and its Management Team to come up with the rates for a water or a sewer utility based upon what your costs are. And you can change those rates, not to say that you'd want to, but you can change those rates any time based upon what it is your needs are.

So, as costs increase, and this is a perfect example of that, as costs increase and things change, and you could look at the next year's budget, you should take a look at where you stand operationally. Is your -- are your revenues going to at least equal your expenses? And if not, do you need to make a rate adjustment? The beauty of your position with the Water Fund right now is you are standing on a very liquid position in terms of your cash balances. So you could possibly absorb that if you didn't want to change the rates. Okay? But should you change the rates, then I would suggest as a Management Team, from an economic standpoint, you should change rates. Just because of a good financial position, it can allow you to defer it a little bit, if you didn't want to keep -- make that from an administrative
standpoint or a political standpoint. But at the end of the day, every fund of the Village should be on a stand-alone basis, not borrowing from other funds. It should be supported by the revenues, and that's what you'd have to take a look at. But that's very -- that's a typical thing that could happen, whether it be from an outside vendor or just increased costs internally. You have to take a look at that. And, as I said, the beauty of water and sewer is you have the ability to change that without having approval by an outside regulatory body.

TRUSTEE PHILLIPS: Okay, thanks.

MR. FREITAG: Does that make sense?

TRUSTEE PHILLIPS: Yes, that makes sense.

MR. FREITAG: Okay. Okay. Coming back to the Sewer Fund, again, it's unregulated, the Sewer Fund had a really nice year, on Page 18. The Sewer Fund reports a net income of $125,000 just on the face of the financial statements, but if you stripped out that OPEB liability that we chatted about, which for the Sewer Fund was $285,000, you'd have a swing from 125,000 profit presented to an actual net income of $410,000.

So the Sewer Fund had a very good year.
But just one of the things that was part of that $410,000, that number includes the revenues that you received in the agreement between the Village and the Vineyard View for connection fees. So those revenue dollars that were received in 2019 actually boosted up that net income number. Okay?

Now, Robert, is that -- is that going to be continued in '20. Is there anymore money to be received on --

MR. BRANDT: No.

MR. FREITAG: Okay. So that was fully recorded --

MR. BRANDT: Yeah.

MR. FREITAG: -- in 2019. As with the Water Fund, the financial position of the Sewer Fund is quite strong. At the end of May 31st, 2019, cash balances total $2.2 million, and this is all on Page 17 of your financial. Two million dollars of that 2.2 million is unrestricted, to be used for normal operating costs, and the remaining dollars are in restricted for future debt service payments.

Again, if you did the same calculation as we did for Water, if you determined how many months cash
on hand you had versus your normal operating
expenses, you'd be sitting on 17 months of cash,
so about a year-and-a-half of cash you could go
through.

Capital improvements made to the Sewer Fund
totaled $56,000 for the year. The Sewer Fund
does have one bond outstanding, which totals
$129,000, and that particular bond will be paid
off in September of 2020. After that, the Sewer
Fund outside of its EFC 0% interest loans, the
Sewer Fund becomes debt free. The Sewer Fund
does have a 0% interest loan with the New York
State Environmental Facilities Corporation. That
loan totals a million-five, and it will be
amortized through annual payments of principal,
no interest, through 2043. Your annual payments
related to that loan is $59,000 a year.

So the Sewer Fund's financial position cash
balance is very liquid. You'd meet that debt
service payment very easily and its operating
expenses. Fund balance of the Sewer Fund at May
31st, 2019 totaled $7.1 million.

So the utilities at Greenport are in a very
nice position. I think you've done a nice job
managing it. The Management Team, the
Treasurer's Department, I do believe that they're doing -- they're doing well. Okay?

The Village, which is the primary fund of the Village, and we're going to bring you to Page 15, and this is the last fund we're going to talk about. The Village's General Fund is really the fourth and last operating department of the Village. It also includes your DPW and other types of departments within it, including the Recreation, the old Recreation Fund has been folded into the General Fund.

On Page 15, if you stop on Page 15 before the transfers in the contribution line, the General Funds -- we don't talk about the General Fund of having a net profit, we talk about that your revenues exceed your expenditures, or your expenditures exceed your revenues. In 2019, your revenues exceeded your expenditures in the General Fund by $33,000. The line below, it shows that the Village transferred $311,000 to its Capital Projects Fund during the course of the year, and that was to assist in the financing of certain capital improvements made within that -- within the Capital Projects Fund, namely sidewalks and street work.
As compared to your budget, how did $33,000 of excessive revenues compare to your budget? Well, your adopted modified budget actually showed that the Village anticipated having about an $800,000 loss, revenues less expenses. And the way you were -- you were going to balance that budget was you were going to take prior year fund balances/cash balances to balance the budget. Okay? Lo and behold, your actual revenues and your actual expenses came in much better than what you budgeted, and you actually had a surplus, a small surplus of $33,000. So it was a large -- it was a large difference between what you budgeted, a very conservative budget, and where you came in on actual results.

Your gross revenues for the year in the General Fund totaled $4.3 million, of which one million was related to real property taxes. And real property taxes are -- only make up 23% of the revenue stream of the General Fund.

You also take in about a million-two from departmental income. Departmental income at this particular Village is related to the Ice Rink, the Marina, the Campground and the Carousel. So at the end of the day, 28% of the General Fund's
revenue stream comes from these other types of services.

On the expenditure side, $4.3 million, of which Public Safety, DPW, Marina costs and employee benefits, they actually make up 75% of the total cost of the Village's General Fund.

As a result of the May '19 fiscal year operations, the Village's fund balance sits at $4.9 million at the end of May 31st, 2019.

3.5 million of that 4.9 is restricted for various reserves that you set up, including the investments that are related to the Length of Service Award Program for your Fire Department.

Okay? So that's all restricted dollars.

$111,000 of the 4.9 million is assigned for encumbrances, basically amounts that are due to vendors that were unpaid at the end of the year, and you're sitting on a million-two of unrestricted fund balance, which can be used to balance future budgets. The $1.2 million of unrestricted dollars represents about 28% of your annual expenditures, or approximately three months. So very nice spot to be, and certainly within the limits that the Office of the State Comptroller would want you to be at.
At the end of the day, the General Fund is sitting on about $3.1 million on Page 13. Cash balances are at $3.1 million, of which 732,000 is restricted for future debt payments and capital repairs.

Unrestricted cash balances total $2.4 million, and represent about seven months of cash on hand related to your normal expenditures.

The Village’s General Fund made, in terms of capital improvements, made $2.7 million of capital improvements in 2019, primarily related to the purchase of property, fire equipment, road and sidewalk improvements, certain vehicles, certain work done at the Carousel, and certain work done at the pier. So $2.7 million of capital expenditures made during 2019 as an investment into the infrastructure of the Village.

In regards to the Village’s indebtedness, the Village has outstanding five different serial bonds that will mature during 2020 through 2042. Those five bonds total $3 million at the end of May 31st, 2019.

So like three -- the three utilities, the General Fund, the other main operating department
of the Village, is in a very nice position
cash-flow-wise, liquidity-wise, and in terms of
operations for the year, did have a nice year.

The other thing, just a couple of other
things before I end here. The Village does
receive -- one of the main reasons why you have
an audit every year is because you receive more
than $750,000 annually of Federal money. The
Federal money that this Village receives is
related to the HUD program for your Section 8
housing. You received about a million dollars in
2019, and because of that, the Federal Government
requires not only for you to have a financial
audit, but also a compliance audit in regards to
that particular program. So while we're here
doing your audit, we also need to look at how
you're running that program, what are the
internal controls that you have to run that
program effectively, and are you in compliance
with the program. So it's a little bit of a side
audit that we -- that we move away from. And the
Feds are actually looking for are there any
findings, are there any material weaknesses in
the internal controls systems and the accounting
systems here, are there any significant
deficiencies. And I'm happy to say that through our quite a bit of testing of that particular program, there were no material weaknesses in your accounting systems or your underlying internal controls, and you had no issues related to compliance. So you were in full compliance, from our perspective, with that particular program.

Those -- these reports end up getting submitted to the Federal Government, and you've had this type of an audit for many years now because of that particular program. There is some chatter about that they may increase the threshold from 750,000 to $2 million. That hasn't really gotten any legs yet in Congress, but what will happen then is the need for an audit, that type of an audit, will go away, and then a lot of local governments in the State of New York will no longer have an audit requirement because of -- because of not meeting that threshold. But as long as it stays 750 and you're in this program, my guess is you will always be subject to that. Okay?

Other than that, the audit, as I said, went very, very well. We appreciate everybody,
Management down to the Treasurer's Department.
It was extremely nice to work with you. You've answered of all of our questions. We appreciate your hospitality, we appreciate your insight and your skills, and I thought it went very well, one of the better audits we've had.
So if you have any other questions, whether it be here or --

MAYOR HUBBARD: Any questions?

MR. FREITAG: -- any other time --

TRUSTEE ROBINS: No.

MR. FREITAG: -- Robert knows how to get in touch with me.

MAYOR HUBBARD: All right. Thank you very much.

MR. BRANDT: Thank you, Robert.

MR. FREITAG: I appreciate it. Happy New Year, everybody.

MAYOR HUBBARD: Okay. Same to you. Thank you.

Okay. We have public hearings. We have a public hearing, the Wetlands Permit Application on behalf of Pipes Cove Management to perform work concerning removal, replacement, construction and re-constructions. Public
hearing has been noticed. Anybody who wishes to address this, your name and address for the record, and we'll move forward. Go ahead.

MR. HERRMANN: Good evening. My name is Rob Herrmann of En-Consultants. That's En-Consultants. We're located at 1319 North Sea Road in Southampton, on behalf of the applicant.

Basically, tonight we're here to present what is a relatively extensive, but straightforward, application to replace all of the bulkhead, all of the bulkheading that frames the Pipes Cove condominium boat basin at the end of Sixth Street.

Although the scope of -- the scope and intent of the project is straightforward, it did face some challenges in terms of the design. And as I walk you through these challenges and the designs that we've come up to address them, it would help if you had at least one set of the plans, one of the engineering plans in front of you, if you want to follow along. Otherwise, you can just trust me as a describe it.

Permitting challenge is the fact that this property is located not entirely within the Village of Greenport. It's located partially
inside the Village boundary and partially outside
the Village boundary where the bulkheading is
actually regulated, not by the Village, but by
the Town of Southold Trustees. So while the
overall project entails the replacement of more
than 1,000 linear feet of bulkhead, the
application before this Board includes only
approximately 60% of that overall scope, or about
600 linear feet. It's worth noting that most of
that 600 linear feet is within the interior of
the boat basin, as opposed to outside on the bay,
which is more to the west side of the property
and within the Trustees' jurisdiction.

We also faced the design or substantive
challenge due to a combination of factors, one
being that as part of this replacement, which
where most of the onus there was hopefully a once
in a lifetime experience, is the desire to raise
the bulkheads in response to sea level rise. But
you also have the situation of having the
condominium buildings being very close to various
sections of the bulkheading inside the basin.
And you also have a substantial concrete
retaining wall that runs along the landward side
of the bulkheading from much of the outside
bulkheading, including what is the long section labeled "G" on the plans in the Village's jurisdiction. And, of course, that's a challenge, because what happens there is instead of being able to replace the bulkhead in place, where you're literally pulling the existing bulkhead out and putting the new bulkhead in the same location, the existing bulkheading stays in place, and then the new bulkhead is constructed immediately on the seaward side of it. This was -- used to be referred to as the seaward reconstruction or out-in-front bulkhead replacement that 15, 20 years ago was commonly approved by all the different environmental agencies. But over time, that sort of fell out of favor, because, of course, the upland owner is effectively filling in part of the waterway, essentially capturing some of the natural resource incorporating into the upland.

