VILLAGE OF GREENPORT  
COUNTY OF SUFFOLK : STATE OF NEW YORK  
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BOARD OF TRUSTEES  
REGULAR MEETING  
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Third Street Firehouse  
Greenport, New York  
July 23, 2020  
7:00 P.M.

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

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

MAYOR HUBBARD: Okay. I'll call the
meeting to order with the Pledge to the Flag.
(All stood for the Pledge of Allegiance)

MAYOR HUBBARD: Please remain standing for
a moment of silence for Elizabeth Lynn Davis,
Lynn Ellen Menaker, Jacqueline Hansen Monsell,
Richard R. Prieto, Nancy Elaine Schwartz, Brian
Lee Shedrick, Sr., and Lynne E. Webb.
(All remained standing for a Moment of
Silence)

MAYOR HUBBARD: Thank you. You may be
seated.

Okay. We've got two held-over public
hearings from last month. We did those on the
Zoom meeting, and we kept them open so that the
public could address either one of the public
hearings.

The first one is on proposed local law of
2020 amending Chapter 88 (Noise) of the Village
of Greenport Code regarding the regulation of
noise within the Village of Greenport. If
anybody would like to enter more comments on the
public hearing.

What we're doing is we don't have a podium
with a shared microphone, just for safety. Anybody who wants to speak on this, stand up, your name and address for the record so the Transcriptionist can get it, and just speak loud so everybody in the room could hear. All right? Go right ahead.

MR. SACKS: Good evening. My name is Michael Sacks, 306 Sixth Street. I'd like to -- I'd like to object to a couple of the proposed changes to this ordinance, specifically the changes that remove the language about yelling and shouting from the definition of noise pollution and from the section about prohibitions. My reasoning is this: A neighbor who consistently yells and shouts at loud volume at all times of the day can disrupt our quality of life just as much as a neighbor who runs machinery or plays musical devices. I think the current ordinance recognizes that, and I think it would be a pity to provide us with less protection, rather than more. Thank you.

MAYOR HUBBARD: Thank you.

MS. ZEMSKY: I'll talk a little louder now. I'm Dena Zemsky and I live 306 Sixth Street. I would like to address specifically the
quality of life issues associated with noise pollution. I notice -- I know most importantly the Village is concerned with commercial noise, and all those concerns are probably all valid, and the code should have strict rules enforced for and time parameters strictly enforced. I for one think construction and landscapers should have a 7 p.m. stop time, but that has been debated endlessly and we haven't gotten anywhere with that.

But there is also neighbor-to-neighbor noise and how that affects one's quality of life that concerns and affects me directly, as it does many neighbors. What I am seeing in the Village, after living here for 27 years, is that more and more owners are installing wrap-around fencing, tall hedge treatments, pools, and multiple playground equipment in their backyards. I feel many forget who lives on the other side of those fences and hedges and are not considerate.

At our own -- at our home, we have experienced long and sustained noises, screaming and hollering at all times of the day, and in the afternoon until after 11 p.m. at night, compounded by the spring action noise of a very
large trampoline.

I feel there should be more in the code to address these issues and directly sort of compromise fall on deaf ears.

Please do not eliminate any of the wording about hollering and hooting that's not only coming from bars, and consider more comprehensive wording about residential noise.

Thank you.

MAYOR HUBBARD: Thank you.

MR. COLLINS: My name is Michael Collins, 232 Manor Place in Greenport, and I'd just like to provide some input regarding basically loud music.

Most all major events held in the Village require a permit. I feel or my suggestion would be any venue with music, live or recorded, held in the Village should require a permit, which would be reviewed and approved or disapproved annually. If the Village receives complaints, a permit can be revoked, fines issued, and a waiting period enforced for a new application would be -- for a new application would be considered. This permit process would provide education regarding noise regulations to business
owners, the musicians who play at the venues, and
to Village residents. Even a garage sale
requires a permit.

From my personal experience over the past
five years, there is a man very close to me, and
they -- every Tuesday evening from 6 to 9 during
the summer they hold an event that's held on the
lawn along by the water, and includes very loud
amplified live music, sometimes recorded music.
The music is so loud that I find it difficult to
even talk with a neighbor in my front yard.

Over the years I've complained many times
to the owner, to the Village by the website
complaint form. I've also talked with the
Village Code Enforcement Officer, as well as
phone complaints to the Town of Southold Police
Department, which I hate to bother them with, and
the issue is yet to be resolved.

I always try to be a good neighbor and
expect the same consideration in return. And I
hope that everyone visiting the Village has a
wonderful experience and a great time, but not at
the expense of residents. Thank you.

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

(No Response)

MAYOR HUBBARD: Okay. I'll offer a motion
to close the public hearing on that, and we will
discuss it at our work session next month.

TRUSTEE PHILLIPS: Second

MAYOR HUBBARD: All right. All in favor?

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

Put that on for a discussion at next
month's work session. Thank you.

All right. The second public hearing to be
held over was the Wetlands Permit Application of
Paul Pawlowski on behalf of 123 Sterling Avenue
Corp for the property located at 123 Sterling
Avenue.

This is changing -- the only thing that is
up for discussion was being able to put the boat
at the end of the bulkhead at 123 Sterling, which
was added as a stipulation by the Board's feeling
when we issued the wetlands permit. And that's
the only part that we're actually discussing, because that's all they're asking to change on the wetlands permit. So if anybody wants to discuss tying the boat to the end of the bulkhead, that public hearing is open, you're welcome to comment. Yeah, go ahead.

MR. SALADINO: John Saladino, Sixth Street. I'm opposed to removing that condition of the original wetlands permit. When the CAC spoke to the applicant, he made it plain to them that he wasn't going to rent that portion. There was -- there was a public hearing, there was discussion. The Board chose to make that part of the conditions for the wetlands permit. I don't understand.

The dock is -- the dock in question is, depending on which map you look at, is either inside the pier and dock line or outside the pier and dock line. Traditionally, this Board and previous Boards has never given permission to a boat to dock outside a pier and dock line or build outside the pier and dock line.

Our code says you can't anchor a motorboat in a fairway or a channel. So it shouldn't be up
to the Village to prove that that dock or the boat that would be tied to that dock, the future boat that would be tied to that dock, will be inside the pier and dock line, it's the applicant's responsibility to do that. It's his job to do that, to prove to this Board that the boat that he plans on docking there won't be anchored in a Federally regulated channel in Stirling Creek.

Right now, everybody in this room knows that the entrance to Stirling Creek is shoaling over. There's no plan to dredge until December.

MAYOR HUBBARD: September, I believe,

September or October.

ADMINISTRATOR PALLAS: Yes. September, yes.

MR. SALADINO: September or October. If Safe Harbor is still in a position to want to do it, because of a pandemic, perhaps, we don't know, maybe they're not willing to do that anymore. If they're not, then we have to wait for the County to do it. It's not a good idea.

I understand it's a revenue issue. It does have 14 slips, 18 slips, 12 slips, whatever it is in Racketts Basin to tie a boat up at that dock. Again, it's not an opinion, it's your code. You
can't anchor in a fairway. You can't anchor or
moor a boat in a fairway or a channel. My
opinion is, from looking at maps, 11 years
experience with the CAC, is that where that boat
would be tied up to that dock is inside that
Federal boat channel.

I could remember the public hearing, the
Attorney says, "Well, you have to prove that."
That's not my job to prove, that's the
applicant's job to prove that it's not there, if
you choose to agree with him.

You've made -- you've made the condition
now, and I'm just not quite sure why, that when
the CAC went for the site inspection, there was
no question in the people that we spoke to's mind
that there would be no boat tied up there.

Then I just don't understand why we just
can't do what we all agreed to. If we agreed to
that, why is it now a modification? Why is there
going to be a stipulation?

We took -- we took the applicant for his
word that he wouldn't do it. We didn't think we
had to sign it in blood. We didn't think we had
to, you know, get an attorney to like hear us all
swear to it and stuff. That's what we normally
do. We talk to an applicant, they say, "Yeah, we plan on doing this," we make a value judgment, is he telling the truth, is he not, and we go with it and we make that recommendation to you guys.

I would just urge you to keep the wetlands permit without this mod the way it is. Thank you. Thanks for listening.

MR. PAWLOWSKI: Good evening. I'm Paul Pawlowski, the applicant for 123 Sterling.

The day we met with the CAC and Mr. Pallas onsite, the discussion about the entire project, whether it was redoing the bulkhead, the floating docks, and our long-term goal or plan for our 14 slips is 100% accurate. We don't plan on renting any. We -- for every resident that would be buying on our property, they would be deeded a boat slip. So that was 100% the conversation.

The only stipulation at the time on that site meeting was would we, as the applicant, be willing to put in a pumpout or a -- for the Town pumpout boat, instead of having that boat having to go all the way around to the ferry. So we agreed that, yes, let's put in a pump station for the Town pump boat, and that -- so talking about rentals, not using that slip, 100% in the long
term, once this project is done, we're not going
to be renting boat slips, they'll be going to the
residents of that property.

Currently, Ken McDonald has been the -- he
was the manager of the marina for the last, you
know, 10, 15 years. He's been renting it out, as
he's been doing. And we just were on, you know,
autopilot with Ken running the marina, doing his
thing, and once the project is done, each
resident would get it. So we don't have any
long-term plans to rent out any slips. However,
not one word was spoken about not using that slip
that day.

So we came in on agreement, you know what,
this is a renewal of a permit for a 132-foot
bulkhead to be refinished. It was roughly
400 feet that was approved. The sellers that we
bought off didn't finish the job. We were
renewing a permit to finish that job. We took it
a step further and agreed to a pumpout, which is
roughly a $50,000 investment. I've already given
a deposit to Kip Skrepec to do his job, and we're
delighted to do that. I thank Skip for not only
the Town boat, but our people at the marina.

We're not renting out long-term. That's
what I said on the site, that's what I'm saying today, it's recorded. However, there wasn't one even thought of giving up a right of a bulkhead that's been used for over 120 years. Waterfront Commercial in the Village of Greenport is one of the biggest assets. We're not going to -- we don't want to give that up.

And I -- first of all, this was a renewal of a permit from 2008 with no stipulations, not even a pumpout. We're doing the pumpout. We had in November -- in October a work session and November an approval. I get a call in the next morning, "Hey, we made a mistake, we've got to do this all over again." I went to every single meeting, and I said, "No problem. We got to redo it, I want it to be legal." I go to the second work session for the second process, no questions about, you know, giving up a right to a dock that's been used for 100 years.

I call. The second meeting is a vote only, not supposed to be open to discussion. I don't come, to the first meeting I don't come to during this entire process. I find out the next day in the paper that I gave up the rights to use 100-foot -- the biggest assets on the property.
So we, as the applicant, never thought that was coming. It never was spoken of in 2008, it wasn't spoken of in the first approval, it was only spoken of when I wasn't here.

Now, with all that said, we appreciate the concerns of the CAC. In my letter to the Board, where the channel is most tight, in 45 years, it was tighter 45 years ago than it is today. In my letter, I said we wouldn't keep a boat there until it is dredged. So if it's dredged this year in September or next year in September, we'll keep a boat off that. There hasn't been one boat there this year since this stipulation was put. We won't do it until that's dredged.

We would even take it a step further. There's roughly 130 feet of bulkhead. It's only tight at the northerly point. We would take -- we would say no parking, no boats, no tie-ups for the first 40 feet, like my letter says, because the CAC is right, there is a little bit of an issue there. But once you get past the first 40 feet, it is double the width of every boat that pulls into Stirling Harbor's marina in their floating dock, double the width. So when you're headed out in that inlet, headed south,
once you get past 40 feet, it exponentially splays out.

