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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

February 23, 2015
6:00 P.M.

- B E F O R E:
- DAVID NYCE - MAYOR
- GEORGE HUBBARD, JR. - TRUSTEE
- DAVID MURRAY - TRUSTEE
- MARY BESS PHILLIPS - TRUSTEE
- JULIA ROBINS - TRUSTEE
- JOSEPH PROKOP - VILLAGE ATTORNEY
- JEANMARIE ODDON - VILLAGE DEPUTY CLERK
- PAUL PALLAS - VILLAGE ADMINISTRATOR

1 (Whereupon, the meeting was called to order
2 at 6:00 p.m.)

3 MAYOR NYCE: Good evening. I'll call this
4 meeting to order. If you'll please rise and join
5 me for the Pledge of Allegiance.

6 (Whereupon, all stood for the Pledge of
7 Allegiance.)

8 MAYOR NYCE: Thanks. If you'll please
9 remain standing for a moment of silence for
10 Harry J. Baglivi, Barbara O. Cameron, Joan Gay
11 Kent, Carol E. Kirkpatrick Spooner.

12 (Whereupon, all remained standing for a
13 moment of silence.)

14 MAYOR NYCE: Thank you. You may be seated.
15 This is the February regular meeting of the Board
16 of Trustees of the Village of Greenport.

17 I have under our first announcement, the
18 Tree Committee has been -- has received its 11th
19 designation as Tree City. And with that, Trustee
20 Hubbard, who is on that committee, has their
21 annual report and he would like to read it.

22 TRUSTEE HUBBARD: Okay. This is the report
23 of the 2014 Annual Report to Mayor and Trustees
24 from the Greenport Tree Committee.

25 The Village of Greenport Tree Committee is

1 pleased to present this report of its activities
2 in 2014, a year for which the Village received
3 its 11th Tree City Award.

4 Main Mission: Removal of hazardous Village
5 trees is part of our first mission, safety.
6 There have been more than 170 trees removed since
7 the reestablishment of the Tree Committee in
8 2007, including 24 removals in 2014. The Road
9 Crew removed several trees on Sixth Street, Front
10 Street, Main Street, and Mitchell Park and Third
11 Street. We have contracted a stump removal of
12 all the removed trees, so approximately 160
13 stumps have been ground out, a necessary step in
14 replanting the site.

15 Diversification of Species: Since 2007, we
16 have vigorously upgraded and diversified the
17 public trees we planted in the Village, having
18 overseen the planting of over 382 trees,
19 including 32 trees in 2014. Our tree census work
20 continued as we charted new gains and losses of
21 street trees.

22 Maintenance and Pruning: To maintain
23 proper pruning and care for the existing trees
24 that grace our Village is a huge task. By
25 supporting judicious pruning, we can help

1 preserve our existing tree canopy. Again in
2 2014, dozens of street trees were pruned by the
3 Village Road Crew, with Doug Peterson continuing
4 to apply the 10-foot rule along Village streets.
5 The Road Crew made good use of our watering truck
6 from May to December by following a
7 committee-devised map for weekly filling of gator
8 bags, increasing the prospect of success with the
9 new plantings. Committee volunteers worked on
10 fertilizing and mulching.

11 Community Support and Collaboration:
12 Greenport Tree Day/Arbor Day 2014 ceremonies were
13 held to recognize the volunteer efforts of May
14 Watson, a longtime tree advocate and a skilled
15 quilter, who made two beautiful quilts for the
16 Tree Committee to raffle off.

17 The retiring Village Administrator, David
18 Abatelli, was also recognized for his long-term
19 support and encouragement of our "Greening of
20 Greenport" efforts. The Old Schoolhouse was the
21 site of our celebration on May 22nd.

22 The committee helped the Class of 2014
23 plant its senior tree at Greenport High School,
24 and deliver tree saplings and information to the
25 school.

1 The Village Tree Committee expects to
2 receive it's \$12,000 matching grant shortly from
3 New York State DEC.

4 Dena Zemsky, a Sixth Street resident, has
5 continued her practice of donating to the Tree
6 Committee whenever her company, On the Mark
7 Locations, uses a Village location for a photo
8 shoot.

9 The Committee wishes to thank Mayor Nyce
10 and the Board of Trustees for their continued
11 support. Respectfully submitted this February
12 10th, 2015, John Quinlan, Village Tree Committee
13 Chair, Polly Dixon, Jack Weiskott, Jane Ratsey
14 Williams and George Hubbard.

15 Just a note. Coming up, please join us at
16 the 2015 Greenport Tree Day/Arbor Day Community
17 Celebration Thursday, May 21st, at 10 a.m., at
18 the Larry Tuthill Park at the Visitors Dock, with
19 a guest to be determined. Thank you very much.

20 I want to just thank the Tree Committee for
21 all the work and stuff they've done in the past
22 year.

23 MAYOR NYCE: Absolutely. A very active
24 committee, and, yeah, congratulations on the 11th
25 Tree City. It's eight, and then were three

1 prior?

2 TRUSTEE HUBBARD: Three prior, yes. For
3 the past eight years we've gotten it.

4 MAYOR NYCE: That's terrific. A couple of
5 more announcements. The annual Village tax lien
6 sale will be held on March 10th, at 10 a.m., in
7 Village Hall. That is generally upstairs in the
8 conference room. Anybody that cannot make the
9 stairs, please see someone downstairs in the
10 office. We'll make arrangements for the people
11 holding the tax sale to come down to you.

12 Also, many of you are aware that there was
13 a fire this past weekend and a local resident has
14 lost their house entirely. Collections are being
15 taken. Monetary donations can be made through
16 CAST, Community Action for Southold Town. You
17 can either go to their website and you can do
18 those by check, cash or PayPal. In the memo
19 section, please write "Greenport Fire".
20 Donations of goods and clothing can be made at
21 Village Hall Monday through Friday, 8:30 to 4:30.
22 And, I'm sorry, the hours for CAST are 9 to 11
23 and 1 to 5, Monday through Friday. And our
24 thoughts are with the family that lost their
25 house.

1 A Village election will be held on March
2 18th, 2015 to fill the positions of Mayor and two
3 Trustees. There will be two Village Voter
4 Registration Days, March 5th, from 8:30 a.m. to
5 5 p.m., and March 7th, from 11 a.m. to 5 p.m.
6 Same thing applies. Those are usually upstairs.
7 If the stairs are an issue, please see someone
8 downstairs and we'll make arrangements.

9 The Clerk's Office is accepting absentee
10 ballot applications for the March 18th, 2015
11 election. Kindly note that the applications are
12 returnable to the Clerk's Office and not the
13 Board of Elections.

14 Under Public Interest, there is a liquor
15 license application for Deep Water Bar and Grill
16 at 47 Front Street.

17 A note on the agenda. It says continuation
18 of public comment period, and that will be lumped
19 into the public interest -- the public to address
20 the Board section. Just make a note, if you're
21 making a comment about Airbnb or short-term
22 rentals, those comments will be taken down and
23 given to the Code Committee, but we're going to
24 lump them into the public portion, rather than
25 have a separate portion for that, which brings us

1 to our public hearings.

2 First up is a Wetlands Permit Application
3 from the Brewer Yacht Yard. I will state that
4 this public hearing was properly noticed. People
5 that wish to comment can do so at this time, and
6 their comments will be taken down for the record.

7 Generally, what we do is we open it up
8 first to the applicant to let them give an
9 overview, and then open it up for public comment,
10 reserving the right of the applicant to come back
11 to address questions, if there some raised. If
12 you're going to comment, please, when you come to
13 the podium, state your name and address for the
14 record. And, at this point, we'll turn it over.
15 I'm going to assume you are representing the
16 applicant.

17 MR. COLLINS: Good evening. My name is
18 Zachary Collins. I'm with the firm of High Point
19 Engineering, with offices at 521 Conklin Street
20 in Farmingdale, New York. I'm here on behalf of
21 Brewer Stirling Harbor Marina at Greenport for
22 the application of replacement of approximately
23 200 linear feet of existing bulkhead that has
24 shown signs of stress and disrepair to prevent
25 any potential damage to persons and property.

1 The application also includes replacement
2 of the fixed dock that is attached to the
3 bulkhead that ranges from between three feet to
4 eight feet in width. No change to the existing
5 width. The dock will be replaced in kind. The
6 floating docks attached to the bulkhead will
7 remain in place.

8 Also included in the application is the
9 demolition and replacement of a restroom and
10 laundry building that needs to be demolished in
11 order to facilitate the installation of the new
12 bulkhead and the repair work that is proposed.
13 No change is proposed to the building coverage,
14 footprint or floor area on the existing building.

15 And it is noted we do have all applicable
16 other agency approvals in place, other than the
17 Village of Greenport, the Town of Southold, Board
18 of Trustees, Building Department, DEC, as
19 applicable.

20 So that concludes my brief introduction of
21 the -- of the application, and I'm open to ask
22 any -- answer any questions you may have.

23 It is noted that -- I'm sure the Board
24 members are aware that the applicant did start
25 work under the belief that an old wetlands permit

1 was still active. As soon as they did receive
2 notice from the Village that that was not the
3 case, they immediately stopped work in order to
4 pursue the proper approvals from the Village.

5 MAYOR NYCE: Terrific. Before I open it up
6 to Board Members for questions, is there anybody
7 from the public that wishes to address the Board
8 on this wetlands application? In the back.

9 MR. ANDRIANAS: You want comments in
10 support of the application at this time or after
11 the --

12 MAYOR NYCE: We'll take comments of any
13 sort, as long as they're polite. Please, come to
14 the podium and state your name and address for
15 the record, please.

16 MR. ANDRIANAS: There's a copy, a written
17 copy of that.

18 MAYOR NYCE: Terrific. Thank you very
19 much.

20 MR. ANDRIANAS: My name is Nicholas
21 Andrianas. I live at 1 Sound Breeze Drive in
22 Miller Place. I've been coming out to Greenport
23 and East Marion since I was very young, and have
24 spent a lot of time here, I still spend time
25 here. And for the last 15 years, almost 20

1 years, I've been coming to Townsend Marina and to
2 Brewer's Marina. And I'm offering the following
3 comments on -- as provided in support for the
4 permit application on behalf of a number of
5 people, and the list of people that support the
6 project is attached to the letter I provided to
7 you. I'll just read the letter, then, for the
8 record.

9 "On behalf of the attached list of
10 supporters, we kindly request that the Village of
11 Greenport approve the Wetlands Permit Application
12 for the proposed project at Brewer's Greenport
13 Stirling Harbor Marina, so that Brewer Yacht Yard
14 can complete the work by April 15th for the
15 benefit of the Village, marina patrons and
16 Village tourists.

17 We support the project based on the
18 following items:

19 Number one, Brewer's Stirling Harbor and
20 Brewer Yacht Yard Marinas provide seasonal
21 accommodations between April and November for
22 approximately 400 boats and nearly 2000 people.
23 Brewer has significantly invested in the Stirling
24 Harbor and Brewer Yacht Yard Marinas, including
25 replacement of aged and damaged bulkheads and

1 buildings, beautiful landscaping, and immaculate
2 service facilities.

3 Number 3, the marinas provide park-like
4 settings, customer lounges, two restaurants,
5 swimming pools, picnic areas for patrons, guests,
6 visitors, many of whom come from the Village of
7 Greenport and surrounding neighborhoods.

8 Number 4, the Brewer Greenport Marinas have
9 become mariner destinations and tourist
10 attractions to the Village of Greenport for
11 mariners and friends throughout New Jersey,
12 Maryland, New York, Connecticut and the New
13 England area.

14 Number 5, the facility improvements
15 completed by Brewer aesthetically stand out to
16 visitors to the Village of Greenport and Stirling
17 Harbor in light of many of the aged, rundown
18 areas, vessels, and other structures visible to
19 tourists and local residents as they approach the
20 Village waterfront.

21 Number 6, Brewer Marina is a rendezvous
22 destination for large groups of boaters, similar
23 to the accommodations provided by Village of
24 Greenport.

25 Number 7, the Village of Greenport is a --

1 excuse me, is a tourist area that benefits from
2 visitors.

3 Number 8, the marina patrons and visitors
4 patronize local businesses during the boating
5 season and off-season periods.

6 Number 9, the marinas employ as many as 40
7 full-time and part-time people.

8 Number 10, the restrooms, showers and
9 laundry facilities that will be constructed in
10 the replacement building at the marina are
11 necessary for the nearly 1,000 marina patrons,
12 restaurant patrons and employees at Stirling
13 Harbor Marina.

14 Number 11, reconstruction of restrooms and
15 laundry facilities is necessary in a timely
16 manner to minimize the demand on the Village of
17 Greenport sewage pumpout boat, and to minimize
18 the possibility that wastewater holding tanks and
19 vessels in our local waterways will be
20 overloaded.

21 Number 12, the bulkhead repairs at Stirling
22 Harbor are required to maintain the facility
23 docks and grounds.

24 Number 13, there is no increase in the
25 number of slips resulting from the bulkhead

1 repair.

2 Number 14, the demolition of the building
3 housing the restrooms and showers was required to
4 facilitate construction of the replacement
5 bulkhead.

6 Number 15, the new bulkhead to be
7 constructed to replace the previous
8 restroom/shower building will have the same
9 footprint and the same number of heads and
10 showers as the previous building.

11 Number 16, we understand that the permits
12 required under the other regulatory programs have
13 been obtained, and that bulkhead repairs and
14 construction have been completed at the marina
15 under Village of Greenport permit, with Village
16 approval, over the last several years, according
17 to the Village records.

18 In summary, the project mutually benefits
19 boaters and the Village. The boat owners, their
20 friends and guests help support the Village and
21 the Village shops, restaurants and various
22 businesses.

23 We appreciate your prompt review and
24 approval of the application, and look forward to
25 completion of the project by Brewer expeditiously

1 for the benefit of all the parties."

2 And it's signed by the list of supporters
3 I've provided to you. Thank you.

4 MAYOR NYCE: Thank you. Is there anyone
5 else who wishes to address the Board on this
6 Wetlands Permit Application? If not --

7 TRUSTEE ROBINS: David.

8 MAYOR NYCE: I'm sorry, in the back.

9 MR. CORWIN: My name is David Corwin, and I
10 put my head down on the pillow every night in the
11 Village of Greenport, as David Smith would say.

12 I'd like to give you just a brief history
13 of the LWRP, Local Waterfront Revitalization
14 Program. The LWRP was adopted in February of
15 1987. George Hubbard, Sr. was the Mayor at the
16 time. The LWRP is a planning tool. It came down
17 from the Federal Government to the states, and
18 from the states to the local governments. I
19 believe the Village of Greenport was one of the
20 first LWRPs, if not the first LWRP, in the State
21 of New York.