So we didn't come into this problem lightly. In fact, dating back now two years ago in 2017, we specifically got together to have pre-submission meetings with the New York State DEC, with the Town of Southold Trustees, and with your Village of Greenport CAC. We met with them
in August of 2017, because we wanted to discuss these issues, what -- and find out what concerns they might have, and what they might want to see us do about it in terms of mitigation.

So based on those agency discussions, the significant mitigation design that was developed was based on the concept of calculating the area of waterway that was being filled by the seaward bulkhead replacement, and then replacing or swapping that area with an equivalent or greater area of waterway and wetlands, which is what we ended up accomplishing with the design.

So, specifically, we worked with the project engineer who calculated that 832 square feet of waterway would be filled and removed, in effect, by the result of these seaward bulkhead encroachments. Now, approximately 85% of that area, or 702 square feet, is being restored through the creation of waterway in place of existing upland in the southeast side of the property, where there's -- if you're familiar with the property, there's sort of this large lawn area that kind of sticks out. And so in that area, on the plans, Sections B-1(C) and B-2, you'll see that there's about 117 feet of
bulkhead that's being physically relocated about 6 feet landward into that lawn area. So there's a six-foot-wide area of waterway throughout that run that becomes open water, which in and of itself almost matches what's being lost.

But as originally was encouraged by the Town Trustees, which was an interesting relationship, because a lot of the seaward replacement is actually occurring within their jurisdiction, but the mitigation that they suggested actually benefits the Village, really, and not the Town, to the extent that along that same section of bulkhead that's being removed and relocated landward, we're going to take the middle section of that, which is about 52 feet long, and we're going to lower that by about three feet to create what's going to be really -- think of as a low sill bulkhead, and then excavate an approximately 1,092 square foot area behind that. So, again, this is digging even deeper into that lawn area where we're going to actually be able to create a tidal wetland, vegetated tidal marsh that currently doesn't exist. So right now in that area, it's this area of upland that's basically a maintained lawn, but
there's going to be what will actually turn out
to be an 832 square foot area of intertidal marsh
and high marsh in place of that existing upland.

    Now, I know the CAC had had some initial
comments, I think, after the application was
issued that they were looking to see all of that
lawn area sort of, you know, what's beyond and
around the created marsh also being maintained as
like a natural area where you would have
non-fertilizer-dependent grasses and things like
that, and the -- and the condominium association
is open to that as well. I mean, that's an area
that's really just an open area. So you're going
to take sort of an area of undevelopable upland,
if you will, that's right now a lawn and sort of
turn it into a natural area featuring this
created wetlands. So it's actually going to be
pretty neat, we think anyway.

    And so, in total, your mitigation, you're
going to effectively trade that 832 square feet
of waterway for a combined area of 1,534 square
feet of waterway and wetlands, which is a nearly
two-to-one exchange. So you end up with nearly
twice as much waterway and wetland area as exists
now after the bulkhead reconstruction.
As additional mitigation, which is something the CAC had wanted to see when we met with them a couple of years ago now, there's approximately $1,560 square feet of impervious brick walk and patio area that runs along the middle stretch of that property that's going to be replaced with a 12-foot-wide pervious drainage buffer. So that's basically going to be crushed bluestone. So that's an area where potential runoff from the property, instead of potentially running over a masonry area into the boat basin, will have a chance to drain in that area.

Ultimately, that's how the plan came out. We have obtained permits from the U.S. Army Corps of Engineers, the New York State Department of State Coastal Resources Division, the New York State DEC, and the Town of Southold Trustees for the project as it's in front of this Board today. So after about two years at this, you all are kind of our last permit stop on this from -- in terms of the environmental approvals.

If you look at the description and plans, a couple of other minor project components. There's a -- inside northeast corner, there's an existing fixed dock that's going to be replaced.
with a ramp and float. There's another dock within the boat basin that's going to be relocated, but these are just sort of incidental maneuverings within the boat basin that are described in the plans and the description. I'm happy to hear any comments you have or any questions you may have. Again, we've been at this a long time. There's been really a lot of careful thought that's gone into this, a lot of pre-submission conversation with all the involved agencies to try to make sure that when we came out the end of this process, that we had a good project and that all of the involved agencies were content with what we came up with, and we think we've achieved that.

MAYOR HUBBARD: Okay, good. Any questions? Go ahead.

TRUSTEE CLARKE: I'm the newest Trustee on the Board.

MR. HERRMANN: Sure

TRUSTEE CLARKE: So I haven't had as much experience as the Administration and the rest of the Board with these types of approvals. So my question might be a naive one, and for that, I ask everyone's indulgence.
Is there any pressure that this project will put on Sixth Street itself, the adjacent part of the street that we maintain running down to the boat ramp there, especially as this new tidal marsh area is going to be bringing the water roughly 10 feet closer to the street, and that is an area of common infiltration of high water. I don't know if, Paul, that's something that you have -- can address, or if this is not the proper venue for this question, I can certainly follow it up at another time.

MAYOR HUBBARD: Yeah. I mean, I don't think it's --

MR. HERRMANN: Yeah, I can certainly respond to that, if you wish.

MAYOR HUBBARD: All right, go ahead.

MR. HERRMANN: So, overall, you have to think about the fact that that -- that area is two parts. Right now, it's an upland lawn area, which does not have very good absorption rate for potential runoff or overflow water coming from the bay. So once that area is converted more to a naturalized area, first of all, it's going to -- it's going to have improved porosity in terms of water coming up and over. But to answer
your more specific question, if you look at --
I'm not sure what sheet it's on, but there's a
profile drawing of the low sill bulkhead. So
what you have to imagine is that you're taking --
say this is the existing height of the bulkhead
here. Okay. So if you're standing on Sixth
Street at an angle and you're looking -- you
know, this is where the bulkhead is, and you're
saying we're going to bring the bulkhead back,
and then we're going to lower it. So that's
going to bring, you know, the water in the basin
theory closer to Sixth Street on that side. But
the back side of this will be framed with
retaining walls, upland retaining walls, which
will be the same height as the high bulkhead
outside.

So it's not like we're creating some sort
of lower pathway or sluiceway for this water to
then move towards the road. We're creating a
box, if you will, where this marsh is going to be
created inside. So there's certainly no --
there's no increased flood risk created by this.
Again, if anything, there would be a reduced
risk, only because, again, through the CAC
comments and through the design, we're kind of
1 taking that entire area and making it more --
2 increasing its capacity to contain water.
3 Otherwise, all the conditions here are really
4 staying the same. In other words, we're not
5 changing the framing of the boat basin at all,
6 except in that area.
7 TRUSTEE CLARKE: Thank you.
8 ATTORNEY PROKOP: I have two questions
9 whenever the Trustees are done.
10 MAYOR HUBBARD: Okay. Go ahead, Joe.
11 ATTORNEY PROKOP: I thought the discussion
12 the last time we discussed this in public was
13 that parts of the bulkhead were being raised so
14 that the entire bulkhead had the same height.
15 MR. HERRMANN: That's correct.
16 ATTORNEY PROKOP: But what I thought you
17 said was that the entire bulkhead was being
18 raised for some reason.
19 MR. HERRMANN: Well, it's a combination.
20 So I can -- I can give you the--
21 ATTORNEY PROKOP: Well, wait a second. Is
22 it -- which is it? Is the entire bulkhead being
23 raised or is some of it being raised?
24 MR. HERRMANN: I'm going to answer you.
25 ATTORNEY PROKOP: Okay, thank you.
MR. HERRMANN: So the elevation of the bulkhead is proposed to increase to an elevation of five-and-a-half from existing elevations ranging from 3.4 to four. So that requires a height increase ranging from 18 inches to 25 inches, but overall, primarily, about 20 inches. And then there's -- for each section that's being raised, you know, there's a specific height that's indicated in the plans. Any bulkhead that would already be at that height is not going any higher. So there's a fixed elevation that is -- will be the finished elevation for all the bulkheading in the basin. And because of the varying heights, some will be -- have to be raised more than others.

ATTORNEY PROKOP: So what is -- what is the new height going to be?

MR. HERRMANN: 5.5.

ATTORNEY PROKOP: And what's the highest point now?

MR. HERRMANN: That I'd have to open the plan and tell you.

ATTORNEY PROKOP: Didn't you say it was four?

MR. HERRMANN: The ones that are being
raised to that height have ranges from 3.4 to 4.

ATTORNEY PROKOP: Okay. But some of it is 5.5 already?

MR. HERRMANN: That's what I --

ATTORNEY PROKOP: Oh, I'm sorry.

MR. HERRMANN: -- wanted to look at to make sure I give you an accurate answer.

ATTORNEY PROKOP: The other -- the other question I have is regarding the wetlands. So when you -- what was the decision you got from the DEC, was that you were out of jurisdiction or that they approved your project?

MR. HERRMANN: We retained -- we received a tidal wetlands permit from the DEC. The entire project is within the DEC's jurisdiction.

ATTORNEY PROKOP: Okay.

MR. HERRMANN: There is -- there is about -- yeah. So, again, this -- to my original point about sort of the permitting challenge here. So just assume an approximate number of 1,000 linear feet that we're dealing with. The U.S. Army Corps of Engineers, New York State Department of State, and New York State DEC are dealing with that entire project. So everything
that's on these plans is on the permits from those three agencies. Then at the local level it gets divided, because only about 60% of the project is in front of this Board, the rest of it you don't have any legal jurisdiction over it. That other 40% is presided over by the Town Trustees. So, essentially, we end up with three project descriptions, a comprehensive description from all the nonlocal agencies, and then two different descriptions from the two local agencies, which just has to do with the fact that, you know, if you're looking at the property, you've got a property line that runs down through the middle of the lot. So the Village is dealing with this entire east side and the Town is dealing with this west side. But the DEC dealt with the whole thing and their permit authorizes all of the work that's proposed on the plans.

ATTORNEY PROKOP: So the area that you're considering, that you're proposing to create wetlands, is any of that inside the Village?

MR. HERRMANN: It's wholly within the Village.

TRUSTEE ROBINS: Yes.
MR. HERRMANN: So this area, again, so if you look here, and if you look, this is about where this property line is. This is all the Village property. So this emboldened rectangle here, this is on the spit of land that sticks out into the bay here. So a lot of the seaward replacement is actually occurring out here in the Trustees' jurisdiction, and then partially within the Village jurisdiction along this middle run. But all of the wetland creation is occurring within this spit of land, which is completely within your boundaries.

ATTORNEY PROKOP: And it's upland property now?

MR. HERRMANN: It is. This is all upland here. So you basically got a bulkhead -- can you see this?

MAYOR HUBBARD: Uh-huh.

MR. HERRMANN: You've got a bulkhead line that's here that's going to step back this way. So it's going to actually widen the basin from here to here, and then being dug back into that, it's really just -- it's low area that's going to be sloped from the bulkhead back toward the retaining wall. And, again, there's a section in
there that shows that, and then this area in the middle will be planted with marsh. So instead of having a higher upland with, you know, potentially fertilized lawn here, you have a lower area that's natural marsh vegetation that will be taking water in at high tide in this area.

Part of it will -- part of it will see high tide, that's the intertidal marsh. Sorry. The area, the area all the way in the back is above high tide, is about a 5-foot area in the back that's just natural vegetation, buffer vegetation, and then from that, from the edge of that vegetation out to the bulkhead is marsh. So this whole box is almost 1100 square feet, 832 square feet of it is wetlands. So, again, it's -- you're just creating -- you're creating a wetland area where none currently exists.

ATTORNEY PROKOP: No, I'm familiar, I'm familiar with the process from other projects, but aren't you taking area that would otherwise be out of the jurisdiction of the DEC, because it's landward of the bulkhead, and creating marsh -- wetlands, upland wetlands that then are within the jurisdiction of the DEC? You're going
to create upland wetlands that are landward of the new bulkhead, right?