So we will 100% work with the CAC to make it navigable, but we can't give up a right that is the most important right of every Waterfront Commercial property in Greenport. So we're willing to meet halfway. We never once said onsite we want to give up rights to use a boat. We 100% said we're not renting.

Not anywhere in any discussion am I going back on my word or do I need to sign a contract on a site visit. That will never happen on this bulkhead, that will never happen in one inspection, that will never happen across the way. I really just want to keep the right that's been there for 100 years, as the applicant will meet the CAC in the middle to improve the navigable waters. We'll put in the pump station and we'll improve on it, and I hope that that is good enough.

I appreciate your time.

TRUSTEE PHILLIPS: Mr. Mayor, can I ask the applicant a question?

MAYOR HUBBARD: Sure, go ahead.

TRUSTEE PHILLIPS: Paul, in your statement,
you just said that there's 14 slips. My understanding is that you have a proposal to increase, with the possibility of increasing the main building by a few more units. So if you're going to be giving each unit a boat slip, where are you going to come up with the other -- what is it, three that you're increasing to 17?

It's 17.

MR. PAWLOWSKI: So there's a problem. So on the approved wetlands permit, the slips are defined. It will tier down. So the -- let's just say there's 17 units currently, and we're asking for 17 market rate, some of those won't have a dock, they'll have a dinghy slip, just like they did in (inaudible). So you could either -- on the easterly portion for the first eight or so docks, you could have a real site boat. To the westerly portion, you're not going to have a deeded, you're going to have a dinghy slip. So it would be tiered to sizes, so there would be roughly 12 decent size slips and five, you know, tie-ups, not a slip. So they won't have a full deeded slip.

TRUSTEE PHILLIPS: Okay. So in years past, and I have to go back to in the discussions --
and I need to make a clarification. I have objected, and it was in the discussions about it, because historically, before 123 Sterling originally purchased that property, there was -- there was transient boats there that came in unloaded and left. There was never really any boats tied up there. In the original ZBA agreement at one point, it was supposed to be worded in there that nothing was supposed to be tied up. That was left out of the stipulation. I don't know why it was left out of the stipulation. So I need to correct that, because that is part of the history down there, okay?

The other thing is the fact that I'm concerned that, at some point, do you plan on putting more than one boat there?

MR. PAWLOWSKI: It's not about one boat or not, we would meet in the middle. And where it's the tightest portion of where the peninsula is closest to our bulkhead, the first --

TRUSTEE PHILLIPS: I'm familiar with it.

MR. PAWLOWSKI: The first 40 feet is where anyone can say it's tight. It's still not nearly as tight as every single finger slip pulling in the marina to the north. However, there is a
valid point to that. But I would like to say the first 40% of that we would have no dock, no transient, no long-term, we would take away any of the tie-up abilities. But the rest of it, the 60%, you could have two 20-foot boats, two 30-foot boats, one big boat with no issues. If there's an issue there, then every -- the 300 boats to the north have a problem.

And so as far as being the applicant, every picture I've seen has been -- my only knowledge is in the last year-and-a-half there, right? And there's always been a huge sailboat there. I didn't even know that person, Ken McDonald dealt with that person. They were there for the last several years renting that space. Not once, not once has there been an accident, not once.

Now past that, I went back to the '40s, and there was pretty much a boat there all summer every day, whether it was oyster factory, from the -- from the boat to conveyor belt, to an excavator in, and they took up the entire 120 feet.

I will totally meet in the middle and make there -- you know, make this a better situation. But once you start heading south past the first
40%, it is wide open, and then there is no navigable issues whatsoever.

And this wasn't an issue on the first permit issued, the second permit issued was an issue, and then it was only brought up the third time around when I wasn't here. I had no say in that stipulation for that.

TRUSTEE PHILLIPS: I think you need to go back to the minutes.

MR. PAWLOWSKI: So it's a big thing. I will say this. We understand the concern, and I feel by helping the situation, it will go a long way with everyone pulling in and out of that channel.

MAYOR HUBBARD: Okay. I just want to clarify one thing. The pumpout station is part of our LWRP, it's required if you have a marina with more than four slips. So it wasn't like you were doing that out of the goodness of your heart, or whatever, it's required by our code, said you have to do it, make all the condos and everybody else do it. I just want to clarify that.

MR. PAWLOWSKI: Yeah, yes.

MAYOR HUBBARD: I know it's an expense to
you, but that's required by our code that we have in place.

MR. PAWLOWSKI: Completely understand. My point was that was the --

MAYOR HUBBARD: Okay. That's all, I just want to clarify that for everybody.

MR. PAWLOWSKI: That was the only discussion on -- besides replacing the 132 feet, this is what you're going to do. And we agree that it's part of having a marina, but there was --

MAYOR HUBBARD: Right, okay.

MR. PAWLOWSKI: There was zero discussion on saying, "Hey, we're going to put a stipulation in that you're going to lose your slip."

MAYOR HUBBARD: I'm not questioning that, but I just want to clarify your comment that you're spending money to put in the pumpout, like you're doing it out of the goodness of your heart. You have to. I mean, anybody who got a bulkhead or wetlands permit application --

MR. PAWLOWSKI: Yep, agreed.

MAYOR HUBBARD: -- has to do that. Pat, do you want to comment? Yes.

MS. MUNDUS: Hi. Pat Mundus, 182 Sterling
Street.

I agree with Paul. Paul has really done extraordinary promises, and he's said he's not going to put a boat on the bulkhead. And, you know, that's really great, as long as Paul owns the property. But if this permit continues to the next owner and the next owner, what's going to happen in the future?

I -- can I approach the podium, because I made a little visual aid?

MAYOR HUBBARD: Sure.

MS. MUNDUS: Because there's shared liability. And if an accident does happen, it's going to be Paul, it's going to be the Village, it's going to be both boat owners.

So what I did was I took a Google Earth screenshot, and then I scrolled over to the East Pier, and I, in the same exact scale, took a picture of the pier. And then with a pair of low-tech scissors, I cut out a 100-foot motor yacht, put it on here like that, and I cut out a 120-foot motor yacht, because motor yacht dockage is an extreme need right now, okay?

Now Paul may say that within the last 45 years there hasn't been a problem pitching.
Anybody who comes in and out of there every day, especially at 4 or 5 o'clock in the afternoon -- I'll put a 100-foot boat on there, because that's more reasonable. This is Zaida. Now Zaida, you're right, has lived on that dock for over 10 or 12 years, I think, but Zaida's beam is only 13 feet. A motor yacht like this little one, a 100-footer, is at least 25 feet, if not 30. So now we're talking about much more impingement on the Federal navigation channel.

So I love your instincts to say the boat doesn't belong there, but what happens if you sell it to another guy who doesn't feel the same way? So here's the 100-foot motor yacht.

MAYOR HUBBARD: Okay. Just hold it up so everybody can see it, and the Board can see it in there.

MS. MUNDUS: It's really -- it's not glued or anything.

MAYOR HUBBARD: No, well, I understand that, but so the camera and everybody can see what you have.

TRUSTEE PHILLIPS: I completely understand that.

MS. MUNDUS: So I superimposed a 100-foot
motor yacht right on top of the photograph of Zaida, who was there for 10 years, and you can see that's a substantial difference.

Now, contrary to what Paul says, two boats being able to pass side by side is almost impossible right now. If they do, they're little mosquito boats, they're not properly sized boats that need to maneuver. And accidents don't happen when everything goes good. To say that nobody has been hit there since we've been following it, really, to me, that's -- that's not safe management.

So until the inlet does get dredged -- I'll go back to my -- until the inlet does get dredged, and, you know, there might be some wording in there somehow to carry further in the deed covenant that if the channel is reduced by a certain amount because of the inevitable erosion, all that sand comes right -- you see in the year-by-year photographs, it all comes in and encroaches. This photograph is two years old and it's not even close to being where it is. Now it's like this.

Single-file traffic only is the only thing that makes that inlet usable. If one guy loses a
steering pin, if one guy is drunk, you know, what, more dollars than cents, a guy who doesn't have any experience could cause an accident. So this is a really important thing for all of us to consider, the shared liability. Thank you very much.

MR. PAWLOWSKI: So right off that point, I agree with Pat, I agree with Mr. Saladino, that we need to improve that situation. Once it's dredged and until it's dredged, there won't be a boat.

By reducing 40% use on that bulkhead will greatly improve the navigable waters there, because if you take that 100-foot boat and make it a 60-foot boat, the difference from side to side now goes from 138 feet to 250 feet. If two boats can't go in 250 feet, then the Shinnecock Canal needs to be shut down tonight, because that's less than half of that width. And the current isn't worse in all of our waters besides out off of Orient.

So I agree with the point, and I think, as the applicant, we're giving up the use of 40% of a bulkhead that's been used for over 100 years. And I could guarantee you that there has not been
one lawsuit to the Village for a boat hitting another boat off that bulkhead. Well, there might -- would that happen? Maybe. But if we meet in the middle, cut off the first 40% to the north of our bulkhead, we are going to drastically improve the navigable waters by almost 50% better than the last 100 years.

And since 1948 until today, there's 10 feet more room between the point and our bulkhead. Once it's dredged, it will be even better. But as I said in my letter, it's been written, we won't, we won't have a boat there. As I said in my letter, we would contribute to improving the peninsula across the way, whether it's with a rock revetment, or whatever. Whatever so be, we would help in that regards.

And what I'm proposing isn't just if we own the property, it's long-term. We could -- we could mark it off on a survey saying "No boats here," so the next person, if there's a next person, so it protects everyone living there.

The CAC is doing the job, we're doing the job. I think what we're proposing is very generous compared to what most people would want to give up. When I bought that property and saw
that sailboat there, I said this is one of a
kind, because of that sailboat sitting there. No
one else has that opportunity besides Claudio's
dock. But what we're proposing will help all
of -- will really improve the situation.

MAYOR HUBBARD: Thank you.

MR. SALADINO: I'm sorry. I just have to
correct one thing that Paul had said. I made my
comments to this Board as a member of the CAC at
a public hearing. There wasn't some clandestine
by stealth, some meeting that we had and you guys
agreed to modify the wetlands permit.

Paul says, "I've been to every meeting, I
showed up, except that one, and then all of a
sudden at that meeting these conditions are
imposed." Where you are or what you did that
evening is certainly your business. I made my
comments to this Board at a public hearing for
the public and the television camera to hear.
It's not like I dreamed this up in some secret
email. It was -- so I just wanted to get that
out.

The other thing is, you know, my father
used to say, when we talked about stuff, he would
say, "Well, John that was then, this is now." So
120 years ago, yeah, maybe there was boats docked there 100 years ago, 50 years ago, 60 years ago. Right now we have a code in the Village of Greenport that says you can't dock a boat, you can't moor a boat in Federal -- in a fairway or a channel. Until it's decided if that is a Federally regulated channel, I mean, the whole question is moot. We're saying, well, because we did it 120 years ago, I'm sure there's a lot of people in this room that can remember 120 years ago in Greenport things were different. Now, now it's not. Now we have a code that says you can't do that.

The fact that there was a boat there and nobody said anything because it wasn't enforced didn't make it legal, it just made it happen, that's all.

It's about time that perhaps we should look at the code. As crazy as it sounds, maybe we should follow it. And if somebody gains some space or somebody loses some space, that's it. Then your option is to change the code. If you don't like the way it reads, then change it. I say it all the time.