22 I note that Stirling Basin is listed as an
23 impaired water body by New York State Department
24 of Environmental Conservation. The creek is
25 listed as impaired because of coliform bacteria,

1 bacteria associated with fecal matter from humans
2 and wildlife. I would bet that a good portion of
3 the coliform bacteria detected in Stirling Basin
4 originates with humans, specifically waste from
5 toilet facilities and boats.

6 Policy 34 of the LWRP, which -- 1987, said
7 that in three years, every marina had to have a
8 pumpout.

9 I'm sorry, I didn't say one thing. I'm a
10 member of the Conservation Advisory Committee. I
11 should have said that.

12 The Village of Greenport, on their website
13 and in the office, has a little handout, "Boaters
14 Guide, No Discharge Zones and Pumpout
15 Facilities." It's on the website. You have to
16 look for it, but it's there.

17 And I want to note that enforcement of
18 Policy 34 has been difficult, because the Village
19 has little leverage to enforce it, other than to
20 take marina owners to court who aren't following
21 the law. Going to cause an expense of an often
22 unsure endeavor.

23 I don't know the status of Stirling Cove
24 Condominiums' pumpout, which we discussed two or
25 three months or so ago. Mr. Saladino said he

1 inquired of the Building Inspector -- he's a
2 member of the CAC -- and got a non-answer.

3 The Osprey Marina, which is on the west
4 side of Stirling Basin, has not installed a
5 pumpout, as required and agreed to by the
6 applicant's marine contractor, permit
7 administrator and attorney. I asked the Planning
8 Board not to accept an application for building
9 construction at the Osprey Marina until the
10 pumpout was installed. That's the only leverage
11 the Village has. The Planning Board accepted the
12 building application nonetheless.

13 I endorse Resolution 02-2015-18, as printed
14 on the agenda, and commend the Village Board for
15 attempting to get compliance with the LWRP.

16 At the Conservation Advisory Council
17 meeting, one of the Brewer's Managers said they
18 would do a pumpout, if they had to. They would
19 get a tanker to pump, put them on wheels and hide
20 it. In light of the failure of the applicant to
21 follow proper procedures in doing bulkhead
22 replacement, dock replacement and restroom
23 replacement, I submit that the only way you can
24 get compliance with Resolution 02-2015-18 is to
25 get a performance bond or a certified check to

1 hold in escrow until the project is completed.

2 Thank you.

3 MAYOR NYCE: Thank you. In the front here.
4 I guess John beat you to it.

5 MR. SALADINO: John Saladino, Sixth Street.
6 I wasn't going to speak. Oh, also, in the
7 interest of full disclosure, I'm also a member of
8 the CAC, and also a customer at Brewer's.

9 I wasn't going to speak to this tonight,
10 but I thought David did a great job, and I also
11 am in favor. And I think you guys did the right
12 thing with Resolution 18. But I, too, because of
13 the last two applicants -- the last two
14 applications that came before the Board for
15 marinas, it was mandated by resolution that they
16 install pumpouts and they haven't.

17 There's no doubt in my mind that Brewer's
18 will probably do the right thing, but I would ask
19 that as part of the resolution, that you make it
20 that the pumpout is installed and operational at
21 the completion of the project, so not that -- you
22 know, it's hard for me to say.

23 We all know what kind of happens. You
24 know, the applicant gets -- previous applicants
25 have gotten the approval, gotten their wetlands

1 permit, promised to put the pumpouts in and they
2 never did.

3 I'm not sure about a bond, I'm not sure
4 about -- but I would like something that, with a
5 time limit, that if the project is going to be
6 done by May 1st, April 1st, January 1st, whatever
7 first, that the pumpout will be installed and
8 operational on that date.

9 So thank you. Thanks for listening.

10 MAYOR NYCE: Thank you. In the front,
11 Mr. Acebo.

12 MR. SWISKEY: Oh, go ahead Mike.

13 MR. ACEBO: My name is Mike Acebo. I'm the
14 General Manager of Brewer Yacht Yard at Greenport
15 and Brewer Stirling Harbor Marina. I'm a member
16 of the CAC. Two folks have spoken as fellow
17 members. I worked with the Village, with George
18 Hubbard's father, to help write the Harbor
19 Management Plan with the DEC, with the
20 representative from the State. I probably am one
21 of the people that placed into that plan that
22 pumpout facilities be installed in marinas, and I
23 strongly believe in that. I have the only
24 private pumpout facility in the Town of Southold
25 and Greenport that is operational every year.

1 It's been -- we installed it.

2 We couldn't get a permit from the Health
3 Department at Brewer Yacht Yard at Greenport
4 because of the septic system. The system that we
5 have, it wouldn't support a pumpout facility.
6 So, instead of getting a State Federal grant for
7 a pumpout facility at Brewer Greenport, I paid
8 for it, I put it in. It's been operational for
9 20 years. It's used by the public. We use it
10 when we haul every boat out. Our customers use
11 it, and anybody who wants to come in and use it,
12 it's available. It's right in between our two
13 lift rails and it's free. I could charge
14 anything I want to for a pumpout, but mine
15 happens to be free. If it was a State-run
16 program, it would be \$5 a pop. Again, it runs
17 into our septic system and causes distress on our
18 septic system.

19 The DEC has a program called Best
20 Management Practices for existing marinas.
21 There's a publication you can print, it's a PDF,
22 and it's from the New York State DEC. It was
23 published in 2002 and it's updated, and it talks
24 about the way that existing marinas should
25 operate. It covers stormwater runoff, it covers

1 the runoff from washing bottoms, etcetera,
2 etcetera. It has a section on sewage.

3 And I'll just read you some of the
4 suggestions for Best Management Practices by the
5 New York State DEC.

6 It says, "Provide adequate toilet
7 facilities for marina patrons." We've done that
8 at both yards. We're attempting to do that again
9 at Stirling Harbor. We understand that restrooms
10 need to be clean, they need to be air
11 conditioned, and they need to work. We have
12 clean, working, air conditioned restrooms. Our
13 men's room at Brewer Yacht Yard at Greenport is
14 open 24/7. The Southold Town Police Department
15 come in and use it at night because it's
16 available. When there's a hurricane and the
17 power goes out in the Town of Southold,
18 thankfully, Greenport gets the power back up.
19 Loads of people use our air conditioned restrooms
20 after hurricane events because they're
21 operational. We maintain our restrooms, they're
22 clean. We have customers come in and say that
23 our restrooms are better than their ones at home.
24 We take pride in it.

25 It says, "Install a dump station for

1 mariners to empty portable heads." We use our
2 restrooms for that.

3 It does say, number three, "Install a
4 pumpout facility to encourage the discharge of
5 holding tanks shoreside." Then it says, "A Clean
6 Vessel Act Pumpout Grant Program, administered by
7 the New York State DEC and the Fish and Wildlife,
8 can provide up to 75% reimbursement of the cost
9 in upgrading a pumpout or dump station. Program
10 is funded through 1998." They still are funding
11 it, so you can get some help with that.

12 "Inspect your sanitary facilities on a
13 regular basis to ensure they are properly
14 maintained." Ours are cleaned every hour on the
15 hour.

16 The next item, it says a radio dispatch
17 pumpout vessel is another option. It eliminates
18 the need to use a pumpout at dock. And since it
19 is mobile, it could serve more than one marina,
20 okay? That's in the DEC suggestions. I
21 personally suggested that to the CAC members. My
22 suggestion was refuted, as that's not acceptable.
23 The DEC says it's a very good option, okay? I
24 agree with the DEC. Our customers don't want to
25 drive their boats to a fuel dock to pump it out.

1 You know that they want the Village pumpout boat
2 to come to their boats. The majority of the
3 Village pumpout work with the Village pumpout
4 boat is to Stirling Harbor Marina, and even
5 Brewer Greenport, where I have a pumpout, but
6 they don't want to move their boats. They don't
7 want to move their boats to go to Block Island,
8 okay? They just want to sit on them, okay? So
9 having a mobile pumpout is the best method to
10 handle the situation.

11 We have offered to turn a 17-foot Mako that
12 we have sitting in the yard into a mobile pumpout
13 boat. The offer is on the table, it was given to
14 the CAC. I don't know if they advised the Board
15 about that offer; it's there.

16 "Where disposal of holding tank waste into
17 a municipal sewer system is not possible, dispose
18 of waste in a properly designed onsite septic
19 system." "Properly designed onsite septic
20 system." The septic system at Stirling Harbor
21 Marina is basically surrounded on all four sides
22 by bay and wetlands. If that's a properly
23 designed septic system that happens to be
24 grandfathered into that property, I would dispute
25 that all day long. If anybody here wants to call

1 the DEC or the Health Department and ask them if
2 that's a properly designed, in today's standards,
3 septic system, please do, give them a holler.

4 They're going to say, "That's grandfathered in."

5 We replaced the grease trap for the
6 restaurant after we bought the property from the
7 Laceys, and the Health Department came down,
8 looked at the grease trap and said, "Don't apply
9 for a permit, please just do it, you're doing the
10 right thing." Terry Latham did that for us and
11 it works. Enough said on that.

12 "Do not discharge boat waste into a septic
13 system unless it has been designed for it."
14 "Into a septic system." Nowhere does the Best
15 Management Practices say to put a tank in the
16 air, to have a pumpout facility pump into a tank
17 in the air, and then have it collected by a
18 truck, okay? They don't suggest doing that at
19 all. They suggest having a pumpout boat, if you
20 don't have the proper sewage septic system.
21 That's what we're offering. That's what we would
22 like to offer the Village, is another pumpout
23 boat.

24 I count along the Village border that has
25 sewage system in Stirling Basin probably about

1 six facilities that do not have pumpout stations
2 that are hooked to a municipal sewer, yet nobody
3 has ever done anything to try to get these
4 facilities to hook up to a sewer. They're all
5 there. They run the whole length of Stirling
6 Basin on the west side, all the way from
7 Preston's, all the way from Claudio's. I'll
8 correct myself, all the way up to Kearn's Point.
9 They're all potentially hooked to a sewer, they
10 operate on a sewer system. None of them have
11 pumpout stations. They're commercial operations,
12 yet we're focusing on Stirling Harbor Marina to
13 put something into a septic system that's
14 surrounded by water. We've got wetlands on the
15 other side of Manhasset, we've got water on both
16 sides of the peninsula that that property sits on.

17 We have numerous -- I've spent years, I've
18 spent 30 years talking to Mayors and Village of
19 Greenport Board Members trying to get a sewer
20 line run down Manhasset Avenue to help control
21 the sewage issues that may be present down at --
22 off of Beach Road, in that neck of the woods, to
23 handle the sewage issues that exist at Stirling
24 Harbor and going back into Greenport. We have
25 two restaurants. We have begged to have a sewer

1 line run down that road. We have been told that
2 the DEC has at times informed the Village that
3 they have -- they don't -- aren't using the
4 capacity of their sewage system to its full
5 benefit. We've been told that by operators of
6 the sewage plant, by Trustees and by Mayors.
7 We've been told that the Village thought about
8 going to Shelter Island and helping Shelter
9 Island with their sewage situations.

10 Folks, we're taxpayers in the Village of
11 Greenport. We'd love a sewer line so we could
12 hook up to it. We want to take the restaurants
13 off of the septic systems, and we want to take
14 the public facilities that we have.

15 I've got right here action taken by the
16 Village Board of Trustees, September 28th, 2000.
17 At a special meeting of the Village of Greenport
18 Board of Trustees, held on September 28th, 2000,
19 a motion was made by Trustee Gail Horton,
20 seconded by Trustee George W. Hubbard, to approve
21 the wetlands application of the Stirling Harbor
22 Shipyard and Marina for a maintenance dredging
23 and dock and bulkhead permit that will run
24 concurrent with the already obtained DEC permit,
25 and conditioned on Stirling Harbor Marina

1 installing a permanent pumpout facility at such
2 time as the marina becomes connected to public
3 sewer. Okay? This is signed by Bradley Burns,
4 Gail Horton, George Hubbard, William Mills, and
5 David Kapell. Here it is right here.

6 This is the -- this is the undated,
7 unexpired wetlands permit in the Village of
8 Greenport. There's no expiration date on this.
9 This was obtained by Howard Wexler so that he and
10 Donna could sell the property down the line with
11 an unexpired permit for maintenance for bulkheads
12 and docks, because the place was falling apart.
13 But, at that time, they realized they needed to
14 upgrade the septic system, and requested that the
15 Village run a proper sewer line down Manhasset.
16 We're still asking for that.

17 Larry Tuthill worked with me. Merle Wiggin
18 worked with me. I can't name all of the Mayors
19 who have worked with me. Again, 31 years here,
20 folks, I've been over there, running a quiet,
21 clean, neat business, trying to get a sewage line
22 down that road; I'm still trying. I don't think
23 that we should be forced into causing more
24 distress to the environment by putting in a
25 pumpout station at the fuel dock to overflow a

1 grandfathered in septic system while we wait for
2 a sewer line that we've been requesting since
3 well before this was signed by the Board and the
4 Mayor, that they would look at putting in a sewer
5 line.

6 "The existing septic system for the
7 restaurant marina facilities at Brewer's Stirling
8 Harbor Marina is aged and only marginally
9 sufficient. While the system was constructed to
10 conform to the Suffolk County Health Department
11 standards at the time, it would be slightly less
12 than adequate for the current standards. The
13 system cannot be expanded, as it is on a
14 peninsula, and expansion would encroach on the
15 wetlands buffer in all directions.

16 Based on the above information, I don't
17 recommend adding an additional sanitary flow to
18 the septic system. John D. Hocker, P.E." That
19 was signed February 23rd, 2015.

20 TRUSTEE MURRAY: Today.

21 MR. ACEBO: Thank you

22 TRUSTEE MURRAY: That was signed today?

23 MR. ACEBO: Yeah,

24 TRUSTEE MURRAY: Okay.

25 MR. ACEBO: Yeah. And John and Terry

1 Latham have worked on that septic system, have
2 dug out all the rings and replaced the sand
3 around the rings. We've spent a huge amount of
4 money trying to keep that working. It is
5 marginal at best, it's grandfathered in. There
6 is no more area to put more rings. We cannot add
7 to it. We can't add to it. We're begging you
8 for a sewer line, that's what we're begging for.

9 We have offered considerable amounts of
10 money to the Village to help run a sewer line.
11 We understand that there's a pumping situation.
12 We know all of this, and we're ready to pitch in.
13 We're ready to pitch in. It would be a wonderful
14 thing, you know, we'd love to see it.

15 MAYOR NYCE: And your assistance is
16 appreciated. And I've been speaking with you and
17 prior, Jesse Gaffga. We do have a Feasibility
18 Study. We're going through those steps to make
19 it easier for us to acquire State and Federal
20 monies when we -- assuming we go forward with the
21 project, but understanding that Brewer's Stirling
22 had at all times offered up to partner with us,
23 and that is appreciated.