MR. HERRMANN: That's correct, but the new bulkhead will allow the tide to run over it, so the DEC still has jurisdiction. DEC will then gain jurisdiction over that area, if I understand your question correctly.

ATTORNEY PROKOP: Right. But what you have now, what -- the existing parcel now is out of DEC jurisdiction upland of the bulkhead, right, isn't it?

MR. HERRMANN: We didn't ask them to make that determination, because all of the bulkheading reconstruction is within their jurisdiction.

ATTORNEY PROKOP: Okay. You're proposing to develop the parcel. Other than this, there's a plan to develop the parcel, right?

MR. HERRMANN: A plan to develop the parcel?

ATTORNEY PROKOP: Yes.

MR. HERRMANN: I'm not -- I'm not sure what you're asking. The parcel's already developed, there's condominium buildings on it.

ATTORNEY PROKOP: Okay. All right. Oh, I
thought there was other work that was going to be done. Okay. So then I just have a question about the -- I'm sorry. Then I just have a question about the -- so, typically, the property that's upland of the bulkhead is out of jurisdiction of the DEC. By creating wetlands that are upland of the bulkhead, you're bringing back in the jurisdiction of the DEC?

MR. HERRMANN: Over that 1,000 square foot block of wetlands, yes.

ATTORNEY PROKOP: But there's a boundary, there's a wetlands boundary, a nondisturbance boundary or jurisdiction boundary that extends landward from -- excuse me, that extends beyond the boundary of the wetlands, upland wetlands.

MR. HERRMANN: So I think -- I'm not sure the relevance of what you're asking, but I think what you're asking is if we were doing work up here, and we were able to demonstrate that all of this bulkheading predates August 20th, 1977, then the DEC would issue a Letter of Nonjurisdiction saying, "You don't need our permit for this work."

ATTORNEY PROKOP: Exactly right, yeah.

MR. HERRMANN: Down here, whether all of
this bulkheading reconstruction itself, regardless of what I just said, is within the DEC's jurisdiction. So I think what you're asking is by virtue of the fact that you are lowering this bulkhead, and then bringing waterway back here, are we creating additional DEC jurisdiction that doesn't exist now, and the answer is yes with respect to this box. But you're not creating an opening that's 100 feet wide or more, so you're not creating a DEC jurisdictional area that will then start extending across Sixth Street or something like that --

ATTORNEY PROKOP: No, but it extends upland.

MR. HERRMANN: -- as a result of this.

ATTORNEY PROKOP: It's going -- what you're doing is you're going to have DEC jurisdiction upland of the bulkhead, the new bulkhead, which you didn't have before.

MR. HERRMANN: Only -- only in this rectangle.

ATTORNEY PROKOP: But there's a new boundary. There's a --

MR. HERRMANN: That's not correct.
ATTORNEY PROKOP: Okay. All right. I'm sorry, I thought that that was correct.

MR. HERRMANN: No, that's okay.

TRUSTEE ROBINS: You said that the water that will come over into this new wetland, create this box. Did you say that there were going to be retaining walls that will prohibit that water from, you know, encroaching into the road?

MR. HERRMANN: Going any further, yeah.

TRUSTEE ROBINS: Yeah.

MR. HERRMANN: So -- so basically, if you just forget about the wetland creation for a moment, and just imagine what you're doing is taking an existing bulkhead configuration that's a straight line and replacing it with a bulkhead that's going to run here, come back 21 feet, across 52 feet, back 21 feet, and then back over here and meet the rest of this existing bulkhead.

TRUSTEE ROBINS: Okay.

MR. HERRMANN: Except, instead of having like additional docks or deep water, you know, boat basin in this box, you're only going down three feet. So it's not like you're creating, you know, more boat basin there. You're going down three feet, just enough to let the water
come in at high tide and allow marsh plants to
grow, where right now the elevation is too high
for that marsh to exist.
So the bulkhead -- these are retaining
walls. We call them retaining walls because
they're being built into existing upland. But if
you just want to think of the word "wall", then
you're just taking the bulkhead wall and creating
a jog in it to create this box.
TRUSTEE ROBINS: Okay. I just wanted to
clarify that. Thank you.
MR. HERRMANN: I just wanted to see if I
could answer Joe's question about the elevation.
ATTORNEY PROKOP: No, I think that you did.
Thank you.
MAYOR HUBBARD: Okay. Any other questions?
MR. HERRMANN: Is that good or -- okay?
MAYOR HUBBARD: Okay. Thank you very much.
MR. HERRMANN: All right. Thank you for
hearing us.
MAYOR HUBBARD: Okay. Good night. Thank
you.
MR. FREITAG: Thank you.
MR. PRICE: My name is Bill Price. I'm a
resident of Pipes Cove Condominium, and I'm the
Vice President of the Association. And I'm here just to say that I believe that we have addressed all of the concerns of the CAC. And one of the things that we had talked about was the facility that is necessary for pumping out over there. And you guys are all familiar with what this basin looks like, and what we're proposing is to put a sewer hook up to be available there for the Greenport pumpout boat, because none of us are going to go and pump out our boats ourselves, that's just not going to happen. But we do call the pumpout boat to come over there, so that if they come over and they want to discharge their load there, there would be a place for them to do that without having to carry it someplace else. That's what we're proposing. And under the plans that you folks have that you've adopted, it says facility, so it makes sense to do it this way.

And I know that I have to come up with an easement because of the helicon piles that are going to go in under Sixth Street. I'm waiting for the engineers to tell how me how far in length the easement itself has to be.

And I've spoken with Paul about the sewer
hookup, and we're hoping that there actually is a manhole cover at the foot of Sixth Street. And there was a manhole cover, it may have been paved over. So that's what we're planning on doing, and I hope that meets with all of your requirements.

And it's just briefly on the DEC, we have to do specific plantings there, and I'm going to have to certify to the DEC each year that 80% of them are still living. I'm not sure how I'm going to do that yet, but I'm going to try.

(Laughter)

MR. PRICE: So that's all I've got. Thank you very much.

MAYOR HUBBARD: Okay. Thank you. Anybody else wish to comment on the public hearing?

MR. BERSON: Oh, can I make a comment?

MAYOR HUBBARD: Yeah.

MR. BERSON: My name is David Berson. I'm here for two reasons. One is to invite everybody on February 1st --

MAYOR HUBBARD: Okay. We're still on the public hearing on the wetlands permit.

MR. BERSON: Oh, I'm sorry, that's fine.
MAYOR HUBBARD: The will be able --

MR. BERSON: Very good.

MAYOR HUBBARD: All right, that's fine.

You'll get your chance. I just want to finish
the public hearing part first.

MR. BERSON: Of course.

MAYOR HUBBARD: Okay. Any other comments
on the public hearing?

(No Response)

MAYOR HUBBARD: All right. I'll offer a
motion to close the public hearing. We'll
discuss this at our work session next month.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

That public is closed.

All right. The next public hearing we
have -- we'll get to you in a second, Dave.
A proposed amendment to Chapter 136 (Water) of the Village of Greenport Code. This pertains to the increase that Suffolk County Water has passed along to the Village. I have a Local Law here somewhere, but I can't -- it's mixed in with my other paper. There it is.

Okay. Just as a little background on this. We do have the Treasurer and Assistant Treasurer here who take care of the billing and the paperwork on this, but I'll just give a brief description of what's going on.

The last time we changed our water rates was 2007. It's been 12 years since we've changed that. In the meantime, Suffolk County Water has raised our rates three times during that 12-year period. We have not adjusted our Village rate during that time, we've just absorbed it into the fund. And, as Bill Freitag said, we're still doing okay, but it's eating into where we were at with it.

The new Suffolk County Water Law is adding about 80 -- just over $80,000 to our water rates, because the mandatory $80 per household or $20 per quarter for every customer, we have around 1100 customers, which equals out to around
$88,000, approximately, at this time, depending what we have. That's more than we can absorb as their normal increases, so that's why we're looking at raising our water rates up. It's going up -- it would be $18.51 per month for residential users. What is the current rate now.

MR. GAFFGA: 1576.

MAYOR HUBBARD: What's that?

MR. GAFFGA: 1576.

MAYOR HUBBARD: 1517 is the current rate.

So it's going up about --

MR. GAFFGA: Seventy-six.

MAYOR HUBBARD: -- $3.48 per month.

MR. GAFFGA: 1576.

MAYOR HUBBARD: 1576, all right. I'm doing upside down math real quick. Okay. So it's about $3.57 cents per month for residential users. Commercial users, the increase is a little more, but that's -- theirs is going up to 44.46 per month. What is the commercial rate now?

MR. GAFFGA: It's 36.90.

MAYOR HUBBARD: 36.90. So, all right, so it's about $8.

TRUSTEE PHILLIPS: Eight dollars, $7.50.
MAYOR HUBBARD: For commercial user.

TRUSTEE PHILLIPS: Yeah.

MAYOR HUBBARD: So that's basically what it is. And this is really just to keep us in compliance with the new fees that Suffolk County Water has imposed on all their customers to deal with Dioxin 114.

ADMINISTRATOR PALLAS: Something like that.

MAYOR HUBBARD: I think that's what it is that they're doing to decontaminate their wells of stuff that's in it and water that's being pumped out here.

We have no choice on this, we can't argue it. It's in their chapter or their by-laws that they could just add the rates on to everybody, and everybody in Suffolk County is being hit with this. So we're having a public hearing just to have discussion on it. We're looking at changing our rates up just to be compatible with this one. Like I said, the last three increases we have not changed our rates, but we're getting to the point now to keep everything solvent, we need to go up a little bit.

Okay. At this point, I'll open the public hearing, if anybody wishes to comment on the
proposed amendment to our water charge of the Village Code. Anybody wish to comment?
(No Response)

MAYOR HUBBARD: Okay. I'll offer a motion to close the public hearing and put this on for discussion at our next month's work session.

TRUSTEE MARTILOTTA: Second.

TRUSTEE ROBINS: I'll second.

MAYOR HUBBARD: All right. All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?
(No Response)

MAYOR HUBBARD: Motion carried.

Thank you. Okay. Public to address the Board. Mr. Berson.

MR. BERSON: Oh.

(Laughter)

MR. BERSON: Deja vu all over again. So I am David Berson, and I want to invite everybody from the Board to come to Kate's Cheese Shop on Front Street on February 1st, where the young
people who are now graduating Greenport High School have completed this nine-foot painting of lower Main Street that was done in the Little Red Schoolhouse. Thanks to the Village, I've been able to use that with my charity, Glory Going Green, which is a 501(c)(3), since 2011, and this is the culminating project.

And Kate is mounting a big sail that the children did, they're now young adults, that was outside of Aldo's, and this large sail that I wanted to donate initially to the Village, but we couldn't find sufficient space. And I think that Christoph from Green Hill is going it buy it and contribute to the wellbeing of the scholarships that we give out to these high school children.

So that's February 1st. We are supplying, obviously, the cheese at Kate's Cheese Shop. So if you show up between 5 and 9, I think it would be nice as an attaboy, attagirl for the young people, Joe McGuinness, Annabelle Odell, Jonathan Finney, Jonathan Fuentes. You know the whole group, they're good kids.

Next question or comment is, is that some reason, people think I know something about the waterfront here, because I've been operating a
boat since 1999. So the question of this
dredging has come up repeatedly. I went online
and looked at the master plan from 1997 that was
updated in 2012, that I'm sure you're all
familiar with. So people are grabbing me now as
if I knew something, so I thought I would come
here and ask you, because I know nothing.

From what I understand is that Stirling
Basin Channel is going to be dredged. The
controlling depth there, apparently, is supposed
to be 8 feet, it's 100 feet wide. Questions that
I'm being asked now is, number one, who is paying
for this, and what is the cost of this?