Thank you. Thanks for listening.
MR. PAWLOWSKI: So, lastly, I don't think there was any sort of secret email. My point was there was an approval, then a second approval, and then we had to come back again. And I had no idea that there would be a discussion on using that dock. I agree, there was nothing done out of malice or under any of that, that's not my point. My point was I just didn't come to a meeting because it was supposed to be vote only, no, no discussion. And it was the third -- it wasn't like it was the first approval or the second approval.

Now, if that's considered the channel, there's a ton of boats in that channel to the north. Then this is going to be a compounding disaster. And I hope we're helping set a precedent that we're going to help the situation by giving up a right that's been there that is -- whether it's -- there's a lot of maritime rules here that are outside the Village control that I don't even want to get into. But I can assure you, we have rights to use that. And I think not -- I'm not even talk about the last 120 years, I'm talking about the last year or the year before that there's been a boat there. And
now we're willing to, instead of having 120-foot boat there, 100-foot boat there, we're willing to go down to a 60 or two 30s, however we want to do it. I'll cut off the pilings so they can't even tie up to improve it.

But this is a -- this is a big conversation, and the thing we have on our side is history and knowledge from the history, not what I'm saying, not what the future is. We have a lot of history of, you know what, it's a five-mile-an-hour zone. If people can't navigate in roughly a 250-foot span, once we take away 40%, we're in trouble.

MAYOR HUBBARD: Okay. All right. Pat.

MS. MUNDUS: Pat Mundus. Speaking of a broken record, who keeps -- every meeting I come I say the same thing. Accidents don't happen because people safely navigate. Accidents happen because gear failure, somebody has a stroke or something, accidents happen.

The second point is, I forgot to say when I first spoke, if I were in Paul's shoes and I owned that piece of property, I certainly would like to have access to that, to the use of that dock. I'm not saying to prohibit any kind of
site line on the dock, because that's a valuable asset on that property. But I'm just saying, please, keep in mind the beam of the boats that -- in the '40s, when you said all those other boats were coming and going, it was such a wide channel, boats were smaller. It's an industry fact. Boats are bigger and bigger, and wider and wider, because everybody wants a Seagull and with a bait hooker (phonetic), super wide. That's what they are these days. You can't compare boats in the '40s to boats in 2020. Second of all, in the '40s, nobody came to Stirling Basin to go to the fuel dock. Right now the only fuel in Greenport is at Safe Harbor Brewer's Stirling. Those big bruisers, not the big ones that are on the East Pier, but there are plenty of 80 and 90-footers that come all the way in just to go and back into the fuel dock.

So, you know, all these things are now run on autopilots. People get mixed up, they have hydraulic issues, they have electronic issues. These are not the same boats, and they're going to the fuel dock. So it is a valid point.

I don't think we're squabbling over
something inferior here, this is a real major point. It's about the dredging as much as it is about the bulkhead there.

MR. PAWLOWSKI: So I agree 100% with that statement. And I feel the way to improve on boats from the past to the future is by reducing the use of the north part of this bulkhead, which is the tightest part between our bulkhead and the peninsula, and it will greatly -- it doesn't matter if there's a 15 to 10-foot beam or 30-foot beam. Where I'm talking, if we allow no more than a 60-foot boat, it won't matter. There's not -- it will not matter, because that's how much it splays out.

So I agree with that. I agree we can wait until it's dredged, and I think we could -- I think we could accomplish the goals of the CAC and Pat's comments by helping the situation as proposed.

MAYOR HUBBARD: Okay. Mr. Swiskey, you wanted to say something?

MR. SWISKEY: I don't know much about this, but --

MAYOR HUBBARD: Just your name and address.

MR. SWISKEY: Oh, William Swiskey, 184
Fifth Street. Sorry.

MAYOR HUBBARD: Thank you.

MR. SWISKEY: I don't know why I forgot this, but if the Village is going to use contention that the boat would be in what they call the channel, or the -- what's its name? But, anyway, the Village is going to have to prove that in court. Therefore, it's incumbent on the Village to do a survey to set that fact either one way or the other, then you could have the argument.

MAYOR HUBBARD: Okay. But we're not going to keep going back and forth all night on this.

MS. MUNDUS: And this is the last thing. Again, it's the beam of the boat, not the length. If you put a 60-foot catamaran there, you theoretically could have a 35-foot beam. Not the length of the boat that's the restriction, the beam of the boat.

MR. PAWLOWSKI: Agreed.

MAYOR HUBBARD: Okay.

MR. MACKEN: I just want to make one point in relation to what everybody has said, that -- and especially Mr. Saladino as to the code. The code is there for a reason. The code, the rules
are there, and that applies to everything to do
with this project. And it's -- of course, he is
seeking to enhance his property.

The fact is, as Pat pointed out, it's all
about the beam of the boat. The boats are
getting bigger and bigger and bigger. In the
last 22 years that I've been here, the boats are
just humongous. There are boats tied up out
there that are just in the marina and the Village
is making money out of it. The boats are just
super yachts at this point.

And so, if you concede this to
Mr. Pawlowski and he sells on the property, as he
will, he's -- at some point, he's going to move
on, the future owner will say, "I've got a right
to put a boat there." And unless the Village is
prepared to monitor and enforce what kind of boat
can be there, and what the beam of the boat is to
be there, so that the Code Enforcement Officer
goes out with a tape measure, and, as Pat says,
accidents just happen. When there's a tide
running through there and everything, and some
weather, you know, stuff happens. So it's just
about being -- about being safe, really.

I don't know how the Village would be able
to enforce the size of the boat if you grant that a boat can be there. And I think it's a different thing that if -- that if boats pulled up and let people off or something and then move on, I think it's a different -- there are two different things. There's access to the bulkhead and use of the bulkhead, and then actually mooring a boat on that bulkhead. I think those are two different things that perhaps those haven't been explored. Thank you.

MR. SWISKEY: Just one comment, George.

MAYOR HUBBARD: Okay, go ahead.

MR. SWISKEY: In other words, if the Village has a current map, he can't put a boat in the channel. And it's incumbent on the Village to know what's there, so that's why the Village, in other words, needs to do the survey.

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

(No Response)

MAYOR HUBBARD: Okay. I'll offer a motion to close the public hearing. We will discuss this at our work session.

TRUSTEE MARTILOTTA: Second

MAYOR HUBBARD: We got a second. All in
favor?

TRUSTEE MARTIOLLOTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried. We will
discuss that at our work session next month.

Okay.

Okay. Public to address the Board. This
is open to anybody who wants to address the Board
on any topic. Just remember, your name and
address for the record, so the Transcriptionist
gets it. And go ahead, Mr. Swiskey.

MR. SWISKEY: Thank you. William Swiskey,
184 Fifth Street. I just had some basic
questions, because nobody has been able to go to
meetings for months.

What's the status of the Genesys suit?

MAYOR HUBBARD: Okay. The Village Attorney
talked about that at our work session last week.

Do have a specific question? I mean --

MR. SWISKEY: When will the --

MR. PROKOP: So the Board -- so the Board
authorized mediation, a mediation process, and
the Village and Genesys have been in that process
for some time now. Right now, right now, they're
at the -- near the end of that process, where
they're reviewing. The engineers that have been
hired by both sides are reviewing each other's
documents. So we're actually -- at this time,
actually the Village's engineer is in the process
of reviewing the Genesys documents. That should
conclude shortly, and then there'll be a
mediation session where we try to resolve this
with a mediator

MR. SWISKEY: Who is the Village's
engineers?

MR. PROKOP: Don -- I'm sorry, I apologize,
I forget his name. It's an individual. Do you
remember, Paul?

ADMINISTRATOR PALLAS: I'm sorry, I don't
remember --

MR. SWISKEY: What?

ADMINISTRATOR PALLAS: -- his last name at
the moment.

MR. PROKOP: Bizoller (phonetic), I think
his name is. I apologize, I'm sorry. It's an
individual and I don't recall his name.
MR. SWISKEY: That don't sound good to me, George. Maybe I'm just a little bit -- all right.

MR. PROKOP: Well, there's -- the Village has outside counsel who's working on this with the engineer. I'm not --

MR. SWISKEY: But the Village Board should at east least know the name of the people that are working for you. You're paying these people, I think, 3, $400 bucks an hour, right?

MR. PROKOP: I don't think it's 3 or $400 an hour. I'm not sure.

MR. SWISKEY: Anyway, it just doesn't -- anyway, I constantly go on the Village website and I noticed no monthly financials published since April. Now there's May, June. I mean, you know, the Coronavirus has really only started to show in the -- May and June. I mean, there was some revenues, and I'd like to know why they haven't been published.

MAYOR HUBBARD: Okay. Right now, we're doing well with our tax revenue and everything that's been coming in. Some of our incomes, Marina, Carousel all were down, but our expenses are down, also because we're not paying employees
to do that. Our financial outlook right now is not great, but we're holding our own with it.

I can say that they're working on a second round of the CARES Act money. We have a call into Congressman Zeldin's Office, because they have a figure that's been calculated for every village and municipality in Suffolk County. We have a letter into Mark Woolley trying to get an answer of what that money would mean to us, if the Federal Government does pass that. And, hopefully, next week we'll have an answer on what we might possibly get, if they vote on the floor, and it's the fourth package of Corona relief.

MR. SWISKEY: That doesn't answer the question. Where are the monthly financials? We do have a Treasury Department, don't we?

MAYOR HUBBARD: Yes, we -- monthly financials have --

MR. SWISKEY: There's quite a few people. How come they can't get these things out? This, basically, a few commands of the computer and they pop out. Where are they?

TRUSTEE PHILLIPS: Mr. Mayor. Wait.

MAYOR HUBBARD: The last one that's up there is May? May is out there. I don't think
June is out yet. May is on the website.

MR. SWISKEY: April, May, that's one.

MAYOR HUBBARD: April, May I believe are both on the website. You can look at it any time, Bill.

MR. SWISKEY: I looked. I looked before I came here, they're not. April has been there forever.

CLERK PIRILLO: If I may, I believe it's April. And I'll check with the Treasurer tomorrow, but I think --

MR. SWISKEY: Go to the website now.

CLERK PIRILLO: If I may.

MR. SWISKEY: I don't like being -- they're not there, George.

CLERK PIRILLO: April is -- April is the last --

MR. SWISKEY: I think you should ask the Treasurer why.

CLERK PIRILLO: -- one that's there.

MAYOR HUBBARD: Okay. The Treasurer's not here right now, I'll ask him tomorrow.

MR. SWISKEY: Please do. Thank you.

MAYOR HUBBARD: Okay.

MR. SWISKEY: Now the next thing was the
status of the revenues, which I can't find out without the monthly financial. Also, you bonded $1.2 million for curbs and sidewalks on the dream of getting a State grant, right? But that ain't coming. The State's $65 million in debt, the Feds -- nobody's handing out money. If they're going to hand out money, it's going to be the schools. So I don't think -- you should go carefully, and not do a lot of work until maybe, maybe October, November, until you know where you are financially.

MAYOR HUBBARD: All projects that we had planned on has been cancelled, except for the one project that we have funding from CDBG through the consortium for Southold, was $50,000 for curbs and sidewalks on Sixth Avenue that we talked about at the work session. We're going to move forward with that, so we don't lose the $50,000.

MR. SWISKEY: All right.

MAYOR HUBBARD: The other projects that we had bonded for earlier in the year, we put them all on hold until we see where we stand.

MR. SWISKEY: Well, that's good news, because it's not a good situation out there right
now. We're looking for government monies. Schools are going to be hurting and they're going to be first priority, because that's where the big most population is.

    All right. Now the Fifth Street drain, has anybody looked at that estimate? What did you pay for that? You go down the street, here's the cover, six inches below that is the water. You're not putting anything in the ground. When the rain comes and it fills up, it goes out that last drain by the pipe that goes overboard. The whole project was a disaster, and I think you should have an engineer review it, see what it would take to make it right, because it should -- it's just a mess, and I have pictures, I can prove it.