24 MR. ACEBO: Suffolk -- I mean, Newsday
25 today, "Septic System Funds Sought." All right?

1 It says here, "A letter was sent by the East End
2 Supervisors and Mayors Association representing
3 East Hampton, Southampton, Riverhead, Southold,
4 Shelter Island and the Villages within them." I
5 hope we've been involved in that.

6 MAYOR NYCE: Yeah, absolutely.

7 MR. ACEBO: Funding is being looked at, and
8 that would be a wonderful thing if funding became
9 available.

10 MAYOR NYCE: Absolutely.

11 MR. ACEBO: That's Newsday today.

12 MAYOR NYCE: Absolutely.

13 MR. ACEBO: A timely little piece of
14 information.

15 MAYOR NYCE: Thank you, Mike.

16 TRUSTEE ROBINS: Happy to see that this
17 morning. Thank you very much.

18 MR. ACEBO: Well, now you have a copy.

19 TRUSTEE ROBINS: That's even better.

20 MR. ACEBO: I made it for you.

21 TRUSTEE ROBINS: Thank you very much.

22 MAYOR NYCE: Next.

23 MR. SWISKEY: William Swiskey, 184 Fifth
24 Street.

25 Listening to Mr. Corwin, well, this permit

1 is going to entail a certain amount of fees to
2 the Village, right? Is it in the thousands?

3 MAYOR NYCE: Yeah, there are fees
4 associated with the --

5 MR. SWISKEY: How much? How much are they?
6 Are they significant?

7 MAYOR NYCE: I don't know off the top of my
8 head.

9 MR. SWISKEY: Paul, do you know?

10 MR. PALLAS: I don't know.

11 MR. SWISKEY: I believe it would be in the
12 thousands, knowing the Village Code, yet, as
13 Mr. Corwin mentioned, these people at Stirling
14 Harbor had done several projects without permits.
15 Are we going to try to recover those fees before
16 we give them this permit, because we should.
17 Maybe I'm a little greedy here, but I think about
18 the Village first, all right, and the Village
19 taxpayer and the Village Sewer Department could
20 use those fees, because -- and I'm also going to
21 tell you something else that I wasn't going to
22 mention, but now that he talks about -- it would
23 cost about a million-and-a-half dollars to bring
24 a sewer from Stirling Harbor basically into the
25 Village. You'd have to construct a larger pump

1 station, or another pump station by the -- so
2 that's basically a pipe dream.

3 And, Trustee Murray, you're a builder,
4 right? The basic thing now is when you build a
5 house, you put in a septic tank and two sets of
6 pools. You also have to have room for more pools
7 in case you put in more bathrooms, the County
8 requires that.

9 TRUSTEE MURRAY: More bedrooms, not
10 bathrooms.

11 MR. SWISKEY: More bedrooms. Well,
12 whatever it is, yeah, sorry. Now, they're --
13 Stirling Harbor is saying, "Well, our septic
14 system" -- well, get somebody to redesign the
15 damn system, because, believe it or not, in this
16 day and age, you can make it work. But to just
17 give it away, and for them to say that they can't
18 put in a pump station, well, that's slapping in
19 the face of our LWRP.

20 And I agree with Mr. Corwin and
21 Mr. Saladino, don't issue this permit unless they
22 agree to put that pumpout station in. Thank you.

23 MAYOR NYCE: Is there anyone else who
24 wishes to address the Board on this wetlands
25 permit application?

1 (No response.)

2 MAYOR NYCE: I'll open it to the Board. I
3 have a question. I did not see the full CAC
4 report. I do appreciate that the resolution
5 includes their recommendation for a pumpout
6 facility or a boat.

7 As a question, we have an arrangement with
8 Southold, that also has a pumpout boat funded by
9 the State, whereby we charge a discounted rate
10 per gallon to discharge into our sewer for their
11 mobile facility. Would Brewer's be interested in
12 a similar agreement if you -- you said you have a
13 boat that you rig as a pumpout, as a mobile
14 pumpout facility.

15 MR. ACEBO: Yes.

16 MAYOR NYCE: Is that an arrangement that we
17 could --

18 MR. ACEBO: Absolutely.

19 MAYOR NYCE: That we could work towards,
20 okay. So maybe that's an alternative, you know,
21 added on to this resolution, that as they -- as
22 they equip a boat, we can work on a -- I mean,
23 because we're more concerned about making sure
24 that the facilities are used and that people are
25 not discharging overboard. We don't -- we charge

1 the \$5, is what we get by the State mandate for
2 our pumpout boat, and then Southold does the same
3 thing. We charge a minimal amount for them to
4 discharge into our sewer system.

5 MR. ACEBO: We would hope and expect to
6 have a boat that could use the Mitchell Park
7 Marina pumpout facility.

8 MAYOR NYCE: Right.

9 MR. ACEBO: Because, again, it should go to
10 a sewer.

11 MAYOR NYCE: Right, exactly.

12 MR. ACEBO: So we would be -- we would make
13 it so the boat would travel from Stirling Harbor
14 and Brewer Greenport, and probably the mooring
15 field --

16 MAYOR NYCE: Right.

17 MR. ACEBO: -- because they're going to see
18 us, and the discharge would be at Mitchell Park
19 Marina, because that makes sense.

20 MAYOR NYCE: And having two boats, the
21 Village boat and your boat --

22 MR. ACEBO: Thank you.

23 MAYOR NYCE: -- having two boats is that
24 much better.

25 Does anyone have an objection if we were to

1 add that into this resolution as a
2 recommendation, or just leave it as a
3 sub-agreement? I mean, we can do it. It does
4 mention the availability of a pumpout boat. They
5 have mentioned that they have one, and we could
6 enter into an agreement. Yes, Paul?

7 MR. PALLAS: I'm sorry. I just want to
8 point out the -- on the approval from the CAC, it
9 wasn't "or", it was "in addition to" pumpout
10 boat.

11 MAYOR NYCE: Okay.

12 MR. PALLAS: Just to clarify.

13 MAYOR NYCE: To finalize it, when they have
14 that pumpout facility, that we would then --
15 rather than having them have to discharge into
16 their septic system, we could have them discharge
17 into the sewer, until such time as there is a
18 sewer line running down Manhasset Avenue in 30
19 more years. I hope not, I hope it's much sooner
20 than that. But if that's agreeable, that at
21 least eliminates that hurdle.

22 As far as -- I know that there was a --
23 because work was done prior, there was a
24 violation issued. I'm assuming there's a fine
25 involved in that. That would not go, by the way,

1 to the Sewer Department, Mr. Swiskey, that would
2 stay in the General Fund. Fines and fees for the
3 Building Department are done that way.

4 Does anyone else from the Board have any
5 comment or suggestions on this?

6 TRUSTEE ROBINS: I'm in support of your
7 project. The two things that did bother me were
8 that you did that demolition prior to being
9 issued a permit. And I know -- I mean, this
10 permit is from 2000? You're saying that that's
11 an open-ended permit?

12 MR. ACEBO: The question is what's the
13 date, expiration date on that permit?

14 TRUSTEE ROBINS: Well, there is -- I mean,
15 I don't know.

16 MR. PROKOP: Well, I think under the
17 code --

18 TRUSTEE ROBINS: Talk to the Attorney.

19 MR. PROKOP: I believe under the code,
20 there's expiration dates for permits. I'll have
21 to check that.

22 TRUSTEE ROBINS: I've never heard of an
23 open-ended permit.

24 MR. PROKOP: And we'll get -- we will --
25 the Building Inspector or Building Department

1 will contact you about that.

2 MAYOR NYCE: I know we did -- when you guys
3 did a project, was it last spring or the spring
4 before, they're all running together, and Jesse
5 pulled out the same thing. There had been
6 agreements for maintenance of docks and dredging,
7 etcetera, between the Village and Brewer's
8 Stirling --

9 MR. ACEBO: Right.

10 MAYOR NYCE: -- in years past.

11 MR. ACEBO: Right.

12 MAYOR NYCE: And we just updated that. You
13 were just doing -- you were replacing in kind at
14 that point as well, and we went through this very
15 same process, as I recall.

16 MR. ACEBO: Which is what we did now.

17 MAYOR NYCE: Right, exactly, exactly.

18 TRUSTEE ROBINS: I found your presentation
19 to be very educational. I appreciate it,
20 Mr. Acebo.

21 MR. ACEBO: What's that?

22 TRUSTEE ROBINS: I found your
23 presentation --

24 MR. ACEBO: Thank you.

25 TRUSTEE ROBINS: -- to be -- clarified a

1 number of things for me.

2 The other question is on our wetlands
3 permit application, okay, at the bottom, Number
4 10, proposed starting date is 1/14/14, and
5 completion date is 3/1/14? That's last year,
6 so --

7 MR. ACEBO: I think that's a mistake.

8 MAYOR NYCE: Well, we'll changed it to the
9 -- the year is '15.

10 TRUSTEE ROBINS: Yeah, it's a mistake, but
11 it has to be corrected.

12 MR. ACEBO: It has to be dated properly.

13 TRUSTEE ROBINS: When you submit it, it has
14 to be corrected, okay, please? It's a
15 scrivener's error, but it needs to be corrected.

16 MR. ACEBO: On the notice, I think there's
17 a street and address modification that needs to
18 be made in the -- the Village is calling that
19 road Manhasset Avenue. It's got an "N" in it.

20 MAYOR NYCE: It's Manhasset.

21 TRUSTEE ROBINS: It's Manhasset, yeah.

22 MR. ACEBO: And the address is 1410.

23 MAYOR NYCE: That's correct. But it does
24 say Manhasset, not Manhasset. We will make those
25 corrections.

1 Any other comments from the Board?

2 MR. PROKOP: I just had a question about
3 the language that you wanted, you'd like to add
4 in regarding the Mitchell Park facility. Is that
5 going to be added in tonight?

6 MAYOR NYCE: I'm fine with it being an
7 arrangement that we make with them. I mean,
8 we're requiring them to get a pumpout boat. We
9 can make the arrangement for them to use our
10 pumpout facility at a later date. It's going to
11 be to their benefit, because they don't want to
12 use their septic system, which I perfectly
13 understand. I wouldn't want you to use an
14 under-engineered septic system for that anyhow.
15 It seems like a win/win situation, although we
16 need to have it in the wording in the resolution,
17 unless other Board Members disagree.

18 TRUSTEE MURRAY: The only reason I want to
19 keep -- or put the wording in is if they ever
20 sell. I mean, I'm not worried about Mike not
21 taking care of the discharge, but a future, a
22 future purchaser may want to -- we may need to
23 have the rules set with them.

24 MAYOR NYCE: Well, it does. It says that
25 they have to have a pumpout station or -- and a

1 pumpout boat.

2 TRUSTEE MURRAY: Right.

3 MAYOR NYCE: It's just for the arrangement
4 of how they discharge of it on their -- oh, I see
5 what you're saying. You don't want them to
6 discharge it on their property, period.

7 TRUSTEE MURRAY: Correct. Mike's
8 recommendation is correct, they should take it to
9 our marina and pump it out into the sewer.

10 MAYOR NYCE: Okay. So why don't we put --
11 after "availability of a pumpout boat," "with
12 further arrangements".

13 TRUSTEE MURRAY: Discharge facilities at
14 Mitchell Park Marina.

15 MAYOR NYCE: Right. "Made for discharge at
16 Village sewer facility."

17 MR. PROKOP: The only thing is if -- is
18 there a charge to other people to use that
19 facility?

20 MAYOR NYCE: It's a minimal charge that the
21 State allows, and that's what we do with Southold
22 Town.

23 MR. PROKOP: We can't gift it.

24 MAYOR NYCE: No, we're not.

25 MR. PROKOP: Okay.

1 MAYOR NYCE: But we would be charging the
2 same that we charged Southold Town --

3 MR. PROKOP: Charge the same?

4 MAYOR NYCE: -- and we charge everybody
5 else. It's the maximum the State allows us to do
6 it. It's \$5 per pumpout, and there's a -- it
7 breaks down to -- we do it as a per-gallon with
8 Southold Town and they break it out in some -- in
9 some way.

10 MR. ACEBO: Right.

11 MR. PROKOP: Okay.

12 TRUSTEE ROBINS: So how are we -- what's
13 the wording, Mr. Chairman?

14 MAYOR NYCE: So if -- what I have is after
15 the word "availability of a pumpout boat," "with
16 further arrangements made for discharge at
17 Village sewer facility at Mitchell Park Marina,
18 per the recommendation of the Village of
19 Greenport Conservation Advisory Council."

20 TRUSTEE ROBINS: Okay.

21 MR. PROKOP: So that language is also in --
22 oh, we're carrying that forward. Okay. So
23 that's in 18, that's fine.

24 MAYOR NYCE: Is that all right?

25 MR. PROKOP: Yes.

1 TRUSTEE HUBBARD: So you're leaving the
2 first sentence in there of that?

3 MAYOR NYCE: Approval is contingent upon
4 installation of a permanent pumpout station, yes.

5 TRUSTEE HUBBARD: Okay.

6 MAYOR NYCE: Because that's as recommended
7 by our LWRP.

8 TRUSTEE MURRAY: Right.

9 MAYOR NYCE: And in order to be consistent,
10 we need to -- we need to leave that --

11 TRUSTEE HUBBARD: That was putting the
12 second boat in and everything, but that part is
13 still staying in there?

14 MAYOR NYCE: Yup.

15 TRUSTEE HUBBARD: Okay.

16 MAYOR NYCE: And in addition to the
17 availability of a pumpout boat, right. Is
18 everyone fine with that?

19 TRUSTEE ROBINS: Yes.

20 MAYOR NYCE: So, with that, we could close
21 the public hearing.

22 TRUSTEE HUBBARD: Mr. Corwin is back up.

23 MR. CORWIN: May I speak again before you
24 close? You changed the resolution.

25 MAYOR NYCE: Sure.

1 MR. CORWIN: One thing I want to note,
2 Mr. Acebo has a motion from the Year 2000.
3 Mr. Hubbard and Ms. Horton both voted for the
4 LWRP, so I don't know how you can vote for the
5 LWRP and then say it doesn't matter. What the
6 Village Board can do is change the LWRP, if they
7 so choose.

8 Marina pumpout waste used to have
9 formaldehyde in it. I don't think it has that so
10 much anymore. Needless to say, the formaldehyde
11 would upset a septic system. My understanding is
12 the stuff you add to hold down the odor for the
13 waste in the holding tank on the boat is no
14 longer formaldehyde.

15 Just so you know, the CAC asked for -- was
16 shown the original Health Department approval
17 plan for Stirling Harbor Marina and we couldn't
18 make heads or tails of it in the time we had.
19 They were going to supply the information of
20 everything that was approved and how big the
21 septic system was. That never came forth, so
22 that is why -- because we were perfectly willing
23 to accommodate Stirling Harbor Marina. If the
24 Health Department said, "No, you got to rebuild
25 your whole system," we weren't going to say, "You

1 have to have a stationary pumpout facility,"
2 because we didn't want to cause that burden of
3 rebuilding the whole system.