The other questions I'm being asked are
what about the fact that Stirling Basin itself is
very shallow, relatively speaking, and if larger
boats are going to be placed in there through
Brewers or Shore Harbor now, or whatever the name
of that company is, who's going to responsible
for dredging that, should that be necessary?

The other question that people ask me,
again, I'm just a conduit, is who's in charge of
the mooring fields now in Stirling Harbor, and
are moorings being pulled annually, as they were
back in the day when Joe Angevine was involved?
So I'm just here to find out these answers, so that when I run into people on the vegetable aisle at the IGA, I don't have to run away from them.

(Laughter)

MR. BERSON: So could anybody answer any of those questions?

MAYOR HUBBARD: Yes, Safe Harbor, yes, yes and yes.

(Laughter)

MR. BERSON: Oh, great. Now --

MAYOR HUBBARD: Okay.

MR. BERSON: I forgot what order I asked those in.

MAYOR HUBBARD: No, I'll go into detail on it. The moorings are pulled annually. We do 30% every year. So over each year, Rich, Rich Albanese and the Village Crew has been doing it. They go in, they take care of them. They monitor them, they're taken care of.

The dredging is being paid for, being donated by Safe Harbor under Village specs and Village guidelines with a Village permit. So they are paying for the dredging of just the entrance.
Inside, there's no plans ever to dredge inside. This is not being done so they could bring in 150-foot yachts, or whatever. It's being just for safety at the entrance to Stirling Harbor as you're going in. It's just -- and it's a maintenance permit that I believe is good for 40 years now.

ADMINISTRATOR PALLAS: Well, this one is just a one-year, but, I mean --

MAYOR HUBBARD: But --

ADMINISTRATOR PALLAS: -- once that's done, I'm going to --

MAYOR HUBBARD: But the expiration on that had a 20-year span on it. The expiration date was 20 years.

ADMINISTRATOR PALLAS: I believe that's correct.

MAYOR HUBBARD: So it's -- we had had 20-year permits in the past.

MR. BERSON: Right.

MAYOR HUBBARD: They were allowed to expire, so we went through the process again. So we're allowed to do this dredging, but anywhere over the next 20 years, if it needs to be done again, we're allowed to do it. It's a 20-year
permit, from when I read the permit and the expiration date on it.

    ADMINISTRATOR PALLAS: That the DEC --
    MAYOR HUBBARD: The DEC permit --
    ADMINISTRATOR PALLAS: Before I said the DEC. The Army Corps may have to be renewed, but that's -- they're on the DEC permit.
    MAYOR HUBBARD: Okay. Well, that was the last one we were waiting for was the DEC, so --
    ADMINISTRATOR PALLAS: Sorry.
    MAYOR HUBBARD: The one -- when that came in, I looked, the date on it was --
    ADMINISTRATOR PALLAS: Right.
    MAYOR HUBBARD: 2040 was the expiration date. Okay?
    MR. BERSON: That's terrific, I appreciate that. One last question for my own edification, though. Since I've gone into Stirling Harbor over 21 years, about 30,000 times, I'm very intimate with that entrance there and that exit. So the question that begs asking at this juncture is that bulkhead, the exterior bulkhead there where Rackets Cove (phonetic) is has been used for the past number of years by Zaida, which is a beautiful ship and should have a place in this
Village. But that diminishes the width, which is 100 feet wide technically of the channel. Does the present owner of that property plan to bulkhead or put in boats on that outside bulkhead, which will diminish the effect of any kind of dredging at all in there?

MAYOR HUBBARD: Right. We had a wetlands permit public hearing for him. He said he has no intentions of putting boats out there. It was discussed at our thing about saying no, you couldn't do it, and the feeling of the Board was that no, we don't want to put that restriction on there.

MR. BERSON: Right.

MAYOR HUBBARD: But he says he has no intentions of doing that.

MR. BERSON: Great. I'm happy, and so will everybody else be. Thank you very much.

MAYOR HUBBARD: Okay. All right. Thank you.

MR. BERSON: I appreciate that. Thank you.

MAYOR HUBBARD: Yes.

MR. BRANDT: I have nothing to say other than good night.

MAYOR HUBBARD: Good night.
TRUSTEE ROBINS: Good work.

TRUSTEE CLARKE: Thank you, Stephen.

MAYOR HUBBARD: Good night.

MR. SALADINO: John Saladino, Sixth Street.

To follow up on what Captain Dave says here, it actually was part of one of my questions to ask you about Resolution 15.

In the interest of full disclosure, I'm a member of the CAC, and we made these recommendations, which we thought were reasonable.

At the time we did the site inspection, at the time the CAC did the site inspection for this wetlands permit, I personally talked to the owner and he told me that he had no intention of putting a boat inside Stirling Creek, as opposed to Rackets Basin (phonetic). Since then, since then, there's an ad in the Suffolk Times, and I spoke to his Dock Master, and he is advertising 109 feet of bulkhead for rental space. He's advertising -- he's advertising one or two boat slips inside Rackets Basin (phonetic) and 109 feet of bulkhead.

I know CAC already made its recommendation. Normally, if we hadn't had that conversation with
the owner of the property or the builder of the property, we would have made that a recommendation also.

I just want to remind you guys that that bulkhead is outside the pier and dock line. The CAC traditionally never made a recommendation that any boat could be or any dock could be constructed, or any boat would be tied up outside the pier and dock line. We didn't think about it this time, again, because the owner told us he wasn't going to put a boat out there.

At the entrance to Stirling Creek, I'm sure some of yous might know, is a Federal navigation channel. So from the entrance of Stirling Creek to the end of the mooring field is a Federal navigation channel. Our code, our code says that no boat shall be moored or anchored at any time that rests within any channel. Well, you guys kind of know this. Again, that would have been part of our recommendation to the Board if, again, the owner didn't tell us that he wasn't going to put a boat out there. Sometimes, sometimes we believe a guy and sometimes we don't. This particular time, he seemed very accommodating and we just kind of believed him.
So I don't know if it's too late to add this kind of provision to the -- to the wetlands permit, especially now. I mean, if the Village was going to be able to dredge prior to the summer season, prior to May, say, it might be less of an issue than it is now. Now the Village is not going to be able to dredge until after the boating season is over in September, or for the most -- for most people the boating season is over in September.

So now that -- the entrance to Stirling Creek, if the owner, in fact, puts a boat there, and like captain Dave said, Zaida was there, you know, it was maybe 14 feet wide. In the past, since she moved, since that move -- boat moved to Brewer's Greenport, there have been bigger boats there, there have been boats rafted up next to those bigger boats. It's just become an impossible situation there at the mouth of that creek. At high tide, a boat like Dave's, a boat like mine, it's not that big a deal. For bigger boats, even at high tide, it's a big deal.

So I'm not sure what kind of -- I was here when you discussed the conditions for the wetlands permit. You decided you didn't want to
put any -- that kind of restriction on them. But perhaps now, and I'm -- and you can check the Suffolk Times, I mean the ad is there. It's not like -- I spoke to the guy that is renting the docks for the -- for the owner, for the builder. So, again, I don't know what kind -- well, you're the Village Board, you can do whatever you want. I mean, but the other members of the CAC aren't here this evening, but I'm reason -- and I don't -- I don't speak for them, but I'm reasonably certain they would go along with this recommendation, either tell them not to rent it, prohibit them from renting it.

MAYOR HUBBARD: I understand, I know what you're saying.

MR. SALADINO: You know. And, also, Chapter 48, we know Chapter 48, 48-15, you're not allowed to moor a boat, you're not allowed to dock a boat in a channel or a fairway, and that's exactly what he -- it's only come to my mind. In the 12 years that I've been on the CAC, I've only seen it twice where there were applications that went outside the pier and dock line, and in both those -- and they're both in Stirling Creek, and in both those times, we made a recommendation.
that they wouldn't be allowed to do that.

So, again, if we didn't have the owners assurance that he wasn't going to rent there, he -- we didn't expect them to move the bulkhead in to get inside the pier and dock line. We had his assurance that he wasn't going to rent out there. It became a nonissue to us until we saw the ad in the paper.

So whatever you guys choose to do. Thank you. Thanks for listening.

MAYOR HUBBARD: Thank you.

TRUSTEE ROBINS: Mayor, I also could see it's a potential problem, because this is the current owner who's assured us that they won't do this, and then I guess some new information has come to light. But the property could change hands, and then we're dealing with another owner, and we certainly don't have any guarantee moving forward. So I think it's something we need to consider now. Maybe we do that when we get --

MAYOR HUBBARD: Well, when we get to that part of the agenda, we can -- we'll have a discussion when we get to that item on the agenda.

TRUSTEE ROBINS: Great. Thank you.
MAYOR HUBBARD: Okay. Anybody else wish to address the Board, any topic?

MR. TASKER: Good evening. Arthur Tasker, Beach Street in Greenport. I want to stay on the theme that both Mr. Berson and Mr. Saladino mentioned, and that is the dredging project for the entrance of Stirling Creek.

Well, excuse me, despite having been accused of disfavoring the dredging, I'm quite in favor of dredging the creek. My concern is what happens to the spoil. And my concern is this: In 1992, the last time the entrance to the creek was dredged, what happened was they brought in a bulldozer, they pushed a berm up around the perimeter of the Village's property on the point, they put sand -- they put hay bales around the exterior of that, and then proceeded to bump the spoil up onto the top of what's called Sandy Point, the Village's property, parkland, and walk away at the end of it. They left the berm, they left the hay bales and they left a mess. They also killed all the vegetation. They wiped out the families of killdeer that lived on there. They also did it at a time when the ospreys were nesting there and still are nesting there.
They've been nesting there for many -- all the years since then, and they continue to.
    
The ospreys come in -- excuse me. The ospreys come in and start their nesting about the middle of March, and, to the best of my knowledge, their young fledge in early to mid August, and that's a period of time when they should not be disturbed. The 1992 dredging and filling of the point was conducted, I believe, some time in July. I don't think they notified the ospreys that they were going to be assaulted for several days or several weeks, however long it took, in terms of their habitat and so forth, but that's what occurred. So we need to be watchful for that.

Furthermore, I understand that the permit that has been issued is limited to a window of September to December, or something like that.

MAYOR HUBBARD: Correct.

MR. TASKER: I'm not sure exactly what it is, but it is in the Fall. And, presumably, that would take care of the ospreys, and I guess the winter flounder is the other consideration. I didn't know we had winter flounder there, I would have been fishing there a lot myself.
In any case, what's going to happen to the spoil, because it was an environmental disaster the last time that it was done.

I read -- made some prior questions at these meetings about the application for the DEC permit for the dredging, and it was probably in June or July, I don't remember exactly which. I was -- I asked the question, is this for a one-year -- is the application being made for a one-year permit or a multi-year maintenance permit, and I was told that it was for a one-year permit. Now it turns out that the permit that has been issued is a 20-year permit. So I think that without there having been an application to make a change on the part of the Village, I was not told factual information on it with regard to that.

Second of all, I was told at the time on an inquiry that the placement of the spoil was required by the DEC to be placed on top of the point where it would wipe out all the vegetation. And I accepted that answer, that the Village was told that that was the only choice, take it or leave it. The same thing was done in 1992 and the Village took it.
I have to question that DEC proscription against placing it anywhere on top, because I have researched within the past for permits issued in the past year of similar dredging permits that had been issued. Two, both of them are within a stone's throw of the entrance to Stirling Creek. The first one is a maintenance dredging of -- rather, a dredging of the Gull Pond Inlet, which is on the other side of the breakwater down toward East Marion. That permit asked for -- and it was -- the permit that was granted permits maintenance dredging 750-feet-by-100-feet channel 6 feet below mean low water, 2000 cubic yards of spoil to be used for beach nourishment. Why isn't our spoil being permitted to be used for beach nourishment, where it's badly needed to prevent the erosion that has occurred along the westerly edge of that beneath the -- starting at the seamen's line and going all the way down to the beginning of the Sandy Beach bulkhead.