    Now -- oh, where did the riprap that was on the trail go?

        MAYOR HUBBARD: Say that again, Bill.

        MR. SWISKEY: The crushed cement, the dirt, whatever it was, it was a big pile. I mean, it was the Village's material, right? Where did Scott Corwin take it?

        MAYOR HUBBARD: I'm sorry, Bill, I can't --

        I didn't understand the question. What is the
question?

MR. SWISKEY: There was that big pile of crushed concrete, they call it blend --

TRUSTEE PHILLIPS: You're talking about --

MR. SWISKEY: -- on Monsell Trail.

TRUSTEE PHILLIPS: Okay, on Monsell Trail.

MAYOR HUBBARD: On Monsell Trail.

MR. SWISKEY: Yes. Scott Corwin took it away.

MAYOR HUBBARD: Yes, he did.

MR. SWISKEY: Why? It was the Village's, wasn't it?

MAYOR HUBBARD: It was donated through Marcello Masonry on Shelter Island, along with Scott Corwin. He bought the stuff, they stored it here, we took what we needed out of it, what was usable. The rest was sitting there until whoever needed it first. Scott Corwin of Dirt Works had a use for it, so he came and took it out of there to clear the road up, so we could get down to the power lines if we need to, and he took and he used the rest of the leftover material. It was all clean. There was one section that was bad that we had picked up individually and we had that removed.
MR. SWISKEY: What did it cost us to get rid of it? The Village took it away, right?

MAYOR HUBBARD: Yeah. I'm not sure how much it cost.

ADMINISTRATOR PALLAS: I'll have to look it up.

MAYOR HUBBARD: All right. Well, we can get an answer from the Village Administrator tomorrow on the cost.

MR. SWISKEY: Did it cost us more than if we bought our own blend?

ADMINISTRATOR PALLAS: Bill, I just said I don't know.

MR. SWISKEY: Nobody knows. Let me see here. Oh, the -- has anybody looked at the pole line on Monsell Place between Main and I guess Atlantic? That is the circuit that goes to the hospital. There's a tree growing through it and it's all overgrown. The tree is at least six foot above the line. Granted, when we put that line in in the 1990s, it was really low, but it ain't going to stand that kind of abuse. What's going to happen is it's going to rub through and the line's going to burn out. Aluminum has no strength, and it's all through the Village. When
was the last time we trimmed trees, trimmed the
circuit?

ADMINISTRATOR PALLAS: We don't -- we trim
on an as-needed basis and routinely.

MR. SWISKEY: On an as-needed basis? You
know what the policy used to be? You trimmed two
circuits a year, so any circuit never had more
than three years without being trimmed. If you
ride around this Village, the next big storm that
hits here is going to kick your butt. Time to
get off -- somebody's got to get off their butt.
Go right around the Village and look up.

MAYOR HUBBARD: All right. Thank you.
Anybody else wish to address the board?

MS. ZEMSKY: Last year, I think you had --
I think Sylvia helped me out and the Road Crew.
They did a lot of poison ivy remediation down at
the end of Clark and by Widow's Hole. It's on
the north side of the property that's owned by
the environmental group now. There's a lot of
poison ivy there. If the guys could go down
again and remediate some of that poison ivy, that
would be great, if I could request that.

MAYOR HUBBARD: Okay.

MR. LUDACER: Thomas Ludacer, 133 Sixth
Street.

Given the (inaudible), discussed under the Village of Greenport purview, I'm reaching out about how you intend to meet the moment in regards to the current political and racial climate. Across the country --

MAYOR HUBBARD: Sorry, we cannot hear you --

TRUSTEE PHILLIPS: Whoa, whoa, whoa, you need to talk louder.

MAYOR HUBBARD: -- neither can the Transcriptionist. Could you speak a little louder for us, please?

MR. LUDACER: Across the country, cities and citizens are becoming privy to the inequities that we are faced with. Of course, there are varying degrees of racism, but racism all the same. The very least that a community such as ours can do is acknowledge and affirm that it exists.

I am pleased to hear of our officials' involvement in Southold Town's steps for reform. Ideally, cultivating community-based solutions comprised of residents, professionals and law enforcement alike will be a benefit.
Citing from the Department of Justice's Guide for Municipalities: Avoiding Racial Conflict, a number of ways are offered to aid in this.

The Community Relations Service indicates that outbreaks of civil disorder may be attributed to the existence of two volatile community dynamics. First is a perception that severe inequities exist in certain areas of the social structure. Second is the lack of group confidence in the interest or capability of government and other institutions to provide redress of grievances.

Each municipality may wish to enact a Human Relations Commission as the central instrumentality to monitor the municipality's commitment to equal rights and assure its conformity with the Constitution and Federal and State Civil Rights Laws, while at the same time promoting the goals of equality, justice, and harmony.

The commitment of local governments to protect civil rights and promote harmonious race relations can be manifested in the enactment of ordinances and the promulgation of policies. It
can take shape in a multitude of ways, including, but not limited to, public service announcements or hotlines reporting instances to the (inaudible).

Suggestions such as these, especially in these times, should not go unheeded. As to quote Laura Morgan Roberts and Ella F. Washington in the Harvard Business Review, “Racism isn't just Black people's problem, it's everyone's problem, because it erodes the fabric of society.”

Thank you.

MAYOR HUBBARD: Okay. Thank you. Anybody else wish to address the Board? Go ahead.

MR. MACKEN: I'm speaking on behalf of Steve Weiss from, I think, 113, maybe 117 Sterling Street. So he couldn't be here because he's worried about his health, and as are a number of elderly residents who are interested in some of the topics that are here tonight.

So his question was why is -- why is it -- what provision is being -- I think it was on Zoom and now it's not. So, really, he can't attend. There is no interaction between the number of people who would be interested in attending. Attendance here is restricted to something like
what, you know, 20% of what it was? So there
really -- I mean, if you're going to be holding
hearings and going forward, and you're going to
be holding public hearings, how is it really
going to be -- how are you going to address that?
I mean, and will it be held in the Greenport
School auditorium or something?
I mean, I notice that, you know, for, you
know, even Parliaments are -- the Parliaments in
England and Ireland, for example, are meeting in
huge auditoriums and stadiums, you know, they're
no longer meeting in their chambers. So I think
it's an ongoing problem. So how is -- how are --
how is the Village going to include its elderly
and vulnerable residents going forward, given the
conditions, which may not significantly improve
for some time now?

MAYOR HUBBARD: Okay. I mean, we're
working with the capabilities of what we have.
We're trying to do it with social distancing with
the guidelines that are in place. Hopefully, the
restrictions come down and things could be more
open.

We're trying to keep everybody safe and
all, but, you know, by State Law and Open
Meetings Law and all, we need to have public hearings and let everybody be heard. If somebody doesn't feel comfortable coming to a public hearing, they could submit written comments at any point, you know, a day before the meeting, so it gets read into the record. I know the Zoning Board had about 75 letters that were submitted to them on another project that was going on for a meeting they had Tuesday.

So anybody who doesn't feel comfortable coming here, they can submit their comments at any point at least 24 hours before the meeting, and they'll be part of the record. The Clerk will get them and then the whole Board will know what their comments are. Go ahead.

MS. SCHNEPEL: Ellen Schnepel, 165 Sterling Street.

Picking up from where Frank left off, several people wanted to participate in this meeting, but couldn't come. And since the Go To, whatever it's called, is no longer available, they have to look at the video, but the video doesn't allow for any kind of interactive work. So, in other words, someone had -- can watch, but cannot make comments or ask questions. And
sometimes those comments or questions are drawn from what is discussed, rather than something that comes the night before, so a question is written to the Board.

So I think, following up on what Frank said, there needs to be some way for an interactive public hearing when people cannot come.

MAYOR HUBBARD: Okay. We're following the guidance that the State has put out and everything else on the Open Meetings Law, so we have to conduct public hearings and we're following that guidance. To do everything completely by Zoom, then you're not following -- everybody's supposed to be getting out and starting interacting doing these meetings. I mean, some people are doing Zoom. Most people are going back to live meetings now, because that's the way things were before.

I mean, I don't know the answer on that. We're reviewing it, we have questions all the time about how we're doing the meetings, and we said this is the way we're going back. We're following the State guidance on opening things back up, people coming to the meetings and all.
I know some people feel uncomfortable with it, but we never expected COVID to be here and the whole thing, and we're -- you know, we're trying to get everybody's input. That's what I'm saying, people can submit letters, emails and anything else beforehand on any comments of any topic that they have and the Board will get all their comments.

MS. SCHNEPEL: Yes, but one may not preclude the other. Why can we not have both? That's what I'm saying.

MR. MACKEN: Exactly.

MS. SCHNEPEL: And why cannot we expand -- if those are the State regulations, why is there not ability for the Village to change to accommodate people who can't make it, because you did that before? In other words, the technology is there, but maybe not the sentiment from the Board.

MAYOR HUBBARD: Well, we have technology. We've done Zoom meetings, we were doing -- we did Zoom meetings for three months and all, but then the State says, you know, you had to start doing stuff in public. That's the guidance from the State when they opened everything back up, they
said this is what it is. Open Meetings Law and everything else means people come in and interact at the meeting, and that's the guidance that comes from the State. That's not something we set, that's something that the State is doing, I mean, you know, so --

MR. MACKEN: Why could we not combine the two and set up a monitor, and set up a -- you know, people would send -- would text in their questions and then they could -- there'd be a line of people, or whatever.

You know, I mean, as Ellen says, the technology is there, it's not difficult. The same conversation is happening in Southold, by the way, and numerous other towns around the -- around the area.

MAYOR HUBBARD: Okay. But, I mean, just say trying to run a meeting, I can't be looking at a computer screen with 30 people from home, with 30 people in the room, and try to monitor everybody all at one time not. That's just not possible for me to actually manage and run a meeting and be constructive in what we're doing if we're all in front of a laptop looking at these people, and hearing people here come up and
everything else. That's just --

MS. SCHNEPEL: No, no one is asking you to do that. In these Zoom meetings, there is a person who is in charge of taking the questions and reading them allowed so they could be responded to. So it doesn't mean that your tasks are being more complicated or -- there is someone who has that particular responsibility.

MAYOR HUBBARD: Yes. The person who does that is the Village Administrator, who's also here to answer questions from the public when things come up.

MR. MACKEN: Well, then we could have somebody else do it.

MS. SCHNEPEL: Yeah, you don't have to have a public official to do it.

MAYOR HUBBARD: Okay. We don't have a huge staff at Village Hall that can go and do this. I mean, all meetings were done through the Village Administrator, who is the I.T. person, because that is our -- I.T. Department is the Village Administrator and he sets the meetings up and everything else.

We can look at trying to expand it, but I'm just saying, you know, as we're doing this,
restrictions get loosened up, we went from 10 people to 25, now we're up to 50. So we're allowed to have more people around with the meeting laws as the State opens things back up. And, you know, we will look at that, okay? Okay.

MR. PROKOP: I just wanted -- I'm sorry. I had one other thing before you close.

MAYOR HUBBARD: Okay, go ahead, Joe.

MR. PROKOP: I just want to mention I mispronounced the Engineer's name before. I think I said Bizolli (phonetic). His name is actually Berozi. It's Don, Don Berozi is the person who's the engineer working with the Village with Genesys.

MAYOR HUBBARD: Okay.

MR. SWISKEY: Well, I know who Don Berozi is, yeah.

ATTORNEY PROKOP: Thank you.

MAYOR HUBBARD: Okay. Pat, you had something?