4 And, finally, as far as I know, there's a
5 discharge directly to the Greenport sewer system
6 at the end of Sterling Avenue. I don't know
7 whether the Village pumpout boat uses it or not,
8 but I believe one was installed there.

9 MAYOR NYCE: I don't think that's still
10 operational. I think that was -- when they redid
11 that bulkhead, I think that was -- that was
12 discontinued for two reasons. One, that that
13 interface, it's very narrow anyhow. So having a
14 boat parked there to discharge didn't make sense,
15 and it was just as easy to go to Mitchell Park
16 facility.

17 MR. CORWIN: Well, it could be fixed. If
18 there was no pump there, it was just a line right
19 into the sewer. Thank you.

20 MAYOR NYCE: Thank you. That would
21 conclude this public hearing. I will entertain a
22 motion to close the public hearing.

23 MS. HELLER: No.

24 MAYOR NYCE: I'm sorry?

25 MS. HELLER: I have something to say.

1 MAYOR NYCE: I'm sorry, I didn't see your
2 hand.

3 MS. HELLER: Just on that topic?

4 MAYOR NYCE: Just on this topic.

5 Is there a motion to close this public
6 hearing?

7 TRUSTEE HUBBARD: I'll make a motion we
8 close the public hearing.

9 TRUSTEE MURRAY: I'll second that.

10 MAYOR NYCE: All those in favor?

11 TRUSTEE HUBBARD: Aye.

12 TRUSTEE MURRAY: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 TRUSTEE ROBINS: Aye.

15 MAYOR NYCE: Aye.

16 Any opposed or abstentions?

17 (No response.)

18 MAYOR NYCE: That public is hearing is
19 closed.

20 Our next public hearing is on a proposed
21 Local Law regarding the creation of Chapter 63 -
22 Filming - the Village of Greenport Code. This
23 public hearing was properly noticed. Anyone
24 wishing to speak can do so now for the public
25 record. We will open that up.

1 A notice was made available to the public.
2 The purpose -- I will read the purpose of this
3 Local Law, prior to us getting into the public
4 comment.

5 "The purpose and subject of the proposed
6 Local Law is to provide for the safety and
7 wellbeing of the residents and/or visitors of the
8 Village of Greenport, and the proper and orderly
9 use, public and private" -- private -- wow. "And
10 the proper and orderly use of public and private
11 property in the Village of Greenport for filming
12 to the Village of Greenport Code."

13 Anyone wishing to commenting on this can do
14 so now at this time. Please, same as last time,
15 come to the podium, state your name and address
16 for the record, and your comments will be taken
17 down. Yes, in the back.

18 MR. BERSON: Hi. I'm David Berson. I run
19 Glory down at Preston's Dock since 1999. I do
20 want to make a comment about this film business.

21 Last year, some group that represents a
22 show called "Girls", I don't know if anybody has
23 ever heard of it, certainly I never did, except
24 David Mamet's daughter was working with it,
25 descended on the Village of Greenport in a way

1 that I can only describe as a Biblical plague.

2 The good thing was that Bob Hamilton, who we know
3 and like very much, once again reaped the rewards
4 of having a fishing boat, which was great.

5 I did speak to a number of the extras who
6 were brought in from Sheepshead Bay in Brooklyn
7 wearing fishing boots and beards, and looking
8 kind of gnarly, in other words, the way I look
9 all the time, who were brought in as extras to
10 add, what do they call it, character or flavor to
11 the whole shooting. There was also a bunch of
12 college kids who were spending their parents'
13 money way too unwisely, wandering around in the
14 Village looking very important. I've heard
15 lately these people are called PAs, and I'm not
16 exactly sure what that means.

17 Anyway, so I'm running a business. These
18 people gather on the dock, and I ask them to
19 leave, they're interfering with my business. Now
20 I know that there's a big hue and cry in this
21 Village about, well, we need to be nice to
22 everybody, we have to attract attention, because
23 if we make it too hard for them, they will not
24 come. And we all know, any of us who have lived
25 here long enough to see the transition, that they

1 always will come.

2 I don't know if any of you watched the
3 Oscars last night and saw this multimillion
4 dollar extravaganza, and the idea that we can't
5 take these people and charge them as much as we
6 could possibly get away with, to me, is
7 absolutely ridiculous, because they've got the
8 dough, nobody else in America has it, we
9 certainly don't have it, and they should be
10 flattered that we give them the opportunity to
11 come here. The argument that we need them to
12 come here and we can't charge them is totally
13 specious. This is the only group in America that
14 has any wealth at all.

15 Anyway, to get back to the group last year,
16 so they all descended on the dock, they were
17 interfering with business, and I did the best
18 thing that I could, growing up in the Bronx, I
19 tried to extort them. It didn't work. I did
20 try, though. I did try. I asked for \$200 as a
21 donation to my charity, and they were only
22 willing to give me 100, and we just couldn't come
23 to terms. And I will tell you right now,
24 honestly, I asked them to get off the dock and
25 they did, and I created a great deal of

1 disruption. I was very apologetic afterward, but
2 now I kind of feel proud, because they brought in
3 extras from Sheepshead Bay. That's it.

4 So my feeling is, folks, charge whatever we
5 could get, they will pay it.

6 MAYOR NYCE: Thank you, David. Is there
7 anyone else? It's going to be a tough act to
8 follow, but is there anyone else who wish to
9 address the Board on this item?

10 (No response.)

11 MAYOR NYCE: Okay. For comment from the
12 Code Committee, Dave, we looked at fees all over
13 the place. As we normally do, we try to keep our
14 fees in line with what everyone else is charging.
15 You will note that in the Local Law, there are
16 escalators for larger productions if there's more
17 use of police, traffic control, etcetera,
18 etcetera, etcetera.

19 Does the Board have any comment?

20 TRUSTEE MURRAY: And to add to what Dave
21 was saying, you know, and I'm on the Code
22 Committee as well with this, is we did this so
23 that we can control where they're filming.

24 MAYOR NYCE: Yes.

25 TRUSTEE MURRAY: So that they won't go to

1 your dock and fill it up. As part of this code
2 is that we'll know where they're going to be
3 filming.

4 MAYOR NYCE: And we promise, they won't
5 look like you next time as the extras.

6 MR. BERSON: Thank you.

7 MAYOR NYCE: Absolutely. I don't know that
8 anyone could even approach Mr. Berson's status
9 anyhow, but -- so then I will entertain a motion
10 to close that public hearing.

11 TRUSTEE ROBINS: I second that.

12 MAYOR NYCE: Is there -- that would be the
13 motion?

14 TRUSTEE ROBINS: Yeah.

15 MAYOR NYCE: You make a motion?

16 TRUSTEE ROBINS: I make a motion to close
17 the public hearing.

18 MAYOR NYCE: Is there a second?

19 TRUSTEE HUBBARD: I'll second it.

20 MAYOR NYCE: All those in favor?

21 TRUSTEE HUBBARD: Aye.

22 TRUSTEE MURRAY: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR NYCE: Aye.

1 Any opposed or abstentions?

2 (No response.)

3 MAYOR NYCE: That motion is closed. I will
4 ask the Deputy Clerk to put that on for the work
5 session for Board discussion for potential action
6 at the March meeting.

7 The next portion of our agenda is the
8 Public Portion. This would be open to any topic
9 or subject. There's been a little bit of lull
10 Mr. Berson's thing, so feel free. Anyone wishing
11 to address the Board can do so now. And we
12 appreciate the same method, name and address for
13 the record.

14 MS. HELLER: Ann Heller, Third Street. I
15 have two questions. One, there's an upcoming
16 Mayoral and Trustee election. I called the
17 Suffolk Times this morning to see if there was
18 going to be any kind of public forum debate.
19 They said they weren't sponsoring one. And I'm
20 curious about any of the Trustees or Mayoral
21 candidates who have information about any public
22 forum that's going to, you know --

23 TRUSTEE HUBBARD: Southold Local posted one
24 today.

25 MS. FINN: Next Tuesday from 6 to 8, Ford

1 Memorial Library, Southold Local.

2 MS. HELLER: Well, I mean, where is this
3 information posted --

4 MS. FINN: On Southold Local.

5 MS. HELLER: -- so that people could know?

6 MAYOR NYCE: On Southold Local.

7 TRUSTEE ROBINS: You can get it online.

8 MAYOR NYCE: Unfortunately, we do not, as a
9 governmental body, set up public forums for our
10 elections. They're done privately, and so she
11 has information for you.

12 MS. FINN: Yes, please come.

13 MAYOR NYCE: I would check local -- other
14 local sources. Southold Local is having one. I
15 know the Chamber of Commerce may be doing
16 something. But as silly as it sounds, ask
17 around. When we hear of them, we will post them
18 on our website.

19 MS. HELLER: Okay.

20 MAYOR NYCE: Okay. So if you could get --

21 MS. FINN: I spoke to Sylvia today and she
22 said she would.

23 MAYOR NYCE: Perfect. As they -- as they
24 bubble up, we will make sure that they're on our
25 website as well with the information that we

1 have.

2 MS. HELLER: Good. My second question is I
3 notice that the Village is going to take over the
4 lease for the Railroad Dock directly with the
5 MTA. Is that going to cause any higher taxes?

6 MAYOR NYCE: No.

7 MS. HELLER: For residents?

8 MAYOR NYCE: No.

9 MS. HELLER: Will it cost more than the
10 dollar that --

11 MAYOR NYCE: No.

12 MS. HELLER: -- you know, you paid the
13 County before?

14 MAYOR NYCE: It's actually a dollar less
15 than we used to pay.

16 MS. HELLER: Okay.

17 MAYOR NYCE: Is there anyone else that
18 wishes to address the Board?

19 MR. RUDDER: Is this the time to talk about
20 the Airbnb issue?

21 MAYOR NYCE: Yes. Queue up.

22 MR. ROBERTS: Good evening. Doug Roberts,
23 133 Sixth Street.

24 I'm here to ask you to reconsider the
25 Peconic Landing deal for the sewer. I know

1 you're going to ratify it tonight.

2 The sewer is one of the things here that
3 has great upside, great potential. None of us
4 really know. I mean, I think the people who had
5 that oyster processing plant over on Sterling
6 Street, whenever that was, 50, 60 years ago,
7 probably never envisioned it would be some empty
8 lot some day that is just sort of sitting there
9 vacant. We don't know -- Claudio's, we don't
10 know what's going to happen with Claudio's. If
11 they sell that place, what could that turn into?
12 What could the future of this Village be, we
13 don't exactly know. We know that we need more
14 jobs here. We know that we need more industry
15 here. So, potentially, some day somebody's going
16 to want to go create a great company that can
17 employ a bunch of people locally that's going to
18 require a lot of sewer runoff. And our sewer now
19 has untapped potential, and we're about to give
20 away a bunch of it to Peconic Landing.

21 Peconic Landing is a wonderful
22 organization. We want to work with them. We
23 want to partners here in the Town of Southold,
24 but we have no obligation by law or any other
25 obligation to give them access to our sewer.

1 And while I disagree with the number that
2 you put out there, I know where Mr. Pallas came
3 up with it and I understood the math all checks
4 out, if one assumes that we should look at the
5 average of sewer hookup fees around Suffolk
6 County. But last time we charged 50,000 per --
7 I'm sorry, 15,000 per unit. There's no reason
8 why we should drop our price, because the
9 property values here are not going down, they are
10 going up, so -- but let's take that issue off the
11 table just for a second.

12 This is about the future of Greenport, and
13 this Village, our sewer plant is one of the great
14 things here that we can use to develop in the
15 future to create jobs around here. And I don't
16 want to see us give away a big chunk of our
17 capacity to folks who are not going to be paying
18 taxes in our Village. That -- the people --
19 those units that get built, those are going to be
20 Town of Southold taxpayers. We need to protect
21 our assets here, we need to protect the future of
22 the Village. And I really want you to
23 reconsider, before we give away another 100
24 units, or 80 units, or however many they're
25 building up there.

1 Have you asked Peconic Landing to consider
2 other options? Have you asked them to consider
3 building their own sewer? And what's the rush?
4 We heard about this at the work session last week
5 and we're rushing to a vote, and there's been
6 very little public information about this. I
7 would urge you to take your time, negotiate
8 carefully, negotiate on behalf of all these
9 people out here and the people watching on T.V.,
10 and the people who can't be here tonight. But
11 this is a really important issue. Let's not rush
12 into a deal just because Peconic Landing is
13 pushing us. This is really important.

14 So, please, rethink this. Let the public
15 comment a little bit. Listen to what everybody
16 thinks about this before you make a quick
17 decision.

18 I want to shift gears to short-term
19 rentals. I think it's really important that our
20 short-term -- that we remember that we have R-2
21 zoning in this Village, so we have the ability
22 for people to have two units within their homes.
23 So as long as people are following the law,
24 following the zoning, we should not get in the
25 way of owner-occupied short-term rentals. This

1 is how folks who live here earn revenue, pay
2 bills. It's a way to capitalize, if you will, on
3 the tourist economy that is booming here, and we
4 can't take that away from anybody.

5 Moreover, we do have -- I've heard from
6 some of the bed and breakfast folks that there is
7 sort of a competition that's coming about,
8 because we have a lot of people coming here. We
9 have no shortage of people who want to rent rooms
10 around here. The hotels in the summer are pretty
11 packed, our B&Bs are packed. I think we can --
12 we can handle the demands, and the supply is
13 growing. Maybe we have to think about throwing a
14 bone to the bed and breakfast people.

15 We have a restriction right now, you can
16 only have three rooms in a B&B. Maybe we should
17 rethink that. Maybe the bed and breakfast folks
18 would feel a little better if we have four or
19 five rooms that they're able to rent. But I
20 don't think we have a shortage of people who want
21 to rent room here, and people who live in their
22 homes and rent to folks should be allowed to do
23 so. And I don't want us to overregulate, get
24 into a compliance problem, a code enforcement
25 problem, we have enough of those already.

1 I also think we need to -- before we take a
2 lot of action and take up a lot of resources and
3 time on this, let's see what the State does. The
4 State's going to rule on this. We know the
5 County is taking it up, we know the Town is
6 taking it up, so let's wait and listen. And we
7 may -- we could go write regulations and then
8 have the State tell us, "Sorry, this is the way
9 we're doing it."

10 So I'd like to see us take our time on
11 this, do a good job of listening to the public,
12 and, most importantly, make sure that folks who
13 own homes, who want to rent it out to folks who
14 come out here for short-term rentals are able to
15 do so. Thank you.