Next, Gardiners Bay Estates was issued a permit. Well, I should mention the Gull Pond permit was issued on October 2, 2019 on -- let's see. The Gardiners Bay Estates Homeowners
Association applied for and received a permit for a 10-year maintenance dredging of an 1100-foot channel, depositing the spoils at the jetties and on the beach. They were not required to put it on upland anymore than the Gull Pond was.

So I'm wondering why the Village rolled over without objection to having to put it on top of Sandy Beach point? Because in further research of what applications were made to the DEC, there was an application made on September 21, 2012 by the Village of Greenport, to dredge the Stirling Basin Village channel, to dredge 800-by-100 foot channel to 13 feet below mean water -- below mean low water and place up to 6,000 cubic yards on the adjacent beach, not on top, but on the adjacent beach, which is the appropriate place for it, which is -- and which is where it's needed. That application was made by the Village in September of 2012, and it was finally -- it was never pursued, and it was finally abandoned in September of -- let's see.

In February of 2019, it was specifically abandoned when the Village made a permit application on March 22 of 2019 to dredge the shoal peninsula at the channel edge to 6 feet --
yeah, to 6 feet below mean low water placed on the upland.

So they abandoned their application to place it on the beach, where it was needed, and they submitted an application to place it on the upper. It does not appear that that was something that was negotiated or demanded by the DEC, but volunteered by the Village of Greenport. Can someone explain any of that?

MAYOR HUBBARD: Okay. Paul you filled out that application, so can you explain it to him?

ADMINISTRATOR PALLAS: I did. The original application for this current permit that we just received did request to go on the beach. We were denied. They told us that we couldn't do that, and that we had to put it upland. It had to go -- I forget the stance away from the high water, the spring high water mark, I forget the distance, but it had to be --

MR. TASKER: Was that a formal denial?

ADMINISTRATOR PALLAS: Whether it was a phone call or a letter, I don't -- I don't have the file in front of me, Arthur, but it was a-- it was definitely we were not permitted to do that.
MR. TASKER: Well, I find that hard to believe, given the Gardiners Bay Estates and Gull Pond were permitted to do exactly what we were asking for and apparently denied.

ADMINISTRATOR PALLAS: Well, the --

MR. TASKER: Why wasn't there a fight? Why didn't you resist?

ADMINISTRATOR PALLAS: Arthur, I -- they said we were not allowed.

MR. TASKER: Why didn't the Village resist?

ADMINISTRATOR PALLAS: Okay. Well, either -- they told us we couldn't do it. I wasn't in really a position to argue with them at that point.

And if I may, what you had read was that they were using it specifically for beach nourishment, which is a different type of project than dredging a channel, you know. So we requested --

MR. TASKER: No, dredging the channel and using the spoil for beach nourishment.

ADMINISTRATOR PALLAS: We requested to do that, we were denied, it's that simple.

MR. TASKER: Okay. Well, I guess the Village of Greenport doesn't swing a very big
1 club with the DEC. Thank you.
2
3 MAYOR HUBBARD: Anybody else wish to
4 address the Board?
5
6 (No Response)
7 MAYOR HUBBARD: Okay. We'll move on to our
8 regular agenda. Okay.
9
10 RESOLUTION #01-2020-1, RESOLUTION adopting
11 the January, 2020 agenda as printed, with the
12 exception of Item No. 22, which the Board of
13 Wardens requested we do not vote on that or
14 entertain that motion. All in favor?
15
16 TRUSTEE MARTILOTTA: Aye.
17 TRUSTEE CLARKE: Aye.
18 TRUSTEE ROBINS: Aye.
19 TRUSTEE PHILLIPS: Second?
20 TRUSTEE MARTILOTTA: Second. I second
21 that.
22
23 MAYOR HUBBARD: Second, yeah.
24
25 TRUSTEE MARTILOTTA: I apologize.
26 MAYOR HUBBARD: Excuse me, yes. All in
27 favor?
28
29 TRUSTEE MARTILOTTA: Aye.
30 TRUSTEE CLARKE: Aye.
31 TRUSTEE PHILLIPS: Aye.
32 TRUSTEE ROBINS: Aye.
MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried. Trustee Clarke.

TRUSTEE CLARKE: RESOLUTION #01-2020-2, 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?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE ROBINS: RESOLUTION #01-2020-3, RESOLUTION approving the application for membership of Peter Ferguson to the Eagle Hose Company of the Greenport Fire Department, as approved by the Greenport Fire Department Board.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILOTTA: RESOLUTION #01-2020-4,

RESOLUTION authorizing a Request For Proposals
for the Greenport Fire Department, per the
attached consulting services specifications as
approved and provided by the Greenport Fire
Department Board of Wardens, and directing Clerk
Pirillo to notice the Request for Proposals
accordingly. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in Favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.
MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion Carried.

TRUSTEE PHILLIPS: RESOLUTION #01-2020-5,

RESOLUTION authorizing the solicitation of bids for the construction of the redesigned Village of Greenport Central Pump Station, located on the corner of North Street and Third Streets, and directing Clerk Pirillo to notice the solicitation of bids accordingly. So moved.

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #01-2020-6,

Ratifying the hiring of Trey Miller as a Skate Guard at the Village of Greenport Ice Rink, at a pay rate of $13.00 per hour, effective December
22, 2019. So moved.

TRUSTEE ROBINS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE ROBINS: RESOLUTION #01-2020-7, RESOLUTION ratifying the hiring of Tyler Widercrantz as a Skate Guard at the Village of Greenport Ice Rink, at a pay rate of $13.00 per hour, effective December 28th, 2019. So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)
MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILLOTA: RESOLUTION #01-2020-8,

RESOLUTION ratifying the hiring of Benjamin Ward as a Skate Guard at the Village of Greenport Ice Rink, at a pay rate of $13.00 per hour, effective January 10th, 2020. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILLOTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion Carried.

TRUSTEE PHILLIPS: RESOLUTION #01-2020-9,

RESOLUTION authorizing the attendance of Village Administrator Paul Pallas at the APPA Legislative Rally in Washington, D.C. from February 24th, 2020 through February 26th, 2020; with a registration fee of $400.00, a lodging cost of $372.13 per night for two nights, and all applicable reimbursable meal, mileage and travel costs in accordance with the Village of Greenport
Travel Policy; to be expensed from account
E.0782.000 (Management Services). So moved.

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #01-2020-10, Declaring as surplus, and no longer needed for municipal purposes, the vehicles detailed on the attached list, and disposing of the vehicle detailed on the attached list. So moved.

TRUSTEE ROBINS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?
MAYOR HUBBARD: Motion carried.

TRUSTEE ROBINS: RESOLUTION #01-2020-11,

RESOLUTION authorizing Treasurer Brandt to perform the attached Budget Amendment #4248, to appropriate reserves to fund the screw pump repair at the Wastewater Treatment Plant, and directing that Budget Amendment #4248 be included as part of the formal meeting minutes of the January 23rd, 2020 Regular Meeting of the Board of Trustees. So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILOTTA: RESOLUTION #01-2020-12, RESOLUTION authorizing the Village of Greenport to add the outstanding water and sewer balances in arrears to the Village of
Greenport 2020 tax bills for the respective property, per calculations to be completed by, on or before April 30th, 2020. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILLOTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: RESOLUTION #01-2020-13, RESOLUTION scheduling a public hearing for the 2019-2020 Village Tentative Budget at -- isn't it the 2020-2021? No, excuse me. Yeah, we're in 2020 right now, correct?

MAYOR HUBBARD: It should be 2021.

TRUSTEE PHILLIPS: Should be 2021.

MAYOR HUBBARD: You are correct, 2021.

TRUSTEE PHILLIPS: All right. I'll reread it. I'll start over again, okay.

RESOLUTION scheduling a public hearing for the 2020-2021 Village Tentative Budget at
6:00 p.m. on April 9th, 2020 at the Old Schoolhouse, Front and First Streets, Greenport, New York 11944; and directing Clerk Pirillo to notice the budget hearing accordingly. So moved.

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #01-2020-14,

Adopting the attached SEQRA resolution regarding the approval of the Wetlands Permit Application submitted by applicant Paul Pawlowski on behalf of 123 Sterling Avenue, LLC for the property at 123 Sterling Avenue, Greenport, New York, 11944; adopting lead agency status, determining that the approval of the application is an Unlisted Action for purposes of SEQRA, and adopting a Negative Declaration determining that the approval of the Wetlands Permit Application will not have a
significant negative impact on the environment.
So moved.

TRUSTEE ROBINS: I think this is where we need --

MAYOR HUBBARD: Do you want to -- you want to --

TRUSTEE ROBINS: -- a conversation about this.

MAYOR HUBBARD: Do you want to second it first?

CLERK PIRILLO: We need a second.

TRUSTEE ROBINS: Yes, I'll second that.

MAYOR HUBBARD: Do you want a discussion?

TRUSTEE ROBINS: Yes, please.

MAYOR HUBBARD: All right. Go ahead.

TRUSTEE ROBINS: Okay. In light of the information that was just given to us about the situation, that this property owner had originally told the Board that he had no intention of putting any boats on the outside of the bulkhead, and now, apparently, some information has come to light that was publicly advertised in the newspaper, I think that we might have to reconsider this.

Again, I pointed out that that's the --
had an assurance from a current owner. I think
we all agreed that, okay, this is not a --
something that's going to become a problem. But
in thinking of the fact that property can turn
over at any time and we're dealing with another
person, I think that we can't necessarily accept
the word of somebody to do something that is
going to have, I think, an environmental impact
on the passage in and out of the harbor there.
So I think we need to reconsider this at this
point.

MAYOR HUBBARD: Okay. This is the SEQRA
resolution, this is not approving the permit.

TRUSTEE ROBINS: Okay. We could --

MAYOR HUBBARD: The permit is the next one.

TRUSTEE ROBINS: We could go on to the next
one. So the SEQRA I'm okay to vote on -- vote
on, but -- vote on, but when we go to the next
resolution, I'm probably --

MAYOR HUBBARD: Well, we'll --

TRUSTEE ROBINS: -- going to ask to table
it, okay? I just wasn't sure of the process that
I needed to do it.

TRUSTEE PHILLIPS: Well, do we --

MAYOR HUBBARD: Okay. We're discussing
this one right now --

TRUSTEE ROBINS: Okay.


TRUSTEE PHILLIPS: Do we need to --

MAYOR HUBBARD: Any other discussion on the SEQRA resolution?

TRUSTEE MARTILOTTA: No.

TRUSTEE PHILLIPS: I mean, in all honesty, we usually do the SEQRA and the approval all as they -- I mean, though that they're two separate resolutions, perhaps we should just table this SEQRA until this resolution, until we get to the next one and decide if we were to table that one, or make whatever suggestions might be during that discussion.

That's my -- you know, I'll offer a resolution to table 01-2020-14 to -- until further discussion of the application, in light of the new information that's been brought to us.

TRUSTEE CLARKE: Could I -- could I add that perhaps the correct procedure would be to fall back on the Village Code as it's written, as John Saladino mentioned, so that the actual wetlands permit application and the SEQRA resolution be approved, because they do not
specifically raise in them in and of themselves whether or not the use of that outward bulkhead is permitted or not. It's in my mind an independent motion. And if that area is used, I'm assuming that the Village Code protects us from forbidding or causing removal of any boat moored or docked there.

TRUSTEE MARTILOTTA: If I may to that point, I tend to agree with Mr. -- or with Trustee Clarke. I don't know exactly -- you know, I think we're blurring the lines between the two resolutions, which is fine, but you're not allowed to moor a boat in a channel. So to me, that's -- I mean, please correct me if I'm wrong, Mr. Mayor.