MS. MUNDUS: Pat Mundus, 182 Sterling Street. I just counted, there are 15 resident participants. And we have 123 Sterling coming up, a public meeting, Village Trustees, ZBA, Planning Board, HPC. I guarantee there's going
to be more than 16, 15 people attending those meetings. So maybe we could try to think ahead and have a different place. I don't know where, what secondary place it would be. But, I mean, every single 123 Sterling public meeting we've had we pretty much packed the room, so we're going to be needing that.

MAYOR HUBBARD: Okay, Chatty.

MS. ALLEN: Would it be -- Chatty Allen, Third Street. Sorry. Would it be possible -- I know Tuesday night I wanted to be here, and I was literally two people too late. So I was like I can't stand out in the heat, I'm going to go home and watch it. They have speakers set up outside for the people to hear. Is there any way you could have the trucks taken out of the bays, open the -- you know, and have a speaker in that room? You can distance a lot more people in that room specifically for the public hearings.

I know I'm one that doesn't go out. I go out maybe once a week, that's it, so this is a big thing for me to come here tonight. So I understand the caution. But I'm just thinking while I was sitting here, going if we took those out of the bays, you could fit a lot of people in
there with a speaker, and that way you can get more people.

Because it is -- I understand, as someone before all of this happened, many meetings I was the only one in attendance, but you learn that way. Things are brought up in a meeting, that you have a meeting, there's nothing really on the agenda, but things come up, and you do hear things and you bounce off of ideas from others.

So I get everyone wanting to be able to participate. I don't think -- I really think it will be a flipping mess if you try to do this and Zoom and people in the room all at the same time. Think of what teachers go through on a normal day, okay? It's not as simple as saying just do it. I know that would be a nightmare.

So that was just something that popped in my head. If I was home, I probably wouldn't have been looking that way.

And to change the subject, I would just like to thank the Mayor, the Trustees, the entire Village, everyone that works, to say thank you for everything you have done in these unprecedented times. There's a lot of things that have come up. You're behind the scenes and
people aren't really seeing what you're doing. I just want to personally say thank you to all of you, because I know you're out there, because you're out there 365 days a year.

I listened to last month's meeting, because I physically couldn't get out, and just listening to your back and forth with each other, and trying to correct some of the concerns going on, what Trustee Clarke brought up about people sitting. I happened to go through a couple of days before that, and literally from Bruce's to D'Latte's, or whatever it is, or Capital One, literally the entire length people were sitting. You guys have brought that to your attentions, you're working on it. Now we need to get every business downtown to start stepping up more to tell their patrons, "No, you don't sit there. No, you don't hang into the road." They've got to start to step up now.

You've done all you can do, and it infuriates me when I hear people complain, "Where's the TCO, where's the police?" We're in unprecedented times. Our Southold Town Police Force covers from Orient Point to Jamesport border, Laurel, Jamesport. It's a huge amount
they have to cover and they're understaffed. We have one full-time TCO. They can't be everywhere at once.

But you're doing the best that you can do in a time that everyone needs to take a step. You see something, try and help instead of complaining all the time, this one's doing this, this one's not wearing a mask, this one's not doing this, call the police. The police are being sent on every call you can think of.

So I just personally want to thank you for what you're doing to try and keep us all safe.

So thank you.

MAYOR HUBBARD: Thank you. All right anybody else wish --

MS. ZEMSKY: I have one question. What is the policy in the Village about these open fire pits and open, you know, backyard fire pits? Fire -- are they called fire pits, fire holes, what are they called?

MAYOR HUBBARD: Okay. What's in the code on fire pits, Paul, do you know?

ADMINISTRATOR PALLAS: I don't know offhand. I'll have to double-check.

TRUSTEE PHILLIPS: You're not supposed to
have open flames.

MS. ZEMSKY: Because I know that --

MAYOR HUBBARD: Okay.

MS. ZEMSKY: -- there's no open fires allowed, and there's no burn barrels allowed anymore. When I first lived here, people had burn barrels, no burn barrels. So, you know, I would like it kind of brought to the attention of the Village somehow, I don't know, public announcement or something, about what the code is about them, because I have two of my neighbors who -- and half the time my house smells like a campfire. You know, if they want to have their houses smell like a campfire, that's nice, but, you know.

MAYOR HUBBARD: Right. The regular fire pits I thought were allowed, but the burn barrels and burning garbage and rubbish were not. We have to go and get a clarification from the Village Administrator on that. But definitely burn barrels. And burning some wood in the backyard I believe was allowed, but, you know, burning garbage and other stuff, excessive smoke --

MS. SCHNEPEL: It's the trend to have these
burn bowls, you know, these backyard fire --
outside fire pits. I didn't know what the code
was on that.

MAYOR HUBBARD: Well, we will check on that
and the Village Administrator could let you know
on that. We'll let you know.

ADMINISTRATOR PALLAS: I believe that's --
I believe that's correct. I just don't want
to -- I want to confirm that before I --

MAYOR HUBBARD: No. That's just my
assumption, but we will check definitely what it
is and then --

MS. ZEMSKY: You believe what is correct?
You believe what is correct?

ADMINISTRATOR PALLAS: What the Mayor just
said.

MS. ZEMSKY: I didn't hear what he said?
What did you say?

ADMINISTRATOR PALLAS: That burn -- I don't
know how you describe them, my apologies. Burn
barrels is -- trash, that kind of thing is not.

MS. ZEMSKY: I know they're not. I know
they're not allowed. But I'm saying, with the
fire, what's the deal with the fires?

ADMINISTRATOR PALLAS: Again, I'm going to
double-check. I believe that that's permitted, but I'm going to double-check.

AUDIENCE MEMBER: It's not. It's not.

MR. PROKOP: So the section -- it's under the public nuisance section of the code. We have Chapter 90, which defines what public nuisances are, and one of the things that's defined as a nuisance is outside burning, so that will be residential outside burning, generally.

There's also fire pits that are used in commercial establishments, and those are regulated by the -- by the Code Enforcement Officer, because he also serves as Fire Marshal, and he inspects those as -- for safety under the Uniform Code.

MAYOR HUBBARD: Okay.

MR. PROKOP: So, generally, it's not -- they're not permitted, only in very unusual circumstances for commercial establishments, because you have to have a safe -- you'd have to have a safe setup, and it's hard to do that for most of the -- most of the commercial establishments. And as far as -- as far as residences, outside burning is considered a public nuisance.
MAYOR HUBBARD: All right. Any outside burning. So I thought a controlled fire pit, where you have -- probably put it in, put stuff in, it's covered, it's a controlled burn, just for the ambiance, I thought that was allowed. But open burning leaves, brush, garbage --

TRUSTEE PHILLIPS: I think that's --

MAYOR HUBBARD: -- 55 gallon drums, you know, people just burning this stuff was not allowed.

Let us before -- we're just speculating on that. Let the Village Administrator look at that and we could post something on the website of what is or isn't allowed per our code. Contact the Village Attorney and let's just clarify it for people. I thought that decorative contained --

(Discussion in Audience)

TRUSTEE PHILLIPS: I'm sorry. I'm sorry, Mayor. The discussion, I can't -- there's too much going on. I appreciate everybody's opinions out there, but I'd like to hear what the Mayor has to say.

MAYOR HUBBARD: Okay.

ATTORNEY PROKOP: So the --
MAYOR HUBBARD: The Village Administrator and the Village Attorney will get a clarification on that for tomorrow.

MS. ZEMSKY: I think once it is clarified, if it's possible that it could be listed on the website, it would be great.

MAYOR HUBBARD: Okay.

MS. ZEMSKY: What is allowed, if it's listed on the website would be very helpful.

MAYOR HUBBARD: They will.

ADMINISTRATOR PALLAS: Yes.

MAYOR HUBBARD: They will look at that --

ADMINISTRATOR PALLAS: Yes.

MAYOR HUBBARD: -- and they'll post something tomorrow on the website.

MS. ZEMSKY: Thank you.

MAYOR HUBBARD: Well, being Friday, by Monday. It may not be tomorrow, but it will be by Monday, just what the Village regulation is on that and what is allowed.

MR. SWISKEY: Joe asked a question. If I throw a grill on top of it, a couple of hot dogs, then it's a barbecue, right?

MR. PROKOP: Yes. So I think that -- I think that burning, which is what's defined in
the code as nuisance burning, is -- I think
burning connotes -- connotates -- has a
connotation that you're trying to dispose of
something by burning it, you know, as a way of
disposing something.

So I think the Mayor's example, I think, is
correct, if you're burning, you know, trash or
things like that, I think that would be a
nuisance.

MAYOR HUBBARD: Right.

ATTORNEY PROKOP: But I think -- I think a
decorative situation would be different from
that. But as you said, I'll consult with Paul
Pallas and we'll --

MAYOR HUBBARD: Okay.

ATTORNEY PROKOP: -- we'll get that.

MAYOR HUBBARD: We'll get an answer and get
something out as soon as possible. Okay.

MS. KREAHLING: My husband called the Code
Enforcement Officer about --

ADMINISTRATOR PALLAS: Name and address.

MAYOR HUBBARD: Name and address, and just
speak up so she can hear you, please.

MS. KREAHLING: Lorraine Kreahling,
157 Central Avenue.
My husband called the Code Enforcement Officer and had a conversation with him about an open fire pit, he said they were against code.

MAYOR HUBBARD: Okay. Well, we will investigate this and clarify it for everybody, so, you know, it will be equal across the board. You know, the topic hadn't come up a lot before, but it is now, so let's just clarify it and then everybody will know. Thank you for your -- okay, go ahead.

MR. MACKEN: Yes. I've spoken numbers -- a number of times I've spoken on somebody else's behalf. Frank Macken, 138 Sterling Avenue.

So as regards the resolution to call for a public hearing on 123 Sterling, I was very surprised at last week's meeting to hear about this. My neighbors and I have a question, basically three letters, why? Why is the Village getting involved with this?

This is a project that is very controversial, and based on a certain legal stipulation. And the applicant has spent the last year trying to modify it and trying -- getting further and further away from the original stipulated building. Why is the Village
now getting involved in that?

Either the stipulation stands or it doesn't stand, and then all of the current rules of waterfront commercial, of height restrictions, all of those things come into play, because the stipulation cut through all of that, all of that -- all of those issues, all of those rules, which are the rules that actually protect Greenport going forward.

So whatever is decided on this project will affect in a domino effect. And I said this last year, and I keep saying it, it's going to be a domino effect all around the waterfront and all the way down Front Street. So we're going to end up looking like somewhere like Patchogue with three story buildings, apartments overhead with retail below, and like it's just Greenport will lose it's soul.

And the reason that those -- the height restrictions are there, is like 2, 2 1/2 stories, so it's 35 feet this building will be, 45 feet by the time it's built and everything goes on top of it, and it's huge, it's a huge building.

The stipulation that approved, as a result of litigation, approved a commercial building
with residential spaces above. This is not what it is now. This is not what the application --
applicant is asking for. He's asking for extra luxury housing. And the Village has a longstanding 30-year, at least 30 years, where they decided like we're not going to have anymore condos on waterfront commercial.

So if this is overhead -- overturned, and the Village -- this man was granted a permit and plans were drawn up without public knowledge, and then it was said, okay, we can't stop him, he's got the right to do it. So he's in there and he's using this as a way to pry apart all of those regulations. This is the way we see it.

So we think that the rules, and I think Ms. Phillips brought this up at the last meeting, it's important to follow the rules, because the rules are there to protect us all, to protect Greenport. And if we mess with the rules, or if we allow the rules to be subverted, then it's open season on Greenport.