16 MAYOR NYCE: Thanks.

17 MR. RUDDER: Well, I'm going to talk about
18 Airbnb, too. My name is Patt Rudder. I live at
19 639 Second Street. My wife and I have been
20 coming out here for 40 years and we finally
21 bought a house last June on Second Street, and we
22 live across the street from a house that's listed
23 on VRBO. I don't know if you are familiar with
24 all these acronyms they use, but, nevertheless,
25 there are a lot of those sites out there that

1 rent these properties. And I did a little
2 research online just looking at their
3 advertisements, and it looks like in the Village
4 itself, there are around 31 houses listed for
5 rent here in the Village of Greenport. I think
6 there's around 61 houses available, available in
7 the area here, but 31 in Greenport itself. And
8 all of these properties, with the exception of
9 one or two, advertise that the entire house is
10 for rent. In other words, the house is not
11 owner-occupied, like a Rose Cottage is
12 owner-occupied. So you know, in my book, that's
13 perfect. I mean, that's a good way to go.

14 But when you rent the entire house to up to
15 11 people, and the house across the street --
16 well, I'm not going to get into the particulars,
17 but there's a house on Second Street that
18 advertises on their site that it sleeps 11
19 people. There's another house on Main Street
20 that lists that it sleeps 10 people.

21 We had an experience last summer, I won't
22 go into the details, but it was not a comfortable
23 situation. And I think there are enough
24 available properties out here so we could
25 restrict the Village, those properties available

1 in the Village, without impacting the tourist
2 trade, because if you look at that website, the
3 VRBO website, I mean, there are these little
4 green dots all over the North Fork, all over
5 Greenport and Southold.

6 So I just wanted to -- I think you probably
7 have a copy of what I sent Sylvia earlier in the
8 week, and I just wanted to bring that to your
9 attention. Thank you.

10 MAYOR NYCE: Thank you very much.

11 TRUSTEE ROBINS: Thank you very much.

12 MS. WILHELM: Hi. Rena Wilhelm, 129
13 Sterling Avenue. I wanted to just mention two
14 subjects, the Airbnb.

15 I think I'm a little bit unique in that my
16 in-laws own one of the bed and breakfasts here in
17 Greenport. They've been here for 10 years. They
18 work really, really, really hard. At the same
19 time, I own my own business in the Village, and
20 certainly depend on local patronage, as well as I
21 depend on tourist traffic. So, while I
22 understand that -- I mean, you can't even get a
23 room at the Morning Glory like all summer, so
24 there -- I think it's good that people can offer
25 their homes. The only thing that I ask is that,

1 like Pat had mentioned, like just some sort of
2 accordance as far as how many people are actually
3 sleeping per bedroom. And the bed and breakfast
4 and hospitality businesses here in town are
5 paying, I don't know, I think it's 12%
6 hospitality tax that's going back into the
7 Village. I know it's over 10%.

8 TRUSTEE MURRAY: Yeah.

9 MS. WILHELM: And there's insurances and
10 licenses, and those kinds of things. And that if
11 people are going to rent their homes, I would at
12 least hope and/or expect that they would give
13 something back to the Village. On the other
14 hand, they may say like, "Well, hey, we're
15 bringing in people who are going to spend money
16 in town," and that's all well and good, but I
17 just think there needs to be a little bit of a
18 balance of them giving back to the actual
19 Village, and the fact that we can also take
20 advantage of who they're renting it to.

21 The other thing I wanted to talk about real
22 quick was Mitchell Park. Is that still like
23 open?

24 TRUSTEE MURRAY: (Nodded yes.)

25 MS. WILHELM: I think having a policy. As

1 far as the use. Is not easy, but I think that
2 there is probably some criteria that could
3 probably start the list, whether or not it's
4 relevant to our own Village, whether it has any
5 historical significance. I know that the
6 installation of the "Eyes On Greenport," I think
7 just coming -- showcasing like the Horton Family
8 I think is actually really interesting. The only
9 thing that I sort of encourage is that when it
10 comes to art, while that one has relevance to our
11 history, I don't know if you're setting a
12 precedent by saying like, "Okay, well, art is
13 allowed," and then who defines what art is?
14 Someone slinging mud on a canvas and they're
15 going to complain like, "Why was my art like not
16 accepted?" So that's just one thing, if it's
17 historically relevant, if it does something to
18 enhance our Village, if it's culturally apropos.

19 And then the other thing is I wasn't around
20 when the Greenport Farmers Market public meeting
21 went berserk, as far as whether or not the
22 Farmers Market could use Mitchell Park or not. I
23 heard that meeting was --

24 TRUSTEE MURRAY: It was classic.

25 MAYOR NYCE: It was special.

1 MS. WILHELM: Yeah, special.

2 MAYOR NYCE: It was a special meeting.

3 MS. WILHELM: But with -- when you take
4 someone like Holly Browder of Browder's Birds,
5 who single-handedly put Riverhead's -- Riverhead
6 Farmers Market on the map, and all the attention
7 she received for it, being winner of North Forker
8 Person of the Year, I just wanted to mention that
9 when you're considering things for Mitchell Park,
10 that a Farmers Market really just isn't about the
11 person and selling their goods, there's children
12 involved, they're learning about where their food
13 is coming from, there's local chefs from our own
14 Village who go there and do guest appearances and
15 teaching people how to cook. And it's a
16 community, an opportunity for the community to
17 socialize and educate themselves. So I just
18 wanted that to be maybe reconsidered when you do
19 that policy thing.

20 MAYOR NYCE: Thank you.

21 MS. WILHELM: Okay. So that's it.

22 MAYOR NYCE: Is there anyone else who
23 wishes --

24 MR. SALADINO: John Saladino, Sixth Street.
25 I would just like to echo what Rena said about

1 the park. Is it the Board's opinion that you
2 have set a precedence by -- you know, how do you
3 say no to the next artist? Is -- you know, I
4 would ask --

5 MAYOR NYCE: If it's culturally and
6 historically significant to the Village, which
7 was part of the reason it was even considered in
8 the first place, that it had to do with families
9 that were born and raised in the Village, and it
10 was culturally and historically significant to
11 the Village, which was why it was considered.

12 MR. SALADINO: I don't remember that being
13 part of the resolution.

14 MAYOR NYCE: It was part of the
15 presentation, which is why it was considered in
16 the first place, which is what I said.

17 MR. SALADINO: I don't remember that being
18 part of the resolution, which is -- which is the
19 actual law. So, if it's not mentioned in the
20 law, I don't know how it -- you know, what
21 happened before the law is relevant. But, in my
22 opinion, it just set the Village up for -- and
23 not that I'm opposed to the project, you know, I
24 think it's kind of okay. But, like Rena said,
25 how do you say no to the next person that says,

1 "Well, you allowed this"? There's no mention of
2 it in the statute, in the resolution that this is
3 allowed because -- and, as a matter of fact, the
4 project was rejected at first, and then it was
5 brought back, for whatever reason.

6 So I stand here on many nights and then
7 hear how society is litigious, and yet you can't
8 do things because of that and stuff, and here it
9 seems like you're kind of setting a precedence --
10 precedent by allowing individual artworks to be
11 displayed in Mitchell Park. And again, like Rena
12 said, the Supreme Court doesn't know what art is,
13 they don't know what form is, they don't know
14 what art is, so -- and not to disrespect this
15 Board, but if the Supreme Court doesn't know, you
16 know. So I would just like to say that.

17 The other thing -- no, I'm know not going
18 to say. Thank you. Thank you for listening.

19 MAYOR NYCE: Thanks.

20 MS. ALLEN: Hi. I'm Chatty Allen, I'm from
21 Fifth Avenue. Back to the business with these
22 Airbnbs, which I never heard of before until
23 recently. A lot of people are talking about the
24 amount of people that will be living in a home,
25 and you're talking maybe for the weekend, maybe

1 for a week, okay? I'm not against people renting
2 their homes out. My brother and sister-in-law
3 rented one on Fifth Street over the summer,
4 beautiful place. There's got to be some kind of
5 definition, though, because if you're talking --
6 okay, you can't rent your house out to 11 people
7 for a week, yet the house next to you can have 20
8 people living in it year-round. That -- to me,
9 that's more of a problem.

10 I live in an apartment complex. I've gone
11 home. All I want to do is go home and have
12 dinner and go to bed, while people in the
13 complex, we each have a slot, one slot per
14 apartment. My slot's gone. This time of year, I
15 can't park out on the street.

16 So you're talking -- you know, you got to
17 really be careful how you're going to define how
18 many people can live, and maybe look closer at
19 how many people are already living year-round
20 like that.

21 And the parking brings me to the other huge
22 pet peeve of mine, and it has been for years. I
23 grew up here, was born, raised here. Back when
24 we had a Police Department, I believe it was
25 November 1st until April 30th, because back then

1 we got snow well into April, you were not allowed
2 to park overnight. It didn't matter if it was 70
3 degrees out in the middle of January. I, myself,
4 fell when I lived on Second Street. I had the
5 flu, had to wait for any neighbor downstairs to
6 come home to put my car in, because she worked
7 nights, I worked days. I fell asleep. I'd wake
8 up in the morning to go to work, there's a
9 ticket, okay? Once our Police Department
10 disbanded, I think that kind of just like
11 disappeared.

12 MAYOR NYCE: They actually changed the
13 Local Law at that point.

14 MS. ALLEN: Okay. Last winter, I was
15 living at my mom's on Fifth Street. I'm a school
16 bus driver, so I'm off in between. My car is
17 parked on Brown Street. I go out to go to do my
18 afternoon run, and said, "What the?" There's
19 a -- there's a thing on my car, it's going to
20 snow. You cannot get your car off the road,
21 basically, or you will be ticketed and/or your
22 car will be towed, okay?

23 This past storm, I'll just use this one as
24 the example. Like I said, I drive that big old
25 bus. You got cars on the road, they've been

1 plowed around. You're taking a road that's
2 already this big and you're making it this big
3 and trying to put a big bus through it. I
4 hear -- and it's not just Greenport, I hear the
5 other drivers as well, "I can't get down this
6 road, I'm stuck."

7 MAYOR NYCE: Right.

8 MS. ALLEN: Yeah. I think that should be
9 looked into to enforce it. Now I don't want
10 anyone's car towed, but maybe you tow one or two
11 cars, they're going to get off the road, and then
12 these roads can be cleared, so now you can have
13 two cars parked on the road, and the trucks and
14 the buses can get passed them.

15 I mean, this is a very dangerous -- you
16 know, I'm talking from a school bus driver's
17 point of view. It's a very dangerous situation
18 when you have snow, ice and limited space. You
19 tow a couple of them, they have to pay the fine,
20 they have to pay the towing fee and pay to get
21 their car back. That goes back into the Village.
22 You know, everyone's like, "Oh, it will cost
23 money to tow." They have to pay for it, you
24 know, and that puts money back in.

25 You start enforcing -- I don't know if any

1 of these fines have been enforced. I know
2 through my bus route, because I do Fourth, Fifth
3 and Sixth, and then I do further, I've noticed
4 things on houses. Now, I live here. I know they
5 don't live here, they're summer people. And I
6 know that the notices on there are for not
7 shoveling their walks, you know? They don't
8 shovel it, for each amount that they don't
9 shovel, then they should keep getting, you know,
10 fined for that. Just another way, like I said,
11 to bring money back into the Village as well, and
12 to get people to realize, hey, this isn't all
13 about you, get your car off the road.

14 I mean, I lived on Sterling Street for
15 years, I didn't have a driveway. I used to park
16 my car at my mother's on Fifth Street. So when I
17 wanted to go somewhere, I had to dig out of my
18 house and then walk across town to get my car.
19 There's places where you can put them. Thank
20 you.

21 MAYOR NYCE: Thank you.

22 TRUSTEE ROBINS: Thank you.

23 (Applause)

24 MAYOR NYCE: Is there anyone else that
25 wishes to address the Board?

1 MS. SWISKEY: William Swiskey, 184 Fifth
2 Street.

3 Before I get into the first item, has the
4 moratorium on the use of Mitchell Park, has that
5 been lifted?

6 TRUSTEE HUBBARD: No, it has not.

7 MR. SWISKEY: Because we have two
8 resolutions on the agenda here approving Mass
9 Public Assembly Permits. Basically, neither one
10 of them is really a Village function. Granted,
11 Northeast Stage, that's an independent outfit,
12 and so is the Maritime Museum. There is no
13 financial or other type of connection to the
14 Village, so you can't really call them Village
15 functions. Dancing in the Park is a Village
16 function, these two aren't. And I know that,
17 basically, Relay For Life, they couldn't get a
18 straight answer, so they had to move their thing
19 back to Southold, which is a shame.

20 But I don't see how you can even vote on
21 Resolutions Number 8 and Number 9 with a
22 moratorium in place. Can somebody explain that
23 to me?

24 MAYOR NYCE: We'll see how that discussion
25 goes when we get to those resolution items.

1 MR. SWISKEY: It's usual the way this Board
2 operates here.

3 The next thing that I want to talk about is
4 the Peconic Landing upfront fees. Now, where did
5 the 300 gallons per unit come from? None of
6 these units is what you call a residential
7 housing unit. You've got your nursing home
8 units, which the County, and I gave you all a
9 piece of this literature, the County considers
10 those assisted living units to use 110 gallons a
11 day. Basically, that should have been the
12 standard. And the nursing home beds are 150
13 gallons per day, and the apartments are like 225.
14 And so if you did an average of those and divided
15 into that, it would be a lot more than 720,000,
16 except the Village uses and historically used a
17 standard of 130.

18 The County has -- no. To put this
19 straight, and I'm going to tell you right now,
20 because you can call the County if you'd like to,
21 the County doesn't care how you set your rates or
22 how you set your fee structure. The only thing
23 they care about your Sewer Department is that it
24 meet the SPDES permit, and the equipment on it is
25 maintained and up to date. They don't care about

1 anything else.

2 So I don't understand how Mr. Pallas
3 brought this 300 gallons a day, which the County
4 says goes to a house, into our equation, because
5 it cost us a lot of money, because you're dealing
6 with what's called units here. If you took
7 our -- which we did the last time, it's historic,
8 and it's built in basically into our minimum
9 charge. Your minimum charge for a sewer for a
10 house is you get 4,000 gallons for the 35 bucks,
11 or whatever it is. That equates to 130 a day,
12 130 gallons a day, that's our standard. If you
13 divide 130 gallons into 14,500, that's 111 units
14 times 15,000, we should have gotten 1,665,000.
15 And you can talk about logic all you want,
16 Mr. Mayor, this was the people's money and it was
17 given away.

18 So forget all about sewage flow. You had
19 78 basic units, 16 nursing home units, 16
20 assisted living units and 46 apartments. That
21 came to 78 units. Multiply the 78 units by
22 15,000, it still comes out to 1,170,000, and
23 that's the cheapest way you could do it. So that
24 if you take the 720, we lost, even at the least
25 calculating count, \$420,000. And I think an

1 explanation, and not shaking your head,
2 Mr. Mayor, because the County had no part in this
3 decision.