MAYOR HUBBARD: Uh-huh.

TRUSTEE MARTILOTTA: To me seems to be an enforcement action as opposed to a permitting action. Like just because he ran an advertisement saying that he would like to rent that space out, it's -- I was under the impression you cannot; am I incorrect in that?

MAYOR HUBBARD: No. I would ask the Village Attorney a question on that.

TRUSTEE MARTILOTTA: Oh, I'll do it, you
know.

    MAYOR HUBBARD: Right. I mean, that's --
    ATTORNEY PROKOP: So what it --
    TRUSTEE MARTILOTTA: Sure.
    ATTORNEY PROKOP: What it actually depends is 48 -- 48-15 of the code says that no board --
    no boat shall be moored or anchored in a channel or a fairway. But we -- you know, you'd have to
    see a map to -- there's verbal testimony tonight that the area that we're talking about is in a
    channel or a fairway. I don't know that that's sufficient. I think you'd have to see a map and
    some kind of designation that -- something in the past that designated that area as either a
    channel or a fairway. It's not -- it can't just be -- I don't think it just could be somebody's
    understanding. Typically, maps are provided as part of the Harbor Management plan or something
    which indicates something --
    TRUSTEE PHILLIPS: Which there is.
    TRUSTEE MARTILOTTA: That has to be the channel, right?
    TRUSTEE PHILLIPS: Oh, there is. No, it's the channel right there. But I have to ask, Paul, in the past, when the previous owners, not
Mr. Pawlowski, but Mr. Raskin, did they not tie a boat up there and you asked them to move it and they didn't do it, the Zaida?

ADMINISTRATOR PALLAS: There were times when they did and there were times when it wasn't, both they did. Yeah, sometimes it was moved.

TRUSTEE PHILLIPS: So the enforcement issue is really questionable?

ADMINISTRATOR PALLAS: The biggest -- my memory, the biggest issue is not so much the single boat as when they rafted up a second boat. That was when we got the complaints, just a point of information.

TRUSTEE PHILLIPS: No, I'm just -- that's what I'm saying, is there's a lot of confusion and there's a lot of not having the map in front of us to see exactly where the channel is.

ATTORNEY PROKOP: So if the Trustees' question to me was whether I recommend that we have a condition specified, as compared to relying on the code, my recommendation would be that we have a condition that specified.

MAYOR HUBBARD: I didn't hear what the tail end of that -- your recommendation is what?
ATTORNEY PROKOP: If we're -- I don't think that it's recommend -- I wouldn't recommend that we rely on the code and don't mention it in the approval. I think that if this is a concern, that it should be mentioned in the approval as a condition.

TRUSTEE CLARKE: So your recommendation is that we approve this resolution with the additional stipulation, a fourth stipulation on a bullet point being added to prohibit use of the channel-facing bulkhead?

ATTORNEY PROKOP: It's slightly different. My recommendation is that if you were going to approve it, that you have that bullet point as an additional, yeah.

TRUSTEE PHILLIPS: Should we send it back to the CAC and let them give us an updated opinion with this new information that's come to light?

TRUSTEE ROBINS: No.

TRUSTEE MARTILOTTA: I don't --

TRUSTEE PHILLIPS: No?

TRUSTEE MARTILOTTA: I don't think that's --

TRUSTEE PHILLIPS: Okay.
TRUSTEE MARTILOTTA: -- even in their jurisdiction.

TRUSTEE PHILLIPS: All right.

TRUSTEE ROBINS: I mean, I think this is the conversation we had at the work session when we --

TRUSTEE PHILLIPS: Yes, we did.

TRUSTEE ROBINS: -- considered this originally of whether or not to put a stipulation on about whether a boat could be tied up out there.

TRUSTEE MARTILOTTA: Yeah.

TRUSTEE ROBINS: We decided not to do it at the time, but I'm reconsidering that now, that decision.

MAYOR HUBBARD: Okay.

TRUSTEE ROBINS: And I think that's where I'm coming from.

TRUSTEE CLARKE: And my motivation, I'm happy to reconsider it and add the stipulation, but my motivation is to not let this resolution ride for another month or two.

TRUSTEE ROBINS: If we can put the stipulation now and vote on it, I'm fine.

TRUSTEE CLARKE: Me, too.
TRUSTEE ROBINS: I'm ready to move forward.

TRUSTEE CLARKE: That's what I would recommend, but I --

TRUSTEE MARTILOTTA: What would the stipulation -- I'm sorry, I didn't mean to cut you off.

TRUSTEE CLARKE: You didn't.

TRUSTEE MARTILOTTA: No, I'm just curious, how would we want it to read?

TRUSTEE PHILLIPS: What's the stipulation going to be? How are you going to word it?

TRUSTEE MARTILOTTA: You know what I'm saying? Like what do we -- we want -- the Attorney is recommending we put that protection in, which okay.

TRUSTEE PHILLIPS: How much of the bulkheading is going to be -- that's a long bulkhead. And I'm sorry, I didn't see --

MR. SALADINO: A hundred and nine feet.

TRUSTEE CLARKE: Yes.

TRUSTEE PHILLIPS: A hundred and -- okay.

TRUSTEE CLARKE: Yep.

TRUSTEE PHILLIPS: All right. That's a big boat.

TRUSTEE CLARKE: I might have the --
MAYOR HUBBARD: Okay. Well, right now, we have a recommendation. We have a motion to table --

TRUSTEE PHILLIPS: The SEQRA.

MAYOR HUBBARD: -- Item No. 14. Is there a second on that?

TRUSTEE CLARKE: To table it, no.

TRUSTEE ROBINS: That's just the SEQRA, Peter, it's not the technical language.

TRUSTEE MARTILOTTA: It's 14.

TRUSTEE ROBINS: It's just SEQRA.

MAYOR HUBBARD: All right. So there's no second on the tabling.

TRUSTEE PHILLIPS: Okay.

MAYOR HUBBARD: Okay? Any other discussion on the motion?

(No Response)

MAYOR HUBBARD: All right. All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

TRUSTEE PHILLIPS: No.

MAYOR HUBBARD: All right. So it's four to
one. The SEQRA resolution passes. Trustee Robins.

TRUSTEE ROBINS: RESOLUTION #01-2020-15,

RESOLUTION approving the Wetlands Permit

Application submitted by applicant Paul Pawlowski

on behalf of 123 Sterling Avenue, LLC for the

property at 123 Sterling Avenue, Greenport,

New York 11944 to: Replace the in-place

approximately 132 feet of -- linear feet of

bulkhead, raised eighteen (18) inches in height.

Per prior recommendations by the Village of

Greenport Conservation Advisory Council, the

following conditions shall also apply to the

approval of this permit application:

The approved Wetlands Permit Application will

have an expiration date of two (2) years from the

date of approval, the applicant must install a

pumpout station that is accessible to the public,

and any required fill material shall come from

site material previously removed and currently

stored on-site.

And I'd like --

MAYOR HUBBARD: You want to make it a

motion?

TRUSTEE ROBINS: I want to make a motion

that we add --
MAYOR HUBBARD: No, no, no, no, no. You have to read the motion, get a second, and then we can discuss it.

TRUSTEE MARTILOTTA: I'm trying to.
TRUSTEE PHILLIPS: He's trying to.
TRUSTEE MARTILOTTA: Second.
TRUSTEE ROBINS: Okay, I don't have -- okay.

MAYOR HUBBARD: Procedurally, you have to bring the motion up. It has to be --
TRUSTEE ROBINS: I need somebody to help me --

MAYOR HUBBARD: Yes.
TRUSTEE ROBINS: -- with the motion before.
MAYOR HUBBARD: Before we can even discuss it, you have to read the motion, it has to be seconded, then we can discuss it.
TRUSTEE ROBINS: Okay.
TRUSTEE PHILLIPS: Go ahead, Jack.
TRUSTEE MARTILOTTA: Second.
TRUSTEE ROBINS: Oh, I'm sorry.
TRUSTEE CLARKE: There you go.
TRUSTEE ROBINS: Okay.
MAYOR HUBBARD: All right. We have a motion --
TRUSTEE ROBINS: I was waiting for a second.

MAYOR HUBBARD: Motion and a second.

TRUSTEE ROBINS: Okay.

MAYOR HUBBARD: Now we can have discussion.

TRUSTEE ROBINS: Okay.

MAYOR HUBBARD: You have to -- procedurally, you have to -- you have to bring the motion up, it has to be seconded, then you can discuss it.

TRUSTEE ROBINS: I apologize.

MAYOR HUBBARD: Okay. Go ahead, you can discuss what you'd like now.

TRUSTEE ROBINS: Okay. What I'm thinking we should do is to add a stipulation on that the use of the bulkhead, on the outside of the bulkhead, would be prohibited with this permit application.

MAYOR HUBBARD: Do you want to prohibit boats from docking on the east side of the bulkhead facing the channel?

TRUSTEE ROBINS: Correct.

TRUSTEE PHILLIPS: All 132 linear feet?

MAYOR HUBBARD: What's that?

TRUSTEE MARTILOTTA: A hundred and nine.
TRUSTEE PHILLIPS: That's what I'm asking, is it a hundred and -- how many feet? How many linear feet are you going to --

MAYOR HUBBARD: The outside of the bulk -- the east side of the bulkhead.

TRUSTEE ROBINS: I said the entire outside.

TRUSTEE PHILLIPS: And what is that, 109? I don't know how many feet it is.

ADMINISTRATOR PALLAS: I don't -- I mean, John said it's 109.

TRUSTEE CLARKE: I don't have it in front of me.

TRUSTEE ROBINS: And I apologize.

MR. SALADINO: Can I clarify something?

MAYOR HUBBARD: All right. Well, if we go back to -- you brought this up at the work session --

TRUSTEE PHILLIPS: And I can't --

MAYOR HUBBARD: -- at the public hearing, and you wanted no boats to be on the east side of the bulkhead.

TRUSTEE PHILLIPS: Right, on the east side.

MAYOR HUBBARD: Isn't that what you had requested at the time?

TRUSTEE PHILLIPS: That's what I requested
at the time.

TRUSTEE ROBINS: This is the --

MAYOR HUBBARD: So I'm just saying we use

your wording --

TRUSTEE PHILLIPS: Okay.

MAYOR HUBBARD: -- of what you requested --

TRUSTEE PHILLIPS: Okay.

MAYOR HUBBARD: -- at the public hearing.

TRUSTEE PHILLIPS: All right. Okay, but --

okay. It's just there's a lot of confusion with

linear feet. But as far as -- mine is the East

End of the bulkhead.

TRUSTEE MARTILOTTA: May I?

MAYOR HUBBARD: Okay. Well, no, just --

TRUSTEE ROBINS: We'll clean up the wording

a little bit, but that's basically the -- what

I'm asking for is that, you know --

TRUSTEE MARTILOTTA: May I, before we --

TRUSTEE ROBINS: Please.

TRUSTEE MARTILOTTA: Okay.

MAYOR HUBBARD: Yeah. No, this is all open

for discussion.

TRUSTEE MARTILOTTA: Sure. In the -- when

the -- when the builder or the owner submitted

this to us, they had this all laid out, like
where the boat slips were going to be, correct?

   TRUSTEE CLARKE: Yes.

   MAYOR HUBBARD: That was the previous
   public hearing and we voted on that already.

   TRUSTEE MARTILOTTA: Yes, sir. So --

   MAYOR HUBBARD: Okay.

   TRUSTEE MARTILOTTA: But on that, I
didn't -- and that's essentially what we're
voting on now. And I could be wrong, but I don't
remember seeing any -- any place to moor boats
along that bulkhead at all. I might be mistaken.

   MAYOR HUBBARD: No. What we approved last
time was the floating docks and the stuff inside
the channel.