And I know there are people in the Administration, people like in positions of influence who are -- who want to -- you know, who think any kind of development is good. It seems
like it's a numbers game, we've got to expand the
tax base. Well, the fact is that just looking
around Greenport, the tax base is expanding
nicely. We have what, 12, 14 new houses being
built, have been built coming up. Everything is
going on.

There is no reason to rush into a hearing,
especially a hearing in a situation where many
interested residents cannot attend and interact.
There is no reason to -- I think it's premature
for the Board to intervene and say, "Let's change
the stipulation, let's have a meeting to
attend" -- "amend the stipulation. Let's have
all the Boards together."

Every individual Board has its own purview,
and every individual Board it's structured like
that. It's like a system of checks and balances
where every Board has -- acts as a check on the
Administration, so you don't get an
Administration that is just powering through
something and saying, "Oh, we're going to just do
transit-friendly development from now on that's
in Greenport." So, you know, if we're going to
allow that kind of thing, then, you know, we're
going to end up screwed.
So everything that -- whether it's the size
of a boat on a bulkhead, or allowing a boat, the
code says one thing, waterfront commercial says
something.
So your current -- under current code, you
cannot build luxury condos on waterfront
commercial. Now if you guys -- if everybody
wants to get together and change the code, as
Mr. Saladino said, that's a different thing.
Then we need to have a forum where we discuss
what is Greenport going to look like going
forward, but not have this back door -- back door
runaround and run around the regulations, because
somebody 12 years ago said, well, you know -- you
know, let's have a hodgepodge, an ugly duckling
of a building that will please the neighborhood,
it will please the Village, it will satisfy
zoning code. You know, I mean, that's what it
was. It's just ugly.
And so now -- and so -- and then a permit
was issued after 12 years of doing nothing on
that site. Ownership changed hands, and
Mr. Raskin was much more amenable. There was a
forum in 2018 where you, Mr. Mayor, took -- you
know, from Mr. Raskin in and a number of other
Boards and other stuff, and Mr. Raskin presented his proposal, and you said at the end of that meeting, going forward, this will be public, we're not deciding anything, this and that. The next thing we knew, a year later, there was a guy who had a permit, a new owner with a permit and a full set of plans for a really big building, much bigger than what Raskin had planned.

So, I mean, it's Pandora's box. You open it, you know, you just don't know what you're going to get. And like -- and just, you know, for the future of Greenport, I really implore you guys to think seriously.

Murphy's Law, great Irishman, Murphy, his law, and unintended consequences, that going forward, you just don't know. If you do the wrong thing, it's going to be -- you know, it's just going to be a domino effect all the way around. And there are vulnerable important parts there on the waterfront. There are hedge funds involved at Claudio's, there is -- there's money, there's big money that's moved into this area, and they're looking to, and they've got armies of lawyers, and they're just looking to like steamroll and get whatever they can.
They don't -- and hats off to Mr. Pawlowski. I think he's looking to make the most money he can. He wants to add more units, he wants to add -- he wants to have his cake and eat it, basically. And we just have to ask ourselves is that what's in Greenport's interest? Is it in our interest to have luxury housing with private parking below, just like the city, and three-story building in a two-story neighborhood? Is it in our interest to do that?

You know, so there was a compromise. So if we're getting away from that compromise, we're getting further and further away from it. What's the point in having a hearing where we're just going -- where we're just going to say, "Oh, let's just amend it, let's just" -- "let's let him have his huge" -- "this tall building he doesn't need anymore," because commercial seems to have vanished. So then the building would be lower.

There's lots of things to discuss. There's lots of ways that this could go, and it needs to be an open -- it needs to be done openly, transparently with everybody involved, all the stakeholders, all the residents of Greenport,
that we know what's going to happen is not going
to turn us into Patchogue or somewhere like that.

So, I mean, that's my -- that's -- that is
our -- I'm just expressing on behalf of several
people who couldn't be here tonight, but that is
our main concern, that everything be done in --
fundamentally, following the rules. And if you
want to change the rules, you have an open
discussion about that, and then everything that's
done -- you guys are our Trustees, we're trusting
you to protect Greenport, to do the best thing
for the -- for the Village going forward.

Thank you very much.

MAYOR HUBBARD: Let me just correct some
things that you were wrong on. The Village is
involved in this because we are part of the
stipulation, we are part of the lawsuit from 20
years ago, that's why the Village is involved.

MR. MACKEN: Right.

MAYOR HUBBARD: Your comment saying that I
said something, "We'll see what happens," and
then they got a building permit, by law they were
allowed to get a building permit. We did not
change anything at all about that.

Last Thursday I told you, it has to go
before all four Boards independently and separately. I told you that last Thursday, I'm repeating it again now. It has to go before Planning, Zoning, Historic and the Village Board --

MR. MACKEN: Right.

MAYOR HUBBARD: -- because they are all parts of the lawsuit, and the Village as a whole. So nothing's being done back-door or anything else. You were told this last week. I discussed the whole thing. I'm being very straightforward about the whole thing. We're not making this up.

MR. MACKEN: No, I --

MAYOR HUBBARD: This is just part of the way it is. I know you've been against this project forever and you're not going to be happy. I understand that, and that's your right to do that. But to say that we're doing things wrong and inadequately, that I said this one thing, and then a year later he gets a permit, he was allowed to have a permit.

The original owner was allowed to get a permit before Mr. Pawlowski bought it. And the permit says he's allowed to build "X" building. He still is allowed to build "X" building. If he
wants to modify the stipulation agreement, it has to go back before all four Boards, which has been said by the attorneys three years ago. If they're going to change the stipulation, it has to go before all four Boards. That's exactly what we're doing. Nothing's changed in four years since I've been up here. I'm just clarifying some facts on that, that's all.

MR. MACKEN: But the point is, that if the -- if the building is not the stipulated building with its uses and everything, then it cannot be built. Legally, under current code and planning provisions, it cannot be built. It's illegal to build it, because it's dependent on that stipulation. If you deviate from that stipulation and it's in the stipulation, it's in the wording, and it's the subject of --

MAYOR HUBBARD: I completely understand that. We got that. The Village Attorneys take care of that stuff legally for the Village. Everything that's being done is being done appropriately by law, and it's reviewed by the Planning Board, Zoning Board and the Village Attorney every time.

MR. MACKEN: Okay. Well, it's the subject
of a lawsuit now, and, you know, it's --

MAYOR HUBBARD: I mean, if you disagree with the Attorneys, that's something that you're going to have to take up at the next week. Everything we're doing, we're going by the book. If you don't believe the Attorney's opinion, at the public hearing you say, "I disagree with the Village Attorney," and we'll get a clarification from NYCOM, the New York Conference of Mayors, on if you disagree with the wording and what the Village is doing on it. You know, that's very easy to get a clarification on that for you.

MR. MACKEN: Right. But, I mean, the Village, obviously, is part of the stipulation, but it is not all of the stipulation.

MAYOR HUBBARD: No.

MR. MACKEN: So, I mean, that it is -- the Village can't just make a decision and say it's going to be like this. And also the premise of the hearing.

TRUSTEE PHILLIPS: He's misunderstanding. He's misunderstanding.

MR. MACKEN: That's what I'm saying, is that the premise of the hearing is based on modifying the stipulation.
MAYOR HUBBARD: We haven't even had the public hearing yet, so we don't know that.

MR. MACKEN: But what I'm saying, you know, that's the whole thing.

MAYOR HUBBARD: So you're saying we shouldn't have any hearings on anything and just let the project sit there. That's denying the constitutional rights of a person that owns a piece of property in the Village.

MR. MACKEN: No. I'm saying it's premature to have the meeting so soon on such a sensitive subject, given the situation that I'm not -- until we figure out a way that everybody can participate. And as people have pointed out, when you have something that's so controversial, you need -- and people need to interact, there's something that happens in the room and a discussion happens. You know, so, I mean, just it looked -- well, this is what it seemed to us, like this hearing was, "Okay, let's get this done. You got to listen to this" --

MAYOR HUBBARD: That's not at all how it went last time, you're completely wrong.

MR. MACKEN: Okay.

MR. PAWLOWSKI: So just if we're going to
talk about the transparency, which I think is
very important. I came before the Village over --
almost a year-and-a-half ago. Nothing has been
quick. I wish it was.

I came before the Village to start the
process of communication, got one or two Planning
Board work sessions, met with the SBNA close -- I
don't know, six, seven times, to hear comments,
to start the conversation, have the most
transparent application I've ever seen in any
forum. It's been transparent for the last
15 years, since we took ownership with permit.
We didn't get the permit, we bought it with the
permit. This is now going on 16 months.

Most of the resubmittal is based off
conversations with the SBNA and they're
modifications. We're not recreating the wheel
here by any means. We're protecting the entire
aspect of that stipulation, and requesting,
proposing modifications. And with those
modifications, we're going to go through every
aspect of the process.

The Trustees, the Planning, the Historical
Review Board, the ZBA, it couldn't get more
transparent. And if transparency is what you're
asking for, that has been given, and will be
continued to be sought after, because, as the
applicant, we want it as transparent as possible,
because, at the end of the day, it's a lot easier
to do it that way.

I even said that at the last meeting. I
would prefer the process before every Board and a
public hearing before every Board. But 16 months
and probably another six or eight months is
definitely not just shooing it in. And we're
modifying based off a stipulation, which the
stipulation allows for, and that's our goal. And
if we don't get the approval, we don't get the
approval, and we understand that. And we're
doing everything we can, from meeting with
everyone we possibly can on both the neighborhood
assoc -- neighborhood, SBNA, the Village
residents, whomever. We couldn't be more
transparent, and that's what we continue to seek
to be.

MR. MACKEN: One other request. The
information that people aren't clear of what is
actually going to be discussed, and what the --
so the public, the -- it shouldn't be that
everybody has to go and file -- FOIL the
information, it should be -- it should be sent
out there, I mean, like what the plans are, the
proposed changes are, what they -- you know, the
site plan, all of that stuff, so people ask me to
request that.

MAYOR HUBBARD: Okay. If you could just
give me an email address for everybody that
you're representing and we'll make sure we
forward that paperwork to you.

MR. MACKEN: Okay.

MAYOR HUBBARD: You said -- you said, we,
us, and as a group. If there's a group, an
association, anything we have that we're going to
discuss, we'll forward it to you. Just send
their information to the Village Administrator
with their email addresses and then we'll send it
out to you, that's fine.

MR. MACKEN: Right. Well, the SBNA has a
much larger -- has a large --

MR. PAWLOWSKI: For the record, every
single document, everything proposed along the
way has been sent not only to the Village, but
also to the SBNA.

MAYOR HUBBARD: So they already have all of
that, then.
MR. PAWLOWSKI: I don't know if you're part of the SBNA, but the SBNA has been given every sort of document that I've submitted to the Village, digitally.

MR. MACKEN: So this current, what you -- what you proposed at the meeting, at the work session last week, that has been --

MR. PAWLOWSKI: Yes, 100%, several times in person and by email.

MR. MACKEN: Okay.

MR. PAWLOWSKI: And I've actually made the SBNA aware of every meeting.

MR. MACKEN: Okay. Well, we hadn't heard about that, but anyway --

MAYOR HUBBARD: Okay, thank you for the input. Anybody else wish to address the Board on any topic?

CLERK PIRILLO: Mr. Mayor, if I may.

MAYOR HUBBARD: Yes.

CLERK PIRILLO: We have -- we have a -- we had said that the Pawlowski 123 Sterling will be discussed in August. I want to make sure to call to your attention that we have two resolutions on this agenda regarding that, Resolutions No. 21 and 22. So I don't know if you intend to table
those or if you'd like to take a different action.