4 And I'd like to know why Mr. Pallas used
5 that 300. I FOILED for the information on how he
6 did the calculation and why he used it, I haven't
7 got it yet, probably never going to get it. But
8 that cost the Village, these people here, a lot
9 of money. And you can snicker all you want.

10 MAYOR NYCE: I'm not snickering.

11 MR. SWISKEY: No, not much. It's like when
12 you said in the -- "Again, Mr. Swiskey's logic is
13 wrong." No, Mr. Pallas' and the Village Board's
14 logic is wrong. Thank you for screwing us out of
15 \$780,000 people.

16 MAYOR NYCE: Is there anyone else that
17 wishes to address the Board?

18 (No response.)

19 MAYOR NYCE: That with will conclude the
20 Public Portion.

21 The calculation for Peconic Landing, first
22 of all, the agreement has been in negotiation for
23 well over a year, a year-and-a-half. The Board's
24 been discussing it with Peconic Landing for that
25 length of time. We've been waiting for them to

1 submit their final plans.

2 There were preliminary calculations done
3 actually seven years ago, when they were going to
4 do the upgrade; they changed their upgrade. That
5 calculation is based on the agreed-upon standard
6 flows for a certain size -- certain size rooms,
7 if you will. Hospital beds take a certain flow.
8 Continuing care rooms, the County regulates this,
9 says comes to a certain flow, all right? The
10 calculation for Peconic Landing's hookup fee, and
11 you cannot confuse hookup fee with monthly fees,
12 they're not the same. They will still pay their
13 monthly fee. There's a one-time hookup fee,
14 which is calculated by the capacity that they
15 will be taking up. The capacity that they're
16 taking up in the 78 units was -- Paul, what's the
17 number of total gallons?

18 MR. PALLAS: I think it was 14,510.

19 MAYOR NYCE: 14,510 gallons, okay, was the
20 amount of capacity that they are putting in up
21 there, regardless of how they continue figure it.
22 They have a certain number of hospital beds,
23 certain number of continuing care, certain number
24 of apartments. Those standard flows added up to
25 a certain number of gallons of capacity that

1 we're charging them for. Then you divide it out
2 by the standard unit that we sell in the Village
3 for a hookup fee is a residential
4 300-gallon-per-day house.

5 MR. SWISKEY: It's not in your code. Where
6 is that in your code?

7 MAYOR NYCE: Please, do not interrupt.

8 MR. SWISKEY: No. You're making things up
9 as you go.

10 MAYOR NYCE: Please, do not interrupt.

11 MR. SWISKEY: No, you got to explain.

12 MAYOR NYCE: Please, do not --

13 MR. SWISKEY: I've got the Sewer Code here,
14 if you'd like to look at it.

15 MAYOR NYCE: You're out of order.

16 MR. SWISKEY: Yeah, we're always out of
17 order when we're discussing --

18 MAYOR NYCE: No. You're out of order when
19 you interrupt me.

20 MR. SWISKEY: Well, you're --

21 MAYOR NYCE: Mr. Swiskey, shut up.

22 MR. SWISKEY: David Neese (phonetic),
23 you're bullshitting.

24 MAYOR NYCE: It's David Nyce, and you can
25 leave now.

1 MR. SWISKEY: I'm not leaving, I haven't
2 done anything wrong.

3 MAYOR NYCE: Quit interrupting. Thank you.

4 The standard residential hookup for 300
5 gallons, and divides into the 15,000, whatever it
6 is, which gives you the total number of hookups.
7 Multiply that by the 15,000 per hookup is where
8 you get to the \$720,000. The \$15,000 comes from
9 a study done by engineering firms as we finished
10 our upgrade at the final treatment station. What
11 you do is you assess the worth of the sewer
12 system, all of the pump stations, the pipes in
13 the ground, the final station, etcetera,
14 etcetera. That comes to one large figure as to
15 what the capital worth of the sewer system is.
16 That's divided out by the number of people hooked
17 up to that system, which equates to your capital
18 buy-in if you want to hook up to the sewer
19 system.

20 Sewer hookups are free to Village
21 residents. There's a fee for outside sewer
22 hookups. That number, divided out, comes to
23 \$15,000 per hookup, per 300 gallons of flow.
24 There is a separate fee if you are a commercial
25 hookup and the flow is higher.

1 That is the negotiations. It's what the
2 negotiations always have been. If you go back
3 and look at the Peconic Landing agreement, that
4 way predates me, you can do the math several
5 hundred different ways, it still comes down to
6 \$15,000 per 300 gallons of flow. That's what it
7 comes out to, it's what it always has come out
8 to, and that's what it's going to continue to
9 come out to.

10 MR. SWISKEY: That's not in the agreement,
11 because I have the old agreement.

12 MAYOR NYCE: And you're interrupting again,
13 sir. If you interrupt again, sir --

14 MR. SWISKEY: Well, then don't make stuff
15 up for the public.

16 MAYOR NYCE: Bill, we're not in
17 kindergarten anymore.

18 MR. SWISKEY: No, you're not.

19 MAYOR NYCE: Just because you want to say
20 it doesn't mean you say it. You had your chance
21 to speak.

22 MR. SWISKEY: Doesn't mean you stand there
23 and lie. I can't -- you know, you're just --
24 you're not making this stuff up?

25 MAYOR NYCE: No, sir. You are making stuff up.

1 MR. SWISKEY: I have a copy of the old
2 agreement. Do you want to see it?

3 MAYOR NYCE: I've seen the old agreement.

4 MR. SWISKEY: I'll give it to you, each one
5 of you.

6 MAYOR NYCE: I've seen the old agreement.
7 It's okay --

8 MR. SWISKEY: Yeah, and it didn't say what
9 you said.

10 MAYOR NYCE: Bill, it's okay for you to be
11 wrong, it's okay.

12 So that negotiation has been done, it's
13 been done over a long period of time. The amount
14 of capacity that it takes up is negligible to the
15 amount of capacity that the sewer system still
16 has.

17 To your point, Mr. Roberts, yes, the sewer
18 system and the electric system here are
19 absolutely vital to the growth of the Village and
20 the long-term sustainability of the Village.
21 This small amount of capacity being sold to
22 Peconic Landing does not adversely affect our
23 ability to grow into the future. At the point
24 where the Village reaches its capacity of its
25 sewer system, we can apply for additional

1 capacity and increase our station. As that
2 happens, as the Village grows into the future, I
3 would suggest that future Boards would address
4 that at that time. But your point is well taken.

5 We have done -- when Mr. Corwin was on the
6 Board seven or eight years ago, we did a flow
7 chart that showed what our capacity was, and if
8 building went at a certain rate, where we had
9 places, and we're still well within our capacity
10 and have plenty for the Village itself.

11 On the Airbnb, no one should mistake that
12 we are moving quickly on this. We started the
13 conversation very early, but, yes, we are, in
14 fact, waiting to see what the State decides.
15 We're waiting -- we are looking into what other
16 states have decided. But what our State Attorney
17 General decides, and primarily that conversation
18 is going to happen in New York City, that's the
19 crucible for most of this, we're going to be
20 looking at that, as I said, at the work session.
21 We're also working with Southold Town. They're
22 looking -- we're all looking at it at the same --
23 at the same time and in the same way. Very much
24 appreciate the public conversation, because there
25 are a lot of working parts to this.

1 To your point, ma'am, I'm sorry, I forgot
2 your name, as far as overcrowding, we have just
3 started implementing our Rental Permit Law, which
4 should alleviate some of that. I'm not -- no law
5 is perfect, and nor is code enforcement ever
6 perfect, but it should help alleviate it. And as
7 that rolls out, if you have complaints, please,
8 make them known to us and we can address them.

9 To the ticketing of cars, we've started
10 that as well, and we've started more code
11 enforcement with removal of snow on sidewalks and
12 the ticketing of cars. Towing is difficult. We
13 have not been able to find a company that will
14 tow for us. Yes, we could pass the fee on. The
15 last person that did it, I believe, was Orient
16 Service Station. Most of them say during a snow
17 event, or just prior to a snow event, they don't
18 have the time, and they're mostly small
19 companies. So, if you have somebody, please,
20 email me later, but --

21 MS. ALLEN: I don't have someone, but I'm
22 not talking during the snowstorm, I'm talking
23 after.

24 MAYOR NYCE: I understand, and after. We
25 have tried getting people to tow afterwards.

1 It's been very difficult for us to find someone.
2 We continue to look for a towing company, it's
3 just we have not been able to find one. But we
4 are -- we had people before the last snow event.
5 I was away, thankfully, but we had our Code
6 Enforcement Officer and our Building Inspector
7 out telling people in advance of the snowstorm
8 and to get their cars out, and then after the
9 snowstorm, there were tickets being given out.
10 I'm sorry, it's not a question and answer, I'm
11 just responding to some of the things you said.

12 MS. ALLEN: I'm sorry.

13 MAYOR NYCE: So, again, code enforcement is
14 never going to be perfect, it's getting slightly
15 better. And any comments that you have in the
16 future that will help us out, I'd greatly
17 appreciate.

18 TRUSTEE HUBBARD: Okay. Just one --

19 TRUSTEE PHILLIPS: Mr. Mayor, before you
20 continue, I am hearing chatter over here that we
21 did end up towing two cars.

22 TRUSTEE HUBBARD: Yes, we towed two cars,
23 one from First Street and one from Park Street.
24 After the big storm, they were towed.

25 MAYOR NYCE: Right.

1 TRUSTEE HUBBARD: Orient Service Station
2 did tell them they were impounded, and they did
3 come down to pay the fine and got their vehicles
4 back. It was -- the one next to the drug store
5 was very hazardous, because it took up three
6 parking spots and it was plowed in. That one was
7 towed, and there was one on Park Street next to
8 Peter Clarke's place. The trucks could not get
9 down there. Those two were towed. It was a
10 start. During the storm they weren't available,
11 but Billy Hanse did come out after he finished
12 plowing and two of them were towed.

13 MAYOR NYCE: Cool.

14 TRUSTEE MURRAY: And people knew that we
15 were doing it, we were serious about it, and they
16 were taken care of.

17 MAYOR NYCE: The problem has been the
18 consistency of finding a private tower that's
19 available all the time. So it's sort of on a
20 hit-and-miss basis. In this case, we were able
21 to find it, so that's good news.

22 On one other note, I neglected to mention,
23 when I said that there collections being taken up
24 for the fire victims, I wanted to thank Trustee
25 Murray for -- he was very instrumental in getting

1 that set up. He called me the next morning and
2 said, "We have to do something," and we discussed
3 it, and discussed that CAST would be the most
4 logical place to funnel that stuff. But I wanted
5 to publicly thank you for stepping up with that.

6 With that, we will move into our regular
7 agenda item -- regular agenda items.

8 MR. ANDERSON: Can I ask a question?

9 MAYOR NYCE: I'm sorry, the portion
10 is over.

11 MR. ANDERSON: I know the public thing is
12 closed and all that.

13 MAYOR NYCE: The public portion, sir, is
14 over.

15 MR. ANDERSON: It's a simple question.

16 MAYOR NYCE: I understand, they're all
17 simple questions.

18 MR. ANDERSON: This whole Peconic Landing
19 thing, it's a tremendous amount of money and
20 nobody knew anything about it until last week.

21 MAYOR NYCE: Wrong, incorrect. Incorrect.

22 MR. ANDERSON: Could you correct me, then,
23 please, Mr. Mayor?

24 MAYOR NYCE: I already did. You weren't
25 listening when I said it before. We've been

1 negotiating for well over a year-and-a-half.

2 We're going into the public --

3 MR. ANDERSON: Yeah, I know, but it
4 wasn't --

5 MAYOR NYCE: Now you're out of order.
6 Mr. Anderson --

7 MR. ANDERSON: You're closing two parking
8 spaces and there's a public hearing. So this is,
9 you know, very simple.

10 MAYOR NYCE: You're out of order. Sir,
11 you're out of order.

12 MR. ANDERSON: You have a public hearing
13 for two parking spaces. Some people --

14 MAYOR NYCE: You're out of order.

15 MR. ANDERSON: I know I'm out of order.
16 Then call the police, have me arrested. Gavel
17 me, I don't care.

18 MAYOR NYCE: I understand.

19 MR. ANDERSON: I really don't care.

20 MAYOR NYCE: I know.

21 MR. ANDERSON: I never heard anything about
22 this.

23 MAYOR NYCE: This is the way you behave, sir.

24 MR. ANDERSON: And I'm a big -- excuse me?

25 MAYOR NYCE: This is apparently the way you

1 behave.

2 MR. ANDERSON: No, it's not the way I
3 behave, it's the way you behave.

4 MAYOR NYCE: But it's what you do, isn't it?

5 MR. ANDERSON: You gavel everybody. I'm
6 asking you in a simple tone, can you please
7 answer one simple question? You have a public
8 hearing for two parking spaces, whether you're
9 going to take them away or whether you're going
10 to add them to the list, something that's from
11 720,000 to a million-and-a-half dollars,
12 depending on who's listening.

13 MAYOR NYCE: Depending on whose math you
14 want to use.

15 MR. ANDERSON: Okay, fine, I agree with
16 that. Depending on whose math you want to use,
17 the public -- there's no public hearing.