   TRUSTEE MARTILOTTA: Yes.

   MAYOR HUBBARD: There was nothing on the
outside.

   TRUSTEE MARTILOTTA: Okay. All right.

   MAYOR HUBBARD: Because it's just a
bulkhead.

   TRUSTEE MARTILOTTA: Yeah.

   MAYOR HUBBARD: There would be no
improvements or anything, that bulkhead is not
being touched. That's just a bulkhead that's
there.
TRUSTEE MARTILOTTA: Okay. All right. I see what you're saying.

MAYOR HUBBARD: The bulkhead that he's replacing now, the 132 feet, is on the inner side of the bulkhead --

TRUSTEE MARTILOTTA: Fair enough.

MAYOR HUBBARD: -- not along the face of it. The face part was done six years ago.

TRUSTEE PHILLIPS: Correct.

MAYOR HUBBARD: Right. So he's -- we're talking this is the section of bulkhead they're doing, this is on the inside.

TRUSTEE MARTILOTTA: Yes.

MAYOR HUBBARD: Right?

TRUSTEE MARTILOTTA: But see what I'm saying? I didn't see any spot where they were going to -- where they had designated -- I didn't see any spot where it was designated as --

MAYOR HUBBARD: No, there is none. There's nothing designated as being any. It's just a --

TRUSTEE PHILLIPS: Bulkhead.

MAYOR HUBBARD: -- bulkhead that's at the end of the property.

TRUSTEE MARTILOTTA: So if we're approving it, but nothing designated on that diagram -- no,
maybe I'm -- maybe I'm incorrect.

TRUSTEE ROBINS: We're really talking about
what he can use the bulkhead for, not, you
know --

MAYOR HUBBARD: The bulkhead he's doing is
in here.

TRUSTEE ROBINS: Right.

MAYOR HUBBARD: This is not the bulkhead
he's doing. This is the bulkhead that's at the
end of the property.

TRUSTEE ROBINS: At the end of the
property, correct.

MAYOR HUBBARD: That's at the end of the
property there.

TRUSTEE ROBINS: Okay. I mean, this --
MAYOR HUBBARD: And the channel, the
channel comes in here. Where this leads to, with
the point of the channel, where it intercedes or
whatever --

TRUSTEE ROBINS: Right.

MAYOR HUBBARD: -- I can't answer that.

TRUSTEE CLARKE: So then, technically --
MAYOR HUBBARD: But, I mean, we asked --
the question was asked at the public hearing, he
said he did not plan on doing that. Obviously,
things have changed. He does -- his manager or somebody is planning on using it.

TRUSTEE MARTILOTTA: Okay.

MAYOR HUBBARD: So the stuff that we've said no to after our discussion at the previous public hearing, we could go back -- we were going to put a stipulation on, we said no. We could just add that on as a stipulation. This part of the wetlands permit we could just say we are prohibiting boats from docking at the east side of the main bulkhead towards the channel.

TRUSTEE MARTILOTTA: I like it.

TRUSTEE PHILLIPS: That fine.

TRUSTEE ROBINS: That's good.

TRUSTEE CLARKE: The only thing that sounds confusing to me, and that now looking at this again, is that this resolution and this permit has nothing to do with the area that we're discussing. His permit is for remediating bulkhead within the basin.

MAYOR HUBBARD: Correct.

TRUSTEE PHILLIPS: But he's --

TRUSTEE CLARKE: And we're not addressing that. We're talking about an existing bulkhead that is on the outside of the basin in the
channel. So I don't understand if it makes sense to tie a stipulation to a permit where the permit does not cover the area that we're trying to stipulate.

TRUSTEE PHILLIPS: If my understanding was that they -- the previous owners only did "X" number, a portion of the bulkhead, the east end first. That isn't this a continuation of the bulkhead that they didn't finish from the previous owners? Isn't that what the -- I can't remember what the -- I don't --

TRUSTEE CLARKE: Yes, it's a continuation.

TRUSTEE PHILLIPS: But it's the same bulkhead. It was the same project originally. He was supposed to do the whole --

TRUSTEE CLARKE: But he's not touching that section.

TRUSTEE ROBINS: Right.

TRUSTEE PHILLIPS: Wasn't he supposed -- wasn't the original -- when Mr. Raskin owned it, wasn't there an original permit for the whole bulkhead, but they only did the one section, they didn't do inside the basin?

MAYOR HUBBARD: I don't know if they had a permit for the whole thing and didn't do it. I
don't know.
TRUSTEE PHILLIPS: I thought they did.
ADMINISTRATOR PALLAS: I don't remember.
TRUSTEE PHILLIPS: I thought they did, but
I'm trying -- you know, I'm going on memory,
that's why I'm saying it's --
TRUSTEE MARTILOTTA: Could we ask the CAC?
TRUSTEE PHILLIPS: We're all going on
memory without paperwork in front of us.
MAYOR HUBBARD: Right.
TRUSTEE CLARKE: I have the -- I have my
entire packet from July right here, if anybody
wants to review it.
MAYOR HUBBARD: Yeah. She's talking about
the work that was done eight years ago down
there --
TRUSTEE CLARKE: Oh.
MAYOR HUBBARD: -- with the bulkhead from
the previous applicant. Go ahead, Paul.
ADMINISTRATOR PALLAS: A little more than
memory, the -- I think the original permit did
include all of the bulkheading, they never
finished it.
TRUSTEE PHILLIPS: Right.
ADMINISTRATOR PALLAS: The permit expired,
TRUSTEE PHILLIPS: Reapplied.

ADMINISTRATOR PALLAS: That's what's before you now. So the original permit did include, to the best of my knowledge, the entire bulkhead.

TRUSTEE ROBINS: Including the east bulkhead that's facing the channel?

TRUSTEE PHILLIPS: Yes.

ADMINISTRATOR PALLAS: I believe that's correct.

TRUSTEE ROBINS: I mean, I know we're coming up with questions that we can't really answer right now, and I don't necessarily like, Peter says, you know, stopping the vote on this, but, you know, we have things that we have to answer.

TRUSTEE CLARKE: Then I rest my case, and I'm happy to vote on an added stipulation, if you believe that the intent of the permit covers and pertains to the entire bulkhead.

MAYOR HUBBARD: Yes, I believe it does. And the discussion did come up at the public hearing, we talked about this. You know, everybody agreed with the consensus at that time not to add the conditions in. But now, upon new
information and everything else, and we pass it
with this, if the applicant is not happy with
that, he has his recourse to go and challenge our
ruling. That's happened before on wetlands
permit, and, you know, I mean, that is the option
that he has.

TRUSTEE CLARKE: Very good.

MAYOR HUBBARD: His lawyers can challenge
it and say, "You can't do that," and that would
be up to a Judge to administer that. But we're
protecting the good of all of the Village by the
channel being open and nobody docking a boat
right there, especially if they're advertising it
before they even have the wetlands permit
approved.

TRUSTEE CLARKE: Absolutely.

MAYOR HUBBARD: So that's my feeling on it,
you know.

TRUSTEE CLARKE: And I support it

TRUSTEE ROBINS: And I supported it, too.

MAYOR HUBBARD: Okay.

TRUSTEE MARTILOTTA: Yeah, I would.

TRUSTEE ROBINS: That's what I wanted to
hear.

MAYOR HUBBARD: All right. So I'll offer
to amend RESOLUTION #01-2020-15, to add in, "Prohibit any boat from docking on the east side of the main bulkhead facing the channel to Stirling Creek."

TRUSTEE MARTILOTTA: Second.
MAYOR HUBBARD: Any discussion?
TRUSTEE MARTILOTTA: I like it.
TRUSTEE ROBINS: No.
MAYOR HUBBARD: All in favor on the amendment?
TRUSTEE MARTILOTTA: Aye.
TRUSTEE CLARKE: Aye.
TRUSTEE PHILLIPS: Aye.
TRUSTEE ROBINS: Aye.
MAYOR HUBBARD: Aye.
Opposed?
(No Response)
MAYOR HUBBARD: Motion carried.
All in favor of the resolution as a whole?
TRUSTEE MARTILOTTA: Aye.
TRUSTEE ROBINS: Second.
TRUSTEE PHILLIPS: You need a second.
TRUSTEE MARTILOTTA: Oh, second. I apologize.
MAYOR HUBBARD: Well, we had already
seconded that, but then we amended it.

TRUSTEE PHILLIPS: Oh, I'm sorry, okay.

All right.

MAYOR HUBBARD: But that's --

TRUSTEE MARTILOTTA: I'll second again.

MAYOR HUBBARD: Okay, seconded. And all in favor of the motion as a whole?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILOTTA: Okay.

TRUSTEE PHILLIPS: Okay.

MAYOR HUBBARD: Okay. That's you, Jack.

TRUSTEE MARTILOTTA: RESOLUTION #01-2020-16,

RESOLUTION scheduling a public hearing for
7:00 p.m. on February 27th, 2020 at the Third
Street Fire Station, Third and South Streets,
Greenport, New York, 11944 regarding the Wetlands
Permit Application submitted by applicant
Robert I. Brown Architect, P.C. on behalf of

Flynn Stenography & Transcription Service
(631) 727-1107
owner Scott Wachenfeld to add a second story and
undertake interior renovations on the property at
3 Sandy Beach, Greenport, New York, 11944; and
directing Clerk Pirillo to notice the public
hearing accordingly. So moved.

   TRUSTEE PHILLIPS:  Second.
   MAYOR HUBBARD:  All in favor?
   TRUSTEE MARTILOTTA:  Aye.
   TRUSTEE CLARKE:  Aye.
   TRUSTEE PHILLIPS:  Aye.
   TRUSTEE ROBINS:  Aye.
   MAYOR HUBBARD:  Aye.
   Opposed?
   (No Response)
   MAYOR HUBBARD:  Motion carried. Make sure
   the CAC reviews that and gets back to us.
   ADMINISTRATOR PALLAS:  Yeah, absolutely,
   yes.
   MAYOR HUBBARD:  Okay, thank you.
   TRUSTEE PHILLIPS:  RESOLUTION #01-2020-17,
   RESOLUTION approving the Public Assembly Permit
   Application submitted by the Greenport BID for
   the use of various Village streets from 8:00 a.m.
   through noon on March 15th, 2020 for a three-mile
   running/walking event. So moved.
TRUSTEE CLARKE: Second.

MAYOR HUBBARD: Just a brief discussion. Are we going with Option 2 on our recommendation on this?

CLERK PIRILLO: Yes.

MAYOR HUBBARD: That's -- okay.

TRUSTEE MARTILOTTA: Yeah.

MAYOR HUBBARD: That will be Option 2 of the two proposals, okay?

TRUSTEE ROBINS: I think we had a consensus on that.

MAYOR HUBBARD: Just so everybody is clear on that, because there was two choices. That's what we're going with.

Okay. All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #01-2020-18, Approving the Public Assembly Permit Application

Flynn Stenography & Transcription Service
(631) 727-1107
submitted by the Star Hose Company of the
Greenport Fire Department for the use of the Polo
Grounds at Moore's Lane from 5:00 p.m. through
11:00 p.m. each day from May 21st, 2020 through
May 24th, 2020 for the annual Carnival
fundraiser, with a fireworks display scheduled
for May 23rd, 2020 with a rain date of May 24th,
2020. So moved.

TRUSTEE ROBINS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE ROBINS: RESOLUTION #01-2020-19,

RESOLUTION setting the 2020 Village of Greenport
property tax lien sale for 10:00 a.m. on
March 10th, 2020 at Village Hall, Greenport
Village Hall, 236 Third Street, Greenport,
New York, 11944; and directing Clerk Pirillo to
notice the tax lien sale accordingly. So moved.