TRUSTEE PHILLIPS: Mr. Mayor, given the fact that Mr. Pawlowski has put forth a totally different perspective, that I think we need to see it in writing from him, which would be easier to understand. I was going to suggest that we table them, so the resolutions, I was going to suggest we table them.

MAYOR HUBBARD: Table 21 and 22?

TRUSTEE PHILLIPS: Yeah, that was going to be my suggestion when we get to the agenda.

MAYOR HUBBARD: Yeah. We just had the public hearing tonight and we just discussed it, so we're going to have further discussion on that, due to the volume of comments this evening and all. So when we get to that, table -- we're going to table 21 and 22.

CLERK PIRILLO: Thank you, sir. I just wanted to call that to your attention.

MAYOR HUBBARD: Before we get into reading that, I appreciate that. Thank you.

CLERK PIRILLO: You're welcome, sir.

TRUSTEE PHILLIPS: And perhaps, Paul, maybe you could give us a written -- a description to
us, to the Board as to your 40% reduction and --

MR. PAWLOWSKI: It was in my first letter
two months ago.

TRUSTEE PHILLIPS: Was it? Okay.

I don't -- that was --

MR. PAWLOWSKI: Nothing I proposed tonight
is different from the letter you got and --

TRUSTEE PHILLIPS: Okay, that's fine. I
just want to make sure. Okay, that's all.

MR. PAWLOWSKI: So this is now being tabled
again?

MAYOR HUBBARD: We just closed the public
hearing tonight. We have to table it -- no, the
public hearing is closed. We will discuss that
at our work session. When we closed the public
hearing, I think I said that right at the
beginning, when we close the public hearing, then
we would discuss that at our August work session.

At both public hearings we said that, so.

Okay. All right. I offer RESOLUTION
#07-2020-1, RESOLUTION adopting the July, 2020
agenda as printed. So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.
TRUSTEE CLARKE:  Aye.
TRUSTEE PHILLIPS:  Aye.
MAYOR HUBBARD:  Aye.

Opposed?

(No Response)

MAYOR HUBBARD:  Motion carried.  Trustee Clarke.

TRUSTEE CLARKE:  RESOLUTION #07-2020-2, Accepting the monthly reports of the Greenport Fire Department, Village Administrator, Village Treasurer, Village Clerk, Village Attorney, Mayor and Board of Trustees.  So moved.

TRUSTEE MARTILOTTA:  Second.
MAYOR HUBBARD:  All in favor?
TRUSTEE MARTILOTTA:  Aye.
TRUSTEE CLARKE:  Aye.
TRUSTEE PHILLIPS:  Aye.
MAYOR HUBBARD:  Aye.

Opposed?

(No Response)

MAYOR HUBBARD:  Motion carried.

TRUSTEE MARTILOTTA:  (RESOLUTION #07-2020-3), RESOLUTION approving the application for membership of Taylor Reed to the Standard Hose Company of the Greenport Fire Department, as
approved by the Greenport Fire Department Board

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: RESOLUTION #07-2020-4,
RESOLUTION ratifying the hiring of Willa Donovan,
Harry Donovan and Jack Muth as part-time,
seasonal lifeguards at the (pay) rate of $15.00
per hour, effective July 17th, 2020. So moved.

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.
TRUSTEE CLARKE: RESOLUTION #07-2020-5,

Ratifying the hiring of Adam Jason Hubbard, Jr. at the Village of Greenport Mitchell Park Marina as a dockhand, at a pay rate of $13.00 per hour, effective July 3rd, 2020. So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILOTTA: RESOLUTION #07-2020-6,

RESOLUTION approving an increase in the hourly wage rate for Stephen Rutkowski, from $21.96 per hour to $26.35 per hour, effective July 29th, 2020 owing to the assumption of additional duties, per Article VII (Salaries and Compensation), Section 9 (a) - Merit Clause - of the collective bargaining agreement currently in force between the Village of Greenport and CSEA Local 1000. So moved.

TRUSTEE PHILLIPS: Second.
MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: RESOLUTION #07-2020-7, RESOLUTION approving an increase in the hourly wage rate for Adam Brautigam, from $20.49 per hour to $22.49 per hour, effective July 29th, 2020 owing to the assumption of additional duties, per Article VII (Salaries and Compensation), Section 9 (a) - Merit Clause - of the collective bargaining agreement currently in force between the Village of Greenport and CSEA Local 1000. So moved.

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?
(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #07-2020-8,

Approving an increase in the hourly wage rate for
Juan Diaz, from $17.30 per hour to $18.50 per
hour, effective July 29th, 2020 owing to the
acquisition of substantial expertise in his area
of work experience, per Article VII (Salaries and
Compensation), Section 9 (b) - Merit Clause - of
the collective bargaining agreement currently in
force between the Village of Greenport and CSEA
Local 1000. So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)  

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILOTTA: RESOLUTION #07-2020-9,

RESOLUTION approving an increase in the hourly
wage rate for Michael Flora, from $25.75 per hour
to $33.30 per hour, effective July 29th, 2020

Flynn Stenography & Transcription Service
(631) 727-1107
owing to the acquisition of substantial expertise
in his area of work experience, per Article VII
(Salaries and Compensation), Section 9 (b) -
Merit Clause - of the collective bargaining
agreement currently in force between the Village
of Greenport and CSEA Local 1000. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: RESOLUTION #07-2020-10,

RESOLUTION approving an increase in the hourly
wage rate for Ethan Holland, from $20.90 per hour
to $22.06 per hour, effective July 29th, 2020
owing to the completion of a job-related course
of study, per Article VII (Salaries and
Compensation), Section 9 (c) - Merit Clause - of
the collective bargaining agreement currently in
force between the Village of Greenport and CSEA
Local 1000. So moved.
TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #07-2020-11,

Approving an increase in the hourly wage rate for Douglas Rocco, from $25.52 per hour to $26.68 per hour, effective July 29th, 2020 owing to the completion of a job-related course of study, per Article VII (Salaries and Compensation), Section 9 (c) - Merit Clause - of the collective bargaining agreement currently in force between the Village of Greenport and CSEA Local 1000.

So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.
Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILOTTA: RESOLUTION #07-2020-12, RESOLUTION approving an increase in the annual salary of Stephen Gaffga, from $56,750 per year to $61,750 per year, effective July 29th, 2020. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: RESOLUTION #07-2020-13, RESOLUTION authorizing Treasurer Brandt to perform attached Budget Transfer #4386, for year-end adjustments to the Fire Department Budget for Fiscal Year 2019/2020, and directing that Budget Transfer #4386 be included as part of the formal meeting minutes of the July 23rd, 2020 Regular Board of -- Regular Meeting of the Board
of Trustees. So moved.

TRUSTEE CLARKE: Second.
MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #07-2020-14,

Authorizing Treasurer Brandt to perform attached
Budget Transfer #4387, for year-end adjustments
in the General Fund for Fiscal Year 2019/2020,
and directing that Budget Transfer #4387 be
included as part of the formal meeting minutes of
the July 23rd, 2020 Regular Meeting of the Board
of Trustees. So moved.

TRUSTEE MARTILOTTA: Second.
MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.
TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?
(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILOTTA: RESOLUTION #07-2020-15, RESOLUTION authorizing Treasurer Brandt to perform attached Budget Transfer #4399, for year-end adjustments in the Water Fund for Fiscal Year 2019/2020, and directing that Budget Transfer #4399 be included as part of the formal meeting minutes as of the July 23, 2020 Regular Meeting of the Board of Trustees. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: RESOLUTION #07-2020-16, RESOLUTION authorizing Treasurer Brandt to perform attached Budget Transfer #4400, for year-end adjustments in the Light Fund for the Fiscal Year 2019/2020, and directing that Budget Transfer #4400 be included as part of the formal
meeting minutes of the July 23rd, 2020 Regular Meeting of the Board of Trustees. So moved.

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #07-2020-17, Authorizing Treasurer Brandt to perform attached Budget Transfer #4401, for year-end adjustments in the Sewer Fund for Fiscal Year 2019/2020, and directing that Budget Transfer #4401 be included as part of the formal meeting minutes of the July 23rd, 2020 Regular Meeting of the Board of Trustees. So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.
Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTIOLTA: RESOLUTION #07-2020-18,

RESOLUTION declaring as surplus, and no longer
needed for municipal purposes, the Village-owned
AWV - 100B reverse osmosis water machine, and
directing Clerk Pirillo to notice a bid
solicitation accordingly. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: RESOLUTION #07-2020-19,

RESOLUTION declaring as surplus, and no longer
needed for municipal purposes, the Village-owned
TCM Electric Department forklift, and directing
Clerk Pirillo to notice a bid solicitation
accordingly. So moved.

TRUSTEE CLARKE: Second.
MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.
TRUSTEE CLARKE: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #07-2020-20,

Approving the attached retainer agreement;

effective from July 1, 2020 through June 30th, 2023; between the Village of Greenport and special labor counsel Lamb and Barnosky, per the engagement letter from Lamb and Barnosky dated July 8th, 2020; and further authorizing Mayor Hubbard to sign the retainer agreement between the Village of Greenport and Lamb and Barnosky.

So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.
TRUSTEE CLARKE: Aye.
TRUSTEE PHILLIPS: Aye.
MAYOR HUBBARD: Aye.

Opposed?
MAYOR HUBBARD: Motion carried.
All right. I'm going offer a resolution to table RESOLUTION #07-2020-21. So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.
I'll offer a resolution to table RESOLUTION #07-2020-22. So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried. Trustee Martilotta.
TRUSTEE MARTILOTTA: Sure. RESOLUTION #07-2020-23, RESOLUTION authorizing the expenditure of an amount not to exceed $2,000 for the purchase of COVID-19 related signage for the Village of Greenport, to be expensed from Account Number A.7110.401 (Parks Expense Recreation). So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE PHILLIPS: RESOLUTION #07-2020-24, RESOLUTION scheduling a public hearing for 7 p.m. on August 27, 2020 at the Third Street Fire Station, Third and South Streets, Greenport, New York, 11944 regarding a proposed amendment to the Stipulation dated March 12th, 2007 between 123 Sterling, LLC; Sterling Basin Neighborhood Association; George Limperis, The Village of Greenport; the Zoning Board of Appeals of the...

TRUSTEE CLARKE: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE CLARKE: RESOLUTION #07-2020-25,

RESOLUTION approving all checks per the Voucher Summary Report dated July 20th, 2020, in the total amount of $35,163.58 consisting of:

- All regular checks in the amount of $35,163.58.

So moved.

TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?
(No Response)

MAYOR HUBBARD: Motion carried.

TRUSTEE MARTILOTTA: RESOLUTION #07-2020-26, RESOLUTION approving all checks per the Voucher Summary Report dated July 20th, 2020 -- whoa.

No, only once. July 20th, 2020 for the amount of $708,445.86 consisting of:

- All regular checks in the amount of $466,617.00 (sic) ($466,671.00), and
- All prepaid checks (including wire transfers) in the amount of $241,774.86.

So moved.

TRUSTEE PHILLIPS: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

Okay. That ends our regular agenda. I just want to thank everybody for coming. Please, everybody stay safe, and I'll motion to adjourn the meeting at 8:41.
TRUSTEE MARTILOTTA: Second.

MAYOR HUBBARD: All in favor?

TRUSTEE MARTILOTTA: Aye.

TRUSTEE CLARKE: Aye.

TRUSTEE PHILLIPS: Aye.

MAYOR HUBBARD: Aye.

Opposed?

(No Response)

MAYOR HUBBARD: Motion carried.

Thank you all for coming.