18 MAYOR NYCE: No.

19 MR. ANDERSON: You voted on this at your
20 private -- last week at your meeting.

21 MAYOR NYCE: It's not a private meeting.

22 MR. ANDERSON: At the work session. It is
23 a -- it is a private meeting --

24 MAYOR NYCE: It's not a private meeting.

25 MR. ANDERSON: -- because nobody can speak.

1 MAYOR NYCE: It's not a private meeting,
2 it's a public meeting.

3 MR. ANDERSON: Mr. Mayor, nobody can speak.
4 At the work session, nobody can speak.

5 MAYOR NYCE: Mr. Anderson, there is no
6 guarantee at this meeting that the public can
7 speak. Open Meetings Law does not guarantee the
8 public speaks at a public meeting. The only time
9 the public by law --

10 MR. ANDERSON: Now you're going into
11 something else.

12 MAYOR NYCE: Mr. Anderson, now -- no. Now
13 I'm educating you on what open public meetings are.

14 MR. ANDERSON: You're going to educate me?
15 You're going to educate me?

16 MAYOR NYCE: Yes, I'm going to educate you
17 on open public meetings, yes, sir.

18 MR. ANDERSON: Please, do that.

19 MAYOR NYCE: The only time the public is
20 guaranteed a voice is at a public hearing, not a
21 public meeting.

22 MR. ANDERSON: I know. You just shut it
23 down and I'm out of order.

24 MAYOR NYCE: I did not, sir.

25 MR. ANDERSON: You did.

1 MAYOR NYCE: So we will go into our regular
2 meeting now.

3 MR. ANDERSON: That's what I'm just saying,
4 that I can't --

5 MAYOR NYCE: Please.

6 MR. ANDERSON: David, I can't believe this.
7 I am, I'm on my way out.

8 MAYOR NYCE: Thank you.

9 MR. ANDERSON: I'm leaving.

10 MAYOR NYCE: Thank you.

11 MR. ANDERSON: Really?

12 MAYOR NYCE: Yes.

13 MR. ANDERSON: That's how you're going to
14 treat your public?

15 MAYOR NYCE: That's how I'm going to treat
16 you, sir.

17 MR. ANDERSON: And I deserve this? And I
18 deserve this treatment?

19 MAYOR NYCE: By the way you're acting, sir, yes.

20 MR. ANDERSON: You know what, I'm not
21 leaving.

22 MAYOR NYCE: Okay.

23 MR. ANDERSON: I'm going to sit around and
24 listen to your nonsense.

25 MAYOR NYCE: Thank you.

1 MR. ANDERSON: And you still didn't answer
2 my question.

3 MAYOR NYCE: Sir, you are still out of
4 order.

5 MR. ANDERSON: Call the police. You still
6 didn't answer my question.

7 MAYOR NYCE: All right. So call the police
8 and have Mr. Anderson removed from the building,
9 please.

10 MR. ANDERSON: Do that.

11 MAYOR NYCE: Yes, sir. We're back in
12 junior high.

13 MR. ANDERSON: A very simple question, too.
14 It really wasn't that difficult. It might be to
15 you, but I think a lot of people here don't look
16 at it as a difficult question. You know what,
17 don't call the police, just save the trouble.
18 I'm out of here. It's absolutely ridiculous.

19 MAYOR NYCE: I was going to suggest that we
20 take Resolution 17 and 18 out of order, but the
21 people from Brewer's did not stick around.
22 They'll deal with the information later.

23 I will offer RESOLUTION #2-2015-1,
24 accepting the monthly reports of the Greenport
25 Fire Department -- I'm sorry. Resolution

1 number -- prior to Resolution #1, there should be
2 a -- they're out of order, my fault.

3 Offer RESOLUTION #02-2015-2, adopting the
4 February 2015 agenda as printed. So moved.

5 TRUSTEE MURRAY: Second.

6 TRUSTEE PHILLIPS: Second.

7 MAYOR NYCE: All those in favor?

8 TRUSTEE HUBBARD: Aye.

9 TRUSTEE MURRAY: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 TRUSTEE ROBINS: Aye.

12 MAYOR NYCE: Aye.

13 Any opposed or abstention?

14 (No response.)

15 MAYOR NYCE: That motion carries.

16 I'll ask Trustee Murray to read Resolution 1.

17 TRUSTEE MURRAY: RESOLUTION #02-2015-1,
18 RESOLUTION accepting the monthly reports from the
19 Greenport Fire Department, Village Administrator,
20 Village Treasurer, Village Clerk, Village
21 Attorney, Mayor and Board of Trustees. So moved.

22 TRUSTEE HUBBARD: Second.

23 MAYOR NYCE: All those in favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No response.)

6 MAYOR NYCE: The motion carries.

7 TRUSTEE HUBBARD: RESOLUTION #02-2015-3,
8 RESOLUTION ratifying the following two
9 resolutions as approved by the Village of
10 Greenport Board of Trustees at the work session
11 meeting held on February 17, 2015, concerning the
12 Sanitary Sewer Agreement between the Village of
13 Greenport and Peconic Landing:

14 RESOLUTION 1, RESOLUTION adopting Lead
15 Agency status for the Village of Greenport,
16 typing the action as an unlisted action, and
17 determining that the approval of the agreement
18 will not have a significant negative impact on
19 one or more aspects of the environment, and

20 RESOLUTION #2, RESOLUTION authorizing the
21 execution of the agreement between Peconic
22 Landing and the Village of Greenport for the
23 sewer hookups, as per the agreement drawn up by
24 the Village Attorney and Peconic Landing's
25 Attorney.

1 So moved.

2 TRUSTEE ROBINS: Second.

3 MAYOR NYCE: Is there any discussion on the
4 motion?

5 TRUSTEE HUBBARD: Yeah. I'd like to just
6 say, I mean, we've negotiated this, we've talked
7 about this for a long time.

8 Going back to the 2000 agreement that
9 Mr. Swiskey was quoting, Bill, you know, in there
10 it says 253 units they pay for. That's what's in
11 the agreement. If you look at the dollar figure
12 on that, it comes to 91 -- \$9,194 per unit. It's
13 in the agreement. This agreement was higher than
14 what that was. I've got the list of what the
15 units were, the beds, and everything else.

16 MR. SWISKEY: George, you're --

17 TRUSTEE ROBINS: No. Bill, don't.

18 MAYOR NYCE: Please, don't interrupt, Bill.

19 TRUSTEE ROBINS: Bill, don't.

20 MR. SWISKEY: Well, he's talking to me.

21 MAYOR NYCE: No. He just -- he happened to
22 mention your name, sir.

23 MR. SWISKEY: No, he's talking directly to
24 me; I'm going to directly talk back.

25 TRUSTEE HUBBARD: Bill, let me finish what

1 I'm saying, and then I'll let you talk back to
2 me, okay?

3 So that agreement was for 253 units. This
4 -- what we have it down now is 48 units. The
5 money that's being collected, the \$720,000 is a
6 fifth -- it's a quarter of what they paid last
7 time for a fifth of the amount of units. It is.
8 If you look at the amount of units for what they
9 paid for, compared to what they're paying for now
10 and what their addition is.

11 You heard that figure when you talked about
12 this, when you were on the Board in 2008, and
13 that figure has changed, because they cut the
14 size of their expansion down almost in half. So
15 you had 150 -- 1,500,000 you had quoted when you
16 were on the Board, you said was what we should
17 get. They cut the unit in half, what they did,
18 their expansion, so now we're right down to half
19 of where it should be. And we actually got more
20 per unit now than we did in 2000. That's in the
21 agreement, Bill. You have a copy, the numbers
22 are right there. I'm just repeating what you
23 quoted before.

24 MR. SWISKEY: Can I speak now, George?

25 TRUSTEE HUBBARD: Go ahead, explain your

1 side of it.

2 MR. SWISKEY: Sewer hookups outside the
3 Village will be \$15,000 per hookup. Forget, you
4 know, because -- you know, what I'm saying is
5 15,000 times -- and I'm going to keep it simple,
6 I'm not going to even get into that other
7 argument with you --

8 TRUSTEE HUBBARD: Okay.

9 MR. SWISKEY: -- because I know you're
10 wrong. Seventy-eight times 15,000 comes to
11 1,170,000. That's a simple math, you can do that
12 on your calculator.

13 MAYOR NYCE: It's not 78 hookups.

14 MR. SWISKEY: How did we get -- how did we
15 get that to 720,000?

16 MAYOR NYCE: It's not 78 hookups, that's why.

17 TRUSTEE PHILLIPS: It's not separate
18 hookups.

19 MAYOR NYCE: It's not 78 hookups, that's why.

20 MR. SWISKEY: It's units.

21 MAYOR NYCE: It's not units.

22 MR. SWISKEY: And that's how Mr. Pallas
23 considered it when he put -- Mr. Pallas --

24 MAYOR NYCE: It's not, it's not units. The
25 units are the number of gallons divided out by

1 300, that's the number of units.

2 MR. SWISKEY: The number of units divided
3 out by -- by Peconic -- by your own -- by his
4 own -- all right. Southold Local, okay, in the
5 article in Southold Local, Mr. Pallas --

6 MAYOR NYCE: Southold Local is now the
7 authority on sewer?

8 MR. SWISKEY: No, but you haven't provided
9 the information which I asked for. But you're
10 talking 78 units, and I'll read you what it says
11 here. Excuse me, one second while I find it.
12 It's 70 -- good night, Nicky.

13 MAYOR NYCE: It's not 78 units.

14 MR. SWISKEY: Seventy-eight units is what
15 it says, and that should come to 1,170,000.

16 MAYOR NYCE: It's not 78 units.

17 MR. SWISKEY: That's right.

18 MAYOR NYCE: It's not 78 units. It's not
19 78 hookups. There may be 78 --

20 MR. SWISKEY: So now we're changing units
21 to hookups? What's going on here? I'm confused,
22 David.

23 MAYOR NYCE: Just following your logic,
24 Bill.

25 TRUSTEE HUBBARD: Mr. Swiskey, can I add

1 one other thing to you?

2 MR. CORWIN: Hey, Bill, don't do this in
3 the meeting and argue about this in the bar or
4 something.

5 MR. SWISKEY: Not the bar. How about this,
6 David? You like losing \$780,000? I'm sure that
7 other people don't.

8 MAYOR NYCE: You're not listening.

9 TRUSTEE HUBBARD: Mr. Swiskey, one other
10 thing I can take -- in ongoing negotiations, the
11 reason this was held up for several months is
12 Peconic Landing's attorney were using the old
13 agreement, came back to us and asked for -- to
14 pay less money, because according to their
15 calculations, per the 2000 agreement, they said
16 they should pay less than what they were.

17 MR. SWISKEY: And what did your attorney do?

18 TRUSTEE HUBBARD: Let me -- and we said no.
19 We have 720 by our calculations and that's what
20 we're sticking with. Their offer was several
21 hundred thousand dollars less, and we said, "No,
22 we can't do that." I'm just -- this is what went
23 on in negotiations. It wasn't -- it's private
24 negotiations, so, no, the whole public isn't
25 involved in it, but that's what happened, and

1 they were demanding to pay a couple of hundred
2 thousand dollars less, we said no. Okay?

3 So that's where the number came up to. We
4 stuck to the 720. That's what our calculations
5 figure out. If you look at what they had before
6 to what they added on now, they're paying more
7 now than they did in 2000. That's how I
8 rationalize this and that's where it came from.

9 MR. SWISKEY: Well, you're rationalizing
10 wrong. I'm not going to argue with anyone.

11 TRUSTEE HUBBARD: Okay. Well, that's your
12 opinion, that's fine. I'm just telling you where
13 I came up with the numbers and the figures and
14 it's right there.

15 MR. SWISKEY: \$780,000 is a lot of money to
16 give away to a multi-million dollar corporation.

17 MAYOR NYCE: We're not giving it away.

18 TRUSTEE HUBBARD: Okay.

19 MAYOR NYCE: We're not giving it away.

20 MR. SWISKEY: Not giving it away, no,
21 but --

22 MAYOR NYCE: I'm going to call the vote.

23 TRUSTEE HUBBARD: That's all my comments on it.

24 TRUSTEE PHILLIPS: That's enough. That's
25 enough.

1 MAYOR NYCE: I'm going to call the vote.

2 All those in favor?

3 TRUSTEE HUBBARD: Aye.

4 TRUSTEE MURRAY: Aye.

5 TRUSTEE PHILLIPS: Aye.

6 TRUSTEE ROBINS: Aye.

7 MAYOR NYCE: Aye.

8 Any opposed or abstentions?

9 (No response.)

10 MAYOR NYCE: That motion carries
11 unanimately. I'll ask Trustee Robins to read
12 Resolution 4.

13 TRUSTEE ROBINS: RESOLUTION #02-2015-4,
14 RESOLUTION authorizing the Village of Greenport
15 Fire Department to temporarily store a 40-foot
16 container at the Village of Greenport property on
17 Moore's Lane known as Malarkey Lodge, with no
18 charge to the Village. So moved.

19 TRUSTEE PHILLIPS: Second.

20 MAYOR NYCE: All those in favor?

21 TRUSTEE HUBBARD: Aye.

22 TRUSTEE MURRAY: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR NYCE: Aye.

1 Any opposed or abstentions?

2 (No response.)

3 MAYOR NYCE: That motion carries.

4 TRUSTEE PHILLIPS: RESOLUTION #02-2015-5,
5 RESOLUTION amending Resolution #01-2015-5 as
6 approved at the January 26, 2015 regular meeting
7 of the Board of Trustees, to correct the
8 effective date of the hourly rate increase for
9 Adam Hubbard to be retroactive to January 28,
10 2015, instead of February 28, 2015. So moved.

11 TRUSTEE MURRAY: Second.

12 MAYOR NYCE: All those in favor?

13 TRUSTEE HUBBARD: Aye.

14 TRUSTEE MURRAY: Aye.

15 TRUSTEE PHILLIPS: Aye.

16 TRUSTEE ROBINS: Aye.

17 MAYOR NYCE: Aye.

18 Any opposed or abstentions?

19 (No response.)

20 MAYOR NYCE: That's motion carries.

21 TRUSTEE MURRAY: RESOLUTION #02-2015-6,
22 RESOLUTION authorizing Village Administrator
23 Pallas to attend the NYAPP Annual Lobby Day Event
24 from February 25th, 2015 through February 26th,
25 2015. There is no cost for participation in this

1 event. The lodging cost not to exceed \$200.00,
2 and all corresponding meal and travel costs will
3 be expensed from account E.0784.000 (Regulatory
4 Commission Expense). So moved.

5 TRUSTEE HUBBARD: Second.

6 MAYOR NYCE: All those in favor?

7 TRUSTEE HUBBARD: Aye.

8 TRUSTEE MURRAY: Aye.

9 TRUSTEE PHILLIPS: Aye.

10 TRUSTEE ROBINS: Aye.

11 MAYOR NYCE: Aye.

12 Any opposed or abstentions?

13 (No response.)

14 MAYOR NYCE: That motion carries.

15 TRUSTEE HUBBARD: RESOLUTION #02-2015-7,
16 RESOLUTION authorizing Treasurer Brandt to
17 execute the contractual agreement between
18 Munistat Services Inc. and the Village of
19 Greenport with respect to the Annual Information
20 Statement as required by the U.S. Security and
21 Exchange Commission. So moved.

22 TRUSTEE ROBINS: Second.

23 MAYOR NYCE: All those in favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No response.)

6 MAYOR NYCE: The motion carries.

7 TRUSTEE ROBINS: RESOLUTION #02-2015-8,
8 RESOLUTION approving the Public Assembly Permit
9 Application as submitted by Northeast Stage for
10 the use of a portion of Mitchell Park for the
11 annual "Shakespeare in the Park" performance,
12 beginning at 5 p.m., from August 7th, 2015
13 through August 9th, 2015, with setup on August
14 4th, 2015 and rehearsal on either August 5th,
15 2015 or August 6th, 2015. So moved.

16 TRUSTEE PHILLIPS: Second. I'll be honest
17 with you, I do have a question, because we still
18 have the moratorium going on. I would rather see
19 this resolution tabled. Perhaps we could hold
20 the dates for them in a different way, or adjust
21 the resolution to hold the dates for them. But I
22 believe that we put the moratorium on. We've had
23 other organizations that weren't given an answer
24 soon enough. As I said, I think we need to
25 either table it or change the wording so that

1 it's allowing them to hold that spot, and further
2 resolution once we settle the moratorium issue.