Flynn Stenography & Transcription Service
(631) 727-1107
TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILOTTA: RESOLUTION #01-2020-20, RESOLUTION approving the appointment by the Village of Greenport Board of Trustees of Robert Brandt as the hearing officer to conduct a hearing pursuant to Civil Service Law § 75. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)
MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: RESOLUTION #01-2020-21,

RESOLUTION accepting the attached proposal and rate schedule from KPC Planning Services, Inc.

for professional planning services for the Village of Greenport Board of Trustees and the Village of Greenport Planning Board, and authorizing Mayor Hubbard to sign the agreement between KPC Planning Services, Inc. and the Village of Greenport. So moved.

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILLOTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

TRUSTEE ROBINS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #01-2020-23,

Approving all checks per the Voucher Summary Report dated January 17th, 2020, in the total amount of $318,880.36 consisting of:

0 All regular checks in the amount of...
$289,837.37, and

    o All prepaid checks (including wire transfers) in the amount of $29,042.99.

    So moved.

    TRUSTEE ROBINS: Second.

    MAYOR HUBBARD: All in favor?

    TRUSTEE MARTILOTTA: Aye.

    TRUSTEE CLARKE: Aye.

    TRUSTEE PHILLIPS: Aye.

    TRUSTEE ROBINS: Aye.

    MAYOR HUBBARD: Aye.

    Opposed?

    (No Response)

    MAYOR HUBBARD: Motion carried.

    Okay. That concludes the regular agenda.

    I'll offer a motion to adjourn the meeting at

    8:52.

    TRUSTEE MARTILOTTA: Second.

    MAYOR HUBBARD: All in favor?

    TRUSTEE MARTILOTTA: Aye.

    TRUSTEE CLARKE: Aye.

    TRUSTEE PHILLIPS: Aye.

    TRUSTEE ROBINS: Aye.

    MAYOR HUBBARD: Aye.

    Opposed?
(No Response)

MAYOR HUBBARD: Motion carried. Thank you all for coming.

(Time Noted: 8:52 p.m.)
CERTIFICATION

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

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

THAT, the above and foregoing contains a
true and correct transcription of the proceedings

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

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

Lucia Braaten
Lucia Braaten
### Regular Session 1/23/20

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### Flynn Stenography & Transcription Service
(631) 727-1107
true [r] - 8.5, 114.11
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86:20, 86:21, 86:23,
87:8, 87:15, 88:7,
88:16, 88:20, 88:21,
88:22, 88:23, 88:25,
Initial draft of proposed RFP for services

The Greenport Fire Department is accepting RFPs for the following services

1) evaluate, define deficiencies, create corrective action plan and give instruction on implementation of corrective action plan to address minimum basic requirement for all mandated annual trainings and policies necessary for the Greenport Fire Department to comply with pertinent NYS Public Employee Safety and Health Act.

2) evaluate, define deficiencies, create corrective action plan and give instruction on implementation of corrective action plan to address minimum basic training requirements as outlined in Greenport Fire Department By-Laws.

3) proposal should also include any necessary fees for and Annual or Bi-Annual “follow up” to address potential additional needs or changes in regulations.
Vehicles for Surplus

1. 2007 Ford F-450 Super Diesel
   Vin #: 1FDXF46R28EC01919

2. 2005 Chevrolet Suburban
   Vin #: 3GNGK26U75G255172

3. 1989 Ford F-350
   Vin #: 1FDKF37H2KNA71349

4. 2001 International 4700 (Dump Truck)
   Vin #: 18HTSCAAL22H520528

Vehicle to Dispose of

1. 2002 Chrysler Van
   Vin #: 2C4GP44312R779911
VILLAGE OF GREENPORT
Budget Adjustment Form

Year: 2020  Period: 12  Trans Type: B2 - Amend
Trans No: 4248  Trans Date: 12/13/2019  User Ref: STEPHEN
Requested: A. HUBBARD  Approved:  Created by: STEPHEN
Description: TO APPROPRIATE RESERVES TO FUND SCREW PUMP REPAIR AT WWTP

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Total Amount: 11,500.00
BOARD OF TRUSTEES
VILLAGE OF GREENPORT

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

WHEREAS an application for a wetlands permit approval was filed by applicant Paul Pawlowski on behalf of 123 Sterling Avenue, LLC with the Board of Trustees of the Village of Greenport; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Upon motion by Trustee
seconded by Trustee
this resolution is carried as follows:

Dated: December 27, 2019
Tuesday, January 07, 2020

Village of Greenport
Mayor George W. Hubbard, Jr.
Village Hall
236 Third Street
Greenport, NY 11944

RE: Professional Planning Services

Dear Mayor Hubbard:

KPC Planning Services, Inc. is pleased to submit the enclosed qualifications and rate schedule for professional planning services. We would be pleased to provide professional planning services for the Village Trustees, and the Village Planning Board as needed. The prospective work in the Village would draw on our expertise in crafting local planning initiatives that ensures future development will be consistent with the goals and objectives of the Village.

KPC Planning Services, Inc. is a full service planning firm with a strong reputation for providing high quality planning services to a number of municipalities to assist with all their planning related needs, including but not limited to, land use and related studies, long range planning initiatives, design guidelines, code amendments, as well as the review and preparation of documentation pursuant to the requirements of the State Environmental Quality Review Act (SEQRA).

If you have any questions or require further documentation, please feel free to contact me personally at 631-365-1170.

Thank you for your consideration.

Sincerely,

KPC Planning Services

Kyle P. Collins, AICP

16 Library Avenue, Westhampton Beach, NY 11978
t: 631-365-1170 e: kpcplanningl@optonline.net
COMPREHENSIVE PLANNING SERVICES
- Land Use Planning and Zoning
- Environmental Impact Review (State Environmental Quality Review Act)
- Comprehensive Planning
- Site Planning
- Local Waterfront Revitalization
- Compliance review of Site Plan, Subdivision, and Wetlands Applications
- Design Guidelines - Preparation and Review
- Drafting of Zoning Legislation

GENERAL PLANNING SERVICES
We currently or have provided general planning services to the following municipalities:

Village of Westhampton Beach
- appointed by the Village as Village Planner to provide long range planning services for the Village Trustees and to provide general planning services associated with development applications for the Planning Board.

Village of Belle Terre
- assist with SEQRA review associated with development applications; provide professional planning services to the Village Trustees associated with development applications, including special permit, and site plans applications.

Village of Islandia
- assist with SEQRA review associated with development applications; provide professional planning services to the Village Trustees associated with development applications, including zone changes and site plans.

Town of Southold
- assist with SEQRA review associated with development applications

LONG RANGE PLANNING PROJECTS
KPC Planning Services, Inc. is currently involved with the following long-range planning initiatives:

Village of Westhampton Beach
2006 Business Districts Comprehensive Plan Update
The Village of Westhampton Beach, facing significant development and growth pressures, particularly within its business districts, hired our firm to prepare the 2006 Business Districts Comprehensive Plan Update. The Business Districts Comprehensive Plan establishes a land use oriented framework intended to provide the Village with an overall strategy to guide future commercial development. The plan identifies the visions and goals for the downtown and other business districts; provides an inventory of the number and types of businesses in the Village, business vacancies and the amount of vacant business-zoned land; assesses the development potential of the business districts, including the relationships with available parking and recommendations for future parking needs, as well as infrastructure constraints; analyzes the existing land use patterns in the study area; recommends a future land use plan with recommendations for amending the zoning map; and recommends land use and design management strategies needed to implement the Comprehensive Plan.
Proposal for Professional Planning Services
KPC Planning Services, Inc.
Village of Greenport

Town of Southampton
Riverside Mixed Use PDD
KPS Planning Services, Inc. is drafting zoning regulations and design guidelines to implement the goals of the Riverside Hamlet Center Mixed Use Plan Development District Study. The adoption of the Riverside Hamlet Center Mixed Use Planned Development District by Town of Southampton will implement the vision established in the for Riverside’s future, centered on the creation of a new downtown, Riverside Hamlet Center. The design guidelines we are developing are intended to create a sense of place - the recognized heart of the community. The goals of the design guidelines are to offer a vibrant mix of activities and uses consistent with a traditional "downtown"; provide a flexible design concept that can respond to changes in market forces; make the Riverside Hamlet Center easily walkable by providing quality pedestrian links; provide adequate parking, but do not allow it to dominate the landscape; and integrate Riverside Hamlet Center into the community through transportation connections (pedestrian/bicycle/vehicular/transit) and visual connections (streetscape theme).

Town of Southampton
Country Road 39 Corridor Study
The expansion of CR 39 in the Town of Southampton to four lanes is expected to have a profound impact on area land use patterns, both spurring new development and presenting opportunities for area improvement through redevelopment. To plan for addressing these impacts and taking advantage of the opportunities presented, the Town of Southampton hired our firm as part of a consulting team to prepare the CR 39 Corridor Study that will:

- Identify, consolidate, confirm and update goals and objectives for the corridor.
- Formulate and evaluate alternative rezoning scenarios.
- Propose other land use planning and development strategies as may be appropriate, such as procedural changes, regulations for environmental protection, historic preservation, etc.
- Identify necessary infrastructure improvements for accommodating anticipated new development.
- Recommend other capital projects to improve the area’s appearance, provide public amenities, and support walking, cycling and the use of mass transit.
- Address specific large-scale projects and user populations, including the student population at SUNY Southampton, the proposed hospital relocation, senior and affordable housing, etc.
- Provide a detailed plan for implementation.

Town of Southampton
Commercial District Design Guidelines – Town Wide
In response to increasing concerns about the quality and character of commercial development throughout the Town, KPC Planning Services, Inc. was hired to work with staff in preparing comprehensive design guidelines for a range of development types in all of the commercial zoning districts in the Town. The intent of these principles and guidelines is to establish the design principles and standards in a cohesive manual to give guidance and direction to the Town for the review of proposed structures, site amenities, landscaping, and streetscape improvements. The guidelines provide a design context for site planning, building design, and landscape plans.
Proposal for Professional Planning Services
KPC Planning Services, Inc.
Village of Greenport

They are intended to provide flexibility to allow for individual diversity but at the same time provide a comprehensive framework to promote a unique and identifiable character within each of the hamlets in the Town and their surrounding neighborhoods. The design guidelines take into the account the local geography, community character identified within each of the hamlets, natural and aesthetic resources, history and social and cultural patterns.

Town of Southampton
Flying Point Mixed Use PDD
KPC Planning Services, Inc. was hired by the Town of Southampton as part of a consulting team to draft zoning regulations and design guidelines to implement the goals of the 1999 Town of Southampton Comprehensive Plan Update as it relates to establishment of the Flying Point Mixed-Use Planned Development District to create a new “downtown” on a total of 3.9 acres of land to provide a place where people can shop, work and live, and act as a gateway between the hamlet of Water Mill and Southampton Village. The regulations and design standards we are developing are being established for use by the Town in controlling and guiding the development of the subject site and to attain the following objectives:

A. Promote an efficient and purposeful use of vacant and previously disturbed land.
B. Establish innovative land use and zoning standards.
C. Create a gateway that promotes the “town and country” image of the Town of Southampton by providing a small mixed-use center that provides for shopping, living and working.
D. Create a place that provides for small business incubation and retention in keeping with the specialty retail draw of the Town.
E. Provide an opportunity for affordable owner and rental housing to meet some of the demand of the community.
F. Improve the perception of traffic flow by creating a secondary system of streets that helps to absorb traffic from main arterials.
G. Improve traffic flow by providing pedestrian access to and around the development.
H. Improve traffic flow by creating a mixed-use development that will generate less vehicle trips because people can live, work and shop all in one stop.
I. Encourage comprehensive and innovative planning and design of the highest quality, utilizing and incorporating a variety of land uses.
KPC Planning Services, Inc. Personnel and Fees

Key Personnel

Kyle P. Collins, AICP
Principal-in-Charge

Fee Schedule

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