(The meeting was adjourned at 8:41 p.m.)
CERTIFICATION

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

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

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on July 23, 2020.

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

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

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**VILLAGE OF GREENPORT**  
**Budget Adjustment Form**

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# VILLAGE OF GREENPORT

## Budget Adjustment Form

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**Trans Date:** 05/31/2020  
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**Status:** Batch  
**Approved:** 06/10/2020  
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**Account # Order:** No  
**Print Parent Account:** No

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<td>A.7231.422</td>
<td>DOCKS UTILITIES</td>
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<td>A.7311.400</td>
<td>ICE RINK EXPENSE</td>
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# VILLAGE OF GREENPORT

## Budget Adjustment Form

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Account Description</th>
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<tbody>
<tr>
<td>A.7312.401</td>
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<td>A.7520.400</td>
<td>HISTORICAL PROP - LARRY TUTHILL PARK.</td>
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<td>HOSP &amp; MEDICAL INS.EMPLOYEE BENEFITS</td>
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**Total Amount: 0.00**
# VILLAGE OF GREENPORT

**Budget Adjustment Form**

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Account Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>F.8310.100</td>
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<td>F.8310.101</td>
<td>SUPERVISORY LABOR</td>
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<td>F.0800.111</td>
<td>DENTAL/OPTICAL</td>
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<td>F.8310.102</td>
<td>LABOR OUTSIDE</td>
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<td>F.8310.201</td>
<td>OFFICE FURNITURE &amp; EQUIPMENT</td>
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**Total Amount:** 0.00

**Account # Order:** No

**Print Parent Account:** No
## VILLAGE OF GREENPORT
### Budget Adjustment Form

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<thead>
<tr>
<th>Account No.</th>
<th>Account Description</th>
<th>Amount</th>
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**Total Amount:** 0.00
VILLAGE OF GREENPORT
Budget Adjustment Form

Year: 2020  Period: 5  Trans Type: 51 - Transfer  Status: Batch
Trans No: 4401  Trans Date: 05/31/2020  User Ref: ROBERT
Requested: R BRANDT  Approved.  Created by: ROBERT
Description: FISCAL YEAR END 2019-2020 BUDGET TRANSFER FOR THE SEWER FUND

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<thead>
<tr>
<th>Account No.</th>
<th>Account Description</th>
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<td><strong>Total Amount:</strong></td>
<td><strong>0.00</strong></td>
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July 8, 2020

Mayor George Hubbard
Village of Greenport
Village Hall
236 Third Street
Greenport, N.Y. 11944

Dear Mayor Hubbard:

Thank you for your interest in continuing our retention as the Village’s special labor counsel. This letter will confirm the scope and terms of our continuing representation and will ensure that we continue to have a clear understanding of these matters as we proceed into our new agreement.

1. **Scope of Engagement**

   The scope of this representation will continue to include serving as the Village’s labor counsel effective July 1, 2020 through June 30, 2023. Our services will include one round of collective bargaining negotiations with the CSEA bargaining unit, including mediation, fact-finding and legislative determination hearings on behalf of the Village with representatives of the CSEA and drafting of the collective bargaining agreement with that Unit. Services covered by the retainer also include attendance at Board meetings on a scheduled basis to discuss the contract, when necessary, and consultation on the administration of the collective bargaining agreement during its term. Excluded from the retainer will be administrative hearings, arbitrations and other litigation, personnel matters involving individual employees, personnel investigations and collective bargaining with any newly established units not listed above.

   The scope of our engagement may change if the Village asks the Firm to provide different services and the Firm agrees in writing to provide them or the Firm proceeds to provide them and bills the Village for them. If the Firm’s engagement changes, the terms set out in this letter will apply to the changed engagement, unless the Firm sends the Village a further letter modifying or superseding this one.
2. **The Client’s Duty to Cooperate**

   The Village understands and agrees that, in order for the Firm to effectively represent it, it is necessary for it to assist and cooperate with the Firm. The Village agrees to: (1) make itself available to discuss issues as they arise in this matter, and to make decisions regarding the matter when necessary; (2) attend and participate in meetings, conferences, preparation sessions, court and administrative proceedings and other activities in connection with the representation; (3) provide complete and accurate information and documents to the Firm on a timely basis; and (4) pay the Firm’s invoices on a timely basis as provided herein.

3. **Responsibility and Team Members**

   We will continue to represent you by using lawyers who are best suited to handle issues as they arise. We will continue to do everything we can to staff your work efficiently so that the charges you incur are reasonable and consistent with your requirements. Alyson Mathews and I will continue to be the attorneys primarily responsible for handling the Village’s matters.

4. **Keeping You Informed**

   The Firm continues to be committed to keeping the Village informed about our work on any matters assigned to us. This includes continuing to let the Village know who is working on matters assigned to us, updating the Village on the progress of those matters, advising the Village of any potential problems or delays, and keeping the Village notified of costs. To this end, the Firm will continue to provide the Village with a report on the status of matters assigned to us as regularly as the Village requires. In the event that the Village needs to reach one of our attorneys and the person sought is unavailable, please leave a message describing the nature and urgency of the inquiry. It continues to be the Firm’s policy to promptly respond to all inquiries.

5. **Fees, Expenses and Billings**

   (a) **Legal Fees**

   Our fees for services will continue to be based upon a variety of facts, including the time and labor involved; the difficulty of the questions and the skill required to perform those services properly; time limitations imposed either by the Village or by the circumstances; the nature and length of the professional relationship between us; and the experience of the lawyers assigned to do the work. The hourly billing rates for attorneys and paralegals in our Firm vary and are re-adjusted periodically.
DRAFT PROPOSAL FOR CLIENT REVIEW

Mayor George Hubbard
July 8, 2020
Page 3

Notwithstanding this fee schedule, we have agreed to a retainer arrangement as follows: $26,500 covering the period July 1, 2020 through June 30, 2021; $26,500 covering the period July 1, 2021 through June 30, 2022; and $26,500 covering the period July 1, 2022 through June 30, 2023, payable in equal advance monthly installments.

If requested to represent the Village in matters outside of the scope of this retainer, we have agreed to cap our hourly rates at a special discounted rate of $310 per hour for a partner’s or counsel’s time effective July 1, 2020; $315 per hour effective July 1, 2021; and $320 per hour effective July 1, 2022. The rate for an associate attorney’s time will be $255 per hour effective July 1, 2020; $260 per hour effective July 1, 2021; and $265 per hour effective July 1, 2022. The rate will continue to be $150 per hour for recent law graduates, legal interns, summer associates and paralegal assistants. It is understood that our Firm regularly reviews and adjusts its rates each year, and that any change in our rates will be made only upon prior notice to the Village. We will continue to bill our time in quarter-hour (four to an hour) increments. These rates do not include any amounts that may be added to a particular invoice for disbursements and charges.

(b) Disbursements and Charges

The Village will also continue to be responsible for reasonable costs and expenses incurred. These costs and expenses may include travel and mileage expenses, computerized legal research, process and subpoena service fees, filing fees, overnight mail fees and similar items. These costs and expenses will be billed in the same manner as our fees or we may ask the Village to make direct payment to the party making the charge. We will continue to not charge for photocopying, domestic telephone calls, postage costing less than $1 or facsimiles.

(c) Billing Arrangements

Statements of fees, disbursements and charges will continue to be sent to the Village by the Firm on a monthly basis, with payment to be made within 30 days of receipt of the invoice. Please note that the Firm reserves the right to impose a late charge at the rate of 12% per annum on past due accounts. If the Village anticipates that payment will be delayed, please discuss this delay with me at the earliest possible opportunity. If the Village has any questions regarding an invoice, please contact me so that I can try to promptly answer them.

6. Communication Technology

We continue to be mindful of our obligation to safeguard our clients’ proprietary, sensitive, or otherwise confidential information. To this end, it is important that we continue to
agree on the kinds of communication technology that will be employed in the course of this engagement. If there are particular forms of communication technology that the Village does not wish us to use, or if there are other specific safeguards that the Village would like us to put in place, please promptly advise us. If the Village does not so advise us, we will continue to assume that the Village has given consent to, and accepted any risks attendant upon, the use of any means of communication that we deem to be appropriate (including cell phones, electronic mail, and facsimiles).

7. Files

The Firm generally retains clients’ files in paper or electronic form for at least seven years after conclusion of the matter for which representation was provided. However, once the matter has been concluded, the Village may take possession of the files at any time by delivering a written and signed request to the Firm. If, upon the expiration of seven years after conclusion of the matter, no request has been received, the Firm reserves the right to destroy the files without further notice to the Village.

8. Questions and Termination

The Firm continues to have procedures to address any issue that the Village would like to raise, and we encourage the Village to inform us if at any time our services do not meet the Village’s expectations. We will strive to promptly address any problem and in a professional manner.

The Village may end this relationship at any time by giving the Firm written notice, subject to the Village’s obligation to pay us according to the terms of this Agreement. The Firm, in turn, may withdraw from the representation upon written notice if the Village fails to cooperate with us in any way that we may reasonably request, or fails to pay our invoices in full as submitted, or we determine in our reasonable discretion that it would be improper pursuant to the New York Rules of Professional Conduct or impractical to continue our relationship.

9. Resolution of Disputes —Arbitration

(a) Arbitration Pursuant to the New York Fee Dispute Resolution Program

In the event that a dispute arises regarding the Firm’s billed fees, disbursements or charges, then the Village and the Firm (“the Parties”) will resolve the fee dispute by arbitration conducted pursuant to Part 137 of the Rules of the Chief Administrator of the Courts (22 NYCRR), except
that the Parties will be bound by the decision of the arbitrator(s) and agree to waive the right to reject the arbitrator(s) award by commencing an action on the merits (trial *de novo*) in a court of law within 30 days after the arbitrator(s) decision has been mailed. By signing this agreement, the Parties acknowledge that each of us have received and read the official written instructions and procedures for Part 137 and the written instructions and procedures for the Suffolk County Bar Association Dispute Resolution Program (copies attached). The Parties understand that each of us is not otherwise required to agree to waive the right to seek a trial *de novo* pursuant to Part 137.

(b) **Arbitration Pursuant to the Commercial Arbitration Rules of the American Arbitration Association**

If the Fee Dispute Resolution Program does not apply to the dispute, then the arbitration will be conducted in Suffolk County in accordance with the Commercial Arbitration Rules of the American Arbitration Association, and any decision or award issued in that arbitration will be final and binding and non-appealable.

10. **Entire Agreement**

This letter represents the entire agreement between us concerning the terms and conditions of this engagement. By signing below, the Village acknowledges that this letter has been reviewed and understood and that it agrees to be bound by its terms and conditions. By signing below, the Village consents to continuing to be listed as one of the Firm’s clients in any of our promotion-related materials or activities. The Village's permission to be listed can be revoked by it at any time. No change or waiver of any of the provisions of this letter will be binding on either the Village or the Firm unless the change is in writing and signed by both the Village and us.

If this agreement is acceptable, please sign and return the original of this letter and retain the signed copy for the Village’s files. Kindly also attach for our records a copy of the Village Board minutes containing the Resolution authorizing this retainer.
DRAFT PROPOSAL FOR CLIENT REVIEW

Mayor George Hubbard
July 8, 2020
Page 6

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

Very truly yours,

Richard K. Zuckerman

RKZ/z

READ AND AGREED TO:

VILLAGE BOARD, VILLAGE OF GREENPORT

By: ________________________________
BOARD OF TRUSTEES  
VILLAGE OF GREENPORT  

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

WHEREAS an application for a wetlands permit approval was filed by applicant Paul Pawlowski on behalf of 123 Sterling Avenue Corp. 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.

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

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

Dated: July 9, 2020