3 TRUSTEE MURRAY: That could take a year.

4 TRUSTEE HUBBARD: Well, we do have a public
5 hearing scheduled for next month on this topic,
6 so I would be in favor of going along with
7 Trustee Phillips in tabling this, and we'll vote
8 on it, have the public hearing, get the input on
9 it, and we could vote on it at that point, or
10 rescind the moratorium, you know. But we said
11 we'd have comments before we rescind it, so I
12 say --

13 TRUSTEE PHILLIPS: I see no reason --

14 TRUSTEE HUBBARD: -- we hold the dates and
15 we --

16 TRUSTEE PHILLIPS: Hold the dates for them.

17 TRUSTEE HUBBARD: And see what happens
18 after the public hearing next month.

19 MAYOR NYCE: So we have a motion by Trustee
20 Phillips to table and --

21 TRUSTEE HUBBARD: I'll second it.

22 MAYOR NYCE: You're seconding? All those
23 favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR NYCE: Aye.

4 And I will direct the Deputy Clerk to hold
5 the dates for them, pending the outcome of
6 March's meeting.

7 TRUSTEE MURRAY: I apologize, that's me.
8 RESOLUTION #02-2015-9, RESOLUTION approving the
9 Public Assembly Permit Application as submitted
10 by the East End Seaport Museum for the use of
11 various Village streets and facilities, including
12 Mitchell Park, from 9:00 a.m. through 5:00 p.m.
13 from September 25th, 2015 through September 27th,
14 2015 for the annual Maritime Festival. So moved.

15 TRUSTEE HUBBARD: Second.

16 MAYOR NYCE: I would posit that this one is
17 different than the other one in that this is a
18 Village-wide event --

19 TRUSTEE HUBBARD: Yes.

20 MAYOR NYCE: -- that uses the park, but is
21 a Village-wide event, and would not necessarily
22 fall in the same category as a moratorium on
23 events in Mitchell Park. I don't know if the
24 rest of the Board agrees with me with that, but I
25 think it's --

1 TRUSTEE HUBBARD: I would say this is the
2 same as the Dances in the Park. I believe this
3 is a Village thing, that we are --

4 TRUSTEE PHILLIPS: This is a Village
5 function, because we cooperate with --

6 TRUSTEE HUBBARD: And I hope we settle this
7 and do the other, because it's a very good thing,
8 the Shakespeare.

9 MAYOR NYCE: Absolutely.

10 TRUSTEE HUBBARD: Procedure-wise, I think
11 we just wait one month on that.

12 MAYOR NYCE: Okay. So I'll call the vote,
13 then. All those in favor?

14 TRUSTEE HUBBARD: Aye.

15 TRUSTEE MURRAY: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 (No response.)

21 MAYOR NYCE: That motion carries.

22 TRUSTEE HUBBARD: RESOLUTION #02-2015-10,
23 RESOLUTION authorizing the suspension of the Open
24 Container Law of the Village of Greenport, per
25 Sections 35-3B and 35-3C of the Greenport Village

1 Code, for the Festival parameters of the East End
2 Seaport Museum Maritime Festival, from 9:00 a.m.
3 to 5:00 p.m. on September 26, 2015 and September
4 27, 2015, per the Public Assembly Permit
5 Application as submitted. So moved.

6 TRUSTEE ROBINS: Second.

7 MAYOR NYCE: All those in favor?

8 TRUSTEE HUBBARD: Aye.

9 TRUSTEE MURRAY: Aye.

10 TRUSTEE PHILLIPS: Aye.

11 TRUSTEE ROBINS: Aye.

12 MAYOR NYCE: Aye.

13 Any opposed or abstentions?

14 (No response.)

15 MAYOR NYCE: That motion carries.

16 TRUSTEE ROBINS: RESOLUTION #02-2015-11,
17 RESOLUTION scheduling a public hearing for March
18 23rd, 2015 at 6:00 p.m. at the Third Street
19 Firehouse, and directing Clerk Pirillo to notice
20 accordingly, the Wetlands Permit Application as
21 submitted by En-Consultants on behalf of Oyster
22 Point Condominium, 160 Fifth Street, Greenport,
23 New York, 11944;

24 To construct: Approximately 339 linear
25 feet of fiberglass jetty in place of existing

1 timber jetty; construct approximately 106 linear
2 feet of vinyl bulkhead in place of (and 6" higher
3 than) existing timber bulkhead; construct
4 approximately 264 linear feet of vinyl bulkhead
5 within 18" of (and 6" higher than) existing
6 timber bulkhead; and incidentally dredge
7 specified area within 10' of bulkhead to a
8 maximum depth of -4' MLLW, using approximately 15
9 cy of resultant sand/silt spoil as backfill
10 together with any recovered material incidentally
11 lost to basin sides (i.e., north and west sides)
12 of jetty during jetty replacement and up to 100'
13 cy of clean sand to be trucked in from an
14 approved upland source, all as depicted on the
15 project plan prepared by En-Consultants, dated
16 October 21st, 2014. So moved.

17 TRUSTEE PHILLIPS: Second.

18 MAYOR NYCE: All those in favor?

19 TRUSTEE HUBBARD: Aye.

20 TRUSTEE MURRAY: Aye.

21 TRUSTEE PHILLIPS: Aye.

22 TRUSTEE ROBINS: Aye.

23 MAYOR NYCE: Aye.

24 Any opposed or abstentions?

25 (No response.)

1 MAYOR NYCE: That motion carries.

2 TRUSTEE PHILLIPS: RESOLUTION #02-2015-12,
3 RESOLUTION directing the Conservation Advisory
4 Council to review the Wetlands Permit Application
5 submitted by En-Consultants on behalf of Oyster
6 Point Condominiums, and to prepare the
7 corresponding report on same to the Village of
8 Greenport Board of Trustees by March 9th, 2015.
9 So moved.

10 TRUSTEE MURRAY: Second.

11 MAYOR NYCE: All those in favor?

12 TRUSTEE HUBBARD: Aye.

13 TRUSTEE MURRAY: Aye.

14 TRUSTEE PHILLIPS: Aye.

15 TRUSTEE ROBINS: Aye.

16 MAYOR NYCE: Aye.

17 Any opposed or abstentions?

18 (No response.)

19 MAYOR NYCE: The motion carries.

20 TRUSTEE MURRAY: RESOLUTION #02-2015-13,
21 RESOLUTION approving the use of the Polo Grounds
22 at Moores Lane from 4 p.m. through 10 p.m. on
23 August 6th, 2015 and August 7th, 2015 for the
24 annual Circus Fundraiser benefiting the Fire
25 Safety and Fire Police divisions of the Greenport

1 Fire Department. So moved.

2 TRUSTEE HUBBARD: Second.

3 MAYOR NYCE: All those in favor?

4 TRUSTEE HUBBARD: Aye.

5 TRUSTEE MURRAY: Aye.

6 TRUSTEE PHILLIPS: Aye.

7 TRUSTEE ROBINS: Aye.

8 MAYOR NYCE: Aye.

9 Any opposed or abstentions?

10 (No response.)

11 MAYOR NYCE: The motion carries.

12 TRUSTEE HUBBARD: RESOLUTION #02-2015-15,
13 RESOLUTION scheduling a public hearing for March
14 23rd, 2015 at 6:00 p.m. at the Third Street
15 Firehouse, and directing Clerk Pirillo to notice
16 accordingly, for proposed rules and regulations
17 concerning Public Assembly Permits in Mitchell
18 Park. So moved.

19 TRUSTEE ROBINS: Second.

20 MAYOR NYCE: All those in favor?

21 TRUSTEE HUBBARD: Aye.

22 TRUSTEE MURRAY: Aye.

23 TRUSTEE PHILLIPS: Aye.

24 TRUSTEE ROBINS: Aye.

25 MAYOR NYCE: Aye.

1 Any opposed or abstentions?

2 (No response.)

3 MAYOR NYCE: That motion carries.

4 TRUSTEE PHILLIPS: Mr. Mayor, if you
5 wouldn't mind, on Resolution #17, I'll be
6 recusing myself, so could I switch with --

7 MAYOR NYCE: Sure.

8 TRUSTEE PHILLIPS: -- Trustee Roberts and
9 read 16 instead?

10 MAYOR NYCE: Robins, yeah.

11 TRUSTEE PHILLIPS: Robins. Did I say?
12 Roberts? I'm sorry.

13 RESOLUTION #02-2015-16, RESOLUTION
14 approving the attendance of Trustee Robins at the
15 NYAPP Annual Conference in Saratoga Springs, New
16 York from April 7th, 2015 through April 9th,
17 2015, at a conference cost of \$225.00 and a room
18 rate, inclusive of meals, of \$375.00 total.
19 Conference fees, lodging costs and all applicable
20 travel costs are to be expensed from account
21 E.0785.210 (Employee Training). So moved.

22 TRUSTEE HUBBARD: Second.

23 MAYOR NYCE: All those in favor?

24 TRUSTEE HUBBARD: Aye.

25 TRUSTEE MURRAY: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR NYCE: Aye.

4 Any opposed or abstentions?

5 (No response.)

6 MAYOR NYCE: That motion carries.

7 I'll ask Trustee Robins to read Resolution 17.

8 TRUSTEE ROBINS: RESOLUTION #02-2015-17,
9 RESOLUTION adopting the attached SEQRA resolution
10 adopting Lead Agency status and determining that
11 the approval of the wetlands permit application
12 of Brewer Yacht Yard at Greenport, Inc., 140
13 Manhasset Avenue, Greenport, New York, 11944, is
14 an unlisted action for purposes of SEQRA, and
15 further determining that the approval of the
16 wetlands permit application will not have a
17 significant negative impact on one or more
18 aspects of the environment, and adopting a
19 conditional negative declaration for purposes of
20 SEQRA, as stated in the attached SEQRA
21 resolution. So moved.

22 MR. PROKOP: Is that the right address?

23 TRUSTEE MURRAY: Second.

24 MR. PROKOP: It's 1410?

25 MAYOR NYCE: It's 1410 Manhasset. Let the

1 record show that the address is 1410 Manhasset
2 Avenue, Greenport, New York, 11944.

3 TRUSTEE MURRAY: I seconded that.

4 MAYOR NYCE: All those in favor?

5 TRUSTEE HUBBARD: Aye.

6 TRUSTEE MURRAY: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 TRUSTEE ROBINS: Aye.

9 MAYOR NYCE: Aye.

10 Any opposed or abstentions?

11 (No response.)

12 MAYOR NYCE: That motion carries.

13 I'll read Resolution 18. I have the
14 written-in changed wording.

15 Resolution #02-2015-18, approving the
16 Wetlands Permit Application as submitted by
17 Brewer Yacht Yard at 1410 Manhasset Avenue,
18 Greenport, New York, 11944, for the replacement
19 of +/- 205 linear feet of timber bulkhead with
20 vinyl bulkhead raised +/- 18" to match the
21 existing adjacent bulkhead grade, and to demolish
22 the existing restroom building to facilitate
23 bulkhead installation and reconstruct with no
24 change to floor area, with roof runoff to be
25 diverted to the proposed drywell, and for the

1 replacement of the existing 205 linear feet of
2 the 3'-8' fixed dock along the bulkhead in kind,
3 and noting that all lumber will be untreated, per
4 the public hearings held on February 23rd, 2015.
5 Approval of this Wetlands Permit Application is
6 contingent upon the installation of a permanent
7 pumpout station, in addition to the availability
8 of a pumpout boat, with further arrangements to
9 be made for discharge at Village sewer facility
10 at Mitchell Park Marina, per the recommendation
11 of the Village of Greenport Conservation Advisory
12 Council. So moved.

13 TRUSTEE MURRAY: Second.

14 MAYOR NYCE: All those in favor?

15 TRUSTEE HUBBARD: Aye.

16 TRUSTEE MURRAY: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR NYCE: Aye.

19 Any opposed or abstentions?

20 TRUSTEE PHILLIPS: Mr. Mayor.

21 MAYOR NYCE: That motion carries. And

22 Trustee --

23 TRUSTEE PHILLIPS: Just make sure that the

24 vote --

25 MAYOR NYCE: Trustee Phillips has

1 abstained.

2 TRUSTEE PHILLIPS: No.

3 MAYOR NYCE: Recused. I'm sorry, recused
4 herself from both Resolution 17 and 18, let the
5 record show.

6 TRUSTEE MURRAY: RESOLUTION #02-2015-19,
7 RESOLUTION approving all checks per the Voucher
8 Summary Report dated February 20th, 2015, in the
9 total amount of \$476,980.22, consisting of:

10 o All regular checks in the amount of
11 \$379,174.89, and

12 o All prepaid checks (including wire
13 transfers) in the amount of \$97,805.33.

14 So moved.

15 TRUSTEE HUBBARD: Second.

16 MAYOR NYCE: All those in favor?

17 TRUSTEE HUBBARD: Aye.

18 TRUSTEE MURRAY: Aye.

19 TRUSTEE PHILLIPS: Aye.

20 TRUSTEE ROBINS: Aye.

21 MAYOR NYCE: Aye.

22 Any opposed or abstentions?

23 (No response.)

24 MAYOR NYCE: That motion carries.

25 That concludes the business for this Board.

1 At 7:59, I will offer a motion to adjourn.

2 TRUSTEE ROBINS: Second.

3 TRUSTEE HUBBARD: Second.

4 MAYOR NYCE: Seconded by Trustee Robins.

5 All those in favor?

6 TRUSTEE HUBBARD: Aye.

7 TRUSTEE MURRAY: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBINS: Aye.

10 MAYOR NYCE: Aye.

11 Any opposed or abstentions?

12 (No response.)

13 MAYOR NYCE: That motion carries.

14 (Whereupon, the meeting was adjourned at
15 7:59 p.m.)

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

2

3 STATE OF NEW YORK)

4) SS:

5 COUNTY OF SUFFOLK)

6

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

10 THAT, the above and foregoing contains a
11 true and correct transcription of the proceedings
12 taken on February 23, 2015.

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

17 IN WITNESS WHEREOF, I have hereunto set my
18 hand this 8th day of March, 2015.

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Lucia Braaten

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BOARD OF TRUSTEES
VILLAGE OF GREENPORT

SEQRA RESOLUTION REGARDING WETLANDS PERMIT APPLICATION
OF BREWER YACHT YARD

WHEREAS an application for a wetlands permit approval was filed by Brewer Yacht Yard an application 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 or more related actions each of which is not significant but when reviewed together are significant; all of the above provided that certain conditions are met as follows:

The applicant must install a permanent pump-out station, in addition to the availability of a pump-out boat.

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

Upon motion by Trustee

Seconded by Trustee

this resolution is carried as follows:

Dated: February 23, 2015